

<b>REQUEST</b>	Current Zoning: R-8 (single family residential) Proposed Zoning: R-22MF(CD) (multi-family residential, conditional)
<b>LOCATION</b>	Approximately 0.43 acres located on the southeast corner at the intersection of Lillington Avenue and Amherst Place. (Council District 1 - Kinsey)
<b>SUMMARY OF PETITION</b>	The petition proposes to construct up to eight multi-family units in two structures, at a density of 18.60 units per acre.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon resolution of outstanding issues.  The petition 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, and encourage well-conceived infill development. The proposed residential buildings are consistent with the heights, setbacks, building orientation and character of the existing homes within the immediate area.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	City of Charlotte Housing Authority Charlotte Housing Authority Neighboring Concepts, PLLC
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 35

**PLANNING STAFF REVIEW**

- **Background**
  - The subject property was rezoned from R-22MF (multi-family residential) to R-8(single family residential) via Petition 1993-80 as recommended per the *Central District Plan*.
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

  - Allows the construction of two buildings containing up to a total of eight dwelling units.
  - Maximum building height of 40 feet.
  - 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.
  - Provide building elevations that show structures fronting both public streets.
  - Specifies that no expanse of solid wall will exceed 20 feet in length.
  - Limits detached lighting to a height of 20 feet.
  - Six-foot sidewalk and eight-foot planting strip along Lillington Avenue and Amherst Place that can meander to save the existing trees.
  - A 10-foot Class "C" buffer adjacent to residentially zoned property.
  - Proposes parking to the rear of the proposed structures.
- **Existing Zoning and Land Use**
  - The subject site is currently developed with two duplex units.
  - It is surrounded by single family homes, office structures and vacant land, zoned R-8 (single family residential), O-2 (office), and O-6(CD) (office, conditional).
- **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 also 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, is requesting development rights to allow a mixed use development with office, retail, hotel, residential uses, and a structured parking facility within three development areas (A, B, and C). The public hearing for this petition was deferred to March 16, 2015 at the February 18, 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 petition 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, and to encourage well-conceived infill development.

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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** No issues.
  - **Vehicle Trip Generation:**  
Current Zoning: 150 trips per day.  
Proposed Zoning: 170 trips per day.
  - **Connectivity:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 3 students, while the development allowed under the proposed zoning will produce 6 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 3 students.
- **Charlotte-Mecklenburg Storm Water Services:** The 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:** 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. Show and label a minimum 16-foot building separation between the proposed structures including the external stairs shown between the structures.
    2. Relocate proposed northeastern structure out of the required buffer.
    3. Revise elevations to show proposed north and south buildings.
    4. Add a note that lighting will be limited to 15 feet in height.
    5. Add a note that attached and detached lighting will be fully shielded and full cut off fixture.
    6. Modify note 6 "J" to read that no expanse of blank wall will exceed 20 feet in length.
    7. Label on the site plan edge of rights-of-way for Lillington Avenue and Amherst Place.
    8. Address Storm Water comment.
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**Attachments Online at [www.rezoning.org](http://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
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

**Planner:** Solomon Fortune (704) 336-8326