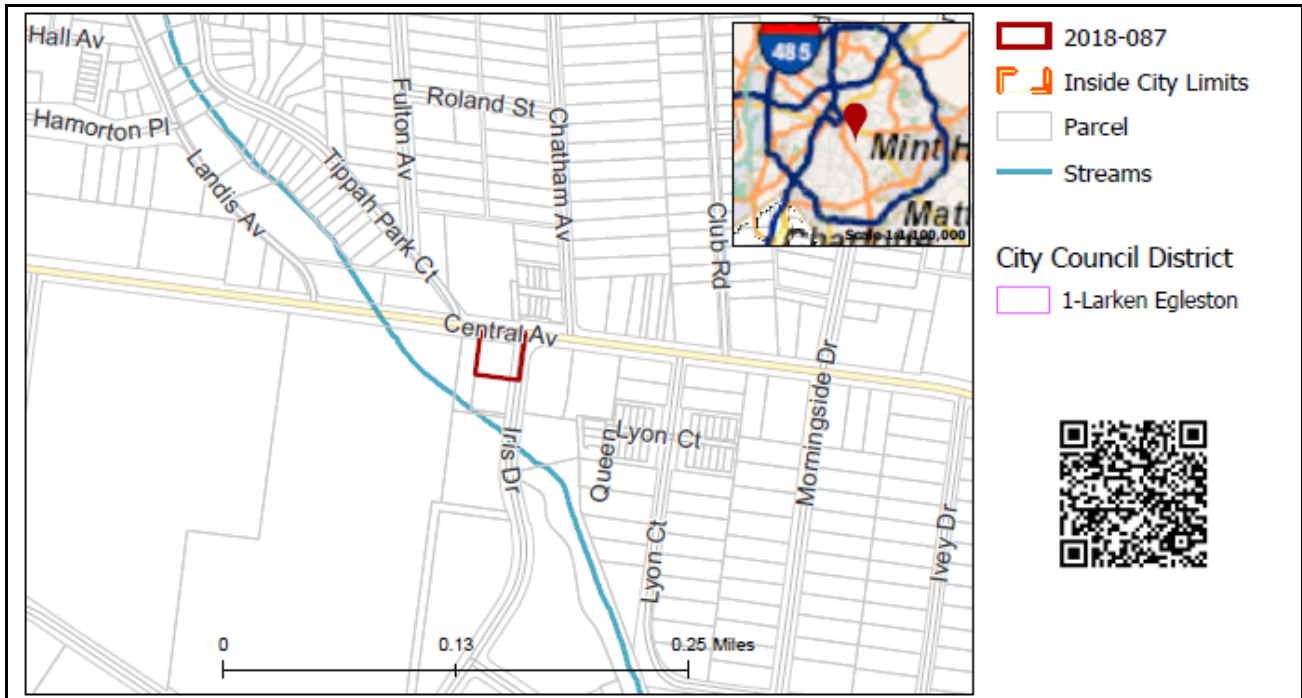


REQUEST Current Zoning: B-1 (neighborhood business)
Proposed Zoning: MUDD-O (mixed use development, optional)

LOCATION Approximately 0.22 acres located at the intersection of Central Avenue and Iris Drive
(Council District 1 - Egleston)



SUMMARY OF PETITION The petition proposes to reuse an existing building to allow 1,287 square feet of nonresidential uses permitted in the MUDD (mixed use development) district.

PROPERTY OWNER Sydney Stimpson
PETITIONER Midwood-Overlook, LLC
AGENT/REPRESENTATIVE Russell Fergusson

COMMUNITY MEETING Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 4.

STAFF RECOMMENDATION Staff recommends approval of this petition.

Plan Consistency
The petition is consistent with the *Central District Plan*, which recommends retail uses.

Rationale for Recommendation

- The subject site is located on Central Avenue, which is a commercial corridor, and along a future phase of the proposed LYNX Gold Line Streetcar alignment.
- This site's location within ½ mile of the Central Avenue/Plaza Midwood business district places it within walking distance of neighborhood goods and services as well as entertainment opportunities, and Veteran's Park.

