

**CHARLOTTE - MECKLENBURG
PLANNING COMMISSION**

INTER - OFFICE COMMUNICATION

TO: Gary Huss
Zoning Coordinator

DATE: October 19, 2006

FROM: 
Debra Campbell
Planning Director

SUBJECT: Administrative approval for petition 2006-46 by Fat City Investments.

Attached is a revised plan for the above conditional rezoning. The plan has been revised to show a minor change in the building elevations and to convert mixed use square footage to residential units. Since these changes are minor I am administratively approving the attached revised plan. Please use this plan when evaluating requests for building permits and certificates of occupancy.

Note that all ordinance requirements still apply.

Mecklenburg County, NC POLARIS
Property Ownership Land Records Information System
Buffer Distance: 300 Feet
12/7/2006 10:21:55 AM

Click Here to Open Owner's List (Comma-Delimited)

This map is prepared for the inventory of real property within Mecklenburg County and is compiled from tax maps, maps, surveys, platements maps, and other public records and data. Users of this map are hereby notified that the information presented on this map is not intended to be used for legal purposes. Mecklenburg County and its mapping contractors shall not be held responsible for the information contained herein.

Parcel ID	Owner Name	Address	City	State	ZIP	Legal Description	Sheet	Drawn	Area
06020104	CMV-CH LLC	406 S 37TH ST	CHARLOTTE	NC	28202	NA	0392	429	2,737 AC
06020108	PIER ASSOCIATES LP	LANSFORDITE	CHARLOTTE	NC	28270	NA	1209	189	8,827 AC
06020109	CHRISTOPHER LEE ASSOCIATES	1072 S 35TH ST	CHARLOTTE	NC	28205	1,125 AC 001 2872	485	117	
06020110	SCOTT A WINTERBURN AND JENNIFER WINTERBURN	308 N CALLETON ST	CHARLOTTE	NC	28203	1,125 AC 001 2872	485	117	
06020111	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020112	SCOTT A WINTERBURN AND JENNIFER WINTERBURN	308 N CALLETON ST	CHARLOTTE	NC	28203	1,125 AC 001 2872	485	117	
06020113	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020114	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020115	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020116	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020117	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020118	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020119	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020120	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020121	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020122	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020123	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020124	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020125	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020126	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020127	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020128	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020129	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020130	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020131	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020132	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
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06020134	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020135	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020136	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
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06020146	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020147	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020148	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020149	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	
06020150	PIER ASSOCIATES LP	PO BOX 3136	LAKESIDE	NC	28710	1,125 AC 001 2872	485	117	

FAT CITY FOR PUBLIC HEARING PETITION NO: 2006-46

Thursday December 22, 2006
Revised: February 17, 2006
Revised: March 29, 2006
Revised: April 5, 2006
Revised: July 18, 2006
Revised: August 7, 2006
Revised: September 20, 2006
Revised: October 5, 2006

REQUESTED ZONING CHANGE FROM: NS, Neighborhood Services To: "MUDD - 0" Mixed Use Development District - Optional

Date and Notes:
1. Size: 0.44 acres (19,539 s.f.)
Tract 1, 9,782 s.f. + Tract 2, 9,757 s.f.

2. Present Zoning: NS, neighborhood services

3. Proposed zoning: "MUDD - 0" Mixed Use Development - Optional
Please see the OPTIONAL NOTES.

Every effort will be made to try to preserve approximately 3200 S.F. of existing Fat City building shell and about 70' of existing building facade fronting North Davidson Street.

Petitioner reserves the right to build back the facade wall and the Fat City building shell, to their existing location/shape/condition if removed or demolished (for some unforeseen reason), as long as a portion of the building remains.

4. Proposed building: Maximum of 38,000 s.f., including up to 8,000 s.f. of commercial + 26 residential units.

Potential future additional building S.F. or additional units will comply with the parking requirements of MUDD - 0.

