

## **\*PRE-HEARING STAFF ANALYSIS\***

### **Rezoning Petition No. 2007-099**

<b>Property Owner:</b>	Cole-Newman Investments, LLC, Valerie and David Matthews and Betsy Bullard
<b>Petitioner:</b>	Boulevard Centro
<b>Location:</b>	Approximately 1.10 acres located on the northwest corner of Euclid Avenue and East Tremont Avenue
<b>Center, Corridor or Wedge:</b>	Corridor
<b>Request:</b>	B-1(HD-O), neighborhood business, historic district overlay and R-22MF(HD-O), multi-family, historic district overlay to UR-2(CD)(HD-O), urban residential, conditional district, historic district overlay

### **Summary**

This request would allow 52 condominiums on 1.1 acres for an overall site density of 47.3 dwelling units to the acre. The entire property is within the Dilworth Historic District. The site is presently occupied by four historic structures. Three contributing structures and an additional non-contributing structure on the north end of the site are proposed for demolition. A certificate of appropriateness for demolition has been requested from the Historic District Commission, and the one-year wait is in progress.

The previous request heard in July indicated 49 condominiums on 1.1 acres with an overall density of 44.5 dwelling units to the acre. The site plan also indicated that two contributing buildings along the south edge of the property were proposed for renovation.

### **Consistency and Conclusion**

The two northern most parcels within this request are recommended for transit supportive development with a minimum density of 12 units to the acre under the *South End Transit Station Area Plan*. The four parcels at the corner of Tremont and Euclid within this request are recommended for residential use with up to 22 dwelling units per acre under the *Dilworth Land Use and Streetscape Plan*.

It is not clear on the presently submitted site plan if the four parcels at the corner would exceed the 22 dwelling units to the acre recommendation. This request has undergone significant site plan changes and is not considered appropriate for approval as presently submitted. If this site is considered for approval it should be contingent upon resolution of the outstanding site plan issues including the proposed density for the parcels within the *Dilworth Land Use and Streetscape Plan*.

## **Existing Zoning and Land Use**

The surrounding properties are zoned R-22MF, R-5, O-2, B-1, B-2, and TOD-M(CD) and are occupied by residential dwellings and office and business uses.

## **Rezoning History in Area**

The abutting property to the west was rezoned to TOD-M(CD) under petition 2005-106 to allow 45 dwelling units with up to 6,950 square feet of office and retail uses.

## **Public Plans and Policies**

***South End Transit Station Area Plan (adopted 2005).*** The two northern most parcels within this request are recommended for transit supportive development. The plan implementation section calls for rezoning to a transit supportive zoning classification as part of Group IV rezonings. Group IV properties generally abut the Dilworth neighborhood, and will receive particular scrutiny in order to ensure compatibility with the adjacent neighborhood.

***Dilworth Land Use and Streetscape Plan (adopted 2006).*** The four parcels at the corner of Tremont and Euclid within this request are recommended for residential use with up to 22 dwelling units per acre, in order to align future land use with the existing zoning, and with the existing small apartment building on the site.

## **Proposed Request Details**

This request would allow 52 condominiums on 1.1 acres for an overall site density of 47.3 dwelling to the acre. The site plan also includes the following:

- The petitioner has provided elevations for the building along Tremont Avenue.
- The petitioner will provide a minimum of 1 parking space per unit including 53 spaces on-site and 13 on-street.

## **Public Infrastructure**

**Traffic Impact / CDOT Comments.** CDOT notes that the site could generate approximately 270 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 340 trips per day. This will have a minor impact on surrounding thoroughfare system. Additional CDOT comments are attached.

**CATS.** CATS had no comments on this request.

**Connectivity.** Connectivity is not an issue.

**Storm Water.** Storm Water Services notes that downstream complaints consist of flooding and erosion. This site is located within the completed Magnolia/Kirkwood Storm Drainage Improvement Project and drains to a stream listed as impaired by the NC Division of Water Quality. They also note that no additional recommendations are needed at this time. Additional comments are attached.

**School Information.** The Charlotte-Mecklenburg Schools has reviewed the petition and indicates the proposed development will add approximately 2 students to the schools in this area. The development allowed under the existing zoning would generate 1 student. Therefore, the net change in the number of students generated from the existing zoning to proposed zoning is 1. See attached memo for more information.

### **Outstanding Issues**

**Land Use.** The two northern most parcels within this request are recommended for transit supportive development with a minimum density of 12 units to the acre. The four parcels at the corner of Tremont and Euclid within this request are recommended for residential use up to 22 dwelling units per acre, in order to align future land use with the existing zoning, and with the existing small apartment building on the site. It is not clear on the presently submitted site plan if the four parcels at the corner would exceed the 22 dwelling units to the acre recommendation.

**Site plan.** The following site plan issues are still outstanding:

- The petitioner should indicate the proposed density on the parcels presently zoned R-22MF.
- The petitioner should correct note 8 to reference section 9.406 of the ordinance.
- The setback along Tremont Avenue should be corrected to 20-feet from the back of curb as required by the *South End Transit Station Area Plan*
- The petitioner should include building elevations along Euclid Avenue.
- Note 12 regarding height should also indicate that side and rear yards must be increased 1-foot for every 10-feet of building height over 40-feet to meet the UR district standards.
- The petitioner should show the required loading space on the site plan.
- The petitioner should add a note stating that final building review and approval will be required by the Historic District Commission.
- The petitioner should indicate the types of building materials that will be utilized.
- The petitioner should note that the dumpster will be fully enclosed.
- The petitioner should note that pedestrian scale lighting will be installed throughout the site and that all lighting will be fully shielded.
- The petitioner should correct the density to 47.3 dwelling units to the acreage.
- The petitioner should correct the plan to indicate the existing zoning is B-1(HD-O) and R-22MF(HD-O) and that the proposed zoning is UR-2(CD)(HD-O).