

<b>REQUEST</b>	Current Zoning: I-2, general industrial Proposed Zoning: MUDD-O, mixed-use development district, optional
<b>LOCATION</b>	Approximately 3.63 acres located in the block bounded by N. Davidson Street, E. 26th Street, E. 27th Street and Yadkin Avenue.
<b>CENTER, CORRIDOR OR WEDGE</b>	Corridor
<b>SUMMARY OF PETITION</b>	This petition proposes to allow a mixed-use development of up to 200 multi-family residential units, 31,000 square feet of retail, with the ability to convert to office and 9,000 square feet for a restaurant, with the ability to convert to office and or retail. The optional provisions are as follows.  Continue to allow existing parking located between E. 27 <sup>th</sup> Street right-of-way and the existing building. Steps and retaining walls may be located in the setbacks along N. Davidson Street to accommodate grade change. A roof-top patio may be added to the building at the corner of N. Davidson Street and E. 27 <sup>th</sup> Street. Design flexibilities for the N. Davidson Street trees and sidewalk.
<b>Property Owner</b>	Noda@27 <sup>th</sup> Street, LLC
<b>Petitioner</b>	Noda@27 <sup>th</sup> Street, LLC
<b>Agent/Representative</b>	Brian Bradley
<b>Community Meeting</b>	Meeting is required and has been held. Report available online.

<b>ZONING COMMITTEE ACTION</b>	The Zoning Committee voted 4 to 1 to recommend <b>APPROVAL</b> of this petition with the following modification:  The following note will be added to the site plan: "Any dumpsters located within the site that are visible from a public street or from an external adjoining property will be screened from view by a solid enclosure with gates. Trash compactor and or dumpster units for the residential buildings shall be located in trash rooms as conceptually shown on this plan. Roll out bins will be pulled to the adjacent streets for pick up."
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<b>VOTE</b>	Motion/Second: Allen/Griffith
	Yeas: Allen, Griffith, Johnson, and Carter
	Nays: Lipton
	Absent: Howard, Randolph and Rosenburgh
	Recused:

<b>ZONING COMMITTEE DISCUSSION</b>	Staff reviewed the petition and noted that the petitioner added a note addressing CDOT's concern about the dumpster location. One Commissioner noted that she had erred in original support of this petition and was concerned about the height of the building in regards to its proximity to the single family neighborhood to the rear of the site. This is especially given the pending zoning ordinance modifications to TOD districts addressing the buffer between Transit-Oriented Development and single family housing. She further noted that NODA should be able to benefit from the lessons learned in the Dilworth/South End areas.
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**STATEMENT OF CONSISTENCY**

This petition is found to be inconsistent with the *Central District Plan* but reasonable and in the public interest, by a 4 to 1 vote of the Zoning Committee (motion by Commissioner Johnson seconded by Allen)

**MINORITY OPINION**

The minority of the Zoning Committee felt that the proposed structure of 75 feet was too tall in the rear near the adjacent single family dwellings.

**STAFF OPINION**

Staff agrees with the recommendation of the majority of the Zoning Committee.

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**FINAL STAFF ANALYSIS**

(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

**Proposed Request Details** The site plan accompanying this petition contains the following provisions:

- This development will allow up to 200 residential units, 31,000 square feet of retail and 9,000 square feet for a restaurant with the ability to convert to office and or retail. The plan shows a structured parking deck wrapped by office, retail, and residential structures. The maximum height for the development will be 75 feet. The optional requests are the following.
  - Continue to allow existing parking located between E. 27<sup>th</sup> Street right-of-way and the existing building.
  - Steps and retaining walls may be located in the setbacks along N. Davidson Street to accommodate grade change.
  - A roof-top patio may be added to the building at the corner of N. Davidson Street and E. 27<sup>th</sup> Street.
  - Design Flexibilities for the N. Davidson Street trees and sidewalk.

**Public Plans and Policies**

**Central District Plan (1993).** The *Central District Plan* recommends industrial uses at this location. However, the parcel is within one-quarter (1/4) mile of the Northeast Transit Corridor proposed transit station and consistent with the *Transit Station Area Principles (2001)*, which proposes mixed use - office, retail and residential uses at station area location.

**STAFF RECOMMENDATION (Updated)**

All issues have been addressed and Staff is recommending approval of this petition.

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

**CDOT:** No issues.

**Charlotte Fire Department:** No issues

**CATS:** No issues

**Connectivity:** No issues.

**Schools:** No issues.

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

**Storm Water:** No issues.

**LUESA:** No issues.

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## **OUTSTANDING ISSUES**

No outstanding issues.

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

- Application Form
- CDOT Review
- Community Meeting Report and Sign-In Sheet
- Fire Department Review
- Site Plan
- Storm Water Review

**Planner: Solomon Fortune (704) 336-8326**