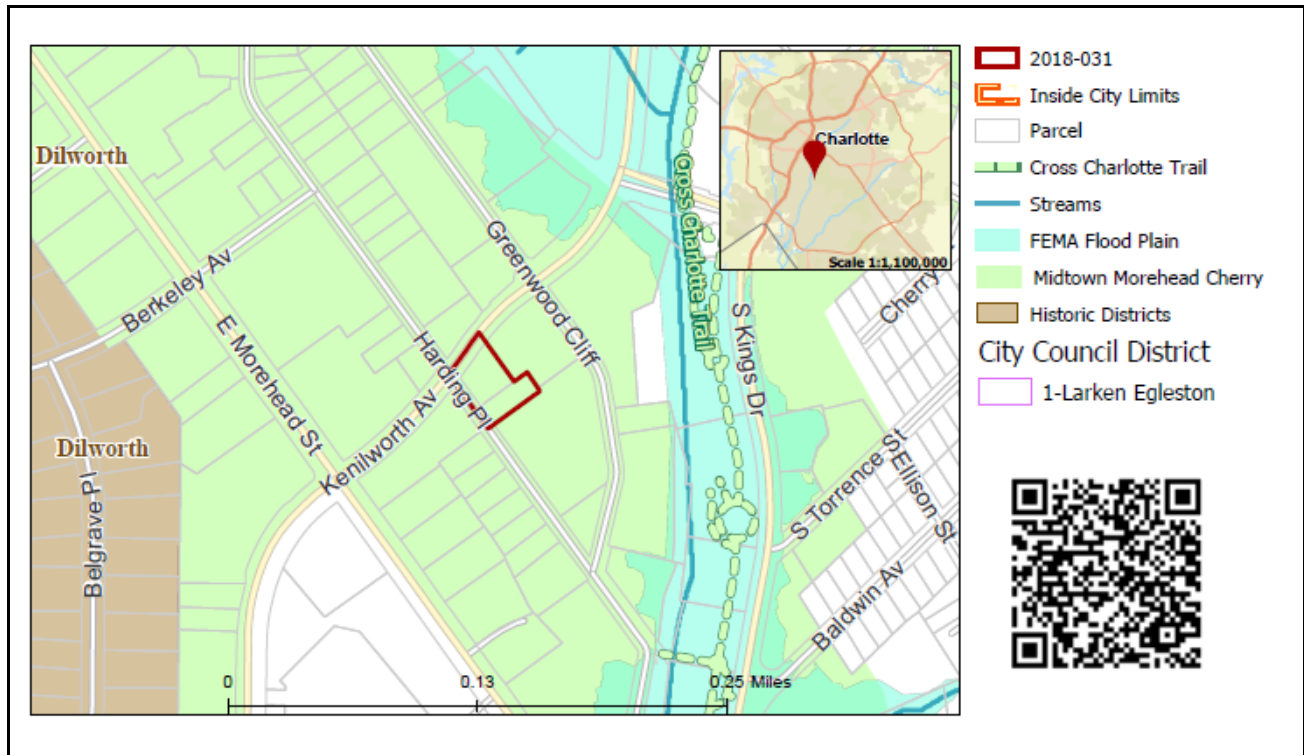


REQUEST Current Zoning: O-2 (PED) (office, pedestrian overlay)
Proposed Zoning: MUDD-O (PED) (mixed use development, optional, pedestrian overlay)

LOCATION Approximately 0.49 acres located on the south side of Kenilworth Avenue, east of Harding Place.
(Council District 1 - Egleston)



SUMMARY OF PETITION The petition proposes to allow the development of an integrated mixed-use development that may include indoor warehousing in an enclosed building (self-storage), office, retail, personal services, and entertainment uses.

PROPERTY OWNER West Morehead Ventures, LLC & BEVCO, LLC
PETITIONER CitiSculpt
AGENT/REPRESENTATIVE Keith MacVean and Jeff Brown / Moore & Van Allen, PLLC

COMMUNITY MEETING Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 1

STAFF RECOMMENDATION Staff recommends approval of this petition.

Plan Consistency
The office portion of the site is consistent; while the self-storage request is inconsistent with the *Midtown, Morehead, Cherry Area Plan* recommendation of office or residential uses.