- The site is walkable from surrounding residences including new residences in the Morningside neighborhood area.
- This project proposes to repurpose the existing building that is sensitive in scale to the surrounding neighborhood, for uses allowed in the MUDD (mixed use development) district.
- Existing parking located between the building and Central Avenue has been reduced, and parking fronting both streets is located across from nonresidential zoning and land use, which limits the impact on nearby residences.

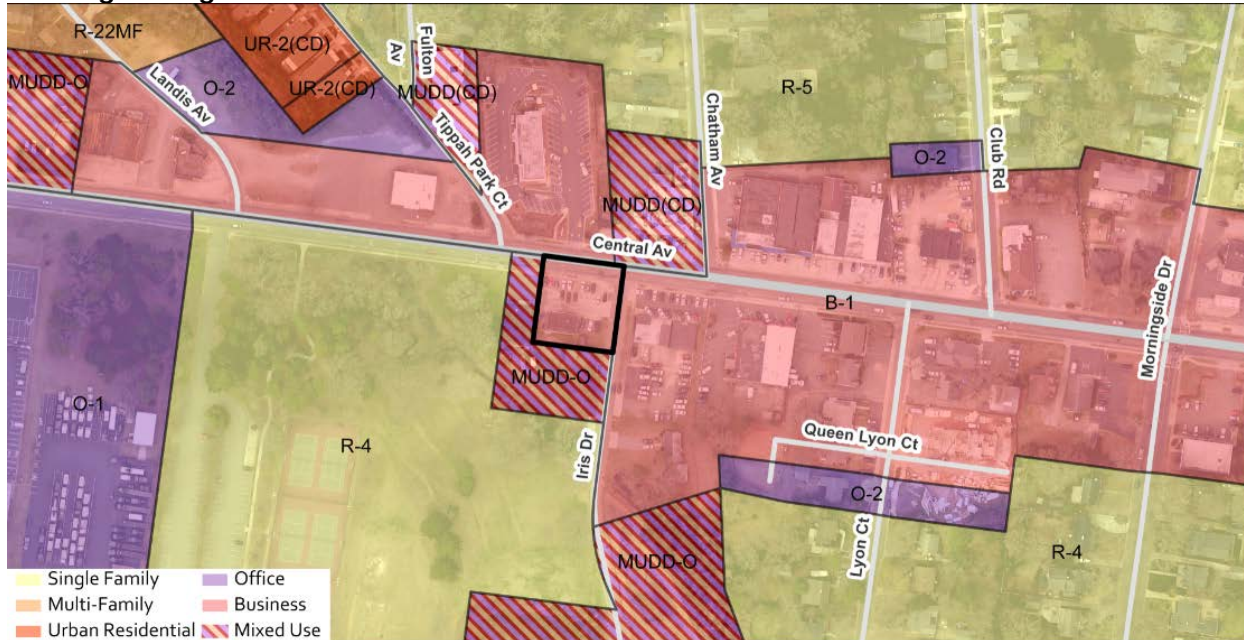
PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Reuse of an existing 1,287-square foot building, with allowance for a 5,500-square foot addition/outdoor eating area. One building will be located on the site.
- Maximum building height of 50 feet and two stories.
- Provides a nine-foot sidewalk located at the back of curb, which will maintain alignment with the existing sidewalks, and a five-foot planting strip along frontage on Central Avenue.
- A hardscape amenity area to be provided at the corner of Central Avenue and Iris Drive to create additional pedestrian areas provided the amenity area shall not conflict with street sidewalks or accessible ramps.
- Site access via an existing driveway on Central Avenue that will be shared with the abutting property, and a driveway on Iris Drive. Existing driveways on Central Avenue will be removed.
- Cross-access will be granted between the subject parcel and the adjacent property to facilitate reductions of curb cuts on Central Avenue.
- Urban design elements include new pedestrian-oriented entrances, covered and uncovered patios, and improved building fenestration by replacement of windows previously covered and/or removed.
- An eight-foot planting strip and a six-foot sidewalk will be provided behind the future back-of-curb along Central Avenue.
- Reservation of the right to seek a variance, appeal or other applicable administrative permission to modify the sidewalk on Central Avenue as a nine-foot sidewalk at the back-of-curb.
- Reservation of the right to request a five-foot planting strip on the interior of the sidewalk.
- Optional Requests:
 - Reduce parking requirement by 25% to facilitate preservation of the existing building.
 - Allow existing parking to be retained between the building and the street on Central Avenue and Iris Drive. Petitioner shall remove the parking spaces located between the building and Central Avenue, in the event that the streetcar line is extended and begins operation for regular service on Central Avenue to Eastway Drive.
 - ~~Modify streetscape along Central Avenue to allow a nine-foot sidewalk to be located at the back of curb, with a five-foot planting strip.~~
 - Allow waiver of Section 12.544(1)(c), for the existing building excluding any additions, which requires that if a brewery is located on a public right-of-way, private street, or rapid transit line, the eating/drinking/entertainment establishment shall have fenestration through vision glass, doors or active outdoor spaces along 30% of the length of the building side that fronts the public right-of-way, private street or rapid transit line. The planning director may approve alternative approaches if the building architecture or site prohibits meeting the above condition.
 - ~~Allow utilization of the five-foot planting strip on Central Avenue to provide screening of parking spaces.~~
 - Parking may be screened by providing a living screen or wall at least four feet tall.

