

February 16, 2015

REQUEST	Current Zoning: R-6 (single family residential) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 1.87 acres located on the west side of Baxter Street across from Avant Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes 30 multi-family residential units in three structures, at a density of 16.04 units per acre.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The petition inconsistent with the <i>Midtown Morehead Cherry Area Plan</i> , which recommends residential housing up to six dwelling units per acre. However, the petition is consistent with the neighborhood form and character proposed in the plan including: <ul style="list-style-type: none">• Building form along Baxter Street that is consistent with the heights, setbacks, massing, and building orientation of the existing homes within the immediate area.• Multi-family buildings located to the rear of the site.• Buffers and landscaping adjacent to single family properties.• Limited height of multi-family buildings.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	City of Charlotte Laurel Street Residential, LLC Jeff Brown & Keith MacVean/ Moore & Van Allen
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 51

PLANNING STAFF REVIEW

- **Background**
 - The subject property was rezoned from R-22MF (multi-family) to R-6 (single family) 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.
 - Five-foot buffer 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 active 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.

- **Existing Zoning and Land Use**

- The subject site is currently vacant and surrounded by single family homes, commercial structures, and vacant land which is all zoned R-6 (single family residential) and UR-2(CD) (urban residential, 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 residential developments of different housing types at varying densities. These petitions are scheduled to be heard at the February 23, 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). This petition is pending.
- 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 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.

- **Public Plans and Policies**

- The *Midtown Morehead Cherry Area Plan* (2012) recommends residential housing up to six dwelling units per acre.
 - 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.
 - **Vehicle Trip Generation:**
Current Zoning: 120 trips per day.
Proposed Zoning: 180 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate seven students, while the development allowed under the proposed zoning will produce 23 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 16 students.
 - **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.

OUTSTANDING ISSUES

- The petitioner should:
 1. Have an approved right-of-way abandonment prior to City Council decision on the petition.
 2. Clearly label the proposed buffer width adjacent to parcels 125-245-04 and 125-245-03.
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Attachments Online at 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

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