

REQUEST	Current Zoning: R-8 (single family residential) Proposed Zoning: TOD-MO (transit oriented development – mixed-use, optional), with five year vested rights
LOCATION	Approximately 0.64 acres located on the south side of North Brevard Street between Belmont Avenue and Parkwood Avenue. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes redevelopment of an existing single family site in the North Charlotte community to allow all uses permitted in the TOD-M (transit oriented development – mixed-use) district. Uses allowed in the TOD-M (transit oriented development – mixed-use) district include office, residential, retail, and civic uses.
PROPERTY OWNER	Caroline A. Voelkers, Lillian Rebecca Keesler Chance c/o Timothy W. Lackey
PETITIONER	White Point Paces Properties
AGENT/REPRESENTATIVE	John Carmichael, Robinson Bradshaw & Hinson
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 3

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 the <i>Blue Line Extension Transit Station Area Plan</i> recommendation for transit supportive uses.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The site is within ½ mile walk distance from the Parkwood Station on the LYNX Blue Line Extension. • The area is expected to transition to transit supportive development over time. Development will be required to meet all TOD-M (transit oriented development – mixed use) ordinance requirements. • The petition redevelops an infill site, thereby minimizing further environmental impacts while accommodating growth. • Site will be adjacent to a proposed multi-use path is proposed to be located along the north side of North Brevard Street adjacent to this rezoning area.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - It is the petitioner's intent to utilize the site (or portions thereof) for surface parking that will support the Mill Building and uses located on tax parcel 081-042-02 as provided in Section 3B until such time that the site is redeveloped.
 - Allows all uses permitted and incidental/accessory uses permitted in the TOD-M (transit oriented development - mixed-use) district.
 - Surface parking lots less than one acre in size are permitted with prescribed conditions. Alternatively, the site may be used for accessory surface parking lots to the Mill Building located on tax parcel 081-042-02 when the land is recombined with that parcel.
 - A minimum 20-foot setback will be provided from the back of future curb along North Brevard Street.
 - A minimum 16-foot setback will be provided from the back of future curb along Belmont Avenue.
 - Petitioner shall dedicate and convey right-of-way measuring 38.5 feet from the existing centerline of Belmont Avenue and North Brevard Street.
 - Optional Provisions:

- Until such time that a parcel located within the site is redeveloped, the existing building located on such parcel may remain in place and be devoted to uses permitted therein.
- Existing buildings located on the site shall not be required to meet the urban design standards of the TOD-M zoning district.
- Until such time as the site is redeveloped, the site shall not be required to meet the minimum residential density and/or the minimum floor area ratio requirements of the TOD-M district.
- Until such time that the site is redeveloped, the uses and development located on the site shall not be required to meet the minimum and/or maximum parking requirements of the ordinance due to the proximity of the site to a transit station and the unique elements of the site.
- It is anticipated that the site will be redeveloped in phases, and it is the petitioner's intent to utilize the site (or portions thereof) for surface parking that will support the Mill Building and uses located on tax parcel 081-042-02 as provided in Section 3B until such time that the site is redeveloped. During the time period in which the site (or portions thereof) is devoted to surface parking that will support the Mill Building and uses located on tax parcel 081-042-02, the optional provisions shall apply to the site. These optional provisions may not be utilized upon the redevelopment of the site.
- A surface parking lot or parking lots may cover the entire width and depth of the site (or a parcel within the site) subject to the required setbacks and yards.
- Surface parking and vehicular maneuvering areas shall be permitted between the permitted uses on the site (or on a parcel within the site) and the required setbacks.
- A surface parking lot or parking lots that are located on the sides of any structures located on the site (or on a parcel within the site) may cover more than 35% of the total lot width subject to the required setbacks and yards.
- **Existing Zoning and Land Use**
 - Petition 2003-099D(2) correctively rezoned the subject property from B-2 (general business) to R-8 (single family residential) as implementation of the *Optimist Park Neighborhood Plan*.
 - The subject property is currently developed with five single family detached dwellings.
 - Surrounding properties on the north side of North Brevard Street contain warehouse uses and vacant lots in I-2 (general industrial) and TOD-MO (transit oriented development - mixed-use, optional) zoning.
 - A mixture of uses consisting of warehouses, a junk yard, a religious institution, single family and multi-family dwelling units are developed on the south side of North Brevard Street between East 13th Street and East 16th Street in R-8 (single family residential), R-22MF (multi-family residential), UR-2(CD) (urban residential, conditional), I-2 (general industrial), TOD-M (transit oriented development - mixed-use), TOD-MO (transit oriented development - mixed-use, optional) zoning districts
 - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
 - Petition 2016-069 rezoned 0.83 acres located on the southeast corner at the intersection of Belmont Avenue and North Caldwell Street from I-2 (general industrial) to TOD-M (transit oriented development – mixed-use) to allow all transit supportive uses per conventional TOD-M (transit oriented development - mixed-use) zoning.
 - Petition 2016-029 rezoned 11.85 acres located on the east and west side of North Brevard Street and generally surrounded by Parkwood Avenue, Belmont Avenue, East 16th Street and North Brevard Street from R-8 (single family residential), R-22MF (multi-family residential) and I-2 (general industrial) to TOD-MO (transit oriented development – mixed-use, optional) to reuse an existing mill building in the Optimist Park neighborhood and within ½ mile of the Parkwood Transit Station for all uses permitted in the TOD-M (transit oriented development - mixed-use) district.
 - Petition 2015-125 rezoned 4.78 acres located east of 13th Street and west of Belmont Avenue, between North Brevard Street and North Davidson Street, to TOD-M (transit oriented development – mixed-use) to allow all transit supportive uses per conventional TOD-M (transit oriented development – mixed-use) zoning.
- **Public Plans and Policies**
 - The *Blue Line Extension Transit Station Area Plan* (2013) recommends transit supportive uses for the subject site.
 - The adopted area plan recommends that height be established by ordinance requirements.
 - A proposed multi-use path is proposed to be located along the north side of North Brevard Street adjacent to this rezoning area.
- **TRANSPORTATION CONSIDERATIONS**

- The site is located along two local streets and just south of CATS Blue Line Extension project. The current site plan commits to local street cross section improvements including planting strip and sidewalk with dedication of public right-of-way for these facilities. See Transportation Issues, Notes 1 and 2.
- **Vehicle Trip Generation:**
Current Zoning:
Existing Use: 50 trips per day (based on five single family dwellings).
Entitlement: 50 trips per day (based on five single family dwellings).
Proposed Zoning: Too many uses to determine trip generation (based on all TOD-M (transit oriented development – mixed-use) 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:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing 12-inch water distribution main located along North Brevard Street and an existing six-inch water distribution main located along Belmont Avenue. Charlotte Water has sewer system availability for the rezoning boundary via an existing eight-inch gravity sewer main located along Belmont Avenue and an existing 12-inch gravity sewer main located along North Brevard Street.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUESTransportation

1. The petitioner should revise the site plan to remove conditional Note 2F(3).
2. Amend Note 6B(2)(a)(i) to provide a full local office/commercial wide street cross-section.

Site and Building Design

3. Amend Note 2 under "Streetscape/Landscaping/Open Space" to note that the streetscape along Belmont Avenue will be built to the standards of the TOD ordinance at the time of construction, with the exception that any ground floor use designed for nonresidential use will have tree grates in lieu of a planting strip if on-street parking is present.

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 Storm Water Services Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

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