

## PED Stakeholder Meeting #2 January 9, 2014

### Citizens In Attendance:

Thorn Baccich	Andy Lezotte
Leigh Rounds	Mike Harrell
John Coppola	Jim Buchanan
Sink Kimmel	Brent Stroch
Roger Cobb	Jill Walker
George Kornegay	Charles McAlpine (Lindsey)
Terry Williams	Preston Griffith
Chris Wannamaker	John Gresham
John Nichols	Sylvia Bittle-Patton
John Fryday	Joe Padilla
Tracy Efird	Bill and Alicia Choate
Ken Szymanski	William G. Cisk
Tim Brumm	Bryan Holladay
Nate Doolittle	Chad Hagler
Brian Nicholson	Cynthia Schwartz

### Staff In Attendance:

Michelle Jones	Kent Main	Sandra Montgomery
Ed McKinney	Marci Sigmon	Dan Thilo
	Laura Harmon	

### Planning Commissioner In Attendance:

Ray Eschert
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#### ***I. Welcome, Introductions and Overview***

The meeting began at 6:14 pm. Michelle Jones welcomed everyone to the meeting and introduced herself. She asked everyone to introduce themselves before she began with an overview of the meeting purpose and defining the study area boundaries along East Morehead Street and Kings Drive:

- Define the Issues
- Goals and Recommendations
- Gather Feedback

#### ***II. Background***

The purpose of this public workshop is to provide citizens with a background on the Pedestrian Overlay District (PED) zoning text amendment and to gather public feedback to define and protect the character of Midtown Morehead Cherry (MMC).

Mrs. Jones noted that this process started in summer of 2013 when concerns were raised related to the PED Overlay and Midtown Morehead Cherry area plan. Planning staff kicked off the process to amend PED zoning related to Midtown Morehead Cherry in November 2013 and held a series of stakeholder interviews throughout November and early December 2013 to refine the issue areas.

Mrs. Jones presented that at least 20 individual and group stakeholder interviews were held with staff and the feedback received from those interviews resulted in four main issue areas:

1. No changes to the PED Overlay District
2. Height
3. Character and Building Design
4. Parking

The goals for the project were reviewed with the audience:

**Goals**

- **Retain the character of East Morehead Street.**
- **Activate the streetscape throughout the district.**
- **Ensure consistent maximum building heights along East Morehead Street.**
- **Alleviate potential parking overflow from East Morehead onto neighborhood streets.**
- **Address priority neighborhood concerns while minimizing the potential impacts to development potential.**

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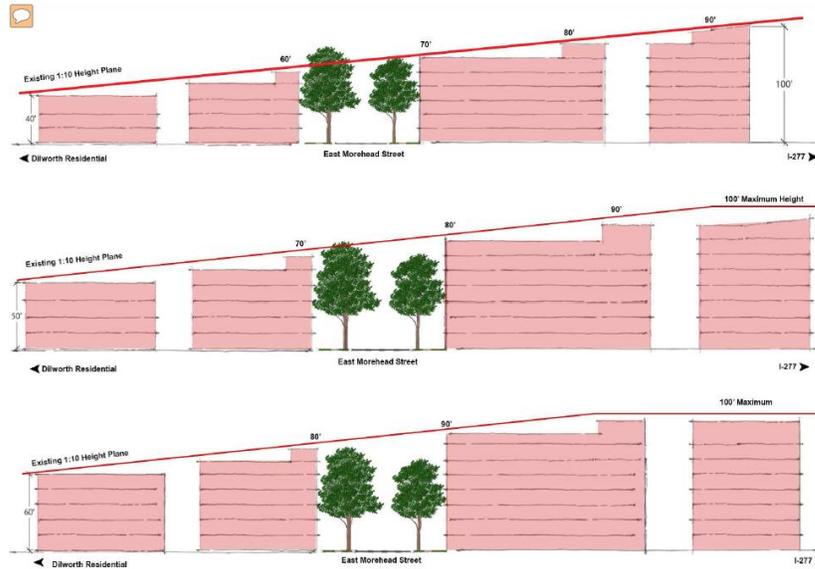
Mrs. Jones stated that the overall goal of these changes was to address the priority concerns heard from neighbors while minimizing any potential impacts to development.

