

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2007 -062

Property Owner: Half Moon of Union LLC

Petitioner: Bonterra Builders

Location: Steel Gardens, approximately 11.11 acres located at the northeast intersection of Herrin Avenue and Spencer Street

Center, Corridor or Wedge: Corridor

Request: MUDD-O, mixed-use development district to MUDD-O S.P.A., mixed-use development site plan amendment.

Summary

This petition proposes to amend approximately 11.11 acres located at the northeast intersection of Herrin Avenue and Spencer Street from MUDD-O, mixed-use development district to MUDD-O S.P.A., mixed-use development district sight plan amendment for additional 36 units to bring the total number of allowed units to 282 at a density of 25.3 units per acre.

Consistency and Conclusion

The proposal is consistent with the *North Charlotte* and *Central District* plans recommendation, which was amended when the site was rezoned to allow for residential land uses at a density of 21.8 acres. The proposal is also consistent with the *Transit Station Area Principles*, which recommend a residential land use density at a minimum of 15 dwelling units per acre within ½ mile of a transit station area. We are recommending approval contingent on site plan issues being resolved.

Existing Zoning and Land Use

The subject property is zoned MUDD-O which has single-family, and multi family uses. Properties to the north are zoned R-5, R-8, I-2 and UR-1, UR-2(CD) and UR-3(CD) and are developed single-family and multi-family residential uses, industrial uses or are vacant. Properties to the east, west and south of the site are zoned I-2, R-22MF, and R-5 and uses include industrial/warehouse uses, single-family and multi-family dwellings and vacant lots.

Rezoning History in Area

Rezoning petition 2004-042 rezoned the subject property to MUDD-O. Approximately 2.9 acres located on the southwest corner of Davidson Street and Patterson Street, east of 37th Street were rezoned from R-5 to UR-2(CD) in 2000 to allow development of 34 townhomes. In 2001,

approximately .50 acres located on the east side of Patterson Street, south of North Davidson Street from R-5 to R-8 to allow the recombination and subdivision of two existing lots in order to create a third lot. Approximately 10.6 acres located on the south side of North Davidson Street, west of Anderson Street were rezoned in 2001 from I-2 to UR-3(CD) to allow for up to 220 multi-family units (attached townhomes and flats) and ground floor office/retail, with a proposed density of 20.8 dwelling units per acre. In 2002, an additional 0.52 acres located between Davidson Street and Warp Street east of Herrin Avenue was rezoned from R-5 to UR-3 (CD) along with a site plan amendment to a small portion of previously approved UR-3 (CD).

Public Plans and Policies

North Charlotte Plan (1995). The site is within the boundaries of *the North Charlotte Plan* and is identified as being appropriate for industrial land uses. *The North Charlotte Plan* updated the 1993 *Central District Plan*, which also recommended industrial land uses at this location. Both plans were updated when the property was rezoned to allow for residential land uses up to 21.8 dwelling units per acre.

Northeast Corridor Draft Environmental Impact Statement (DEIS). The site is within a ½ mile radius of a proposed Northeast Corridor Light Rail Transit station as identified in the Draft Environmental Impact Statement (DEIS). The *Transit Station Area Principles* would apply.

Transit Station Area Principles (2001). The *Transit Station Area Principles* that are part of the *General Development Policies* apply to the site, as it is within a ½ mile radius of a proposed Northeast Corridor Light Rail Transit Station at 36th Street and the NCRR rail line. The *Transit Station Area Principles* encourage a mixture of complementary transit-supportive uses and increased land use intensity. For non-residential development, the principles recommend a minimum floor area ratio (FAR) of .75 within ¼ mile walking distance of a transit station and .50 within ½ mile walking distance. For residential development, the principles recommend a minimum of 20 dwelling units per acre within the ¼ mile walk area, and 15 dwelling units per acre within the ½ mile walk area. In some cases, station area plans will recommend lesser intensities for development. These lesser intensities might be necessary to preserve existing structures, to ensure that new development is consistent with the character of existing transit supportive development or to mitigate traffic impacts.

Proposed Request Details

The site plan accompanying this petition is shows an increase in density to add 36 more units for a total of 282 units bringing the project to an overall density of 25.3 units per acre.

Public Infrastructure

Traffic Impact / CDOT Comments. This site could generate approximately 1,400 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 1,650 trips per day. This will have a minor impact on the surrounding thoroughfare system.

CATS. Has no comments on this petition.

Storm Water. On site and downstream complaints consist of flooding and erosion. This site drains to a stream listed as impaired by the NC Division of Water Quality. No additional changes are requested.

Outstanding Issues

Land Use. The site plan amendment is consistent with the *North Charlotte* and *Central District* plans recommendation, which was amended when the site was rezoned to allow for residential land uses at a density of 21.8 acres.

- **Site plan.** The petitioner should provide the necessary documentation to explain why the parking ratio should be reduced.