

REQUEST	Current Zoning: O-2, office Proposed Zoning: MUDD(CD), mixed use development district, conditional
LOCATION	Approximately 1.50 acres located on East Morehead Street between Kenilworth Avenue and Monticello Trail.
SUMMARY OF PETITION	The petition proposes to allow up to 250 multi-family units and up to 10,000 square feet of residential supportive services.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The proposal is consistent with draft <i>Midtown Morehead Cherry Plan</i> , the <i>Central District Plan</i> , and the <i>General Development Policies</i> .
PROPERTY OWNER	1321, LLC; 1329, LLC; and Morehead Property Investments, LLC
PETITIONER	Morehead Property Investments, LLC
AGENT/REPRESENTATIVE	DAS Architecture, Inc.
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Maximum of 250 multi-family dwelling units (166.7 dwelling units per acre) and up to 10,000 square feet of residential supportive services, including but not limited to: leasing office, fitness center, laundry, and coffee shop.
- Minimum of 65 percent of residential units will be one-bedroom.
- A freestanding commercial building is not permitted.
- Maximum building height of 100 feet (no higher than 85 feet to be permitted to the southeast along Monticello Terrace property). Primary building face on rear to be limited to a maximum average height as defined in the Zoning Ordinance of 85 feet. Portions of the building height in the rear may exceed 85 feet, but must be set back a minimum of an additional five feet per floor.
- A 26-foot setback at street level up to the second floor. At and above the second floor window projections, balconies, architectural elements will be permitted to encroach a maximum six feet into the 26-foot setback for up to 25 percent of the building along that façade.
- Minimum 10-foot side yard with landscape treatment.
- A 15-foot rear yard with no screening, or 10 feet with landscaping/fence treatment.
- Provisions where application of 10' setback along rear and east elevations shall apply:
 - Balconies to be inset or "Juliet" balconies not to extend beyond the primary face of the building; other architectural elements (including but not limited to bay windows) may extend beyond the primary building face up to two feet but not closer than eight-feet to the property line.
 - No patios or common spaces at grade level of the building to be permitted.
 - Building will not be uplit along those elevations.
- Dedication of 40 feet of right-of-way along East Morehead Street.
- Parking to be located in a parking structure below the residential portion of the building, with visitor/short term parking possibly located at grade.
- Two driveways may be permitted onto East Morehead Street as shown on site plan. The petitioner will work with CDOT and NCDOT to reduce the number of driveways to one if possible. Number of driveways will depend upon how development of each parcel occurs.
- Until each phase or building is occupied, existing drives will remain.
- Proposed building(s) will be articulated with a variety of materials including but not limited to brick, stone, cast stone, precast concrete, cementitious siding, stucco, EIFS, and metal panel.

- Reconstruction of wall between the property and Monticello Terrace Condominiums as well as the two portions running perpendicular to the property line to a height of eight feet minimum. The wall design, and additional landscaping, screening, and lighting, will be developed in agreement with the Monticello Terrace Condominiums. Wall materials will be consistent with the existing wall construction.
- Solid waste containers to be located within the service area/loading dock within the building and serviced by private waste removal contractors.
- **Existing Zoning and Land Use**
 - An office building and associated parking are constructed on each of the three individual lots comprising the rezoning site. The rezoning site is surrounded by a mix of office, institutional, and residential development on properties zoned O-2, MUDD-O, MUDD(CD), B-1, B-2(CD), R-4 (Dilworth Historic District), UR-2(CD) and R-22MF.
- **Rezoning History in Area**
 - Rezoning Petition 2008-137 rezoned the abutting property directly to the northwest from O-2 to MUDD-O, with the following conditions and optional provision:
 - A 155,000 square foot mixed-use development including general and medical office, personal services (up to 4,500 square feet), retail and restaurants (limited to 22,000 square feet of which a maximum of 5,000 square feet may be restaurants), and residential uses.
 - Optional provision to allow a 140-foot maximum building height (an increase from the maximum 120 feet permitted under MUDD).
 - Rezoning petition 2010-001 rezoned a site directly abutting the subject parcel to the northeast from MUDD-O to O-2.
- **Public Plans and Policies**
 - The *Central District Plan* (1993) recommends a mixture of multi-family, office and/or retail uses.
 - The *General Development Policies* (2003) support over 17 dwelling units per acre on the subject site as provided below.

Assessment Criteria	Density Category –over 17 du/a
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	3 (High)
Connectivity Analysis	5 (Medium)
Road Network Evaluation	1 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
Total Points Required: 14	Total Points: 16

- The draft *Midtown Morehead Cherry Area Plan* recommends a mixture of residential and office uses with a Pedestrian Overlay District (PED) for East Morehead Street. The draft plan proposes a 26-foot building setback from back of curb and a maximum height of 100 feet for the subject site.
- The request is consistent with the *Central District Plan*, the *General Development Policies* and the draft *Midtown Morehead Cherry Area Plan* in terms of uses. The six-foot setback reduction for up to 25 percent of the building above the second floor is not consistent with the proposed setback. However, this deviation is intended to enhance and add interest to the façade and provide appropriate balance from a streetscape perspective.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
- **Charlotte Department of Neighborhood & Business Services:** No comments received.

- **Transportation:** CDOT does not have any outstanding comments relative to the Transportation Technical Memorandum (TTM) dated September 19, 2011 and revised December 21, 2011. CDOT recommends that the petitioner contact NCDOT directly to receive their comments on this case, as East Morehead Street is state-maintained and the driveway will need to be approved by NCDOT.
 1. East Morehead Street (NC Hwy 27) is an existing major thoroughfare which requires a minimum of eighty feet of right-of-way per section 12.103 of the Zoning Ordinance. CDOT requests that the petitioner dedicate forty feet of right-of-way, measured from the centerline of the existing right-of-way into their site. As a minimum the proposed eight-foot planting strip needs to be within the street right-of-way. The proposed eight-foot sidewalk can be located within a proposed sidewalk/utility easement. The revised site plan needs to show both East Morehead's existing and proposed right-of-way lines along the site's frontage.
 - **Vehicle Trip Generation:** Compared to the existing zoning, the proposed development will have a significant impact on the surrounding thoroughfare system.
Current Zoning: 400 trips per day.
Proposed Zoning: 1,995 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 11 students, while the development allowed under the proposed zoning will produce 26 students. Therefore, the net change in the number of students generated from existing to proposed is 15 students.
 - **Solid Waste Services:** Solid Waste Services states that the property must be serviced by a private hauler.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This request proposes redevelopment of an urban site.

OUTSTANDING ISSUES

- The petitioner should:
 1. Address all CDOT comments.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Community Meeting Report
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Schools Review
- Charlotte Solid Waste Services
- Charlotte-Mecklenburg Storm Water Services Review

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