

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

### **Rezoning Petition No. 2005-160**

**Property Owner:** Squirrel Investments, LLC

**Petitioner:** Squirrel Investments, LLC

**Location:** Approximately .231 acres located south of North Davidson Street and east of E. 37<sup>th</sup> Street

**Request:** R-5, single family residential to UR-3 (CD) urban residential conditional district

### **Summary**

This petition proposes to rezone the subject property from R-5, single family residential to UR-3 (CD), urban residential conditional district. The proposed development will consists of office, retail, and residential uses.

### **Consistency and Conclusion**

The request is consistent with the Transit Station Area Principles; the uses proposed are considered transit supportive; and proposed development meets the design guidelines from the North Charlotte plan. Therefore, petition is considered appropriate for approval.

### **Existing Zoning and Land Use**

UR-3 (CD), UR-2(CD), and R-5 zoning, surround the subject property. Land uses include single-family residential, multi-family residential and non-residential uses.

### **Rezoning History in Area**

The most recent rezoning in the immediate area was in 2001 for the adjoining property to the east. The property was rezoned from UR-2(CD), conditional urban residential two to UR-3(CD), conditional urban residential three to allow for greater flexibility in the development of up to nine (9) live/work units along North Davidson Street (2001-110).

### **Public Plans and Policies**

***Transit Station Area Principles (2001).*** The Northeast Transit Corridor Major Investment Study (MIS) identified a potential rapid transit station at 36<sup>th</sup> Street. Recent analysis has recommended that the station be moved one block north of the MIS proposed location. This parcel is within a half mile of both locations, making it suitable for transit oriented development. The Transit Station Area Principles recommend that between a ¼ and ½ mile walking distance from a transit

station, mixed use intensities will be, at minimum, .50 FAR (net) and should yield at least 50 employees per acre.

***North Charlotte Plan (1995).*** The North Charlotte plan recommends single-family residential uses for this and surrounding parcels.

***Central District Plan (1993).*** The Central District Plan recommends single-family land uses for this and surrounding parcels.

### **Proposed Request Details**

The site plan accompanying this petition indicates a mixed-use retail, office, and multi-family use development in a 2, 3 and 4 story building. The total square footage will not exceed 8,000 and the 2, 3, and 4 stories will be limited to a maximum of 8 residential units. Retail uses are limited to the first floor and will not exceed two times the size of the combined building footprint in area. The maximum building height will be 60-feet. There are also restrictions on the exterior building materials, lighting and building massing.

### **Public Infrastructure**

**Traffic Impact / CDOT Comments.** This site could generate approximately 10 trips per day as currently zoned. Under the proposed zoning, the site could generate approximately 300 trips per day. This will have a minor impact on the surrounding thoroughfare system. CDOT has the following specific comments that are critical to their support of the rezoning petition:

- It does not appear that a waste collection vehicle can service the dumpster and exit the site without backing through the driveway and into the street. The Zoning Ordinance requires that all maneuvering take place on site and the City's *Driveway Regulations* do not permit commercial vehicles to back into the street. Please show the maneuvering path/confirm that waste collection services can be accommodated on site and comply with the City's requirements. (*Second request*)
- CDOT is concerned that the sidewalk circulation system adjacent to the building is still compromised by a parking space. Although the plan has been revised, only a 3-foot sidewalk has been provided between the building and the parking space. A 7-foot sidewalk needs to be maintained adjacent to all head-in parking to maintain 5 feet of sidewalk exclusive of vehicle bumper overhang, especially at the building wall location. (*Second request*)
- The site plan incorrectly shows a Type III (street type) driveway instead of a Type II-modified driveway. The Type II-modified (ramp type) driveway maintains the sidewalk and sidewalk grade through the driveway.

**CATS.** CATS is requesting sidewalks along N. Davidson St.

**Storm Water.** Storm Water Services indicates no additional requirements are needed at this time.

**School Information.** Charlotte Mecklenburg School Planners indicate approximately 1 new student will be added to one school due to this rezoning petition. (See attached memo for additional information).

### **Outstanding Issues**

**Land Use.** The site plan submitted with the proposal indicates an FAR of 1.29 (using the 8,000 square foot maximum), which is consistent with the Transit Station Area Principles recommendation of .50. An employment figure is not available. The uses proposed are considered transit supportive, when they are the appropriate density/intensity. Design guidelines from the North Charlotte plan will apply.

**Site plan.** There are no outstanding site plan issues.