5. Existing parking: 28 gravel parking spaces and on street parking spaces.

6. Future required parking: per MUDD - 0 Residential: 1 space per dwelling unit
All Other Uses: 1 space per 600 s.f.

6 a. Required parking: 33 Commercial: 7,250 s.f. @ 600 = 12.0, 12 parking spaces provided.

Residential 26 units at 1 per unit = 26, 24 on site and on street parking provided, see optional notes.

6 b. On site parking spaces = 29 spaces
North Davidson street on street parking = 4 spaces.
35th Street on street parking = 3 spaces

6 c. Total provided: 36 (the number of compact spaces shall meet MUDD requirements of 25% of total parking - maximum)

As an option, the petitioner seeks reduction in 2 parking spaces.

6 d. First parking count may vary per construction documents and permitting issues. However, the parking requirements will be met per MUDD - 0

6 e. Future on street parking per CDOT approval.

6 f. Required Bicycle parking will be provided on site.

7. Signage is limited to building signage with no detached signs. Signage is limited to the MUDD - 0 requirements.

8. The site will comply with section 12.403

8 a. The dumpster, and recycling if any will be screened with walls and gates on all four sides.

9. Site will meet tree ordinance requirements. Petitioner will work with urban forestry to provide additional trees around the back parking areas. See note 12.

10. Storm water requirements will meet city regulations. Please note that most of the site is already IMPERVIOUS. The existing site is almost all concrete, asphalt or compacted gravel.

10 a. The petitioner shall also utilize detention for any increase of impervious area created by the development. Please note that since the existing site is almost all concrete, asphalt or compacted gravel NO detention is required or planned. See note 10.

10 b. The petitioner will work with the City Storm Water (Now spoken to Bill Pruitt) to pipe and cover the existing concrete bed drainage to the left of the property. A 25' easement will be granted from the adjacent property owner (YMCA) in order for the new Fat City left building wall to align with the property line. Please see detail of this 25' easement to storm drain pipe to building relationship on this sheet. This easement area can provide outdoor space, improved sidewalk / connectivity from the back of the building to the YMCA property / parking.

11. Petitioner seeks an option from the standard MUDD 6' sidewalk and 8' planting strip to the curb dimension for the setback and side yards. The existing facade is anywhere from 4' to 5.5' from the curb. Also the new building plan provides outdoor space around the corner at North Davidson and 35th Street. And the building to curb dimension is variable. Please walk the NoDa, along North Davidson Street and observe the light on street parking to curb to sidewalk to building relationship which gives NoDa its sense of place.

Please see "a" through "h" on the site plan.

a. is about 5.75' to the curb
b. is about 5.2' to the curb
c. ranges from about 22.1' to 25.8' to the curb - average distance 23.95'
d. is about 20.0' to the curb
e. is about 13.1' to the curb
f. is about 14.4' to the curb
g. is about 5.0' to the curb
h. is about 0' to 24' to property line

11 a. Petitioner seeks an option to allow 24" of balcony overhang (with 24" of clearance) from the new structure and existing Fat City building facade fronting North Davidson and 35th Street into the R/W or beyond the property line.

12. Petitioner seeks an option from the standard tree ordinance requirements of MUDD. Please see note 11. At this light urban site the petitioner proposes to follow a pattern similar to streetscape put in place in NoDa (North Davidson and 35th Street) by the city of Charlotte several years ago. See site plan. As suggested a bulb out with a tree grate is added to the site plan (at the corner of 35th and North Davidson street). The petitioner is seeking an option from the required streetscape along the portion of the site that is a parking lot, fronting 35th Street. See site plan notes.

