
REQUEST	Current Zoning: O-2 PED, office, pedestrian overlay district Proposed Zoning: MUDD-O, mixed use development district, optional
LOCATION	Approximately 2.08 acres located on the northwest corner of East Morehead Street and Kenilworth Avenue.
SUMMARY OF PETITION	The petition proposes to allow up to 30,540 square feet of retail and office uses with optional provisions to allow a drive through service window and encroachments into the required setback.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding site plan issues. The petition is consistent with the <i>Midtown Morehead Cherry Area Plan</i> .
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Edward H. Springs Interiors, Inc. and Edward H. Springs Lincoln Harris LLC Walter Fields, III
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:

- A 30,540 square foot development limited to office uses, with up to 14,540 square feet also allowed to be occupied with retail uses.
- Two right in/right out driveways provided into the site. One from Kenilworth Avenue and the other from East Morehead Street.
- Eight-foot planting strips and six-foot sidewalks will be provided along both Kenilworth Avenue and East Morehead Street per the adopted streetscape plan.
- A 26-foot building setback from the back of curb along East Morehead Street.
- A 22-foot building setback from the back of curb along Kenilworth Avenue.
- Minimum 10-foot wide buffer provided abutting single family residential, which is not required by the MUDD zoning regulations. The buffer shall include six evergreen trees and 20 evergreen shrubs per 100 linear feet.
- Two open space areas improved with seating and landscaping will be provided. One internal to the site for the occupants of the development and the second located on the corner to serve the neighborhood.
- Detached lighting will have full cut-off lighting fixtures and shall be limited to 18 feet in height.
- No "wall-pak" type lighting will be allowed.
- Site lighting, excluding architectural and security, will be limited to ½ hour before and ½ hour after the operation hours of the retail use.
- Retail hours of operation will be limited to 6:00 a.m. to 12:00 a.m.
- Building height not to exceed 46 feet.
- Building elevations are provided.
- Trash pick-up and service deliveries are limited to the hours of operation but no later than 7:00 p.m.
- Any drive through service window will be located in the rear or side of the building and will not directly front Morehead Street or Kenilworth Avenue.
- Sign package provided.
- Optional provisions include:
 - To allow for a drive through service window limited to a retail operation which houses a pharmacy or a financial institution.
 - To allow for an entrance stoop with steps to encroach up to eight feet into the 22-foot pedestrian plan setback along Kenilworth Avenue.

- **Existing Zoning and Land Use**

The subject site is currently occupied with single family homes, multi-family units, and office uses. The majority of the surrounding properties along East Morehead Street and Kenilworth Avenue are zoned O-2 PED except for the property diagonal across the intersection which is zoned MUDD-O. These properties contain office and institutional uses. West of the subject site are properties zoned R-4 and located within the Dilworth Historic District. These properties are developed with single family homes.

- **Rezoning History in Area**

- There have been a number of rezonings to MUDD-O and MUDD(CD) within this area along both East Morehead Street and Kenilworth Avenue.
- The Pedestrian Overlay District was established on this subject site and several of the surrounding nonresidential zoned property in July of this year based on the recommendation of the *Midtown Morehead Cherry Area Plan*.

- **Public Plans and Policies**

- The *Midtown Morehead Cherry Area Plan* (2012) recommends a mix of residential, office, medical office, and institutional uses. The plan also indicates retail to serve the immediate population may be appropriate. The vision for the overall Morehead Area is to become more pedestrian friendly and strengthen its mix of uses, while preserving its historic character and sensitivity to the scale of the Dilworth neighborhood.
 - The petition is consistent with the *Midtown Morehead Cherry 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.
 - **Transportation:** A raised concrete median will need to be installed along both Kenilworth Avenue and East Morehead Street to restrict the driveways to right in/right out movements. Modify the site plan to depict the median design and its impact, if any, on the curb location and site layout.
 - **Vehicle Trip Generation:**
Current Zoning: 780 trips per day.
Proposed Zoning: 1,540 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
 - **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.
 - **Urban Forestry:** The City Arborist inspected the two oak trees along East Morehead Street and determined that due to their existing condition and expected lifespan the trees can be removed.
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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.

OUTSTANDING ISSUES

- The petitioner should:
 1. Modify the design of the buildings so they are more urban in nature and better reflect the character and scale of the Dilworth neighborhood. Consider converting Building B into a two-story structure to achieve better urban form.
 2. Provide clear vision glass along portions of the East Morehead Street façade of Building B and indicate those windows will not be obstructed by graphics or other materials.
 3. Redesign and/or relocate the drive through service window area to enhance the traffic flow and minimize vehicular conflicts.
 4. Remove the screen wall illustrated in front of Building B along Kenilworth Avenue.
 5. Indicate the existing trees along East Morehead Street may be removed if approved by the City Arborist.
 6. Remove note C under “Streetscape and Landscaping”. The note references a private agreement between the petitioner and the abutting property owners, which is not enforceable by the City.
 7. Modify note D under “Streetscape and Landscaping” to read “...will comply with the standards of Section 10.812(5) *and will include six evergreen trees and 20 evergreen shrubs per 100 linear feet*”.
 8. Remove the sign package from the conditional rezoning plan sheets if the development is to comply with the minimum standards of the MUDD requirements of the Zoning Ordinance.
 9. Modify the following components of the sign package if it to remain part of the conditional rezoning plan sheets:
 - a. Reference the location of the ground mounted sign on the “Site Plan Sign Identification” graphic so it is easier to identify the location.
 - b. Modify the graphics on Sheet RZ3.0. The location of the ground mounted sign on the “Site Plan Sign Identification” graphic is different than what is illustrated on the “Partial Enlargement Site Plan”.
 - c. Indicate the location of the ground mounted sign will be a minimum of five feet behind the right-of-way and out of the required pedestrian plan setback.
 - d. Modify the sign face area of the wall signs on building A so they do not exceed the maximum 100 square feet allowed by the MUDD sign regulations.
 10. Address CDOT issue.

Attachments Online at www.rezoning.org

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

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