Rationale for Recommendation

- The proposed development will comply with the required design standards set forth in the Pedestrian Overlay District, with sidewalks, ground activation, and pedestrian connections.
- The proposed uses are allowed in the office district as recommended by the area plan except for the self-storage use.
- The climate controlled storage building will be subterranean and not visible from the public streets.

- The MUDD (mixed use development) standards will encourage high quality design and mixed use development, and also support walkability consistent with the intent of the adopted plan.

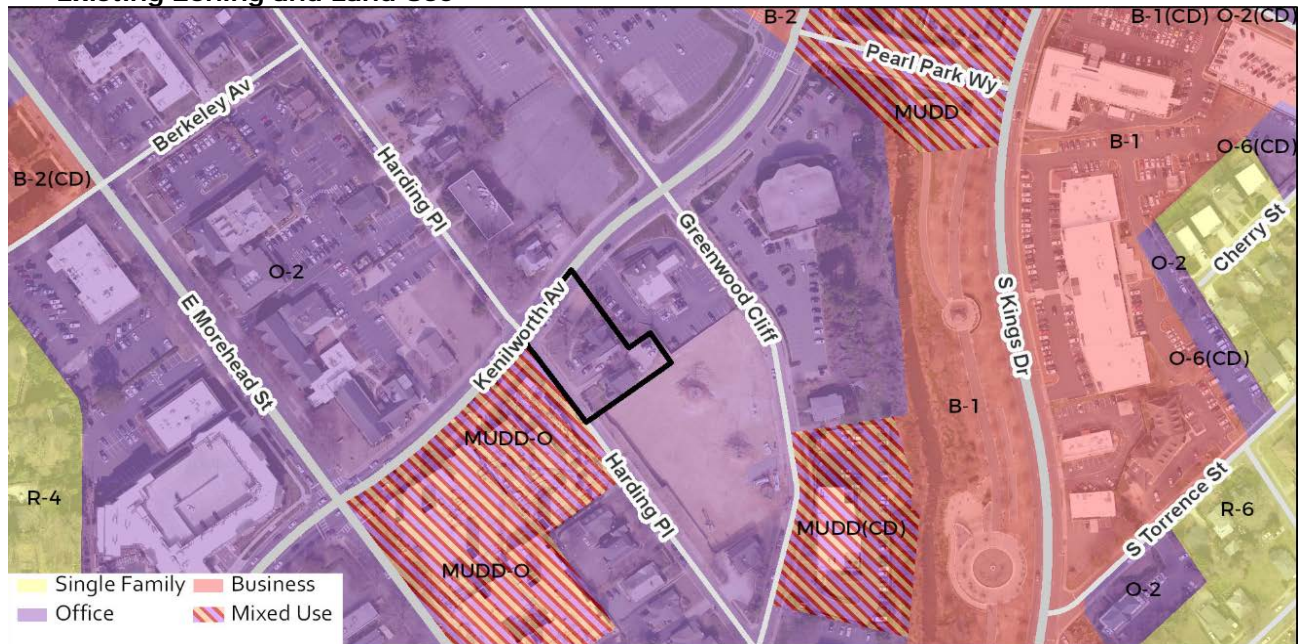
PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allow the development off an office building with non-residential uses, with ground floor activation and climate controlled self-storage.
- 22 foot setback with trees in grates along Kenilworth Avenue and Harding Place.
- Proposed cross sections along Kenilworth Avenue and Harding Place with proposed streetscape treatments and on-street parking.
- Building entrance at the corner intersection of the two public streets.
- Maximum building height of 100 feet.
- Site will comply with the design requirements of the Pedestrian Overlay District including upper story transparency at a minimum of 40 percent per story.
- Building elevations with details and building materials.
- Access to the individual self-storage units will only be allowed from the internal hallways and not visible from the public streets.
- Optional provisions for the following:
 - To allow a seven-foot encroachment into the 22-foot setback for steps, hand rails, architectural walls and footings.
 - To not require parking spaces for the proposed self-storage facility.

