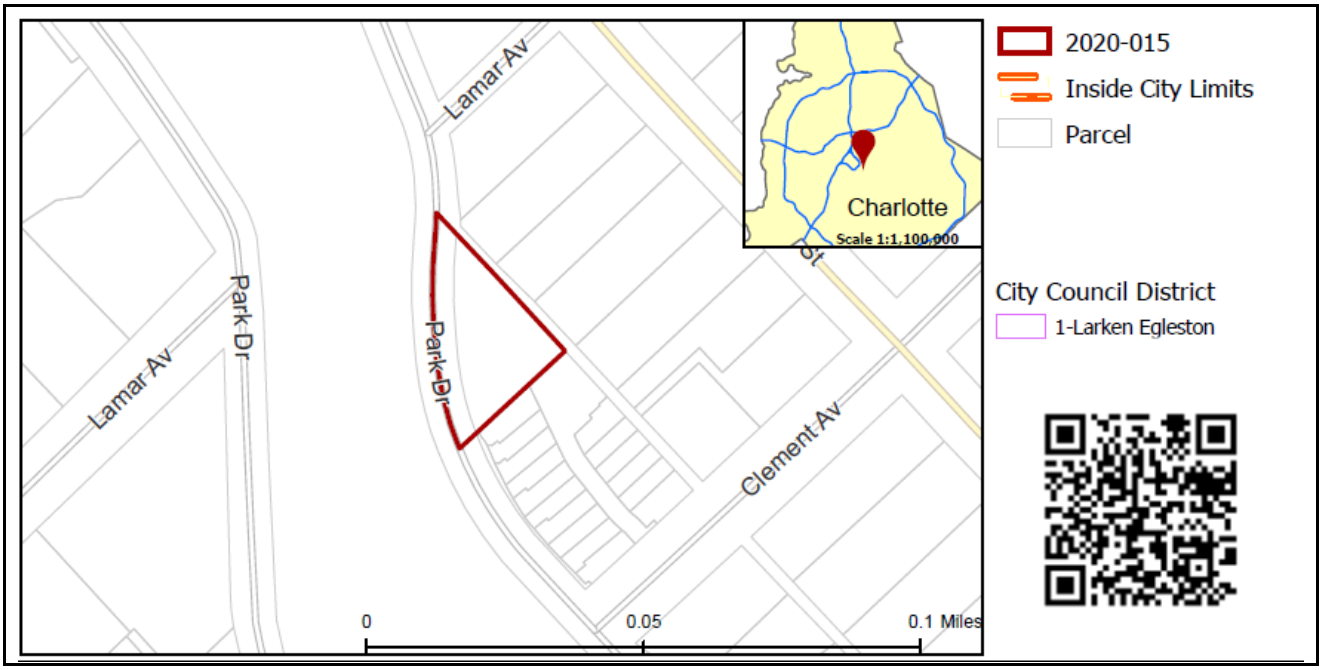
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2020-015
Pre-Hearing Staff Analysis
May 18, 2020

REQUEST	Current Zoning: R-43MF (multifamily residential) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 0.23 acres located on the eastern side of Park Drive, southeast of the intersection of Lamar Avenue and 7th Street.



SUMMARY OF PETITION	The petition proposes to allow an office building with a residential unit above on a parcel currently developed with an office constructed in 1920. The parcel is located across the street from Independence Park.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	McShane Partners LLC McShane Partners LLC Jeff Cangro
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 4

