

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2007-91

Property Owner: Habitat for Humanity of Charlotte, Inc.

Petitioner: Lat Purser & Associates, Inc.

Location: Approximately 0.36 acre on the southwest corner of E. 35th Street and Yadkin Avenue

Center, Corridor, or Wedge: Corridor

Request: NS, neighborhood services, to MUDD-O, mixed-use development district with optional provisions

Summary

This petition seeks to renovate an existing building and construct a new one, allowing a total of up to 20 multi-family residential units. This results in a density of 56 units per acre.

Consistency and Conclusion

This proposal is consistent with the *North Charlotte Plan*, the *Central District Plan* and the *Transit Station Area Principals*. Upon correction of the site plan deficiencies noted below this petition would be appropriate for approval.

Existing Zoning and Land Use

The commercial and mixed-use properties to the west are in B-1 and MUDD-O zoning districts. There are duplexes to the north across E. 35th Street in the R-5 zoning district. To the east is a single family home in the NS district.

Rezoning History in Area

The petitioned site was rezoned NS in 1997 for a mix of office and residential uses. There have been numerous rezonings approved in the “NoDa” area. Many have been for mixed-use development.

Public Plans and Policies

North Charlotte Plan (1995). The *North Charlotte Plan* recommends mixed land uses (“mixed” being defined as residential, retail, studio, etc.) on this parcel. The *North Charlotte Plan* updated the *Central District Plan* for this area.

Central District Plan (1993). The *Central District Plan* recommended retail land uses on this parcel. The *Central District Plan* was updated by the *North Charlotte Plan*.

Transit Station Area Principles (2003). The *Transit Station Area Principles* that are part of the *General Development Policies* apply to the site, as it is within a ½ mile radius of a proposed Northeast Corridor Light Rail Transit Station at 36th Street and the NCCR rail line. The *Transit Station Area Principles* encourage a mixture of complementary transit-supportive uses and increased land use intensity. For residential development, the principles recommend a minimum of 20 dwelling units per acre within the ¼ mile walk area, and 15 dwelling units per acre within the ½ mile walk area. In some cases, station area plans will recommend lesser intensities for development. These lesser intensities might be necessary to preserve existing structures, to ensure that new development is consistent with the character of existing transit supportive development or to mitigate traffic impacts.

Proposed Request Details

The site plan accompanying this petition contains these additional provisions:

- The optional request associated with this rezoning is to allow the existing building to remain. This results in an alternate sidewalk section along the Yadkin Avenue frontage and a five-foot building separation to the building to the west.
- Three on-street parking spaces are proposed along each street frontage. Sixteen off-street spaces are proposed.
- Only one significant tree outside of the street rights-of-way is proposed to be preserved.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT estimates that trip generation will increase from the existing 80 trips per day up to 120 trips per day under the proposed development.

CATS. CATS had no comments on this petition. The site is within ½ mile of a proposed transit station. Local bus service is available on Davidson Street.

Connectivity. There are no opportunities or need for additional connections from this site.

Storm Water. The size of the site is not large enough to justify additional water quality/quantity improvements.

School Information. The number of school children expected from this site could rise from two (2) under the existing zoning to five (5) under the proposed zoning.

Outstanding Issues

Land Use. The proposal is consistent with the *North Charlotte Plan* and it is consistent with density and land use recommendations of the *Transit Station Area Principles* so long as the height and mass are sensitive to the surrounding area.

Site plan. The site plan accompanying this petition contains the following deficiencies:

- The illustrative site plan cross-section needs to be amended to conform to the plan view of the site plan by committing to preserve the tree in the existing parking lot.
- A note needs to be added to the site plan that agrees to an encroachment agreement for the stairway within the right-of-way along Yadkin Avenue per CDOT's memo.