

REQUEST	Current Zoning: I-2 (general industrial) Proposed Zoning: TOD-MO (transit oriented development-mixed-use, optional)
LOCATION	Approximately 3.06 acres located on the west side of North Davidson Street between East 21 st Street and East 22 nd Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to redevelop a site in the Optimist Park neighborhood currently developed with office, retail and warehouse uses with a transit oriented residential development community with ground floor retail. The site is within ½ mile of the Parkwood Transit Station on the LYNX Blue line and near the proposed Cross Charlotte Trail.
PROPERTY OWNER	Ideal Investments & Property Management, North Mecklenburg Animal Rescue Inc., Southeast Lighting, Inc.
PETITIONER AGENT/REPRESENTATIVE	MV Residential Development, LLC Jeff Brown and Bridget Dixon, Moore & Van Allen, PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 15

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and site and building design.</p> <p><u>Plan Consistency</u> The petition is consistent with <i>the BLE Transit Station Area Plan's</i> recommendation for transit supportive uses for this site, and is also consistent with the recommendation for active ground floor uses on North Davidson Street.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The site is within ½ mile of the Parkwood Transit Station Area and near the Cross Charlotte Trail alignment and is included in a larger area envisioned to be redeveloped with transit supportive development. • The proposed transit oriented development zoning is more consistent with the vision for the area than the current industrial zoning. • The project will include active ground floor uses along North Davidson Street, in close proximity to the Cross Charlotte Trail alignment. • The project will enhance the pedestrian environment along the public street frontages by installing new sidewalks and planting strips along public street frontages, and providing building entrances that connect directly to the public sidewalks.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Maximum of 290 multi-family residential dwelling units and up to 3,500 square feet devoted to retail, eating/drinking/entertainment establishments, personal service, and office uses permitted in the TOD-M (transit oriented development - mixed-use) district.
 - One principal building is permitted.
 - Building height limited to five stories and 75 feet.
 - Building materials will be a combination of brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding, stucco, EFIS, decorative metal panels, decorative block and/or wood. Vinyl may only be used on windows, soffits, handrails/railings.
 - Ground floor residential units facing East 21st Street and East 22nd Street will have building

- entrances with direct access to the public streets.
- For building walls along North Davidson Street, the ground floor will be taller and architecturally different than upper floors with more transparency than upper floors.
- Blank walls will be treated with horizontal and vertical variations in wall planes, in addition to ordinance blank wall provisions.
- Ground floor residential units will be raised an average of 12 inches above grade. Units shall be no more than five feet above grade and two feet below. Variations shall be allowed to accommodate the elevations and slopes of the existing streets. Balconies or porches provided on ground floor residential units facing the abutting public streets will be designed to have primary entrances to the adjoining public street.
- Entrances will be provided a maximum of 150 feet apart on North Davidson Street.
- Facades fronting public streets shall include a minimum of 60% transparent glass between two and ten feet on the first floor. The frontage on North Davidson Street shall have 100% usable space with a minimum first floor height of 16 feet and a minimum depth of 20 feet.
- Portions of the building over 150 feet in length shall provide façade variations that visually separate the individual units.
- The ground floor of parking structures viewable from public rights-of-way shall be wrapped with active uses such as residential, office and retail.
- No parking structure entrances or driveway shall be from North Davidson Street.
- Optional Provisions:
 - Allow a maximum building height of 75 feet.
 - Eliminate minimum parking requirements for retail, eating/drinking/entertainment establishments, personal services, and office uses.
- **Existing Zoning and Land Use**
 - The subject property located in the Optimist Park neighborhood is currently developed with office, retail and warehouse uses.
 - Vacant properties exist across North Brevard Street, in I-2 (general industrial) zoning.
 - Surrounding parcels on the south side of North Brevard Street are developed with single family detached dwellings, a religious institution and various warehouse uses, in R-5 (single family residential), R-8 (single family residential), O-2 (office), B-1 (neighborhood business), I-1 (light industrial) and I-2 (general industrial) zoning.
 - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
 - Petition 2015-126 rezoned approximately 3.63 acres located on the southeast corner at the intersection of North Brevard Street and East 21st Street to allow up to 351 multi-family dwelling units.
- **Public Plans and Policies**
 - The *Blue Line Extension Transit Station Area Plan* (2013) recommends transit supportive uses for this site.
 - Active ground floor non-residential uses, such as retail or office, should be provided along North Davidson Street from Parkwood Avenue to East 24th Street and along various sections of Parkwood Avenue. To be most accessible to transit users, these ground floor uses should be designed to include clear glass windows and doors and entrances that front on and connect to the sidewalk.
 - The adopted cross-section for North Davidson Street is an eight-foot sidewalk and eight-foot planting strip with a 16-foot setback, with an option to widen for recessed on-street parking, a five-foot bike lane and two 10-foot travel lanes.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is between unsignalized local street intersections along a minor thoroughfare with existing bike lanes. The current site plan provides the desired street cross-sections and streetscape features as envisioned by the area plan and commits to a pedestrian crossing across North Davidson Street to the Cross Charlotte Trail access point. CDOT continues to request incorporating a B-Cycle station pad as this site is ideally located along a bike lane and directly across from access to the Cross Charlotte Trail.
 - See Outstanding Issues, Notes 1 and 2.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 225 trips per day (based on 3,231 square feet of office and 35,560 square feet of warehouse uses).
 - Entitlement: 160 trips per day (based on 45,870 square feet of warehouse uses).
 - Proposed Zoning: 2,130 trips per day based on 290 multi-family dwellings and 3,500 square feet of retail uses).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate zero students, while the development allowed under the proposed zoning will produce 131 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 131 students.
 - The proposed development is projected to increase the school utilization (without mobile classroom units), over existing conditions, as follows:
 - Walter G. Byers K-8 (elementary) from 102% to 116%;
 - Walter G. Byers K-8 (middle) from 102% to 111%; and
 - West Charlotte High from 96% to 97%.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing six-inch water distribution main located along East 22nd Street and existing eight-inch water distribution mains located along East 21st Street and North Davidson Street. There is also a two-inch water distribution main located along East 21st Street. Sewer system availability is per an existing eight-inch gravity sewer mains located along East 22nd Street, East 21st Street, and North Davidson Street.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No comments received.

OUTSTANDING ISSUESTransportation

1. The petitioner should revise the site plan to provide a 42-foot by 8-foot bike share pad/station, located along the site's North Davidson Street frontage near 21st Street. The specific bike share station location will be determined during the project's permitting process, and may be split between street trees. The petitioner needs to reach out to Ms. Dianna Ward, B-Cycle Director to discuss a proposed B-cycle station as part of this development plan. The petitioner should revise the site plan to add a conditional note specifying all transportation improvements, including the bike share station, will be constructed and approved before the site's first (not final as shown in Note 4c) building certificate of occupancy is issued or phased per the site's development plan.

Site and Building Design

2. Explain how residential units with facades fronting on public streets shall include a minimum of 60% transparent glass between two feet and 10 feet on the first floor.

Land Use

3. Amend Note 3a under Permitted Uses to state that a minimum of 3,500 square feet devoted to retail, eating/drinking/entertainment establishments, personal service and office uses permitted in the TOD-M (transit oriented development - mixed-use) district will be provided.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Transportation Review