

Note: The petitioner is requesting a deferral of this public hearing until July 20, 2015.

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| REQUEST | Current Zoning: R-22MF (multi-family residential) Proposed Zoning: UR-C(CD) (urban residential - commercial, conditional) |
| LOCATION | Approximately 3.031 acres located on the southeast corner at the intersection of Cherry Street and East 1st Street. (Council District 1 - Kinsey) |
| SUMMARY OF PETITION | The petition proposes to allow the redevelopment of the site for up to 200 multi-family dwelling units for a density of 66 dwelling units per acre. |
| STAFF RECOMMENDATION | Staff does not support this petition in its current form. The petition is inconsistent with the density recommendation of the <i>Midtown Morehead Cherry Area Plan</i> , which recommends residential uses up to 22 dwelling units per acre. The proposed use is consistent with the goals of the plan to enhance the neighborhood's historic residential character and form, encourage well-conceived infill development, and provide viable housing opportunities in the neighborhood. However, a number of design issues remain. As currently designed the building height, massing, bulk and site design do not provide an appropriate transition to the adjacent residential buildings, especially the existing single family homes which abut the site. |
| PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE | City of Charlotte Housing Authority Charlotte Housing Authority Neighboring Concepts, PLLC |
| COMMUNITY MEETING | Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 37 |

PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Allows the construction of up to 200 multi-family units in a single building for a density of 66 dwelling units per acre.
 - Limits building height to 65 feet and five stories along Cherry Street and 54 feet and four stories to the rear adjacent to the single family homes and zoning.
 - Specifies building materials to include a combination of brick, stone, precast concrete, synthetic stone, cementitious board, stucco, EIFS, decorative block, and/or wood.
 - Prohibits vinyl and aluminum as a building material except on windows, soffits, handrails, and railings.
 - Provides a building elevation along Cherry Street.
 - Specifies that no expanse of solid wall will exceed 20 feet in length.
 - Limits detached lighting to a height of 20 feet.
 - Provides a six-foot sidewalk and eight-foot planting strip which may meander to preserve existing trees along Cherry Street and East 1st Street.
 - Includes a 20-foot Class "C" buffer between the building and the adjacent single family zoning and homes.
 - Provides an amenity courtyard located on the 4th level on top of the parking structure. The amenity area will be designed as either active or passive open space areas for residents. The area will be improved at a minimum with seating areas, pathways, lighting and landscaping, in addition to other features such as specialty paving, way finding signage and art work.
 - Allows a maximum floor area ratio of 3.0, according to the UR-C (urban residential – commercial) district and provides a floor area ratio of 2.83.

- Specifies that HVAC and mechanical equipment will be screened from public view and adjacent properties at grade.
- **Existing Zoning and Land Use**
 - The site is currently development with 20 multi-family residential units in five quadraplex buildings.
 - Property to the north is zoned R-22MF (multi-family residential) and developed with a day care and multi-family uses. Property to the east is zoned R-8 (single family residential) and developed with single family homes. Property to the south is zoned R-22MF (multi-family residential) with multi-family uses. Properties to the west are zoned B-1 (neighborhood business) and developed with mixed non-residential uses.
- **Rezoning History in Area**
 - Petition 2014-024 rezoned property located on the west side of Luther Street generally surrounded by Cherry Street, Main Street, Baxter Street and Eli Street from UR-2(CD) (urban residential) to UR-2(CD) SPA (urban residential, conditional, site plan amendment) to allow 39 single family detached and two duplex units.
 - Rezoning petition 2014-109 is located on the northeast corner of the intersection of Baxter Street and South Kings Drive and the south side of Luther Street between Cecil Street and Cherry Street and proposes a mixed use development with up to 462,050 square feet of building and structured parking area along Kings Drive, Baxter Street, Luther Street and Cecil Street, as well as eight single family attached units along Cherry Street. This petition is scheduled to be heard at the April 20, 2015 City Council rezoning meeting.
 - Rezoning petitions 2015-028 through 2015-030 and 2015-032 are generally located between Cherry Street, East 3rd Street and Baxter Street and propose multi-family residential developments of different housing types at varying densities. These petitions were approved at the March 16, 2015 City Council rezoning meeting.
- **Public Plans and Policies**
 - The *Midtown Morehead Cherry Area Plan* (2012) recommends residential uses up to 22 dwelling units per acre. The proposed residential use is consistent with the goals of the plan to enhance the neighborhood's historic residential character and form, encourage well-conceived infill development, and provide viable housing opportunities in the neighborhood. However, the proposed density of 66 units per acre is inconsistent with the plan.
 - The proposed residential use is consistent with the *Midtown Morehead Cherry Area Plan*, but the density is inconsistent with the plan.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** Developer must comply with the City's Housing Policies if seeking public funding.
- **Transportation:**
 1. Construct an eight-foot planting strip and six-foot sidewalk along Cherry Street from East 1st Street to Luther Street.
 2. Provide a minimum five-foot sidewalk along the proposed driveway that connects the multi-family units to the proposed six-foot sidewalk along Cherry Street.
- **Vehicle Trip Generation:**

Current Zoning: 520 trips per day.
Proposed Zoning: 1,340 trips per day.
- **Connectivity:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** No comments received.
- **Charlotte-Mecklenburg Storm Water Services:** Remove the portion of the note under Environmental Features reading "Each development parcel shall be evaluated for PCCO requirements individually."
- **Charlotte Water:** No issues.
- **Engineering and Property Management:**
 1. Delete the Note "S" under the heading Environmental Features.

- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** Protect street trees within the Cherry Street right-of-way.
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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 redeveloping an infill site.

OUTSTANDING ISSUES

- Land Use:
 1. Although the proposed residential use is consistent with the *Midtown Morehead Cherry Area Plan*, the proposed density is inconsistent with the plan.
 - If this petition is considered for approval, the petitioner should:
 1. Decrease the overall building massing and bulk to provide an appropriate scale transition to the adjacent residential buildings and overall neighborhood.
 2. Reduce the base height of the rear of the building adjacent to single family homes.
 3. Increase the rear yard to provide a better transition to the single family homes.
 4. Increase the commitment to landscaping and screening in the proposed buffer.
 5. Clarify the FAR and either specify the maximum FAR based on the proposed development or delete the proposed FAR and state that FAR will be per the Ordinance.
 6. Specify that existing trees within the rear yard will be preserved.
 7. Specify a minimum percentage of open space and label and provide a note describing the open areas in the building step backs along Cherry Street.
 8. Provide a conditional note specifying that ground floor elevations along Cherry Street and East 1st Street will be treated with a combination of fenestration, clear class, prominent entrances, porches, stoops, change in materials, building step backs, art work, and landscaping. Blank walls shall not be addressed with landscaping only.
 9. Provide a building elevation for East 1st Street.
 10. Indicate the required side yard along the southern property line adjacent to the remaining portion of the site.
 11. Correct the north arrow to accurately reflect the direction of north on the site plan.
 12. Eliminate the angled sidewalk from the building to the public sidewalk at the corner of Cherry Street and East 1st Street or provide an alternate pedestrian route from the door to Cherry Street towards Luther Street.
 13. Address Transportation issues.
 14. Address the Storm Water issue.
 15. Address Engineering and Property Management issue.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

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