• Existing Zoning and Land Use



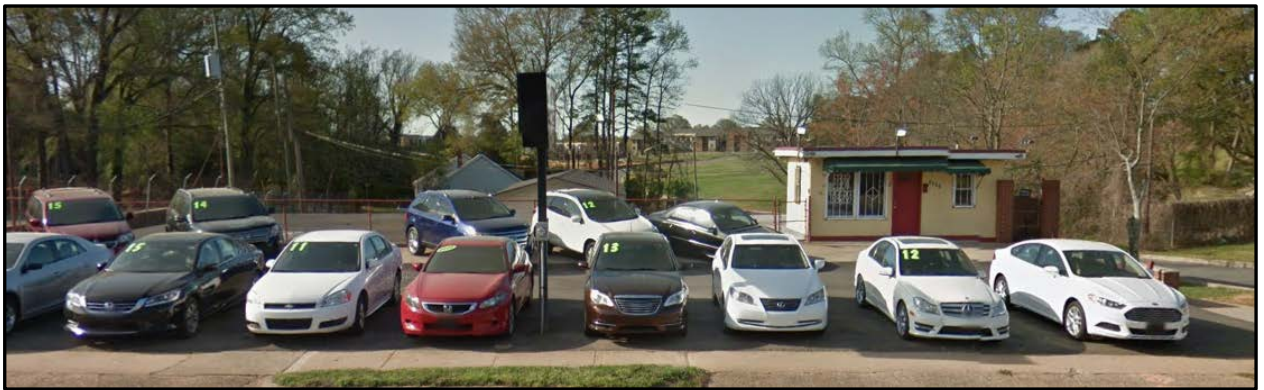
- The subject property is zoned B-1 (neighborhood business) and developed with a commercial structure formerly used as an automotive sales establishment.
- Adjacent parcels fronting both sides of Central Avenue are developed with various neighborhood serving office and commercial uses including a barber shop, eating/drinking/entertainment establishments, office/warehouse, a medical clinic, pharmacy, automotive sales and repair, and a child care center. The exception is Veteran’s Park, which is located adjacent to the site to the west.
- Surrounding properties behind lots fronting both sides of Central Avenue located between Westover Street and Morningside Drive contain single family residential, multi-family dwellings, office condominiums, office, and retail uses.



The subject property is developed with a used car dealership.



Properties to the north along Central Avenue include a mix of residential, restaurants, office and retail uses.



The property to the east along Central Avenue is developed with a used car dealership.

