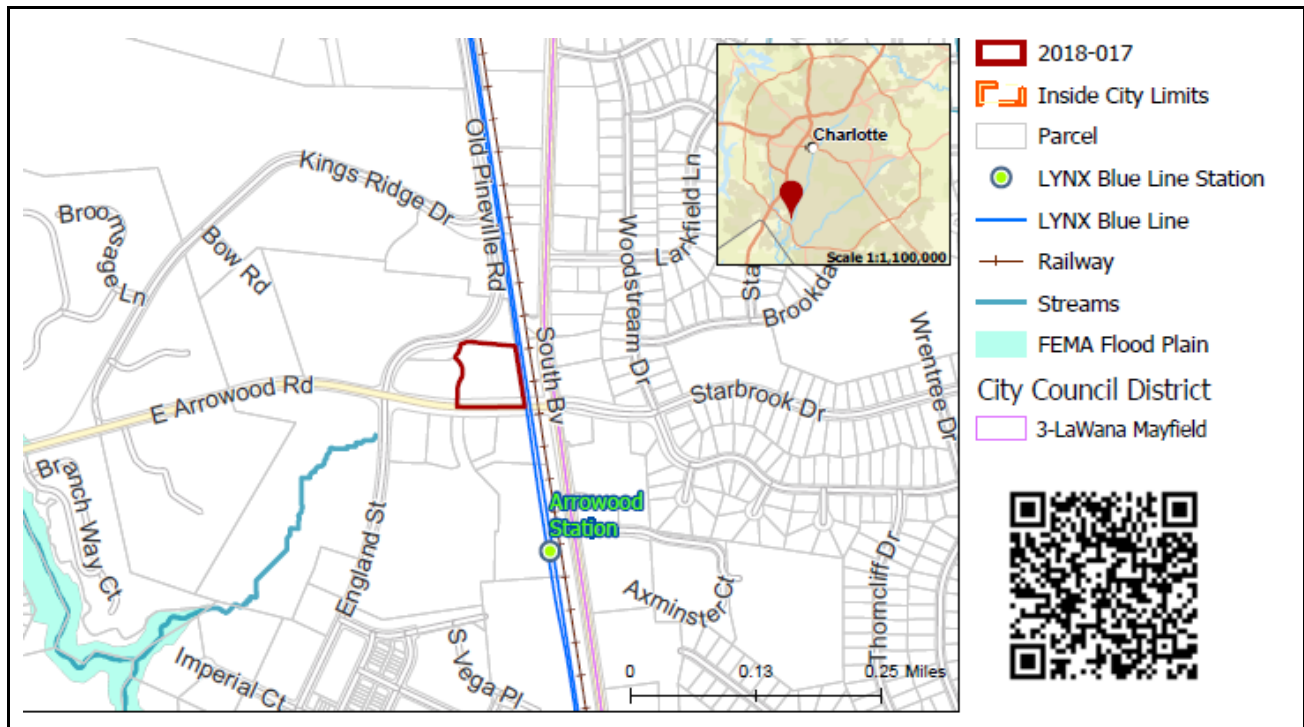


REQUEST Current Zoning: B-1SCD (business shopping center district)
Proposed Zoning: TOD-M (transit oriented development, mixed-use)

LOCATION Approximately 2.09 acres located on the west side of South Boulevard, north of East Arrowood Road.
(Council District 3 - Mayfield)



SUMMARY OF PETITION The petition proposes to allow all transit supportive uses per TOD-M (transit oriented development – mixed use) zoning for a 2.09 acre site that is within a 1/4-mile walk of the Arrowood Transit Station on the LYNX Blue Line.

PROPERTY OWNER Underdogs, LLC
PETITIONER Underdogs, LLC
AGENT/REPRESENTATIVE Caren Wingate

COMMUNITY MEETING Meeting is not required.

STAFF RECOMMENDATION Staff recommends approval of this conventional petition.

Plan Consistency
The petition is consistent with the *Arrowood Transit Station Area Plan* recommendation for transit oriented development.

Rationale for Recommendation

- The subject site is within ¼-mile walk of the Arrowood Road Station on the LYNX Blue Line.
- The proposed transit oriented development zoning is more consistent with the vision for the area than the current shopping center district zoning.
- Use of conventional TOD-M (transit oriented development – mixed-use) zoning applies standards and regulations consistent with the form and intensity of transit supportive development.
- TOD (transit oriented development) standards include requirements for streetscape treatment, building setbacks,