### ***III. Draft Recommendations***

Mrs. Jones took the audience through the draft alternatives starting with height:

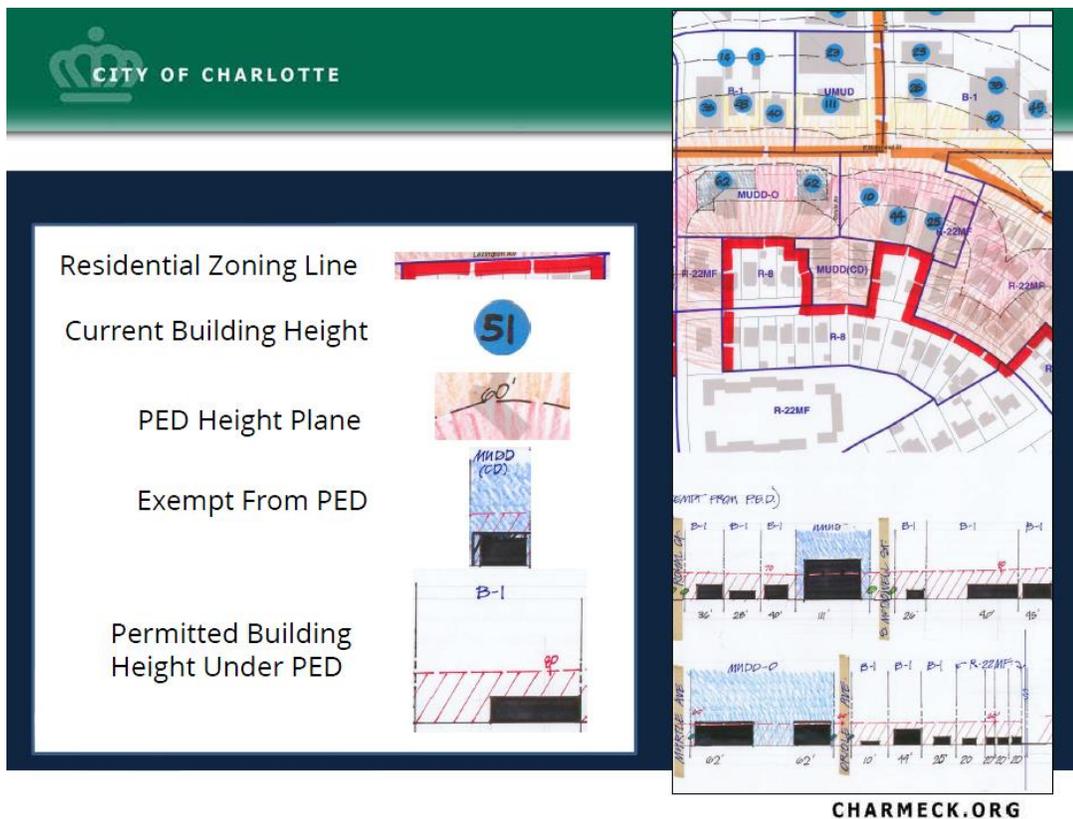
Existing Regulation

- Base Height: 40 feet adjacent to single-family zoning
- May increase one foot in height for every 10 feet in distance from single family zoning. The maximum height may not exceed 100 feet.



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Mrs. Jones then explained the existing heights map that was located at each table. The red dashed line represents the residential zoning boundary while the blue dots are indicative of the current building heights on each property. Any property in blue has a current conditional rezoning and is not subject to any PED standards. The graphic along the bottom of the map shows existing building heights in black with allowable building heights in red.



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Mrs. Jones went through the input staff heard from the stakeholder interviews related to heights:

- No height restrictions at Kings and Morehead.
- Heights are varied from one side of East Morehead to the other.
- Concerned with heights along the street, mainly from Kenilworth to Euclid.
- Don't want saw tooth height pattern.
- Height is needed to make projects work.

Mrs. Jones stated that the recommendation to address height concerns was to “Develop unique height regulations to maintain a consistent 60’ height fronting East Morehead Street and require a “stepback” within a proposed height district located from Euclid to Kenilworth.” Mrs. Jones explained that a stepback is the portion of a building that is recessed from the front building line (setback) at a defined height. Mrs. Jones then showed various examples of stepbacks on different sized structures. She also displayed examples of existing buildings that are 60’ in height along the East Morehead corridor. Mrs. Jones then went through the four alternatives related to height and stepbacks:

- a) 60’ Max along East Morehead, go back 30’ then continue the 1:10 height plane ratio to a max of 100’
- b) 60’ Max along East Morehead, go back 30’ then go to a max of 100’
- c) 60’ Max along East Morehead, go back 50’ then continue the 1:10 height plane ratio to a max of 100’
- d) 60’ Max along East Morehead, go back 50’ then go to a max of 100’