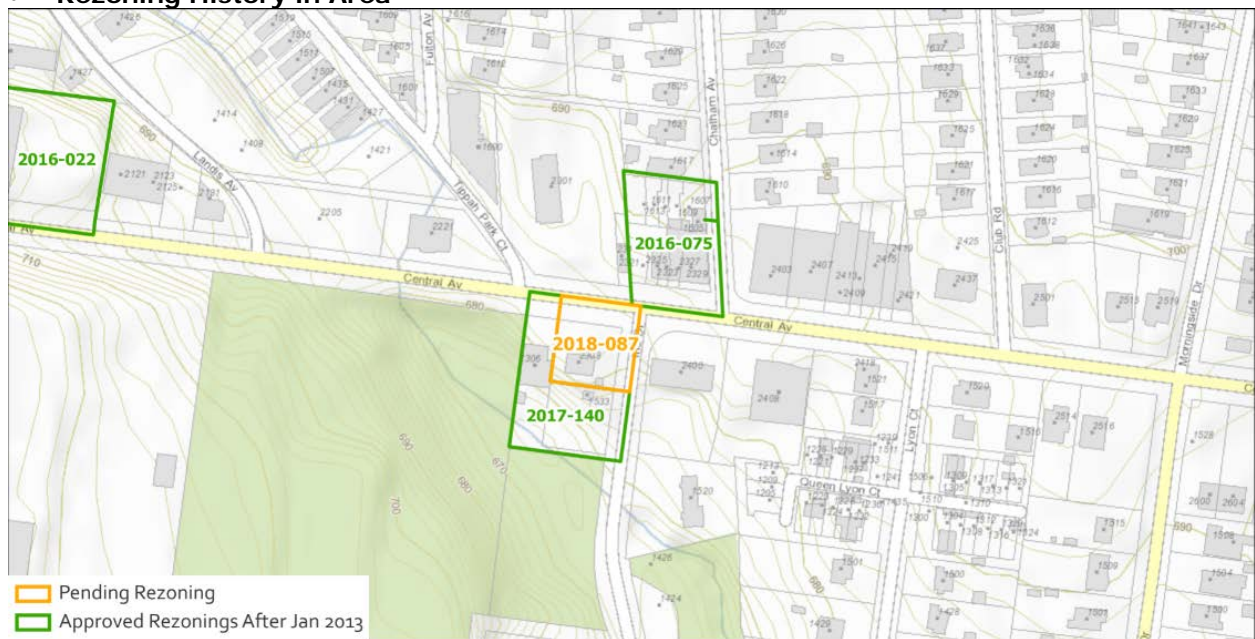


Veterans Memorial Park is to the south and east of the subject property along Central Avenue.



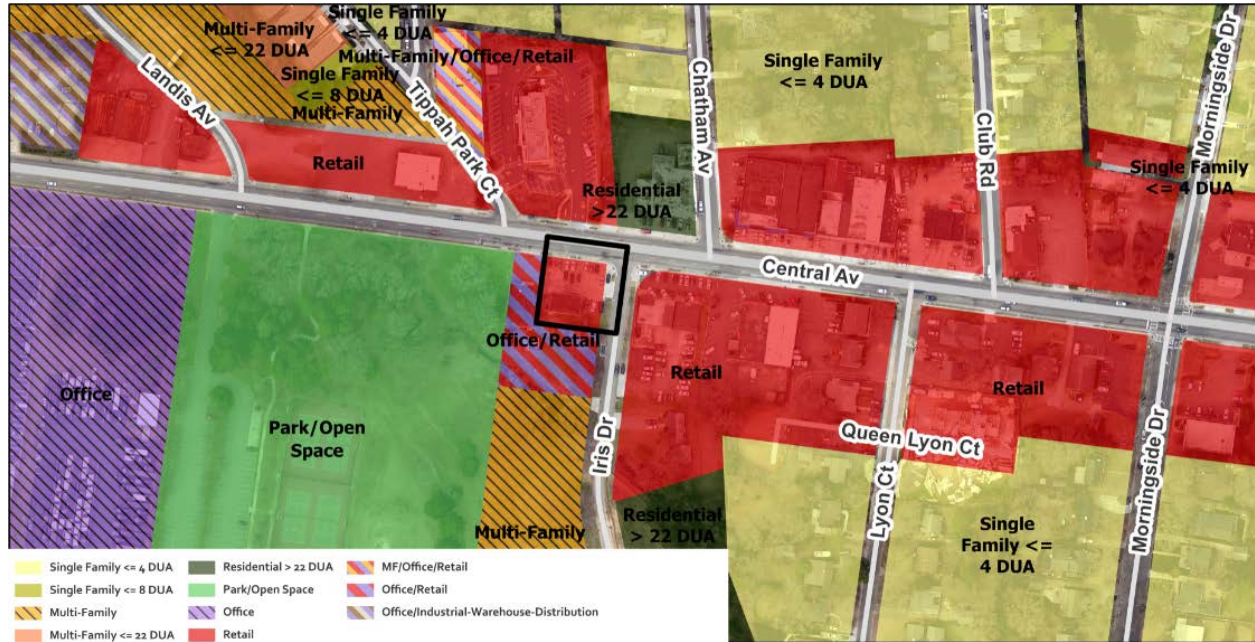
The abutting property to the west along Central Avenue is the former Midwood Cleaners (approved rezoning 2017-140).

