

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

### **Rezoning Petition No. 2006 -34**

**Property Owner:** Various

**Petitioner:** Charlotte-Mecklenburg Planning Commission

**Location:** Approximately 310 acres generally along West Trade Street, West 5<sup>th</sup> Street and Beatties Ford Rd. between I-77 and I-85. The overlay includes portions of the Wesley Heights, historic district.

**Request:** To apply the Pedestrian Overlay District (PED) to the underlying R-17 MF, R-22 MF, O-1, O-2, B-1, B-2, I -1, and I-2 zoning districts as recommended in the *West End Land Use and Pedscape Plan*.

#### **Summary**

The Charlotte-Mecklenburg Planning Commission seeks to establish the Pedestrian Overlay District (PED) to the underlying R-17 MF, R-22 MF, O-1, O-2, B-1, B-2, I -1, and I-2 zoning districts to re-establish an urban fabric by promoting a mixture of uses in a pedestrian setting of moderate density as recommended in the *West End Land Use and Pedscape Plan*.

The uses permitted in PED will include those permitted by right and under prescribed conditions in the underlying district except outdoor storage and outdoor advertising signs. All permitted accessory uses will also be allowed except drive-thru windows for restaurants and retail establishments and outdoor advertising signs.

#### **Consistency and Conclusion**

This rezoning request is based on the recommendations of the *West End Land Use and Pedscape Plan* (2005). A companion rezoning application is also under consideration to change the underlying zoning of most of the parcels to Multi-Family, B-1 and Institutional. The PED overlay district allows uses permitted by right and under prescribed conditions in the underlying zoning district, except outdoor storage and outdoor advertising signs. Within the Industrial zoning districts, residential uses are permitted subject to the standards of the PED overlay district. This request is consistent with the recommendations of the *West End Land Use and Pedscape Plan* and is appropriate for approval.

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

The existing zoning is a mixture of R-17 MF, R-22 MF, O-1, O-2, B-1, B-2, I-1 and I-2. One property has a conditional plan (O-2 CD). The Charlotte-Mecklenburg Utility Department maintains a water treatment facility along the corridor with plans for expansion/improvement.

#### **Rezoning History in Area**

Recent rezonings in the area include a mixture of Office, Neighborhood Business and Mixed Use.

### **Public Plans and Policies**

*Washington Heights Small Area Plan (2002)*-Recommends Office from Tate Street to Celia Avenue and mixed Office-Retail uses from Brookshire Freeway to Tate Street. The West End Land Use and Pedscape Plan does not change the land use recommendation.

*Wesley Heights Small Area Plan (1999)*-A land use map was not included in this document. However, the plan states, "Limit the density of multi-family development to eight duu. Higher densities may be appropriate in some locations with design review from Wesley Heights Community Association and Planning staff."

The *West End Land Use and Pedscape Plan* recommends multi-family along Wesley Heights Way and Grandin Rd. The PED district does not have a density cap. The maximum building height in PED is 100' with a base height of 40'. The areas recommended for multi-family abut or are adjacent to single family development or zoning. The permitted height shall be determined by the distance of the structure from property zoned and/or used for residential purposes. The base height for this district is 40 feet. The base height may increase 1 foot for every 10 feet in distance from the property line of the nearest site used and/or zoned for residential purposes, except property zoned PED, MUDD, UMUD or NS.

*Central District Plan (1993)*-The *West End Land Use and Pedscape Plan* makes significant changes from the Central District Plan:

- Industrial-Change to Institutional and Residential
- Commercial-Change to Mixed Use (commercial, office, residential) and Residential
- Office-Change to mixed Office/Multi-Family

*Beatties Ford Road Small Area Plan (1985)*-The plan boundary covered the area between Brookshire Freeway, I-77 and I-85. Recommendations from the plan included:

- The creation of an urban design plan for the corridor
- Development of an urban mixed-use neighborhood district

### **Proposed Request Details**

During the planning process CMPC worked with CDOT to create future street designs to encourage bicycle facilities and pedestrian amenities. CMPC worked with CATS to develop cross-sections for the future streetcar system. Staff has worked with business owners, property owners and neighborhood groups to receive input regarding streetscape, land use and rezoning recommendations.

### **Outstanding Issues**

**Land Use.** This request is consistent with the recommendations of the West End Land Use and Pedscape Plan.

**Site plan.** There is no site plan accompanying this petition.