

REQUEST	Current Zoning: R-8 (single family residential) Proposed Zoning: R-22MF(CD) (multi-family residential, conditional)
LOCATION	Approximately 0.562 acres located on the west side of Luther Street between Baldwin Avenue and Eli Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to construct eight multi-family residential units at a density of 14.24 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: 35
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 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 buildings along Luther are consistent with the general heights, setbacks and building orientation of existing homes in the immediate area; and • Buffers and landscaping are provided against abutting properties; and • Parking is located to the rear and sides of the proposed residential structures with only one driveway on Luther Street and Morgan Park Drive; <p>By a 5-0 vote of the Zoning Committee (motion by Commissioner Sullivan 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. Specified the density of the proposal as 14.24 units per acre under heading Development Data Table. 2. Labeled the edge of rights-of-way for Luther Street and Morgan Park Drive on the site plan. 3. Designated the right-of-way width for Morgan Park Drive as 50 feet as per rezoning petition 2014-024. 4. Amended the Development Data Table to limit maximum number of stories to two and limit maximum height to 35 feet. 5. Labeled and showed tree save areas on the site plan. 6. Revised the elevations to match the building footprints on the site plan. 7. The massing of the six-unit building was reduced by reducing the number of units to four (4). 8. Removed language under heading Signage and replaced with: "Signage will be provided per the Ordinance." 9. Renumbered under each heading on the site plan. 10. Addressed Transportation and Storm Water Services comments as follows:
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- a) CDOT comment has been addressed by the addition of 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 sidewalk.
- b) Storm Water Services comment has been addressed by removing following language from the note under Environmental Features that read, "Each development parcel shall be evaluated for PCCO requirements individually."

VOTE

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

ZONING COMMITTEE DISCUSSION

Staff presented this petition to the Committee, noting that the petitioner had modified the site layout by reducing the number of units in one building by two and reorienting another building so that the buildings better reflect the character of existing residential homes around the site. Staff also noted that the persons at the public hearing generally expressed the same comments on this petition as the other Charlotte Housing Authority petitions, including concerns expressed about impacts on Eastover Elementary School.

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, as part of the *Central District Plan* corrective rezonings.
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

 - Allows the construction of duplexes/apartments containing a total of eight units at an overall density of 14.24 units per acre.
 - Maximum building height of 35 feet and a maximum two 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.
 - Building elevations reflecting two-story buildings.
 - 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 all abutting rights-of-way to meander to preserve existing trees.
 - A 12-foot Class "C" buffer abutting residential zoning and/or use.
 - Access to site via a one-way driveway into the site on Luther Street and a one-way driveway out of the site onto a proposed new street, Morgan Park Drive.
- **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 14.24 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.

- The petition is inconsistent with the *Midtown Morehead Cherry Area Plan*.
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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.
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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.
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OUTSTANDING ISSUES

- No issues.
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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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