

<b>REQUEST</b>	Current Zoning: B-1 (neighborhood business) Proposed Zoning: MUDD-O (mixed use development, optional)
<b>LOCATION</b>	Approximately 1.36 acres located on the east side of Duncan Avenue between Drummond Avenue and The Plaza. (Council District 1 - Kinsey)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow the adaptive reuse of an existing building located in the Villa Heights neighborhood to allow all uses permitted in the MUDD (mixed use development) district, including a brewery.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Fine Plaza, LLC Fine Plaza, LLC Scott W. Stevens
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 30

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, site and building design, and land use.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>Central District Plan</i> recommendation for retail uses.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• The site is located on The Plaza, and this section of the street is a commercial corridor that serves surrounding neighborhoods.</li> <li>• This project proposes to repurpose the existing building for uses allowed in the MUDD (mixed use development) district.</li> <li>• The retail and office uses that would be allowed by MUDD (mixed use development) zoning could provide goods and services to the residents of the adjoining neighborhoods.</li> <li>• Some parking is being provided on site, though reuse of the existing building limits the area for parking. However, limited parking in this location is appropriate as the property is located in a commercial corridor surrounding by walkable neighborhoods.</li> <li>• This proposal calls for enhancement of the pedestrian environment in front of this building. Specifically, existing parking along The Plaza will be replaced with outdoor seating and service areas, four existing driveway cuts on The Plaza will be removed, and remaining parking for the site will be located to the sides and rear of the building.</li> </ul>
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**PLANNING STAFF REVIEW**

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- The project will allow all uses permitted in the MUDD (mixed use development) district, including a brewery.
- Uses in the MUDD (mixed use development) district include office, retail, and civic uses.
- Reuse of the existing two-story 23,016 square foot building and canopy, with the addition of a 460 square foot deck, and a potential roof patio.
- Site will retain the existing building, and will be required to be rezoned should the existing building be torn down.
- Building will retain the existing 23-foot height, with the exception of a potential roof patio. The overall height will not to exceed 50 feet.
- Existing driveways on Duncan Avenue will be modified to limit grade changes to the pedestrian sidewalk.
- Parking to be provided on-site, and on the street where allowed.

- Provide a bus stop waiting pad on The Plaza.
- Urban design elements will include pedestrian-oriented entrances, covered and uncovered patios, and fenestration of the façade facing The Plaza that maintains the existing transparency between the elevations of two and ten feet on the first floor.
- New right-of-way on The Plaza to be dedicated and conveyed to the City of Charlotte prior to the issuance of new certificates of occupancy.
- Optional Provisions:
  - Request to reduce parking requirement to zero total spaces for any permitted use.
  - Existing buildings, façade, entryways and door may be preserved, and additional doorways may be added.
  - Allow the existing sidewalk footprint to remain with the improvement of the curb and implementation of a modified Type II commercial driveway.
  - Allow planting areas shown on the site plan to replace the requirement for planting strips and to encroach into the 14-foot setback.
  - Allow the area marked as “potential future outdoor service area” to be used for expansion of the outdoor service, seating, consumption, and/or entertainment.
- **Existing Zoning and Land Use**
  - The subject property is zoned B-1 (neighborhood business) and developed with a building containing retail uses.
  - Properties in the northwest quadrant of the intersection of The Plaza and Drummond Avenue contain both office and retail uses in B-1 (neighborhood business) zoning along the frontage of The Plaza. Single family uses are located to the rear, in R-5 and R-8 (single family residential), R-22MF (multi-family residential), and O-2 (office) zoning. The southwest quadrant of the intersection of The Plaza and Drummond Avenue contains retail, office and residential uses in B-1 (neighborhood business), O-2 (office), R-22MF (multi-family residential), and R-8 and R-5 (single family residential) zoning districts.
  - The east side of The Plaza is zoned B-1 (neighborhood business) along the frontage on The Plaza and developed with office and retail uses. Surrounding properties to the rear are zoned R-5 (single family residential), and developed with residential dwellings.
  - See “Rezoning Map” for existing zoning in the area.
- **Rezoning History in Area**
  - There have been no rezonings in the immediate area in recent years.
- **Public Plans and Policies**
  - The *Central District Plan (1993)* recommends retail uses for this site.
  - *Parkwood Avenue and The Plaza Corridor Study (2017)* recommends a pedestrian crossing in the vicinity of Stratford Avenue.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is bounded by a major thoroughfare, a minor collector, and a local street with unsignalized intersections. This area is in need of pedestrian and bicycle improvements to the transportation facilities as identified by the recent Parkwood Avenue and The Plaza Corridor study. The current site plan commits to reserving space for a buffered bike lane and constructing standard planting strip and sidewalk along the site’s The Plaza frontage. However, CDOT continues to request pedestrian improvements to better link local streets to the site and create more protected crossings as identified in the corridor study.
  - See Outstanding Issues, Notes 1 through 4.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 2,610 trips per day (based on 23,000 square feet of retail uses).
      - Entitlement: 2,610 trips per day (based on 23,000 square feet of retail uses).
    - Proposed Zoning: Too many uses to determine (based on 1.36 acres of MUDD-O uses).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Department of Solid Waste Services:** No comments received.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.

- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing six-inch water distribution mains located along Drummond Avenue, Duncan Avenue, and The Plaza, in addition to an existing 12-inch main located along The Plaza. Sewer system availability is provided via existing eight-inch gravity sewer mains located along Drummond Avenue, Duncan Avenue, and The Plaza.
- **Engineering and Property Management:**
  - **Arborist:** No trees can be removed from or planted in the right-of-way of all City maintained streets without permission of the City Arborist's office. A tree survey for all trees two inches or larger located in the rights-of-way and trees eight inches or larger in the setback must be submitted. An eight-foot planting strip is required on all streets.
  - **Erosion Control:** No issues.
  - **Land Development:** No issues.
  - **Storm Water Services:** No issues.
  - **Urban Forestry:** No comments received.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

## OUTSTANDING ISSUES

### Transportation

1. Label future curblin dimension (eight feet from existing curblin) on The Plaza.
2. Revise the site plan to show eight-foot sidewalk and eight-foot planting strip along the entire frontage for all streets behind future back-of-curb.
3. Request that the petitioner contributes \$20,000 towards a pedestrian hawk signal near this site as identified in the Parkwood Avenue and The Plaza Corridor Study. The exact location of the signal would need to be worked out during permitting.
4. Revise site plan to install a concrete island with pedestrian refuge at Duncan Avenue and The Plaza.

### Land Use

5. Remove note "existing sign to remain."
6. Amend site plan to specify the streets where the on-street parking referenced in Note 5(d) will be allowed or amend Note 5(d) as follows: on street parking where allowed.

### Site and Building Design

7. Delete Note 3(B) under "Optional Provisions" as an optional is not required to retain the existing building.
8. Amend Note 3A under "Optional Provisions" as follows: Parking will not have to be provided beyond that shown on the site plan.
9. Add an optional request to allow parking between the building and the street along Drummond Avenue, Duncan Avenue

## REQUESTED TECHNICAL REVISIONS

### Land Use

10. Move Note D under Optional Provisions which states that "should the existing building be torn down, the site will be required to be rezoned" to the General Provision section as this is not an optional request.
11. Eliminate residential as a permitted use.

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## Attachments Online at [www.rezoning.org](http://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 Water Review
  - Engineering and Property Management Review
    - City Arborist Review
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry

- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Transportation Review

**Planner:** Sonja Strayhorn Sanders (704) 336-8327