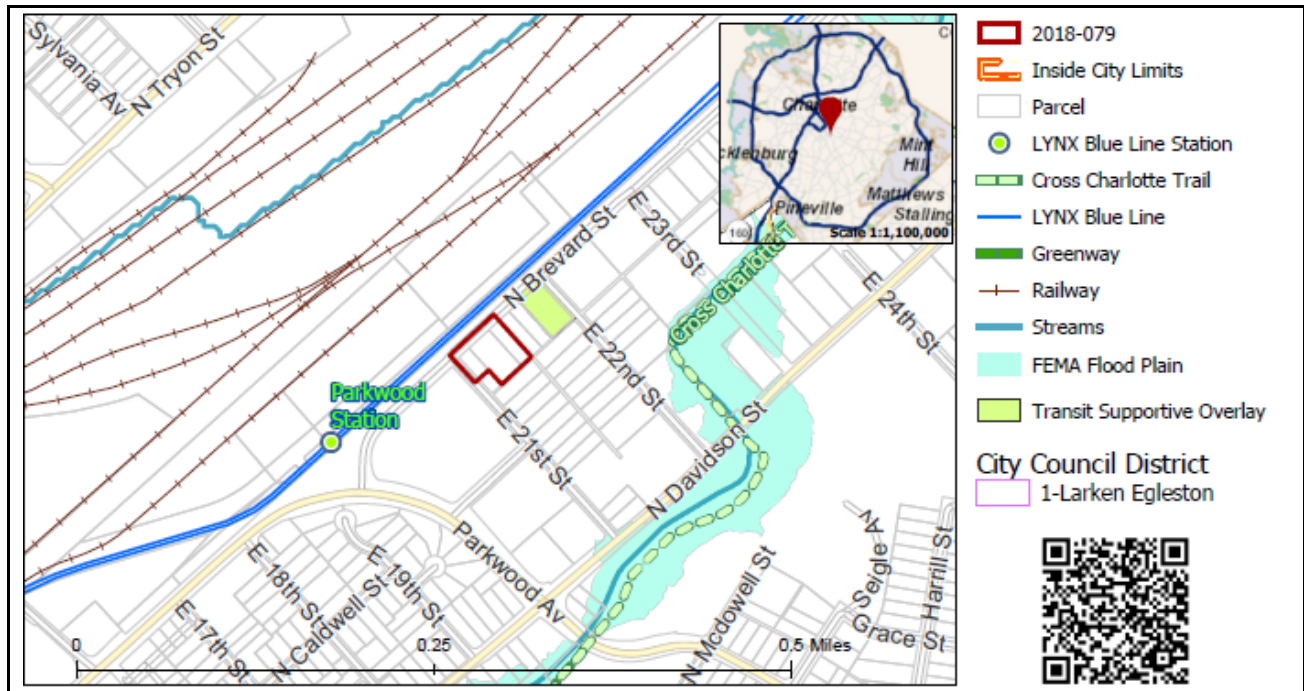


## REQUEST

Current Zoning: I-2 (general industrial)  
Proposed Zoning: TOD-MO (transit oriented development - mixed-use, optional) with three-year vested rights.

## LOCATION

Approximately 0.747 acres located on the northeast corner of N. Brevard Street and E. 21<sup>st</sup> Street  
(Council District 1 - Egleston)



## SUMMARY OF PETITION

The petition proposes to develop the site with any use permitted in the TOD-M (transit oriented development - mixed-use) district.

## PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE COMMUNITY MEETING

Summit Avenue Browder Family, LLC  
Three Pillars Capital, LLC  
Nick Tosco

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 4.

## STAFF RECOMMENDATION

Staff recommends approval of this petition.

### Plan Consistency

The petition is consistent with the *Blue Line Extension Transit Station Area Plan*, which recommends transit oriented development – mixed use for the site.

### Rationale for Recommendation

- The site is within a ¼ mile walk distance from the Parkwood Transit Station, and is included in a larger area envisioned to be redeveloped with transit supportive development
- The proposed transit oriented development zoning is more consistent with the vision for the area than the current industrial zoning.

- The new development will contribute toward the goal of providing a compatible mix of transit supportive uses within the transit station area.
- The project will enhance the pedestrian environment along the public street frontages by installing new sidewalks and planting strips along public street frontages, and providing building entrances that connect directly to the public sidewalks.
- This proposed request provides an opportunity for a non-residential use near several new and proposed multi-family residences.
- Building height limited to 40 feet is consistent with and sensitive to the surrounding neighborhoods.