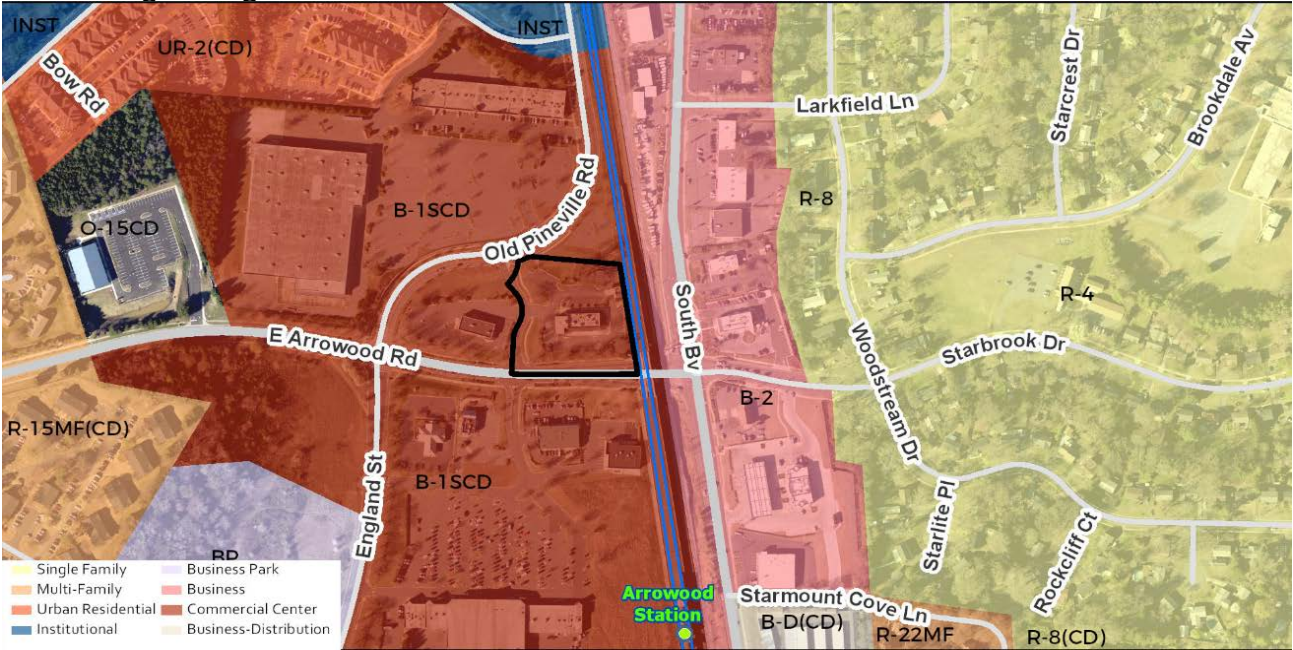
street-facing building walls, entrances, and screening.

PLANNING STAFF REVIEW

• **Proposed Request Details**

This is a conventional rezoning petition, which applies all the standards, regulations and uses in the TOD-M zoning district. Uses allowed in the TOD-M district include office, residential, retail, eating/drinking/entertainment establishments and civic uses.

• **Existing Zoning and Land Use**



The subject property is zoned B-1SCD (shopping center district) and developed with a vacant McDonald's restaurant.



Properties to the west are developed with a mix of retail uses.



Properties to the south are developed with a mix of retail uses.



Properties to the east are developed with a mix of retail uses.

Rezoning History in Area

- Pending Rezoning
- Approved Rezoning After Jan 2013



Petition Number	Summary of Petition	Status
2018-020	The petition proposes to allow all transit supportive uses per TOD-M (transit oriented development – mixed-use) zoning for a 3.16 acre site that is within a 1/2-mile walk of the Arrowood Transit Station on the LYNX Blue Line.	Pending

Public Plans and Policies



- The *Arrowood Transit Station Area Plan (2009)* recommends transit supportive mixed residential and non-residential uses for the subject property.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located on a minor thoroughfare in close proximity to a light rail transit station. During permitting, CDOT will seek to preserve and enhance the pedestrian and bicycle infrastructure currently on and adjacent to the site to support non-motorized trips in the station area.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 3,490 trips per day (based on 7,040 square feet fast food restaurant with drive thru).

Entitlement: 5,990 trips per day (based on 7,040 square feet fast food restaurant with drive thru and 21,470 square foot of retail).

Proposed Zoning: Allows for a wide variety of 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 if unable to maintain 20 feet unobstructed access at all times.
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Arrowood Road.

Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing eight-inch gravity sewer mains located along Arrowood Road and South Boulevard.

- **Engineering and Property Management:**

- **Arborist:** No trees can be removed from the right of way of any existing City maintained street (West Tremont Avenue) without explicit permission of the City Arborist's office. The location of structures/driveways/other items illustrated on the site plan are conceptual in nature and do NOT confirm or imply authorization by the City to remove any City trees located in street right-of-way; City Council approval of the rezoning site plan does not confirm or imply authorization by the City Arborist to remove any tree located in a public street right of way. No trees can be removed from the right-of-way without explicit authorization from the City Arborist or his designee.

The petitioner shall submit a tree survey for all trees two inches in diameter at breast height (DBH) or larger located in the public right of way. In addition, the survey shall include all trees eight inches (DBH) or larger in the setback. Tree survey may be completed by landscape architect, surveyor, or other land development professional.

- **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:** Development of this site may require submission of an asbestos Notification of Demolition and Renovation to MCAQ due to possible demolition or renovation of an existing structure. A letter of notification and the required forms have been mailed directly to the petitioner by MCAQ.

The proposed development is likely to require the use of heavy duty diesel equipment (≥ 25 hp) and is located adjacent to a population sensitive to air pollution (e.g. hospital, clinic, retirement facility, school, and daycare). Diesel exhaust may pose health risks to these sensitive populations. Therefore, MCAQ recommends that during construction the petitioner use diesel equipment that meets EPA Tier 4 emission standards, the cleanest equipment available. Using the cleanest equipment available will minimize air pollution thereby minimizing health impacts to the surrounding communities. A letter communicating this recommendation has been mailed directly to the petitioner by MCAQ.

- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Environment

1. ~~The petitioner shall submit a tree survey for all trees two inches in diameter at breast height (DBH) or larger located in the public right of way. In addition, the survey shall include all trees eight inches (DBH) or larger in the setback. Tree survey may be completed by landscape architect, surveyor, or other land development professional.~~ **Addressed**

Attachments Online at www.rezoning.org

- Application
- Locator Map
- 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: Michael Russell (704) 353-0225