13. Proposed uses for the site will be limited to office, retail, restaurant, residential and personal services.

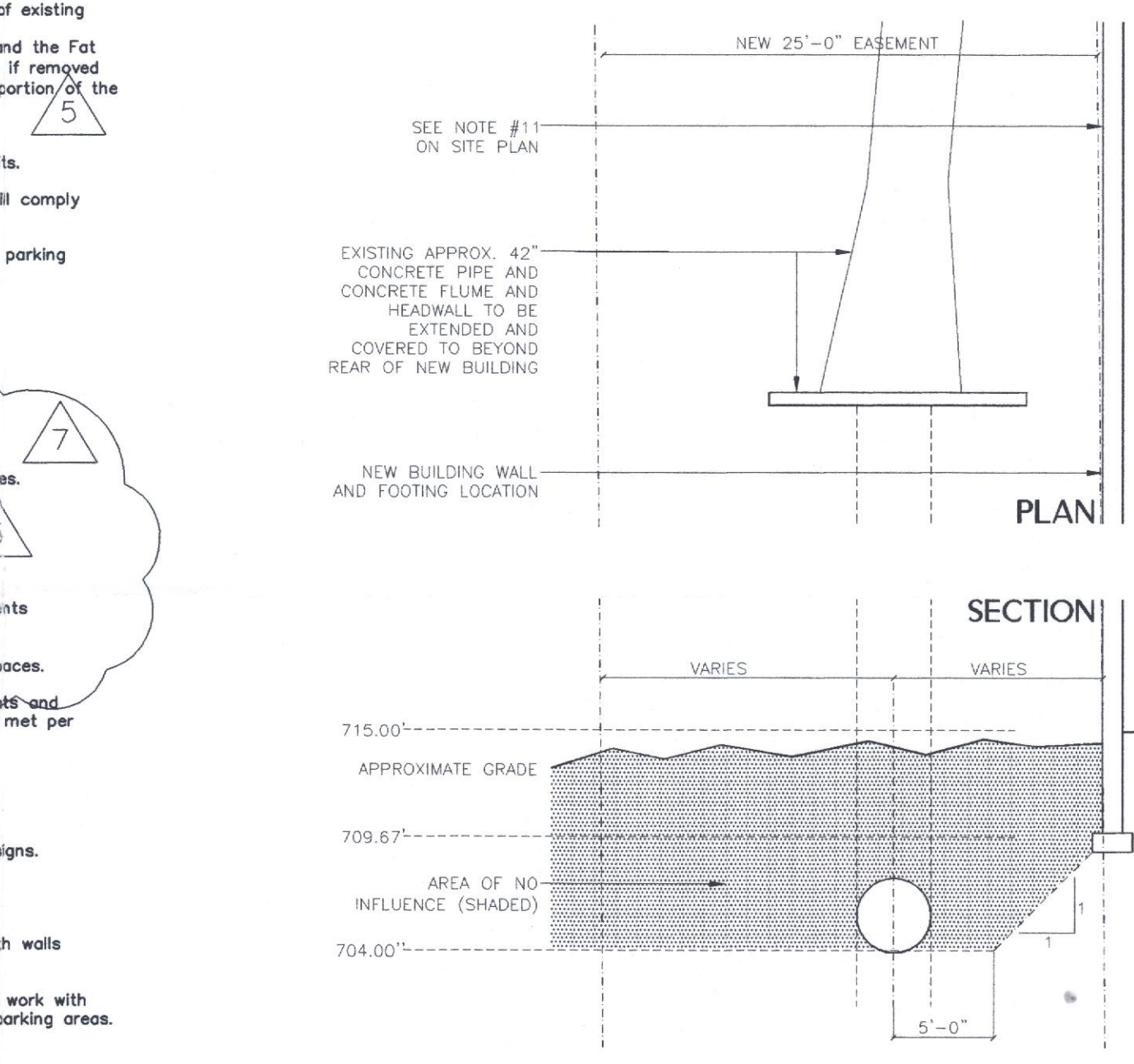
14. Fire and life safety requirements will meet city regulations. Hydrant will be provided within 750 ft of most remote point of buildings as back trucks.

