REQUEST
Current Zoning: MUDD (mixed use development)
Proposed Zoning: MUDD-O (mixed use development, optional)

LOCATION
Approximately 1.37 acres located at the northwest intersection of West 1st Street and South Cedar Street, north of West Morehead Street.
(Council District 2 - Ivory)

SUMMARY OF PETITION
The petition proposes to allow the reuse of existing 7,100 square-foot commercial structure and vacant lot for an eating/drinking/entertainment establishment (EDEE) in the Third Ward Neighborhood.

PROPERTY OWNER
Charlotte Rescue Mission

PETITIONER
Charlotte Rescue Mission

AGENT/REPRESENTATIVE
Chris Todd, Timmons Group

COMMUNITY MEETING
Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 10

STAFF RECOMMENDATION
Staff recommends approval of this petition upon resolution of outstanding issues related to site design.

Plan Consistency
The petition is consistent with the West Morehead Corridor Vision and Concept Plan recommendation for institutional uses and park/open space.

Rationale for Recommendation
• The plan recommendation for institutional uses recognized the established institutional use, the Charlotte Rescue Mission, and the recommendation for office retail and multi-family reflected for the existing vacant lot.
• Key plan recommendations for the subject site and surrounding properties include: preservation and reuse of older buildings; development of similar building types on vacant property; and enhancement of the pedestrian environment.
• The reuse of the existing building for an eating/drinking/entertainment establishment is consistent with the adopted plan's recommendation for preservation of older buildings.
• The proposed eating/drinking/entertainment establishment supports the mission and objectives of the established institutional use and is compatible with the recommendation for a mix of residential, office and retail uses on the subject parcel and surrounding properties.
• The proposed urban open space is consistent with the recommendation for park/open space and improves the pedestrian environment.

PLANNING STAFF REVIEW
• Proposed Request Details
The site plan accompanying this petition contains the following provisions:
• Allows an existing building and vacant lot to be used for an eating/drinking/entertainment establishment (EDEE) Type 1 and Type 2 and associated parking.
• Maintains the existing commercial structure on the site.
• Eight-foot planting strip and eight-foot sidewalk along Cedar Street.
• Eight-foot planting strip and six-foot sidewalk with on-street parking along West First Street.
• Improved open space area which will contain hardscape areas, pedestrian connection, benches, and a masonry wall to screen proposed parking.
• Parking will not be located within 50 feet of the back of sidewalk on Cedar Street.
• Requests the following optional provisions to facilitate the reuse of the building and develop the vacant property:
  • To allow maneuvering and parking between the building and the public street. Parking and maneuvering between the building is prohibited in the MUDD district.
  • To allow a 4.7-foot setback along West First Street to accommodate the existing building. MUDD normally requires a minimum 14-foot setback from the public street.
  • To allow a six-foot tall and 30 square-foot sign face area, ground mounted detached sign. MUDD normally allows a five-foot tall and 20 square feet of sign face area.

• **Existing Zoning and Land Use**
  • The subject site is zoned MUD (mixed use development) and developed with an existing commercial warehouse building, and a portion of the site is vacant.
  • The property to the north is zoned UR-2 (urban residential) and developed with residential townhomes.
  • The property to the east and south is zoned MUD (mixed use development) and developed with commercial/office and warehouse buildings.
  • The property to the west is zoned MUD (mixed use development) and developed with an institutional use (Charlotte Rescue Mission).
  • See “Rezoning Map” for existing zoning in the area.

• **Rezoning History in Area**
  • There has been no rezoning in the immediate area in the past four years.

• **Public Plans and Policies**
  • The *West Morehead Corridor Vision and Concept Plan* (2001) recommends institutional uses and park/open space.

• **TRANSPORTATION CONSIDERATIONS**
  • The site is located at the unsignalized intersection of a major collector and a local street. The site plan commits to streetscape and access driveways that will preserve and enhance the walkability of this site.
  • **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 0 trips per day (based on vacant land).
      - Entitlement: Too many uses to determine trip generation.
    - Proposed Zoning: 1,390 trips per day (based on 8,696 square feet of EDEE 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 on street parking on roads less than 26 feet clear width.

• **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.

• **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via existing six-inch water distribution mains located along West First Street and South Cedar Street and sewer system availability via existing eight-inch gravity sewer mains located along West 1st Street and South Cedar Street.

• **Engineering and Property Management:**
  • **Arborist:** Trees cannot be removed from or planted in the right of way of all City of Charlotte maintained streets. 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; species must be approved before planting.
  • **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 Parks and Recreation Department:** No issues.
OUTSTANDING ISSUES

Site and Building Design
1. Modify optional request “C” to read, “the existing building will be allowed to remain at 4.7 foot setback along a portion of West First Street.”
2. Label and list the square footage of the existing building.
3. Add a note and limit building height to the height of the existing building.
4. Modify note 5 “e” and adjust height for proposed wall to 48 inches.

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
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

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