

REQUEST	Current Zoning: O-2 (office) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 0.19 acres located on the south side of Fenton Place between Providence Road and Cherokee Road. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to allow the reuse of a 2,650-square foot existing residential and accessory structure for office, retail, and neighborhood food and beverage uses in the Eastover neighborhood.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Fenton Place, LLC Fenton Place, LLC Keith MacVean & Jeff Brown, Moore & Van Allen, PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 3

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to site design and transportation.</p> <p><u>Plan Consistency</u> The petition is inconsistent with the <i>Central District Plan</i> recommendation for multi-family use.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The subject property is located along Fenton Place, a local street in the Eastover neighborhood. Fenton Place intersects with a section of Providence Road that is developed with primarily commercial uses. • The petition will maintain and renovate an existing single family structure that is currently zoned and used for office. There are other nearby single family structures along the section of Fenton Place closest to Providence Road that have also been repurposed for commercial uses. • The proposed uses for this site are compatible with the established commercial land uses already located on this section of Fenton Place, even though the uses for this site are inconsistent with the adopted area plan recommendation for multi-family use. • The proposed site design will help to maintain the residential character of the site by retaining the existing single family structure, and placing the majority of the parking to the rear of the structure, with only two spaces in front.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Reuse of existing 2,650-square foot residential structure and accessory building for retail, office, personal services, neighborhood food and beverage uses.
 - Requirement that existing structures will remain and a 45-foot building setback from the existing back of curb will be maintained.
 - Four off-street parking spaces in the rear of the building and two in the front of the building with decorative pavers.
 - Five-foot decorative sidewalk connection from the structure to the existing public sidewalk system.
 - Maximum height of the proposed structure of two stories and 40 feet.
 - Optional Provisions for the following:
 - To allow two off-street parking spaces between the building and public street. The MUDD

- (mixed use development) district per the development standards does not allow parking between the building and public street.
- To allow the existing 7.8-foot planting strip and five-foot sidewalk to remain. The district standard typically requires an eight-foot planting strip and six-foot sidewalk.
 - To allow detached signage limited to seven feet in height and a sign face area of 15 square feet.
- **Existing Zoning and Land Use**
 - The subject property is zoned O-2 (office) and developed with a residential structure adapted for commercial use.
 - Immediately to the north, east, west and south are properties zoned O-2 (office) and B-1 (neighborhood business) and developed with commercial structures.
 - Eastward on Fenton Place is a series of multi-family properties zoned R-22MF (multi-family residential).
 - Traveling further eastward along Fenton Place the properties are zoned R-5 (single family residential) and developed with residential single family homes.
 - See "Rezoning Map" for existing zoning in the area.
 - **Rezoning History in Area**
 - There have been no rezonings in the immediate area in the past couple of years.
 - **Public Plans and Policies**
 - The *Central District Plan* (1993) recommends multi-family uses for the subject site.
 - **TRANSPORTATION CONSIDERATIONS**
 - The site is located on a local street near an unsignalized intersection with a major thoroughfare. The current site plan shows a complete reconstruction of the property front yard and CDOT continues to request the replacement and upgrade of the adjacent existing sidewalk, which is in poor condition, to six feet.
 - See Outstanding Issues, Note 3 and 4.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 90 trips per day (based on 2,878 square feet of office).
 - Entitlement: 90 trips per day (based on 2,878 square feet of office).
 - Proposed Zoning: Allows a wide range of uses.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Housing and Neighborhood Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte Water:** The site has water and sewer system availability for the rezoning boundary via an existing six-inch water main along Fenton Place and eight-inch sewer main located along Fenton Place.
- **Engineering and Property Management:**
 - **Arborist:** Trees cannot be removed from or planted in the right-of-way of all City of Charlotte maintained streets. Tree protection is required to be installed and remain throughout the life of the construction until certificate of occupancy is released. Contact Laurie Reid (704-336-5753) at the City Arborist's office to discuss trees species to be planted in the right-of-way on a City of Charlotte maintained street.
 - **Erosion Control:** No issues.
 - **Land Development:** No issues.
 - **Storm Water Services:** No issues.
 - **Urban Forestry:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Park and Recreation Department:** No issues.

OUTSTANDING ISSUESSite and Building Design

1. Add a note that wall signage will not be allowed.
2. Add a note limiting detached lighting to 21 square feet for the site.

Transportation

3. The petitioner should revise the site plan and conditional note(s) to show sidewalk to be upgraded to a six-foot sidewalk with an eight-foot planting strip.
 4. The petitioner should revise the site plan to add a note specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued. CDOT requests right-of-way set at two feet behind back of sidewalk where feasible.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Housing and Neighborhood Services Review
 - Charlotte Fire Department Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - City Arborist Review
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Park and Recreation Review
 - Transportation Review

Planner: Solomon Fortune (704) 336-8326