15. The relationship of building to curb is similar to the previously submitted design as described in note 11.

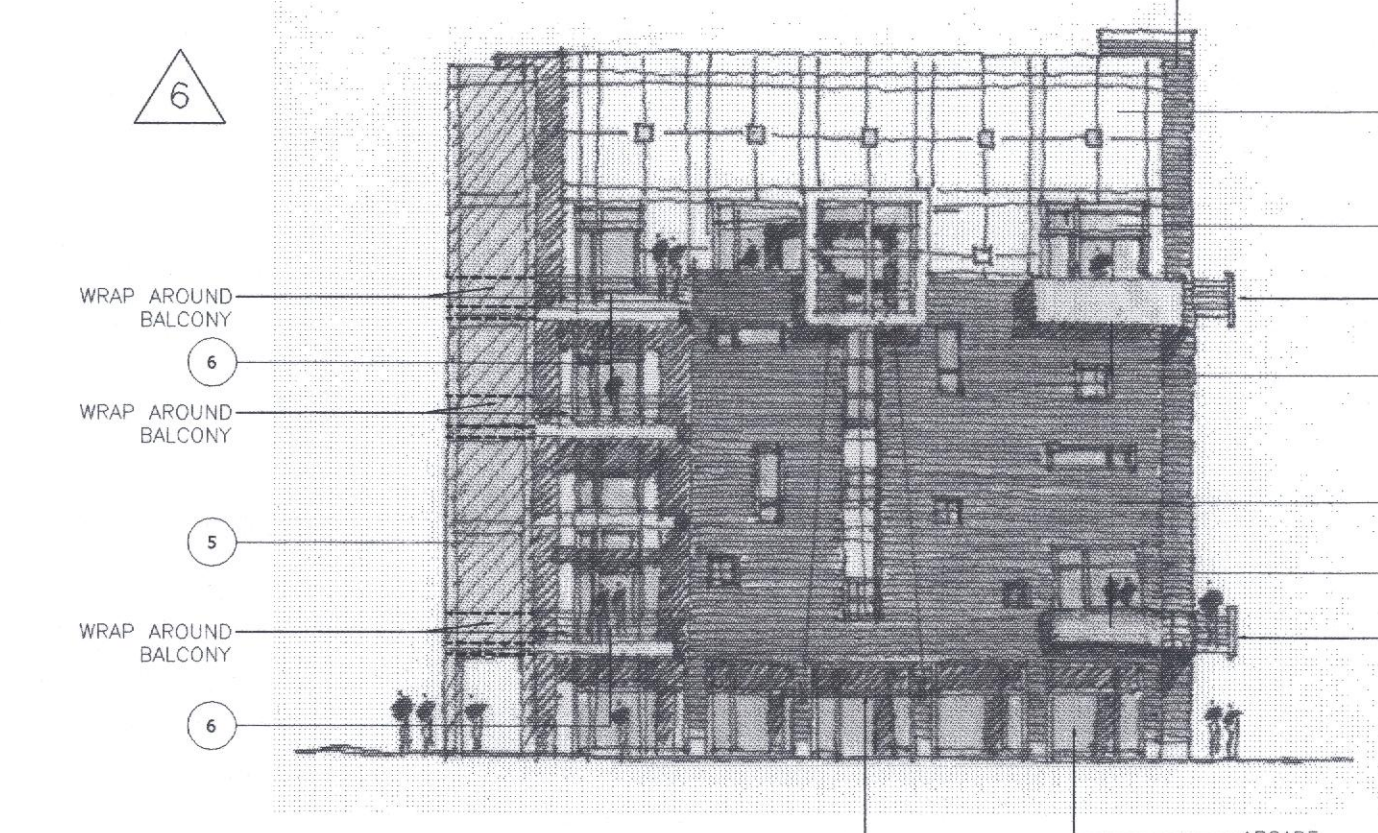
16. Note Removed



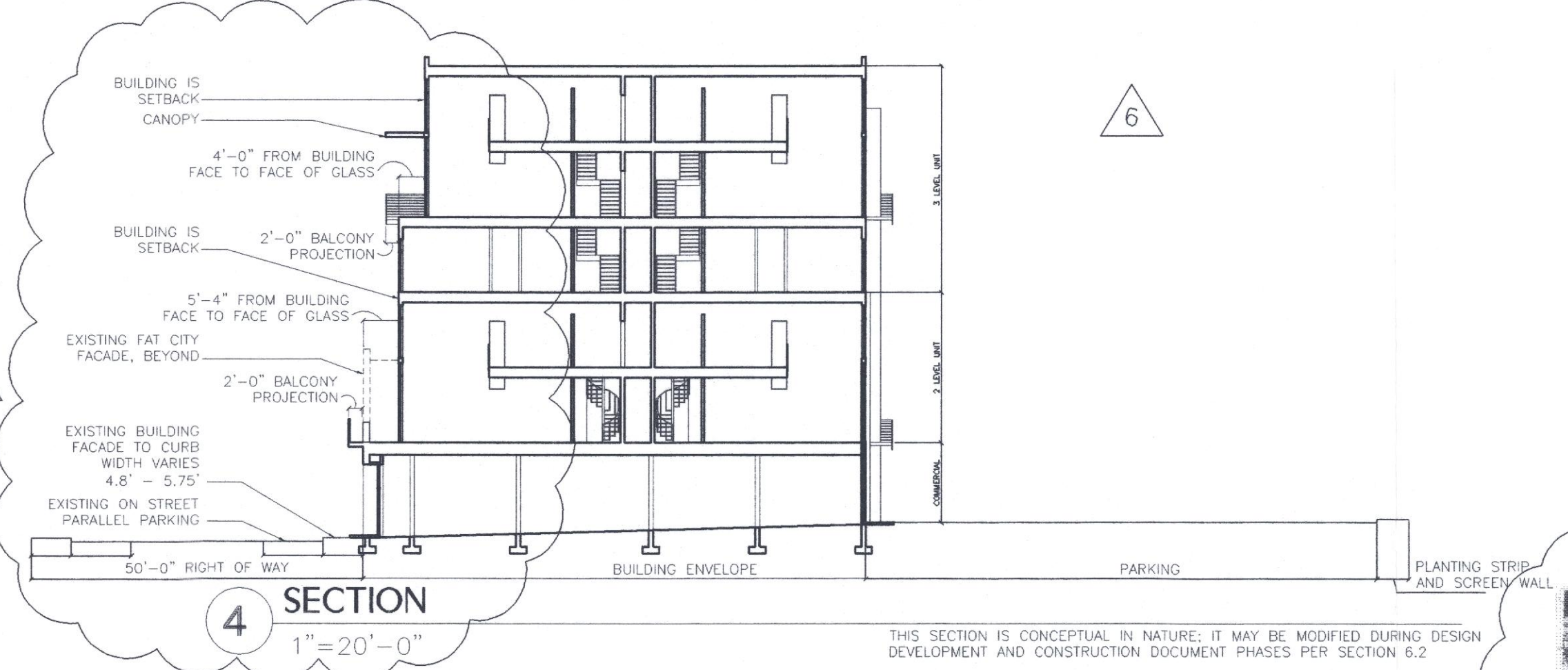
4 BUILDING SCALE AND MASSING NOT TO SCALE