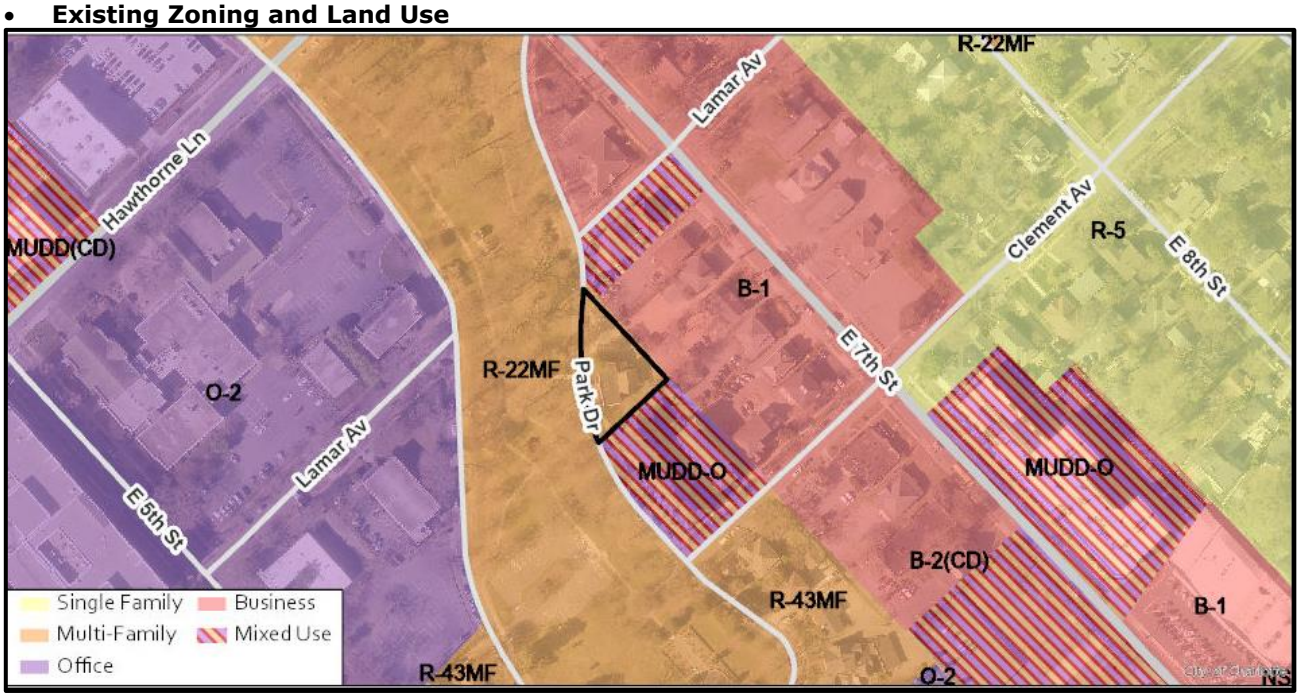
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues related land use and transportation, and technical revision. <u>Plan Consistency</u> The petition is **consistent** with the *Elizabeth Area Plan*, which recommends office/residential land uses. Potential retail uses are **not consistent** with the plan. <u>Rationale for Recommendation</u> • The request supports the land use recommendation for office and residential uses. Potential retail and other uses left open by text in the site plan are not appropriate for consideration. • The proposed building will be oriented towards Independence Park with the design features utilized to enhance the ground floor and pedestrian entrances.

- The design incorporates the use of the existing alley to access proposed parking and refuse collection.
- The proposed building height will be consistent with the existing residential development to the south.
- The subject property is along Park Drive and is adjacent to MUDD (mixed use development) zoned properties along Park Drive.
- The MUDD (mixed use development) standards will encourage
- high quality design and mixed use development, and also support walkability.
- MUDD standards include requirements for appropriate streetscape treatment, building setbacks, street-facing walls, entrances, and screening.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Proposes a 6,600 square foot office building with residential dwelling unit over office.
  - Proposes to provide parking via 2 spaces on site, 6 recessed spaces on Park Drive, and 4 leased spaces within 400' of the building. Two bicycle parking spaces are also provided on site.
  - Limits building height to 50'-4".
  - Prohibits eating drinking entertainment establishments (EDEE) as a permitted use. A note in Section 4a indicates that any other use permitted in the MUDD district are allowed.
  - Proposes ingress/egress off Park Drive and adjacent existing alleyway.
  - Proposes a new 6-foot sidewalk and 8-foot planting strip along the site's frontage.
  - Proposes the following optional provisions:
    - Allow parking between the building and the setback.
    - Allow sidewalk to meander around existing trees.
  - Includes elevations and color rendering of proposed building.
  - Designs building to present a front or side façade to all streets.
  - Notes facades fronting streets will include windows and/or operable doors or as a combination of the foregoing for a minimum of 50% of the length of the first floor street frontage.
  - Notes facades on the first/ground floor of the building along streets will incorporate a minimum of 40% brick.
  - Illustrates a 10-foot Class C buffer along the south property line.

