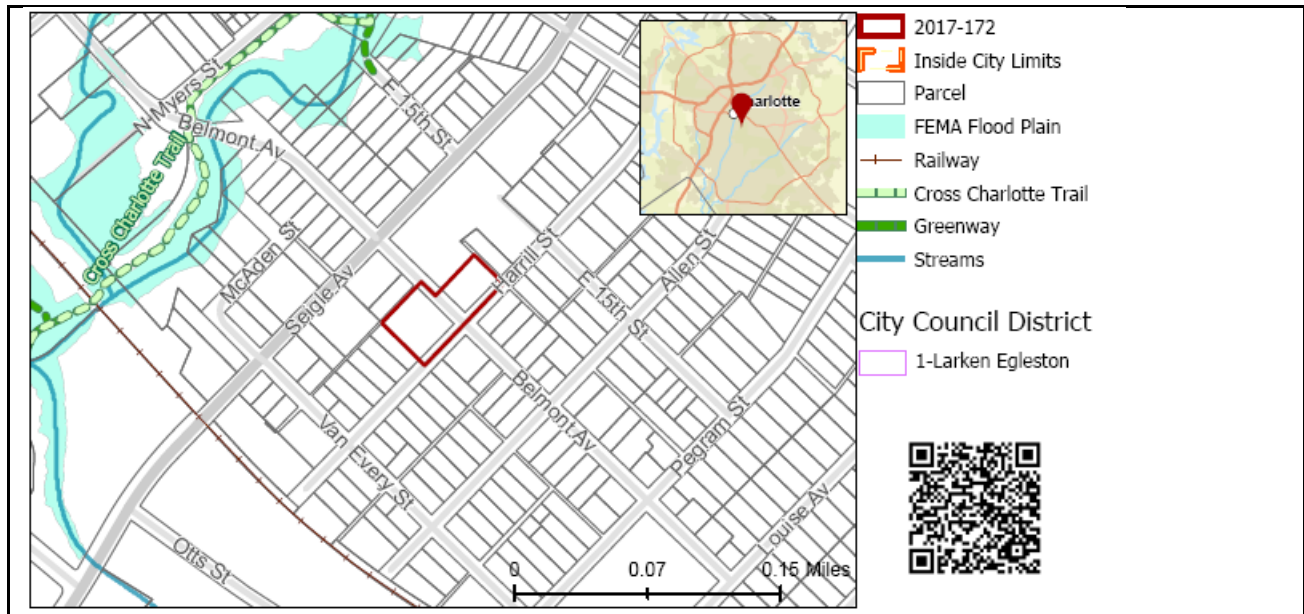


**REQUEST** Current Zoning: B-1 (neighborhood business)  
Proposed Zoning: MUDD-~~Θ~~(CD) (mixed use development, ~~optional~~ conditional)

**LOCATION** Approximately 0.844 acres located on the northwest and southwest corners of Harrill Street and Belmont Avenue.  
(Council District 1 – Egleston)



**SUMMARY OF PETITION** The petition proposes to reuse the existing commercial buildings at 923 Belmont Avenue and 1035 Harrill Street to allow eating/drinking/entertainment establishments, neighborhood food and beverage services, exercise gyms, general offices, retail, and/or residential uses.

**PROPERTY OWNER** City of Charlotte  
**PETITIONER** City of Charlotte – Real Estate  
**AGENT/REPRESENTATIVE** Todd DeLong, Housing & Neighborhood Services

**COMMUNITY MEETING** Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 28

**STAFF RECOMMENDATION** Staff recommends approval of this petition.

Plan Consistency  
The petition is consistent with the *Belmont Area Revitalization Plan*, which recommends retail uses.

Rationale for Recommendation

- Sites are located at a neighborhood node in the Belmont Neighborhood, and will provide neighborhood serving uses possibly to include an eating/drinking/entertainment establishment that are convenient to residents.
- The rezoning proposes reuse of the existing commercial structures.
- Fenestration improvements will be provided to the existing commercial structures, and the pedestrian system will be enhanced.
- Site layouts are designed to match the historic neighborhood character, with no parking located between the buildings and public streets.