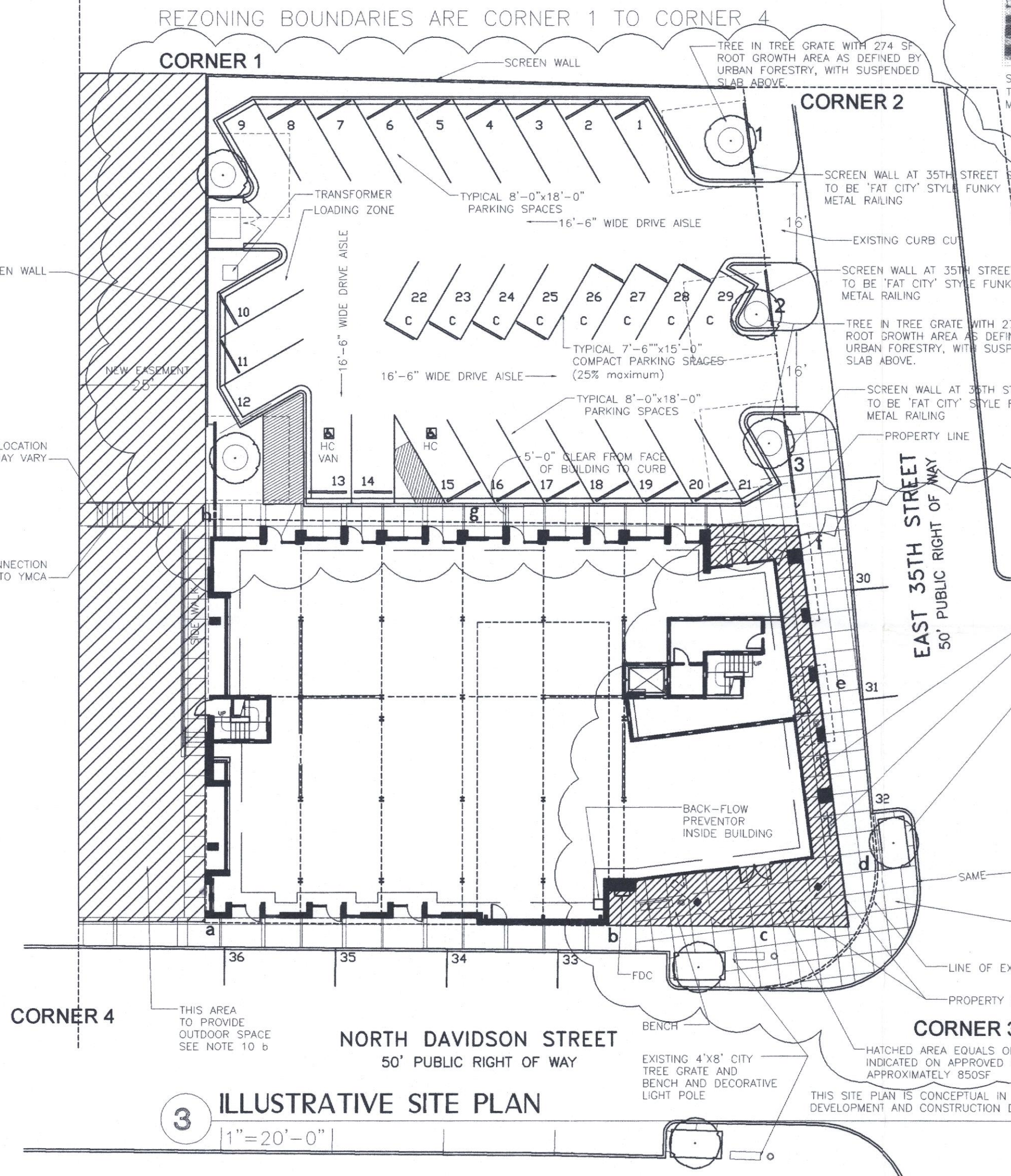
4 PLAN AND SECTION AT EXISTING DRAINAGE PIPE NOT TO SCALE



