

**Note: Staff is requesting a decision on this petition the night of the public hearing due to the notification issue.**

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<b>REQUEST</b>	Current Zoning: I-1, light industrial and I-2(CD), general industrial, conditional Proposed Zoning: UR-2(CD), urban residential, conditional
<b>LOCATION</b>	Approximately 13.57 acres located on the southwest corner of East Craighead Road and Philemon Avenue.
<b>CENTER, CORRIDOR OR WEDGE</b>	Corridor
<b>SUMMARY OF PETITION</b>	This petition proposes to develop approximately 300 multi-family apartments at a density of approximately 22.1 units per acre.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon resolution of outstanding issues.  This petition is inconsistent with the <i>Central District Plan</i> ; however because it is located within ½ mile of a future transit station the <i>Transit Station Area Principles</i> of the <i>General Development Policies</i> provide land use guidance. The petition is consistent with the residential densities recommended by the <i>Transit Station Area Principles</i> .
<b>Property Owner</b>	NoDa Tidewater Development , LLC and Frank & Jo Ann Britt
<b>Petitioner</b>	NoDa Tidewater Development LLC
<b>Agent/Representative</b>	Keith MacVean
<b>Community Meeting</b>	Meeting is required and has been held. Report available online.

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## PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- 300 multi-family units located within nine buildings.
- A clubhouse and pool.
- An area for a traction transformer (a traction power substation which is utilized to power the LRT system) for CATS.
- A ten-foot building setback from the 200-foot railroad right-of-way as requested by the North Carolina Railroad.
- A ten-foot Class C buffer that is not required by the ordinance is noted adjacent to the single family homes on Philemon Avenue.

- **Existing Zoning and Land Use**

The property is a lumberyard that has recently ceased operation in anticipation of redevelopment. The properties to the north, east, and west of the petitioned site are zoned industrial and are used for industrial purposes with several single family homes located along Philemon Avenue. The properties across the railroad and North Davidson Street are zoned R-5, UR-3(CD) or UR-2(CD) and are used for single and multi-family residential, commercial and governmental purposes.

- **Rezoning History in Area**

There have been multiple rezonings to urban residential and mixed use districts across the railroad along the North Davidson corridor.

- **Public Plans and Policies**

- The *Central District Plan* (1993) recommends heavy industrial uses for this parcel. Surrounding parcels are recommended for light industrial uses.
- The *Transit Station Area Principles* (2001) recommend a minimum residential density of 15 dwelling unit per acre between ¼ and ½-mile walking distance of a transit station. The parcel is within a 1/2 mile walk of a proposed transit station at 36<sup>th</sup> Street and the Norfolk Southern rail line for the Blue Line Extension.

This petition is inconsistent with the *Central District Plan*; however, because it is located within ½ mile walk distance of a future transit station the *Transit Station Area Principles* of the *General Development Policies* provide land use guidance. The petition is consistent with the residential densities recommended by the *Transit Station Area Principles*.

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## **PUBLIC INFRASTRUCTURE** (see full department reports online)

### **Vehicle Trip Generation:**

Current Zoning: 3,100 trips per day.

Proposed Zoning: 2,000 trips per day.

**CDOT:** No issues.

**Charlotte Fire Department:** No issues.

**CATS:** Advises that:

Due to the possible conversion of a portion of the existing right-of-way to future light rail operation, slope easements may be necessary, especially on the southern part of the petitioner's property.

Other light rail systems elements near Craighead Road may also need to be accommodated.

The construction of the future light rail project may impact the alley in the required setback and railroad right-of-way. To avoid duplication of petitioner's costs, petitioner may want to refrain from installing the alley until after light rail construction has been completed. At a minimum, petitioner may want to consider use of temporary materials or temporary treatment of the alley surface to minimize costs.

**Connectivity:** No issues.

**Schools:** The proposed development would generate 225 students. The net change in the number of students generated from existing zoning to the proposed zoning is 225 students.

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## **ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

**Storm Water:** No issues.

**LUESA:** No issues.

**SITE DESIGN:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies*.

Minimizes impacts to the natural environment by building on an infill lot.

Facilitates the use of alternative modes of transportation due to its location within ½ mile walk of a transit station.

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## **OUTSTANDING ISSUES**

No issues.

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### **Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

Application  
CATS Review  
CDOT Review  
Charlotte Fire Department Review  
CMS Review  
Community Meeting Report  
LUESA Review  
Site Plan  
Storm Water Review

**Planner:** Tammie Keplinger (704) 336-5967