**PLANNING STAFF REVIEW**

**Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Reuse of existing nonresidential buildings, **with a small addition**, to allow eating/drinking/entertainment establishments, neighborhood food and beverage services, exercise gyms, general offices, retail, and/or residential uses.
- **An additional rezoning will be required if the properties are redeveloped with new structures.**
- **No food or beverages will be consumed outdoors between the hours of 11 p.m. and 8 a.m.**
- If alcohol is sold on site, food must be offered for sale as well.
- Retention of existing retail buildings, and demolition of existing residential dwelling on the 935 Belmont Avenue.
- No parking between the buildings and public streets.
- ~~Class "B" and "C" buffers provided abutting single family residential use and religious institution uses in R-5 (single family residential) and B-1 (neighborhood business) zoning.~~
- Access to the sites will be from Harrill Street and Belmont Avenue.
- Existing planting strips to remain along Harrill Street.
- Proposed eight-foot wide planting strips to be provided along Harrill Street and Belmont Avenue.
- Building finishes will include brick, stone and/or other masonry products and cementitious siding or other similar durable siding materials. Vinyl is prohibited as a building material.
- Building facades will be articulated with details such as store front windows, canopies, porches, cornices, roof lines and window details to avoid blank facades.
- ~~Optional Provisions Requested:~~
  - ~~Allow parking at a rate of one space per 400 square feet of the primary building regardless of use.~~
  - ~~Buffering provided for adjacent single family uses or zoning may be satisfied by providing a six foot high wire mesh "living screen" planted with evergreen climbing vegetation (not a chain link fence).~~

**Existing Zoning and Land Use**



- The subject properties are zoned B-1 (neighborhood business) and developed with a single family detached dwelling, service garage, and a retail building.







**923 Belmont Avenue** – A service garage and single family home are located in B-1 (neighborhood business).



**1035 Harrill Street** – A commercial structure is located in B-1 (neighborhood business).



Properties to the south of the subject property include a commercial building and single family residential.



Properties to the north of the subject property include one single family home, a church, and a convenience store.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-48	Approximately 0.357 acres located at the northeast intersection of Belmont Avenue and Pegram Street, east of Allen Street from R-5 (single family residential) to MUDD-O (mixed use development, optional) to allow for an eating/drinking/entertainment establishment and other select retail and office uses	Approved
2017-83	Approximately 1.16 acres located between Seigle Avenue and Harrill Street, west of Van Avery Street from I-2 (general industrial) to UR-2(CD) (urban residential, conditional) to allow up to 19 attached dwelling units, at a density of 16.37 dwelling units per acre.	Approved
2017-134	Approximately 0.16 acres located at the intersection of Harrill Street and Belmont Avenue from R-5 (single family residential) to MUDD-O (mixed use development, optional) to allow an eating/drinking/entertainment establishment and residential use.	Approved



• **Public Plans and Policies**



- The *Belmont Area Revitalization Plan* (2003) recommends retail uses for both parcels.
- The adopted streetscape for Belmont Avenue is four-foot sidewalks on both sides of the street, but five-foot sidewalks and five-foot planting strips where physical conditions permit.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located at the unsignalized intersection of a local street and a minor thoroughfare. The current site plan commits to improving the streetscape along the frontage of the site and includes wide sidewalks and planting strips.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 1,120 trips per day (based on one single family dwelling, two apartment dwellings, 5,470 square feet of retail, and 1,196 square feet of auto repair uses).
      - Entitlement: 1,120 trips per day (based on one single family dwelling, two apartment dwellings, 5,470 square feet of retail, and 1,196 square feet of auto repair uses).
      - Proposed Zoning: 1,180 trips per day (based on 5,994 square feet of retail uses).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** No on-street parking on Harrill Street or Belmont Avenue.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing six-inch water distribution main located along Harrill Street and eight-inch water distribution main along Belmont Avenue. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing 8-inch gravity sewer main located along Harrill Street and Belmont Avenue.
- **Engineering and Property Management:**
  - **Arborist:** No trees can be removed from or planted in the right of way of any city maintained street (Belmont Avenue and Harrill Street) without explicit authorization from the City Arborist or his designee. 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 outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.

- **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

## OUTSTANDING ISSUES

### Site and Building Design

1. ~~Added a note that an additional rezoning will be required if the properties are redeveloped with new structures. Addressed.~~
2. ~~Amend Note 2(B) to specify where the mesh screen will be located to maintain the width of the required buffer. Optional request has been removed by the petitioner.~~
3. ~~Amend Note 3(A) to add "with a small addition." Addressed.~~
4. ~~Show that the proposed addition will meet the 10-foot setback along Harrill Street. Addressed.~~
5. ~~Show the amenity area at the front of 923 Belmont Avenue, at 14 feet from the future back-of-curb. Addressed.~~
6. ~~Amend site plan to remove "required" from the Class B and Class C buffers reflected on the site plan as the buffers shown are not required but may remain at the discretion of the petitioner. Buffer is not required and has been removed by the petitioner.~~
7. ~~Delete Note 2A under Optional Provisions as an optional request is not required to exceed the MUDD parking requirement of 1 space per 600 square feet. Addressed.~~
8. ~~Amend site plan to reflect compliance with the required 100-foot separation and/or Class A buffer required per Section 12.546 of the zoning ordinance for a Type 2 EDEE, or add a note that if a Type 2 EDEE is provided on the site there will be no food or beverages consumed in an outdoor seating between the hours of 11 p.m. and 8 a.m. Addressed.~~

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### Attachments Online at [www.rezoning.org](http://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

**Planner:** Sonja Strayhorn Sanders (704) 336-8327