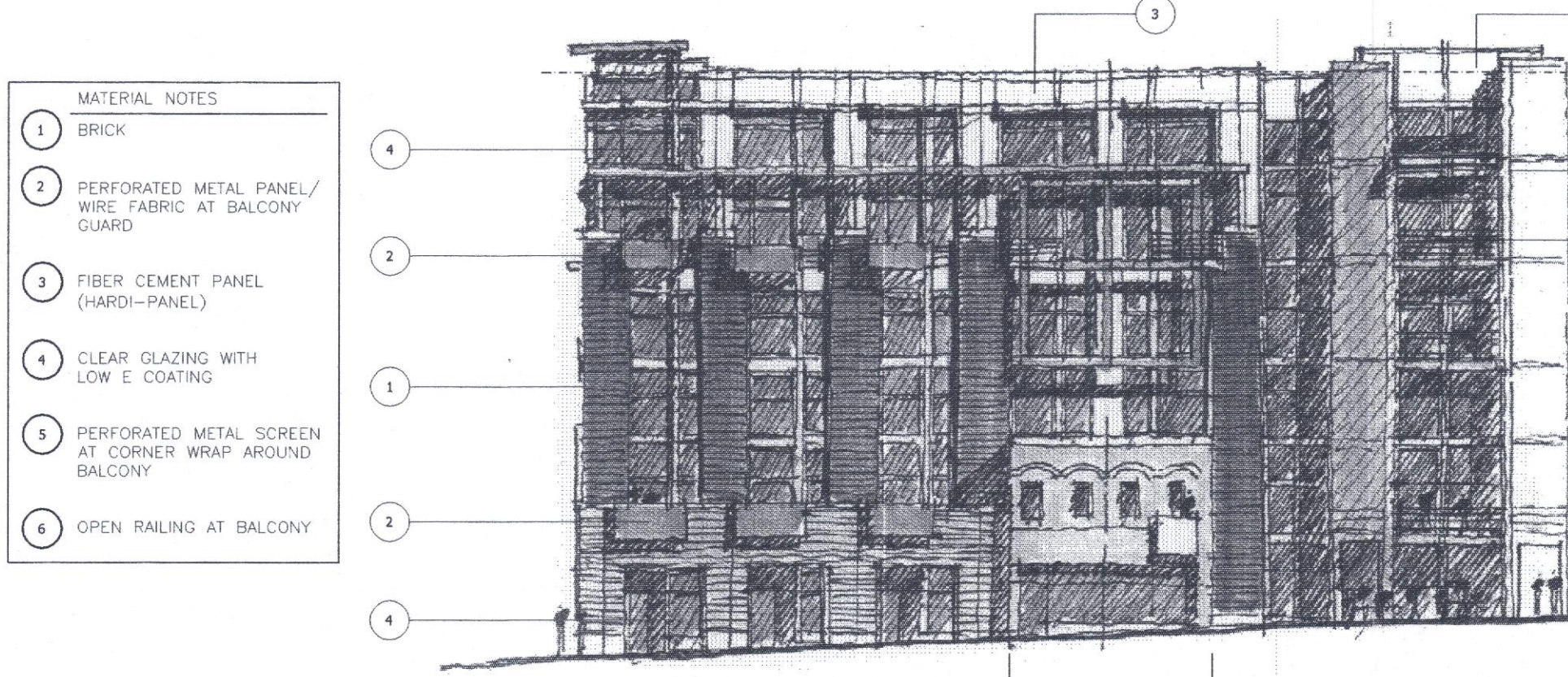
1 ELEVATION ALONG 35th STREET Approx. 1"=20'-0"



