

REQUEST	Current Zoning: B-1, neighborhood business Proposed Zoning: NS, neighborhood services
LOCATION	Approximately .30 acres located on the south side of East 36 th Street between North Davidson Street and the Norfolk Southern Railroad.
CENTER, CORRIDOR OR WEDGE	Corridor
SUMMARY OF PETITION	This petition proposes to rezone the property to allow a freestanding wooden deck located in the rear of the property to be used by the adjacent tenant. Both properties are under the same ownership.
STAFF RECOMMENDATION	Staff recommends approval of this petition, upon resolution of outstanding issues. The petition is consistent with the <i>North Charlotte Plan</i> land use recommendation for neighborhood commercial land uses, and consistent with the <i>Northeast LRT Transit Station Area Concept</i> land use recommendation for retail uses.
Property Owner	Michelle Norkett Strause
Petitioner	Michelle Norkett Strause
Agent/Representative	None
Community Meeting	Meeting is required and has been held. Report will be available online when received.

PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - The wooden deck is not attached to a building and will abut the property line to the northeast.
 - The deck will be utilized by the abutting tenant, Solstice Tavern.
- **Existing Zoning and Land Use**
 - The subject parcel includes a single-family home and a resale consignment shop.
 - The site is surrounded by commercial development, with property zoned MUDD-O, NS, and B-1.
- **Rezoning History in Area**
 - There have been three rezonings along 35th and 36th streets in the past two years. Two of the petitions were to MUDD-O and one to a conventional MUDD district.
- **Public Plans and Policies**
 - The *North Charlotte Plan* (1995) recommends neighborhood commercial land uses and the *Northeast LRT Transit Station Area Concept* (not adopted) recommends retail land uses.
 - This petition is consistent with the *North Charlotte Plan*.

PUBLIC INFRASTRUCTURE (see full department reports online)

- **Vehicle Trip Generation:**
Current Zoning: 600 trips per day.
Proposed Zoning: 600 trips per day.
- **CDOT:** No issues.

Charlotte Fire Department: No issues.

CATS: No comments received.

- **Connectivity:** The single family home on this property and the existing business have access to East 36th Street. An alley is located behind the property.
 - **Schools:** The proposed development would produce zero students. The net change in the number of students generated from existing zoning to the proposed zoning is zero students.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Storm Water:** No issues.
 - **LUESA:** Mecklenburg County Solid Waste requests the petitioner submit a Solid Waste Management Plan prior to initiating land clearing, demolition and/or construction activities.
 - **SITE DESIGN:**
 - Reduces the amount, and improves the quality of storm water run-off by using wood materials to construct the deck, allowing rain to filter below to the ground.
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OUTSTANDING ISSUES

- The petitioner should:
 1. Add a note under "Zoning" that Restaurant parking will meet the minimum parking requirements of one space per 150 square feet, but no more than a maximum of one parking space per 75 square feet.
 2. Add a note that the maximum height of freestanding light poles will be 25'.
 3. Correct the text on the site plan that states, "5' setback from CL of alley" to read "10' rear yard from CL of alley".
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Attachments Online at www.rezoning.org

- Application
- CDOT Review
- CMS Review
- CFD Review
- LUESA Review
- Storm Water Review
- Site plan

Planner: Sandra Montgomery (704) 336-5722