## PLANNING STAFF REVIEW

### • **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows all nonresidential uses permitted in the TOD-M (transit oriented development - mixed-use) district. Uses allowed in the TOD-M district include office, residential, retail, eating/drinking/entertainment establishments and civic uses.
- Site access via North Brevard Street.
- Maximum building height of 40 feet.
- Buildings shall be placed so as to present a front or side façade to all streets.
- Facades fronting streets shall include a combination of windows and operable doors for a minimum of 80% of each frontage elevation transparent glass between two and ten feet on the first floor.
- First/ground floor facades shall incorporate a minimum of 20% masonry materials.
- Operable door spacing not to exceed 75 feet.
- Minimum building height of 22 feet.
- An eight-foot planting strip and eight-foot sidewalk will be provided along the site's frontage on North Brevard Street and East 21<sup>st</sup> Street as per the streetscape in the adopted area plan. Tree grates or raised planters may be provided in lieu of planting strips.
- Required right-of-way will be dedicated and conveyed to the city prior to issuance of the first building certificate of occupancy.
- Optional Requests:
  - Provide a minimum of 25 parking spaces including on-street parking provided along North Brevard Street and East 21<sup>st</sup> Street.
  - Allow the total minimum floor area ratio of buildings on the site to be 0.50 square feet of floor area to one square foot of the site instead of the required 0.75 square feet of floor area to one square foot of the site for uses within ¼ mile walking distance, and to allow more than 20% of the rooftop deck or ground level patio to be credited toward the required floor area ratio.

• **Existing Zoning and Land Use**



- The subject property is undeveloped and zoned I-2 (general industrial).
- Properties surrounding the subject property are developed with a mix of industrial and residential uses.



The subject property is zoned I-2 (general industrial) and undeveloped.



The Blue Line and Parkwood Station are located to the west.

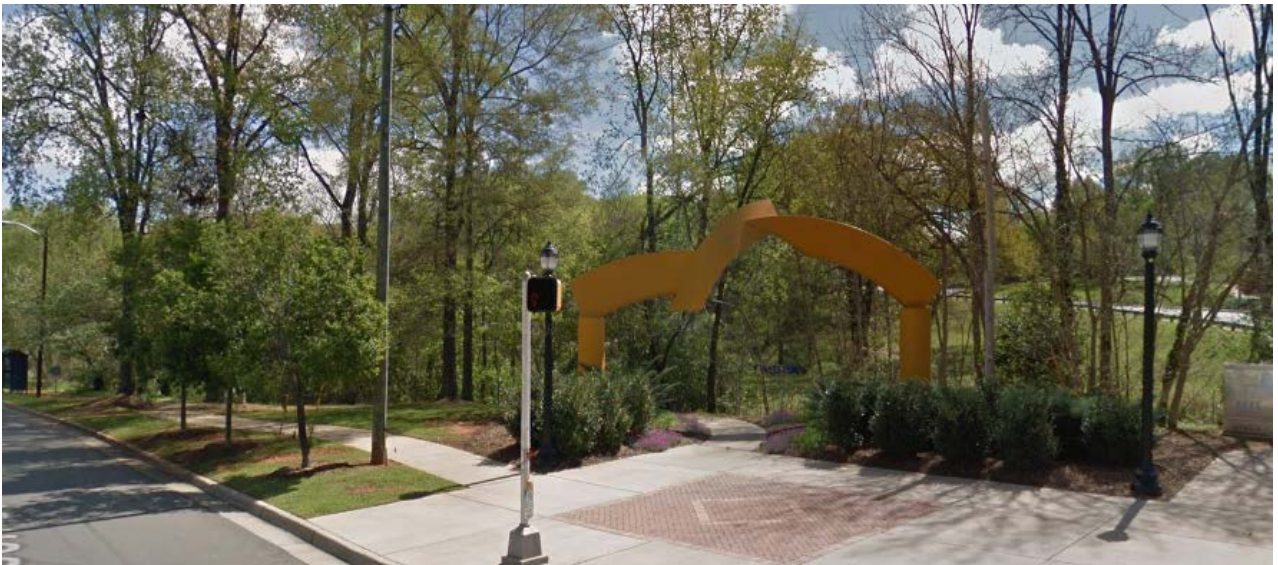




Properties to the north are a mix of industrial uses and vacant land.