4 SECTION 1"=20'-0"

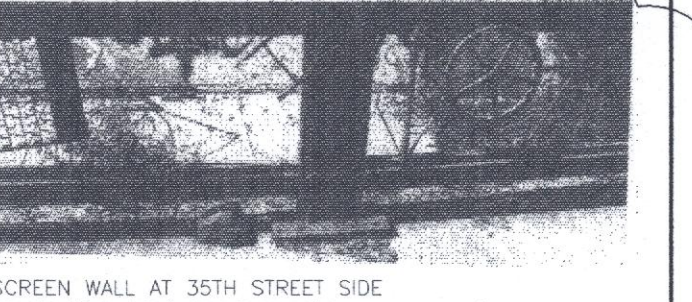


3 ILLUSTRATIVE SITE PLAN 1"=20'-0"



1 ELEVATION ALONG NORTH DAVIDSON STREET Approx. 1"=20'-0"

- MATERIAL NOTES
- BRICK
 - PERFORATED METAL PANEL/WIRE FABRIC AT BALCONY GUARD
 - FIBER CEMENT PANEL (HARDI-PANEL)
 - CLEAR GLAZING WITH LOW E COATING
 - PERFORATED METAL SCREEN AT CORNER WRAP AROUND BALCONY
 - OPEN RAILING AT BALCONY



TREE IN TREE GRATE WITH 274 SF ROOT GROWTH AREA AS DEFINED BY URBAN FORESTRY, WITH SUSPENDED SLAB ABOVE.

SCREEN WALL AT 35TH STREET SIDE TO BE "FAT CITY" STYLE FUNKY METAL RAILING AT LOCATIONS 1, 2, 3

SCREEN WALL AT 35TH STREET SIDE TO BE "FAT CITY" STYLE FUNKY METAL RAILING

TREE IN TREE GRATE WITH 274 SF ROOT GROWTH AREA AS DEFINED BY URBAN FORESTRY, WITH SUSPENDED SLAB ABOVE.

SCREEN WALL AT 35TH STREET SIDE TO BE "FAT CITY" STYLE FUNKY METAL RAILING

SCREEN WALL AT 35TH STREET SIDE TO BE "FAT CITY" STYLE FUNKY METAL RAILING

PROPERTY LINE

BICYCLE PARKING

A BULB OUT WILL BE PROVIDED IN THE PARKING LANE AT THIS SOUTHEASTERN PROPERTY CORNER FOR A STREET TREE TO MATCH THE STREET TREE ACROSS 35TH STREET. ALSO PROVIDE BRICK PAVERS TO MATCH OR COMPLEMENT EXISTING PAVERS AS SHOWN

EXISTING 4'x8' CITY TREE GRATE AND BENCH

THE NEW CURB RADIUS AT "FAT CITY" CORNER TO MATCH CITY STREETScape CURB RADIUS ACROSS 35TH STREET AS CLOSELY AS POSSIBLE

PROPOSED BRICK PAVERS TO MATCH OR COMPLEMENT EXISTING PAVERS AS SHOWN. SEE OPTIONAL NOTE 12.

SAME

LINE OF EXISTING CURB

PROPERTY LINE

CORNER 3

HATCHED AREA EQUALS OR EXCEEDS HATCHED AREA INDICATED ON APPROVED REZONING DRAWING DATED APRIL 17, 2006 APPROXIMATELY 8500 SF

THIS SITE PLAN IS CONCEPTUAL IN NATURE; IT MAY BE MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES PER SECTION 6.2

EXISTING 4'x8' CITY TREE GRATE AND BENCH AND DECORATIVE LIGHT POLE

EXISTING FACADE

TOP OF PARAPET = 70'-0"

ATTACHED TO ADMINISTRATIVE APPROVAL

DATED: October 19, 2006

BY: DEBRA D. CAMPBELL

ROOF HEIGHTS MEASURED FROM FINISHED FLOOR AT CORNER OF NORTH DAVIDSON AND 35TH STREETS.



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fax: (704) 333-3362
construction@dasarchitecture.com

Fat City
NORTH DAVIDSON ST.

PETITIONER:
FAT CITY INVESTMENT ASSOCIATES, LLC
125 SCALEYBARK ROAD
CHARLOTTE, NC 28209

ERIC VARGOSKO
704.239.0945 P
704.552.1988 F

TECHNICAL DATA AND ILLUSTRATIVE SITE PLAN

REZONING PETITION 2006-46

FOR PUBLIC HEARING

- December 22, 2005
- Revised: February 17, 2006
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