

**March 2, 2015**

<b>REQUEST</b>	Current Zoning: R-6 (single family residential) Proposed Zoning: UR-2(CD) (urban residential, conditional)
<b>LOCATION</b>	Approximately 1.87 acres located on the west side of Baxter Street across from Avant Street. (Council District 1 - Kinsey)
<b>SUMMARY OF PETITION</b>	The petition proposes 30 multi-family residential units in three structures, at a density of 16.04 units per acre.
<b>PROPERTY OWNER</b>	City of Charlotte
<b>PETITIONER</b>	Laurel Street Residential, LLC
<b>AGENT/REPRESENTATIVE</b>	Jeff Brown & Keith MacVean/ Moore & Van Allen
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 51
<b>STATEMENT OF CONSISTENCY</b>	<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"><li>• The plan recommends residential up to six units per acre for the subject property.</li></ul> <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"><li>• The proposed building form along Baxter Street is consistent with the general heights, setbacks, massing, and building orientation of existing homes in the immediate area; and</li><li>• Multi-family buildings are located to rear of the site with building heights limited; and</li><li>• Buffers and landscaping are provided adjacent to single family properties; and</li><li>• The height of the buildings is two and three stories;</li></ul> <p>By a 5-0 vote of the Zoning Committee (motion by Commissioner Ryan seconded by Commissioner Eschert).</p>

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 5-0 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"><li>1. A ten-foot buffer and proposed fence has been labelled adjacent to parcels 125-245-04 and 125-245-03.</li><li>2. A fence along property 125-245-03 will be installed by the petitioner or property owner.</li><li>3. The petitioner is working with Charlotte Department of Transportation to submit for the right-of-way abandonment.</li></ol>
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<b>VOTE</b>	Motion/Second: Ryan/Eschert Yeas: Dodson, Eschert, Ryan, Sullivan, and Watkins Nays: None Absent: Labovitz Recused: Nelson
<b>ZONING COMMITTEE DISCUSSION</b>	Staff reviewed the petition and noted all the outstanding issues since the public hearing had been addressed. There was no further discussion of this petition.
<b>STAFF OPINION</b>	Staff agrees with the recommendation of the Zoning Committee.

**FINAL STAFF ANALYSIS**  
(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

- **Background**

- The subject property was rezoned from R-22MF (multi-family residential) to R-6 (single family residential) via Petition 1993-79B as recommended per the *Central District Plan*.

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Construct up to three structures containing up to 30 multi-family dwelling units.
  - Front building elevations for Buildings A, B and C.
  - A 19-foot front setback along Baxter Street.
  - Eight-foot planting strip and six-foot sidewalk along the frontage on Baxter Street.
  - Proposed amenity areas with possible active and passive open space.
  - Proposed building materials to be a combination or portions of the following: brick, stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block, and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings.
  - Each building elevation will contain a minimum of 15 percent of brick, stone, precast stone, precast concrete, or synthetic stone per building elevation, with an average percentage on all principal buildings of not less than 20 percent.
  - Maximum building height of 40 feet. Buildings A and B not to exceed two stories and Building C to have a three-story central element and two-story ends.
  - Internal sidewalk and crosswalk network, with a minimum sidewalk width of five feet.
  - Detached lighting limited to 15 feet in height.
  - A 16-foot buffer with a decorative aluminum fence along the northwest edge of the site.
  - Ten-foot buffer and fence along the northern edge adjacent to the existing single family zoned properties fronting Baxter Street.
  - Proposed tree save at the rear of the site.
  - Additional landscaping to be planted along the rear property line.
  - Three amenity areas, two of which will be either active or passive open space areas.
  - A portion of Woodard Street (also known as Avant Street) located within the site, and a portion of Eli Street to be requested for abandonment.

- **Public Plans and Policies**

- The *Midtown Morehead Cherry Area Plan* (2012) recommends residential housing up to six dwelling units per acre.
    - The proposed density of 16.04 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.
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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*.
    - This site meets minimum ordinance standards.
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**OUTSTANDING ISSUES**

- No issues.
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**Attachments Online at [www.rezoning.org](http://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
- Charlotte Department of Solid Waste 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:** Solomon Fortune (704) 336-8326