#### Comments and Questions:

*Q. Anywhere in Charlotte where a consistency in heights is required?*

*A. Laura Harmon: UMUD allows no max.*

*Q. Property owners are losing height of about 20' on I-277 side. Options take 10'-20' off height, depending on location.*

*A. Michelle: 60' chosen because most buildings are 60' now. 100' are closer to South Blvd. and hospital. Already zoned and under construction.*

*Knocking height down is not a small issue. It takes a sizable cut at the building at the setback. The height depends on lot size, lot depth. Option A: A lot of properties do not have depth. This cut can result in a loss of 300 sq. ft. per floor.*

*Option C: 50' stepback then up to 100' or use height plane. With the existing tree canopy on Morehead, are you going to even see if a building is 50' or 100'? Seems like a "funny exercise."*

*Option C shows a measurement from Residential. But in actuality, some are closer and some further. Kent Main: The diagram shows a typical situation.*

*The trajectory can be misleading because individual properties have specific measurements. Our property entitles us to 80'. Actual measurements can move a property from metal to steel construction. Planning Staff: Yes, every property would have a different scenario. We can do this exercise for other properties, if you wish.*

*We are trying to fix something that is not broken.*

*Addison at Morehead and McDowell Area is not in Dilworth. Addison is an antique building. Height of this building, bottom of top floor is in excess of 70 feet. Parapet is over 100'. This building is an asset to this City. Today trying to add density, less driving, more walking.*

*Addison is beautiful, but it is not setback at 26' and there are huge trees in front. But property owners today will build at 26' setback and build as high as they can.*

*Dilworth neighbors clarified to the group that they went to City and asked if Morehead should have different heights along Morehead. There is no other street like this. Trying to figure out if this is what the City wants. We aren't saying cap the height. We want the City to look at it and determine if that is what the City wants. It may not be what the City wants.*

*Morehead now has 4 lanes of traffic, and it is a stepback now in heights to uptown.*

*We are trying to protect the character of Morehead. Dilworth is not here to take away development rights. Kudos to city staff for the work they have done.*

*Property owners bought and knew development rights. Now they are being told that the City may chip away at those development rights. What prevents further chipping away in future? Plans get adopted and property owners purchased. But now because a few complain, you want to take away a portion. Why would an investor buy here, if the City changes the regulations? It creates chaos in terms of property acquisition.*

*Mrs. Jones then explained the recommendations for character and building design and explained the existing regulations related to these topics:*

- The first floor must be designed and/or used for active uses.
- At least 50% Transparent windows and doors along the street front.
- Blank walls may not exceed 20 feet in length.
- Pedestrian entrances must be recessed a minimum 15 square foot area.

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Mrs. Jones explained that stakeholder input indicated that the neighbors did not want to see buildings packed together, scale and massing should be addressed, Uptown views are important and heights along the Interstate side of East Morehead were not as important as those adjacent to single family residential.

She then stated the recommendations were to:

- Revise the blank wall regulations in PED to require at least 70% transparency at the street level.
- Delineate the ground floor from upper stories on structures over three stories tall.
- Provide horizontal building modulation.
- Provide vertical building modulation.

*Comments: 70% would end up requiring building to be more retail? What about residential? Tenants or owners don't want others looking into their units. It becomes a marketing issue.*

*Apply just this portion?*

*Staff: Height options would apply just on lots fronting Morehead. Other options may be applicable to the entire PED.*

*For whole building? Creates Foundation issues.*

Mrs. Jones moved on to the parking recommendations. She explained that the existing ratio for multifamily residential requires 1 space for each unit while office requires 1 space for each 600 square feet of floor area and retail/restaurants require 1 space for each 125 square feet. She then indicated that

the stakeholders were concerned about parking being pushed into the neighborhood, increased traffic and that parking ratios were too low for multifamily.

Mrs. Jones presented the draft recommendation to revise the parking requirement for multifamily from 1 space per unit to 1.5 per unit for properties within 400 feet of single family residential zoning.