- **Existing Zoning and Land Use**



- The site is currently developed with an office building constructed in 1920 and is surrounded by a mix of institutional, office, recreation, residential, retail uses in a variety of zoning districts.

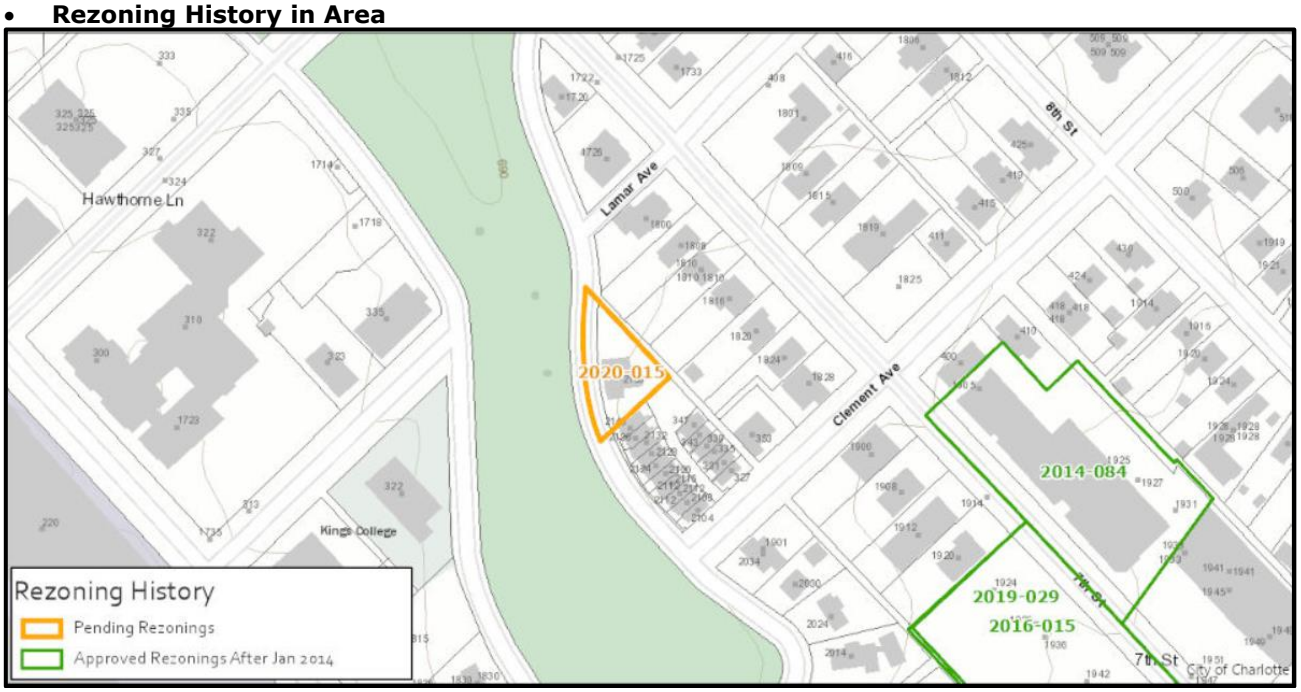
- The rezoning site (identified by the red star) is just across the street from Independence Park and is surrounded by a mix of residential and non-residential uses.

The site is developed with an office building constructed in 1920.

Directly south are townhomes/condominiums. Across Park Drive is Independence Park.