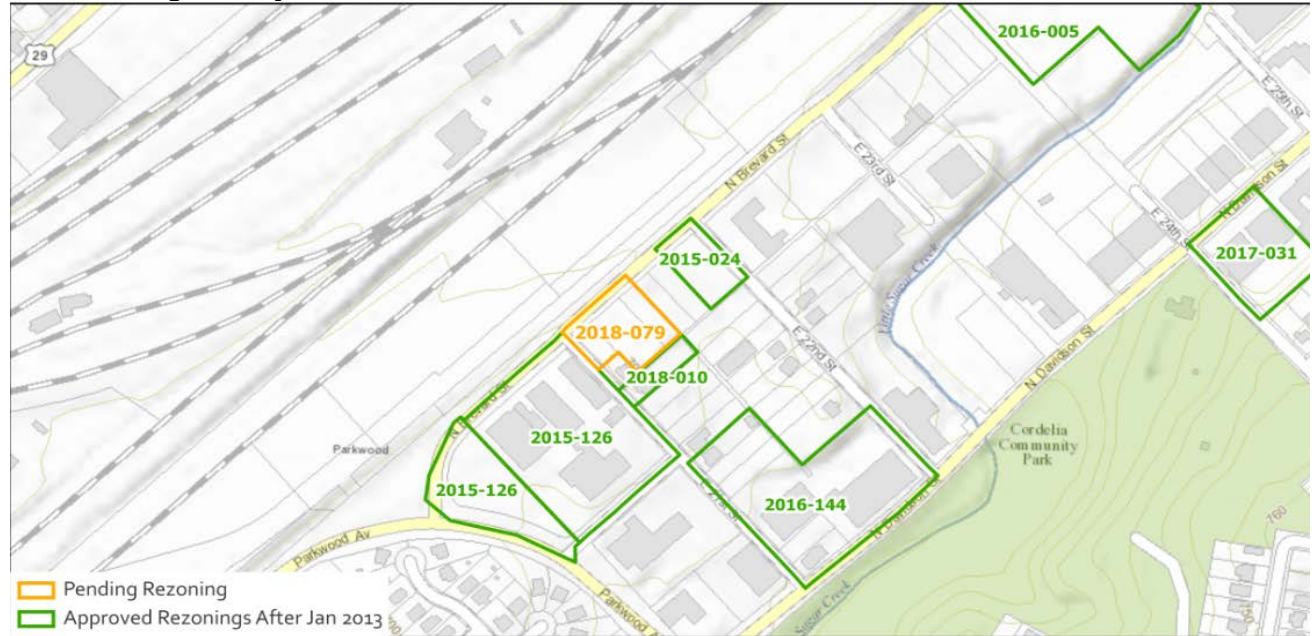
Properties to the east are a mix of industrial and retail uses.



Cordelia Park and the Little Sugar Creek Greenway are located nearby across North Davidson Street.



### • Rezoning History in Area



| Petition Number | Summary of Petition                                                                                                                 | Status   |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------|----------|
| 2018-010        | Rezoned 0.25 acres to TOD-M to allow all transit supportive uses per TOD-M (transit oriented development – mixed-use).              | Approved |
| 2017-031        | Rezoned 1.146 acres to TOD-MO to allow all uses permitted in the TOD-M (transit oriented development – mixed-use) district.         | Approved |
| 2016-144        | Rezoned 3.06 acres to TOD-MO to allow a transit oriented residential development community with ground floor retail.                | Approved |
| 2016-005        | Rezoned 3.22 acres to TOD-M(CD) to allow 280 multi-family dwelling units and accessory uses, as allowed in the TOD zoning district. | Approved |
| 2015-126        | Rezoned 3.455 acres to TOD-RO to allow up to 351 multi-family dwelling units                                                        | Approved |
| 2015-024        | Rezoned 0.413 acres to allow all uses as permitted in the I-1(TS) district                                                          | Approved |

### • Public Plans and Policies



- *Blue Line Extension Transit Station Area Plan* (2013) recommends transit oriented development – mixed use for the site.

- **TRANSPORTATION CONSIDERATIONS**

The site is located at the intersection of a major collector and a local road. The petitioner commits to road and streetscape improvements as envisioned in the transit station area plans.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on vacant lot).

Entitlement: 40 trips per day (based on 11,250 square feet of warehouse use).

Proposed Zoning: Too many uses to determine (based on 0.75 acres of TOD-MO uses).

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

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** Fire hydrant shall be within 750 feet of most remote point of building as truck travels. No parking on streets less than 26 feet clear width.
- **Charlotte-Mecklenburg Schools:** Nonresidential uses do not impact the schools.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing six-inch water distribution main located along North Brevard Street and via existing eight-inch water distribution mains located along North Brevard Street and 21<sup>st</sup> Street. The proposed rezoning is located in an area that Charlotte Water has determined to have limited sanitary sewer system capacity. It is recommended that the applicant contact the Charlotte Water New Services for further information and to discuss options regarding sanitary sewer system capacity. (Note: Petitioner has submitted requested forms to, and is working with, Charlotte Water.)
- **Engineering and Property Management:**
  - **Arborist:** No trees can be removed from or planted in the right-of-way without explicit authorization from the city arborist. No trees can be planted in the right-of-way of N. Brevard Street and E. 21<sup>st</sup> Street without explicit permission of the city arborist's office. Tree species must be approved by the city arborist's office prior to tree planting.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** Site must comply with the Tree Ordinance.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**

Site and Building Design

1. ~~Provide hardscape between tree plantings on Brevard Street.~~ Addressed
2. ~~Match the curb line on Brevard Street with that from previous rezonings located at the 25<sup>th</sup> Street Station and Parkwood Station.~~ Addressed
3. ~~Reflect property boundary abutting tax parcel 08304403 as a side yard instead of a rear yard, with appropriate yard requirements labeled.~~ Addressed
4. ~~Clarify the proposed FAR either by listing the proposed minimum or noting the development can be in phases and is not required to meet the minimum FAR in the first phase.~~ Addressed

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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 Housing and Neighborhood Services Review
  - Charlotte Fire Department Review
  - Charlotte Water Review

- Engineering and Property Management Review
  - City Arborist
  - 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