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<b>REQUEST</b>	Current Zoning: R-5 HD-O, single family residential, historic district overlay (Wesley Heights) Proposed Zoning: UR-2(CD) HD-O, urban residential, conditional, historic district overlay (Wesley Heights)
<b>LOCATION</b>	Approximately 0.82 acres located on the west side of South Summit Avenue near the intersection of West Morehead Street and South Summit Avenue. (Council District 2 – Mitchell)
<b>SUMMARY OF PETITION</b>	The petition proposes a 35-unit multi-family development at a density of 43 units per acre.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is inconsistent with the <i>Central District Plan</i> ; however, the site does meet the <i>General Development Policies</i> for the residential density proposed by this petition.
<b>PROPERTY OWNER</b>	E.C. Griffith Company
<b>PETITIONER</b>	Mission Properties, LLC
<b>AGENT/REPRESENTATIVE</b>	Tony Miller, Miller Architecture
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online.

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#### **PLANNING STAFF REVIEW**

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- A 35-unit multi-family development limited to one building.
- A building envelope that steps back from South Summit Avenue along the northern portion of the site to transition the building façade to the established setback within the Wesley Heights neighborhood.
- Building elevations are provided.
- Maximum building height of three stories.
- Minimum six-foot sidewalk along South Summit Street that may meander to preserve existing street trees.
- Ten and a half foot wide class “C” buffer abutting the R-5 zoned parcels along the rear property line to include plantings and an opaque wooden fence.
- Detached lighting will be limited to 20 feet in height and shall utilize full cut-off type lighting fixtures.

- **Existing Zoning and Land Use**

The subject property is currently occupied with a nonconforming gravel parking lot serving nearby restaurant and retail uses. The site borders B-1 zoned properties within the West Morehead Pedestrian Overlay District to its south and east. These properties contain a mix of office, retail, and warehouse uses. To the north is a four-unit apartment building zoned R-5 within the Wesley Heights Historic District Overlay. West of the subject rezoning are properties zoned R-5 and UR-2(CD) within the Wesley Heights Historic District Overlay and which contain multi-family and single family uses.

- **Rezoning History in Area**

There have been numerous rezonings in the area mainly to accommodate higher density residential and pedestrian oriented nonresidential uses. In addition, there have been two rezonings along West Morehead Street west of the subject rezoning to accommodate an indoor self-storage facility and industrial uses associated with Charlotte Pipe and Foundry.

- **Public Plans and Policies**

- The *Central District Plan (1993)* recommends single family residential and references the residential location criteria of the General Development Policies for areas of higher density development.
- The *General Development Policies (GDP) (2003)* support residential densities in excess of 17 units per acre. The GDPs require 14 points to qualify for densities in excess of 17 dwelling units per acre. The land use and density proposed is appropriate due to the development meeting the design guidelines of the GDPs. In addition, the development will be required to comply with the Historic District Commission's design requirements and approvals.

Assessment Criteria	Density Category - Over 17 du/a
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (Medium)
Connectivity Analysis	5 (High)
Road Network Evaluation	0 (No)
<b>Design Guidelines</b>	<b>4 (Yes)</b>
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 14</b>	<b>Total Points: 14</b>

- The petition is inconsistent with the Central District Plan; however, the density is supported by the General Development Policies.

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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:** Remove the proposed pavement markings for on-street parking along South Summit Avenue from the site plan.
  - **Vehicle Trip Generation:**
    - Current Zoning: 40 trips per day.
    - Proposed Zoning: 235 trips per day.
  - **Connectivity:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The proposed development would generate 18 students, while development allowed under the existing zoning will produce 2 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 16 students.
- **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:** 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.

**OUTSTANDING ISSUES**

- The petitioner should:
    1. Modify the "Number of Residential Units" to read: "Up to 35 Multi-Family Units Apartments (as allowed by parking)".
    2. Indicate "Residential Density" as "43 dwelling units per acre".
    3. Delete Note 1g "Square footage of Non-Residential Uses".
    4. Modify "Maximum Building Height" to indicate a limit of three stories and 50 feet in addition to the UR-2 height requirements.
    5. Modify the "Ratio of Parking Spaces" to indicate a minimum of one space per unit and a maximum of two spaces per unit.
    6. Provide a minimum amount of open space for the development indicated under Note 1k.
    7. Modify Note 4a as follows: "Multi-Family Residential & Uses Accessory to Residential, ~~Street Level Retail & Parking~~".
    8. Rewrite Note 5d as follows: "Parking Location: Parking will be provide on-site to the side and rear of the proposed building and on-street along South Summit Avenue as permitted by CDOT".
    9. Eliminate the last sentence of Note 12a and modify the first sentence to read: "Freestanding lighting will be limited to 20' in height and all lighting shall utilize full cut-off type lighting fixtures".
    10. Delete sheet Z103.
    11. Address the Transportation comment.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business 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
- Urban Forestry Review

**Planner:** Shad Spencer (704) 353-1132