
REQUEST	Current Zoning: B-2, general business Proposed Zoning: MUDD-O, mixed use development district-optional
LOCATION	Approximately 2.81 acres located on the south side of East Third Street and surrounded by South Kings Drive, Charlottetowne Avenue, and Cherry Street.
SUMMARY OF PETITION	The petition proposes to allow all uses permitted in the MUDD district while incorporating the majority of the streetscape requirements set forth in the draft <i>Midtown Morehead Cherry Area Plan</i> . The site is consistent with the land use recommendations set forth in the draft <i>Midtown Morehead Cherry Area Plan</i> .
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding site plan issues.
PROPERTY OWNER	Wells Property Number One, LLC
PETITIONER	Wells Property Number One, LLC
AGENT/REPRESENTATIVE	FMW Real Estate
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- All uses permitted in MUDD.
- Maximum building height of 100 feet.
- Streetscape improvements and setbacks set forth in the draft *Midtown Morehead Cherry Area Plan* as follows:
 - S. Kings Drive: 24-foot setback, 8-foot planting strip, 8-foot sidewalk, and 8-foot paved amenity zone.
 - Third Street: 16 foot setback, 8-foot planting strip and 6-foot sidewalk.
 - Charlottetowne Avenue: 22-foot setback, 8-foot planting strip and 6-foot sidewalk.
 - Cherry Street: 11-foot setback, reduced planting strip and 6-foot sidewalk.
- A 16-foot setback on Third Street as discussed previously with petitioner and upon which the site plan was developed instead of a 22-foot setback.
- Exclusion of vinyl as a permitted exterior building material except for soffits and windows.
- CATS concrete passenger shelter pad adjacent to the site on East Third Street.
- Optional provisions to allow:
 - An 11-foot setback on Cherry Street from the back of the future non-recessed curb.
 - A minimum 6-foot sidewalk adjacent to the back of curb along the site's frontage on Cherry Street. A planting strip will not be provided if parallel parking is installed on Cherry Street adjacent to the site. In the event that parallel parking is not installed on Cherry Street, a minimum 5-foot planting strip and 6-foot sidewalk will be provided along the site's frontage on Cherry Street.

- **Existing Zoning and Land Use**

- The subject property is currently developed with an office building and associated parking on a portion of the site while the remainder is vacant. Surrounding parcels are zoned MUDD-O, B-1, B-2, and R-22MF and are developed with commercial, office, institutional and residential land uses.

- **Rezoning History in Area**

- There have been no rezonings in the immediate area in recent years.

- **Public Plans and Policies**

- *Midtown Morehead Cherry Area Plan* (draft) recommends a mixture of residential, office, and/or retail land uses.
- *Central District Plan* (1993) recommends a mixture of residential, office and/or retail land uses.

- The petition is consistent with the draft *Midtown Morehead Cherry Area Plan*, with the exception of the setback on Third Street.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Charlotte Department of Transportation:**
 1. Cherry Street's proposed cross-section along the petitioner's property frontage needs to accommodate on-street recessed parallel parking. To establish the Cherry Street proposed back of curb along the site's Cherry Street frontage the measurement needs to be taken 13.5 feet from the existing Cherry Street pavement centerline. The recessed parallel parking back of curb is measured an additional 5.5 feet from the proposed Cherry Street travel lane back of curb. A 6-foot sidewalk along Cherry Street's frontage needs to be established between the proposed recessed parking back of curb and building setback lines. The planting strip will need to be reduced along Cherry Street and street trees will be located within the recessed parking curb extensions. The petitioner needs to provide the above Cherry Street dimensions on a 1"=10' scale detail drawing on the revised site plan.
 2. Revise the conditional notes under the heading Optional Provisions as follows:
 - The building setback line along Cherry Street shall be 11 feet from back of the future non-recessed proposed curb line (i.e. proposed Cherry Street's travel lane back of curb line).
 - Amend Note B to request a reduction of the 8-foot planting strip along the site's Cherry Street frontage and allow the street trees to be located within the recessed parking curb extensions.
 - **Vehicle Trip Generation:** The petition will allow a wide range of trip generation based on the existing and proposed zoning classifications.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** The impact on the schools cannot be determined due to unspecified proposed uses.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
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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*.
 - Minimizes impacts to the natural environment by building on an infill lot that scores high on GDP for accessibility and connectivity.
 - Facilitates the use of alternative modes of transportation by providing a bus shelter waiting pad.

OUTSTANDING ISSUES

- The petitioner should:
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Park and Recreation

Planner: Sonja Sanders (704) 336-8327