

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.
STAFF RECOMMENDATION	Staff does 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 eight dwelling units per acre. 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. However, a number of design issues remain, including: <ul style="list-style-type: none"> • The limited residential building orientation and frontage on Luther Street and Main Street; • The visibility and exposure of the site's parking lot on Luther Street and Main Street; • The close spacing of proposed buildings and the attached exterior stairways create a building massing along Baldwin Avenue that is out of scale and character with neighborhood; and • The overall 3-story height and massing of the buildings does not provide an appropriate scale transition to adjacent residential buildings.
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

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 three buildings connected by breezeways and 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 sidewalk and eight-foot planting strip along all abutting public street rights-of-way to meander to preserve existing trees.
 - Playground area and picnic shelter.

- **Existing Zoning and Land Use**

- The rezoning site is currently developed with four duplex units and an apartment leasing office.
- It is surrounded primarily by single family homes with some multi-family development, park, civic and religious institutional uses, and retail and office activities on properties zoned R-6 (single family residential), R-8 (single family residential), R-22MF (multi-family residential), UR-2(CD) (urban residential, conditional), O-2 (office), O-6(CD) (office, conditional), B-1 (neighborhood business), and MUDD-O (mixed use development, optional).

- **Rezoning History in Area**

- Rezoning petitions 2015-027 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 are currently scheduled to be heard at the February 23, 2015 City Council rezoning meeting.
- Rezoning petition 2015-018 consists of approximately 1.87 acres on the south side of Baxter Street, west of Queens Road, and east of Welker Street. The proposed rezoning from R-6 (single family residential) to UR-2(CD) (urban residential, conditional) is to allow up to 30 multi-family residential dwelling units along with accessory uses at a density of 16.04 units per acre. This petition was heard at the February 18, 2015 City Council rezoning meeting.
- Rezoning petition 2014-109 consists of approximately 1.99 acres 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. The proposed rezoning from UR-C(CD) (PED) (urban residential - commercial, conditional, pedestrian overlay), B-1 (PED) (neighborhood business, pedestrian overlay), and R-8 (single family residential) to MUDD-O (mixed use development, optional) and MUDD-O(PED) (mixed use development, optional, pedestrian overlay), with five-year vested rights, will allow a mixed use development with office, retail, hotel, residential uses, and a structured parking facility within three development areas (A, B, and C). This petition is scheduled to be heard at the March 16, 2015 City Council rezoning meeting.
- Approval of rezoning petition 2014-024 rezoned approximately 5.71 acres 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, conditional) to UR-2(CD) SPA (urban residential, conditional, site plan amendment) in order to allow the development of 39 single family detached dwellings and two duplexes, at an overall density of 7.53 units per acre.

- **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 density recommendation of the *Midtown Morehead Cherry Area 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. However, a number of design issues remain.
- The petition is inconsistent with the *Midtown Morehead Cherry Area Plan*.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** CDOT requests the following:
 1. Provide 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. Add a conditional note 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, CDOT requests the petitioner remove the subject trees and not meander the proposed sidewalk.
- **Vehicle Trip Generation:**
 - Current Zoning: 460 trips per day.
 - Proposed Zoning: 260 trips per day.
- **Connectivity:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 16 students, while the development allowed under the proposed zoning will produce six

(6) students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is 0 students.

- **Charlotte-Mecklenburg Storm Water Services:** Petitioner should 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:** Show tree save on the rezoning site plan.
 - **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

- Land Use:
 1. The proposed density is inconsistent with the *Midtown Morehead Cherry Area Plan*, which recommends residential uses up to eight dwelling units per acre. The proposal calls for 21.26 units per acre.
 - If the petition is considered for approval, the petitioner should:
 1. Address the limited residential building orientation and frontage on Luther Street and Main Street.
 2. Reduce the visibility and exposure of the site's parking lot on Luther Street and Main Street.
 3. Adjust the building design to address the close spacing of the proposed buildings and the attached exterior stairways which create a building massing along Baldwin Avenue that is out of scale and character with neighborhood.
 4. Revise the overall three-story height and massing of the buildings to provide an appropriate scale transition to adjacent residential buildings.
 5. Under heading Development Data Table, specify the density of the proposal.
 6. Label on the site plan edge of rights-of-way for Luther Street, Baldwin Avenue, and Main Street.
 7. Show tree save areas on the site plan.
 8. Remove language under heading Signage and replace with: "Signage will be provided per the Ordinance."
 9. Renumber notes under each heading on the site plan.
 10. Address CDOT, Engineering, and Property Management, Storm Water Services comments.
-

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 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

Planner: Claire Lyte-Graham (704) 336-3782