
REQUEST	Current Zoning: O-2, office Proposed Zoning: R-22MF, multi-family residential
LOCATION	Approximately 1.13 acres located on the east corner at the intersection of Commonwealth Avenue and Morningside Drive.
SUMMARY OF PETITION	This petition proposes to rezone an existing multi-family residential development from office to multi-family. This is a corrective rezoning in accordance with the <i>Independence Boulevard Area Plan</i> , which was adopted in 2011.
STAFF RECOMMENDATION	Staff recommends approval of this petition. This petition is consistent with the <i>Independence Boulevard Area Plan</i> .
PROPERTY OWNER	Morcom, LLC
PETITIONER	Charlotte-Mecklenburg Planning Department
AGENT/REPRESENTATIVE	N/A
COMMUNITY MEETING	Meeting is not required.

PLANNING STAFF REVIEW

- **Proposed Request Details**
This is a conventional rezoning petition with no associated site plan.
 - **Background**
The recently adopted Independence Boulevard Area Plan recommends rezoning the subject properties to align the zoning with the current multi-family land use.
 - **Existing Zoning and Land Use**
 - The subject parcel is part of a larger, approximate 1.482-acre lot developed with a 30-unit apartment complex constructed in 1989. The lot has split zoning, with the majority of the lot zoned O-2, and the remainder of the site zoned R-22MF. Rezoning the O-2 portion will bring the entire site under the R-22MF zoning district. The site is primarily surrounded by single family, multi-family development, office and undeveloped acreage on properties zoned R-4, R-5, R-22MF, and MUDD-O. Office and retail uses are located at the southeast corner of Morningside Drive and Commonwealth Avenue on properties zoned B-1 and B-1(CD).
 - **Rezoning History in Area**
 - Rezoning petition 2006-026 approved rezoning approximately 33.15 acres generally located north of Commonwealth Avenue and west of Morningside Drive, from R-22MF and R-4 to MUDD-O to allow the construction of a mixed-use development project containing up to 1,000 residential units of various types (single family detached to apartment and condominium multi-family), at an overall density of 30 units per acre. The approval also allows up to 30,000 square feet of retail/restaurant/office space.
 - **Public Plans and Policies**
 - The *Independence Boulevard Area Plan* (2011) recommends multi-family residential up to 22 dwelling units per acre on the overall apartment complex.
 - The petition is consistent with the *Independence Boulevard Area Plan*.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Department of Solid Waste Services:** No issues.
- **Transportation:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools (CMS):** CMS indicates that development allowed under existing zoning would generate 16 students, while the development allowed under the proposed zoning will produce 11 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 5 students.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency (LUESA):** No issues.
- **Mecklenburg County Park and Recreation Department (MCPR):** MCPR states that this parcel is located on the west side of Briar Creek, a greenway corridor approved as part of the 2008 Mecklenburg County Park and Recreation Greenway Plan Update. Mecklenburg County currently owns significant property along the Briar Tributary leading to Veterans Park. MCPR requests the conveyance of the 100' SWIM buffer on Briar Creek and the 50' SWIM buffer along the tributary for greenway to Mecklenburg County. This rezoning request is not a conditional petition, and therefore this dedication cannot be made through the rezoning process.

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*.
 - There is no site plan associated with this conventional rezoning request.

OUTSTANDING ISSUES

- No issues.

Attachments Online at www.rezoning.org

- Application
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Solid Waste Services Review
- 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 Parks and Recreation Review

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