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-140	Rezoned 0.50 acres to MUDD-O (mixed use development, optional) to allow uses permitted in the MUDD (mixed use development) district.	Approved
2016-075	Rezoned 0.55 acres to MUDD(CD) (mixed use development, conditional) to allow up to 12 single family attached dwelling units, at a density of 25 units per acre.	Approved
2016-022	Rezoned 1.02 acres to MUDD-O (mixed use development – optional) to allow any use in the MUDD (mixed use development).	Approved

• **Public Plans and Policies**



- The *Central District Plan* (1993) recommends retail uses for the subject property.

• **TRANSPORTATION CONSIDERATIONS**

- The site is located along a major thoroughfare and local road. CDOT is requesting the petitioner construct an eight-foot planting strip and six-foot sidewalk along Central Avenue. CDOT is also requesting the petitioner create a smaller curb radius at Iris Drive and Central Avenue and add ramps at each corner. The site commits to an eight-foot planting strip and six-foot sidewalk along Iris Drive.
- See Outstanding Issues, Notes 1-4.
- **Vehicle Trip Generation:**
 Current Zoning:
 Existing Use: 420 trips per day (based on 1,400 square feet of retail/automotive sales use).
 Entitlement: 590 trips per day (based on 2,200 square feet of retail uses).
 Proposed Zoning: too many uses to determine trips per day (based on 0.23 acres of MUDD uses).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** See Outstanding Issues Note 5.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** No on-street parking.
- **Charlotte-Mecklenburg Schools:** Nonresidential uses will not impact the schools.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via existing six-inch and 12-inch water distribution mains located along Iris Drive, and via an existing six-inch water distribution main and 16-inch water transmission main located along Central Avenue. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing eight-inch gravity sewer main located along Central Avenue.
- **Engineering and Property Management:**
 - **Arborist:** No outstanding issues.
 - **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 comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUESTransportation

1. ~~Revise the site plan and conditional note(s) to construct eight-foot planting strip and six-foot sidewalk along Central Avenue. (CDOT suggests petitioner angle the parking spaces more to create more space for planting strip and sidewalk).~~ Addressed. The petitioner amended the development notes to indicate that an eight-foot planting strip and a six-foot sidewalk will be provided behind the future back-of-curb along Central Avenue.
2. ~~Revise the site plan and conditional note(s) to construct one ramp at each corner of Iris Drive and Central Avenue to improve pedestrian walkability.~~ Addressed
3. ~~Revise the site plan and conditional note(s) to construct a small radius based on the City's Urban Street Design Guidelines to improve pedestrian walkability. The petitioner should revise the site plan and conditional note(s) to create a smaller curb radius on the corner at Iris Drive and Central Avenue.~~ Addressed
4. ~~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.~~ Addressed

Infrastructure

5. ~~Provide and construct a new bus shelter along Central Avenue.~~ Rescinded by CATS staff.

Site and Building Design

6. ~~Remove optional requesting a waiver of Section 12.544(1)(c).~~ Addressed
7. ~~Remove optional request to allow utilization of the five-foot planting strip on Central Avenue to provide screening of parking spaces.~~ Rescinded by staff.
8. ~~New Comment: If the planting strip and sidewalk are reversed as requested, indicate how the parking lot will be screened.~~ Addressed. Petitioner to provide a living screen or wall that is at least four feet in height.

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 Parks and Recreation Review
 - Transportation Review

Planner: Sonja Strayhorn Sanders (704) 336-8327