Existing Zoning and Land Use



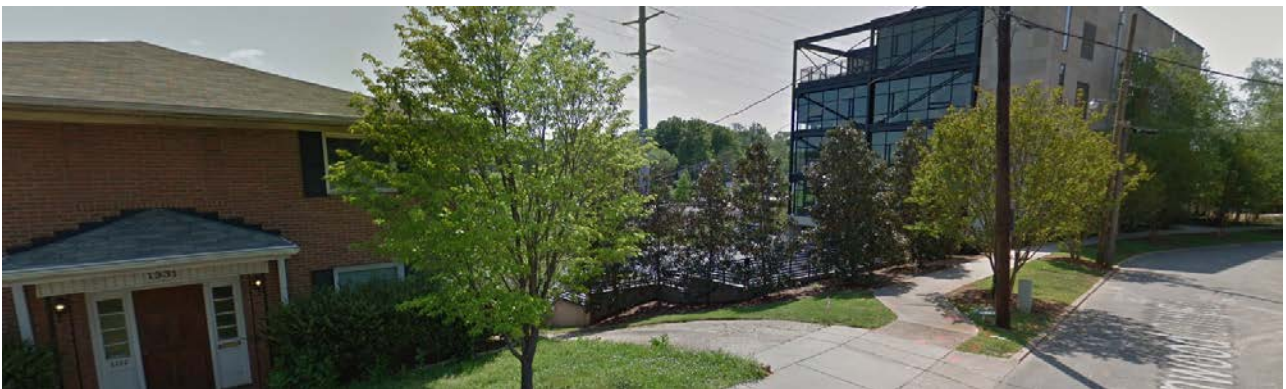
- The subject property is currently zoned O-2 (PED) (office, pedestrian overlay) and is developed with commercial office uses. The surrounding properties are developed with residential, office, and commercial structures.



The subject site is developed with an office use.



The property to the south is under construction with 380 dwelling units and commercial uses.



The properties to the east are developed with a mix of office, multifamily and retail uses.



Properties to the north and west are developed with a mix of residential, office, and institutional.

• **Rezoning History in Area**

- Pending Rezonings
- Approved Rezonings After Jan 2013



Petition Number	Summary of Petition	Status
2013-092	Rezoned 2.65 acres to MUDD-O SPA (PED), mixed use development, optional, site plan amendment, pedestrian overlay and MUDD-O (PED), mixed use development, optional, pedestrian overlay to allow the development of up to 380 dwelling units with 10,000 square feet of residential supportive services and up to 25,000 square feet of commercial uses, including one drive-through service window that may be allowed only within the parking garage.	Approved

• **Public Plans and Policies**



- The *Midtown, Morehead, Cherry Area Plan* (2012) recommends residential and office uses for the subject properties.
- Some retail and EDEE (eating/drinking/entertainment establishments) are permitted as elements within office buildings in pedestrian overlay districts if located on the ground floor and with limitations.

- **TRANSPORTATION CONSIDERATIONS**

- This site is located along a Major Thoroughfare. The site plan is committing to sidewalk and planting strip improvements.
- **Vehicle Trip Generation:**
Current Zoning:
Existing Use: 150 trips per day (based on 5,590 square feet of office uses).
Entitlement: 180 trips per day (based on 7,350 square feet of office uses).
Proposed Zoning: Allows for a wide variety of uses.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via existing six-inch water distribution mains located along Kenilworth Avenue and Harding Place and sewer infrastructure via existing eight-inch gravity sewer mains located along Kenilworth Avenue and Harding Place.
- **Engineering and Property Management:**
 - **Arborist:** No trees can be planted in the right-of-way of any existing (Harding Place and Kenilworth Ave.) or created city maintained street without explicit authorization from the City Arborist or his designee. Contact Laurie Reid (704-336-5753) at the City Arborist's office to discuss trees species to be planted in the right-of-way of all City of Charlotte maintained street; species must be approved before planting.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Site and Building Design

1. ~~Provide a proposed building square footage for the proposed uses.~~ **Addressed.**

Transportation

2. ~~The petitioner should revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~ **Addressed.**

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Housing and Neighborhood Services Review
 - Charlotte Fire Department Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - City Arborist
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
 - Mecklenburg County Land Use and Environmental Services Agency Review

- Mecklenburg County Parks and Recreation Review
- Transportation Review

Planner: Solomon Fortune (704) 336-8326