*Comments: Would the parking buffer be for the entire PED? Yes. The parking problem was created long before PED went into effect. We are now considering going back to set the parking the way it once was. Problem can't exist yet.*

*Rezoning on Morehead: Neighbors came out in force and wanted concessions. Myrtle and Lexington have problems with parking on streets.*

*People living there are parking there. For those that have to park on the street, this creates a problem.*

*So other multifamily developments around city have enough parking, but these don't?*

*Developers will provide the amount of parking that is necessary to work.*

*Not true. .8 spaces per unit. Can't sell them because nowhere to park.*

*Developer was forced to build low.*

*Using 1.4 now in project. Depends on the mix. Marsh with all 1 bedroom units: 1/unit*

*Parking is not calculated by the bedroom, which would make more sense. Same cars are parking along the street.*

*No one lives on Harding and Kenilworth yet. Construction workers park on the street now.*

*How much is renegotiating the base PED? Michelle: MMC now, but some might be applicable to all PEDs.*

*What makes this PED special? Others have unique situations too. My fear is debate that hurts a few folks. Every time people are nearby, people don't like and want to negotiate. We are in dangerous territory when we regurgitate it again. PED has improved our property.*

Mrs. Jones asked that the room count off into five breakout groups and discuss the proposed alternatives at their tables and report back.

#### **IV. Breakout Sessions**

*Group #1: Talked about suggestions. Mike Harrell owns 4-5 properties on Morehead. Bought property about 3 years ago, before PED was adopted. We were fine. That is concern for us. Hard to comment on suggestions on architectural options. Some buildings are not redeveloping and there are no plans for other buildings. Wary of these changes, when we invested based on current PED regulations. Hard to know impact. 1228 E. Morehead 1400 sq. for office. Fixed up building. 610 E. Morehead is our office now. Maybe in future could be different buildings. 801 old miller building 30,000 sq. ft. Plan is to invest \$300,000 in improvements to the buildings. Don't want to agree to more changes that may impact us in 10 years. Want what is best. PED serves its purpose. Some sites were*

*rezoned and allowed 12 story office buildings. Nothing we can do about this. In yellow area, we don't want to be punished for what was already built.*

*Group #2: PED today is way it should go forward. Appreciate all the issues that were brought up. But one comment to make: if start modulating at bottom, no one will look up high. Once beyond a certain point, doesn't affect the visual aspect. With this many MUDD and UMUD properties in there, you are now penalizing those that bought next to them. Morehead separates Dilworth from City. Political statement: government reacts to neighborhoods because Council reacts to Neighborhoods. Planning Department is put in a bad position. What is in place is because of pressure from government. Unfortunate. PED is done right. A few tweaks may be needed. Too little parking. Shame on that. We do medical development, not 5/1000, it is higher. Don't want to build something not functional to residential use.*

*Group #3: unanimous: no change. Ignore costs of steel and metal. Then could go higher. Land owners on Kennilworth leaving that out. Parking issue: address within neighborhoods rather than stringently in PED regulations. Building character and design. Struggling about transparency, modulations, how will this result in more character? Hard to implement concept of breaking up buildings. Parking permits limit hours/days.*

*Group #4: Heights: concern about character with dramatic change in heights. Planning shows us now that that is not the case. So we don't see that changes to the height plane are needed. Parking: of course increasing the parking would help. Study the parking ratio. Parking permits: have it now on Templeton. But it is not enforced. Neighbors not in hurry to do that. Everyone knows it will come eventually. Likely coming soon. Not appropriate for new projects to have so many cars that they have to use neighborhood streets to park, because the project does not have enough parking. Permit parking would require developments to have enough parking.*

*At night parties in residential areas: People park in commercial lots. Sharing ratio works.*

*Nichols: trying to do 1/bedroom, even though regulations are by unit, not by bedroom. Building character and design: long buildings should be broken up. What that I, don't know. Just at eye level? When driving: what happens 40' up in air is less noticeable. Concept shouldn't be legislated so that everything is the same. Everyone wants to do their building in special way for them.*

*Group 5: Consensus; great presentation. Think issues have been addressed per MMC. Uniform building height would maybe be monotonous. No idea about parking. Character and design: good ideas, but think if there was a standard that would not penalize smaller properties, could be a carrot where property owners would develop under existing regulations. But maybe an incentive to follow guidelines with a bonus incentive.*

## **V. Next Steps**

Mrs. Jones summed up the consensus of the group as follows; height requirements are okay as they are today, tweaks should be made to the multifamily parking ratio, and break up long facades. Staff will develop draft recommendations based upon feedback received and reconvene with stakeholders in late February.

She reminded people to sign up for one-on-one or small group interviews with staff.

The meeting was adjourned at 8:07 pm.