

REQUEST	Current Zoning: R-8 (single family residential) Proposed Zoning: R-22MF(CD) (multi-family residential, conditional)
LOCATION	Approximately 1.035 acres located on the southeast corner at the intersection of Baldwin Avenue and Luther Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to construct up to 22 multi-family residential units at a density of 21.26 units per acre.
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: 41
STATEMENT OF CONSISTENCY	<p>This petition is found to be inconsistent with the density recommendation of the <i>Midtown Morehead Cherry Area Plan</i>, however, to be consistent with the residential uses recommended by the plan, based on the information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The plan recommends residential at up to eight dwelling units per acre for the subject property. <p>Therefore, this petition is found to be reasonable and in the public interest based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The proposed building form along Luther and Main Streets is consistent with the general heights, setbacks, and building orientation of existing homes on these streets; and • Two-story residential structures are located between existing single family homes and proposed three-story buildings to provide a transition in height and massing; and • Buffers and landscaping are provided abutting single family properties; and • The parking lot is located behind the buildings fronting Luther and Main Streets with limited visibility and no vehicular access from these streets; <p>By a 5-0 vote of the Zoning Committee (motion by Commissioner Eschert seconded by Commissioner Lathrop).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 5-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Redesigned the site so that buildings front on Luther Street and Main Street. 2. Reduced the visibility and exposure of the site's parking lot on Luther Street and Main Street by redesigning the site and placing the parking behind the buildings on these streets. 3. Adjusted the building design by eliminating the attached exterior stairways. 4. Revised the overall three-story height and massing of the buildings to provide an appropriate scale transition by reducing the height of the buildings abutting existing single family residential to two stories. 5. Specified the density of the proposal as 21.26 units per acre under heading Development Data Table. 6. Labeled the edge of rights-of-way for Luther Street, Baldwin Avenue, and Main Street. 7. Labeled and showed the trees save area on the site plan.
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8. Amended language under heading Signage to state: "Signage will be provided per the Ordinance."
9. Renumbered notes under each heading on the site plan.
10. Addressed CDOT, Engineering and Property Management, and Storm Water Services comments as follows:
 - a) CDOT:
 1. Petitioner has provided an eight-foot sidewalk along Baldwin Avenue that is placed a minimum of 13 feet from the back of the existing curb between the proposed buildings and existing trees.
 2. A conditional note has been added to the site plan that states the petitioner will have a certified arborist evaluate the health of the existing trees along Luther Street and Baldwin Street. If the arborist determines that the trees are in poor health, the petitioner will remove the subject trees and not meander the sidewalk.
 - b) Showed the tree save areas.
 - c) Removed following language in the note under Environmental Features that reads, "Each development parcel shall be evaluated for PCCO requirements individually."

VOTE

Motion/Second:	Lathrop/Eschert
Yeas:	Dodson, Eschert, Lathrop, Ryan, and Sullivan
Nays:	None
Absent:	Labovitz
Recused:	Nelson

ZONING COMMITTEE DISCUSSION

Planning staff reviewed this request with the Committee, initially providing an overall context with respect to all of the Charlotte Housing Authority petitions. Staff then focused on modifications to the proposed design and layout for rezoning petition 2015-028 intended to allow this project to better reflect surrounding residential character. Staff noted the redesign of the parking so as not to encompass so much of the view corridor, along with modifications in building footprints and provision of a form more consistent with the surrounding homes with respect to height, setbacks, and orientation.

A Commissioner asked if units were eliminated, and staff responded units were not eliminated but buildings were modified and reoriented in order to allow for more building frontage along Luther Street and Main Street. Staff responded to a question about residential units and the clubhouse and clarified that units will be located above the clubhouse. There was no further discussion of this petition.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
 (Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Background**
 - The subject property was rezoned from R-22MF (multi-family residential) to R-8 (single family residential) via petition 1993-080.
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

 - Allows the construction of four buildings containing a total up to 22 multi-family residential units at a density of 21.26 units per acre. A clubhouse will be located on the first floor of one of the buildings.
 - Maximum building height of 40 feet and three stories.
 - 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.

- Elevations are provided showing the buildings from Luther Street and Main Street.
- Specifies that no expanse of solid wall will exceed 20 feet in length.
- Six-foot sidewalks and eight-foot planting strips along Luther and Main Streets, and an eight-foot sidewalk and thirteen-foot planting strip along Baldwin Avenue. Streetscapes designed to preserve existing trees.
- Playground area and picnic shelter.
- **Public Plans and Policies**
 - The *Midtown Morehead Cherry Area Plan* (2012) recommends residential uses up to eight dwelling units per acre.
 - The proposed density of 21.26 units per acre is inconsistent with the Midtown Morehead Cherry Area Plan but the proposed residential use is consistent with the plan.
 - The petition 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.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** The developer must comply with the City's Housing policies if seeking public funding.
- **Transportation:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** No issues.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.
- **Urban Forestry:** No issues.

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

- No issues.

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Schools 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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