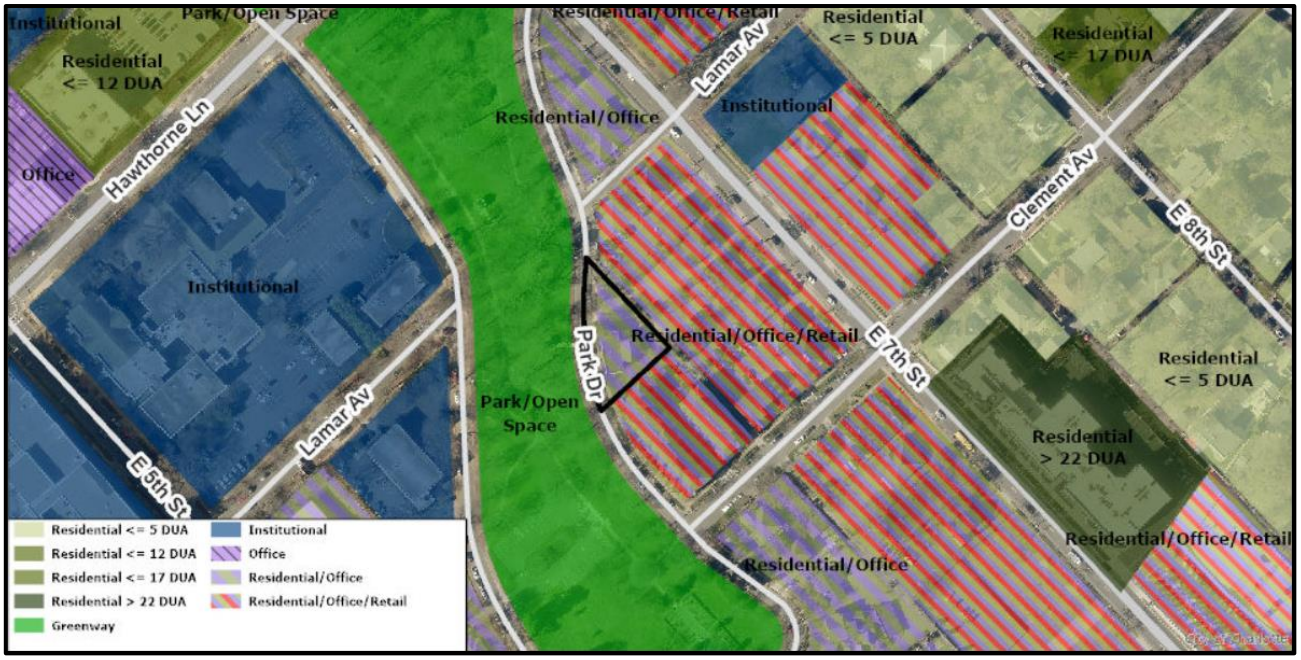
Along East 7th Street is a mix of businesses and residential uses.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-029	MUDD-O SPA for 1.68 acres to amend the previously approved site plan to allow office and retail uses on the site and associated structured parking.	Approved
2016-015	Rezoned 1.68 acres from NS to MUDD-O to allow the redevelopment of a site in the Elizabeth neighborhood with a mixed use development to include residential, retail, eating/drinking/entertainment establishments (EDEEs), and office uses.	Approved
2014-084	Rezoned 1.50 acres from B-1 to MUDD-O to allow the development of up to 95 multi-family residential dwelling units, at a density of 63 units per acre, with related amenities and accessory uses.	Approved

- **Public Plans and Policies**



- The *Elizabeth Area Revitalization Plan* (2011) recommends residential/office uses for the subject site.

- **TRANSPORTATION CONSIDERATIONS**
  - The site is located on a local road near a major thoroughfare road. The site plan commits to the required streetscape of an 8-foot planting strip and 6-foot sidewalk along Park Drive. In addition, the petitioner is removing a vehicular access on Park Drive and upgrading the alley as their main access.
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 60 trips per day (based on 5,060 square foot office).
    Entitlement: 70 trips per day (based on 90 multi-family residential units).
    Proposed Zoning: MUDD-Too many uses to determine.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** See advisory comments at www.rezoning.org.
- **Charlotte-Mecklenburg Schools:** No comments received.
- **Charlotte Fire Department:** Fire hydrant shall be located within 750' to the most remote point of building as vehicle travel.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 2-inch water distribution main located along Park Drive. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Park Drive.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org regarding air quality and ground water services.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Land Use

1. Modify language in site plan to allow only the office and residential uses as permitted uses and as shown.

Transportation

2. Park Drive: The future location of curb and gutter is in its existing location. The site plan should show the curb and gutter labeled and dimensioned from the centerline for each road.

Site and Building Design

3. Reference "residential dwelling unit" on site plan.
4. Limit building height to 55 feet. Ensure all language on site plan and elevations are consistent.

`.

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

Planner: Claire Lyte-Graham (704) 336-3782