

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2006-162

Property Owner: Bailey Family of Mecklenburg County Alpha, LLC

Petitioner: Heath Partners, LLC

Location: Approximately 1.2 acres located on the southwest corner of East Worthington Avenue and Cleveland Avenue.

Request: B-1, neighborhood business to TOD-R (CD), transit oriented development-residentially oriented, conditional district

Summary

The request is to rezone approximately 1.2 acres located on the southwest corner of E. Worthington Ave. and Cleveland Ave., from B-1 neighborhood business to TOD-R(CD) transit oriented development, residential, conditional district, in order to facilitate the construction of a maximum of 80 residential condominium units.

Consistency and Conclusion

The request is consistent with the *South End Transit Station Area Plan*, which recommends transit supportive development on the parcel. Upon resolution of the outstanding site plan issues this petition is considered appropriate for approval.

Existing Zoning and Land Use

The properties to the north of the subject property fronting South Boulevard are zoned B-1 and are occupied by a Dunkin Doughnuts, H&H Motors auto repair, Club Tan tanning salon, Properties on the northeastern side of the property along East Worthington Avenue are zoned B-1, and are made up of mainly office and retail uses. Bonterra Restaurant lies to the east of the subject property at East Worthington Avenue and Cleveland Avenue, and is zoned NS. Also to the east is a single-family home at the southeast corner of East Worthington Avenue and Cleveland Avenue. A variety of office and light commercial uses occupy properties to the south of the subject property.

Rezoning History in Area

In 2005, a parcel to the southeast, at the corner of East Tremont Avenue and Cleveland Avenue was rezoned from B-1 to TOD-M(CD) by petition 2005-106.

Public Plans and Policies

The *South End Transit Station Area Plan* was approved by City Council in June, 2005. The subject property is recommended for Transit Supportive Development. The plan implementation section calls for rezoning of properties including this site to a transit supportive zoning classification. The plan recommends minimum residential densities of 20 dwelling units per acre (net) within ¼ mile walk of transit stations.

Proposed Request Details

This petition is requesting approval for a multi-family condominium project of up to 80 units. The building may reach a height of up to 5 stories, but will not exceed 65 feet above the driveway entrance at East Worthington Avenue.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT did not foresee any major traffic impacts related to this proposed project given the size of the site, its proximity to the East/West Boulevard light rail station, and the good street network in the South End area. The Transportation Department's memo is attached.

CATS. CATS had no outstanding issues relating to this petition.

Connectivity. There are no additional opportunities for street connections on this site.

Storm Water. Storm Water Services is requesting that the petitioner match predevelopment runoff rates. Their memo is attached.

School Information. Twenty-two (22) dwelling units per acre are permitted under B-1 zoning. CMS has calculated that 1 student would be generated if the property were developed residentially under the current zoning. They estimate that the 80 residential units being requested would produce 4 new students.

Outstanding Issues

Land Use. The request is consistent with the recommendations of the *South End Transit Station Area Plan* and appropriate for approval from a land use perspective.

Site plan.

In addition to requests for site plan changes from other departments, Planning staff is requesting that the petitioner:

- Locate pedestrian-scale lighting on plan.
- Show bike parking locations.
- Provide note that states stoops and balconies will be provided along both street frontages.
- Provide elevations fronting both public streets.
- Locate pedestrian-scale lighting on plan.
- Show bike parking locations.
- Provide note that states stoops & balconies to be provided along both street frontages.
- Provide elevations fronting both public streets.
- 5' side yard should be called a rear yard.
- Show at grade parking plans. Show recessed parking, if using reduced setback.
- Re. note #9. Only cantilevered balconies are permitted. At grade balconies may not project into the setback.