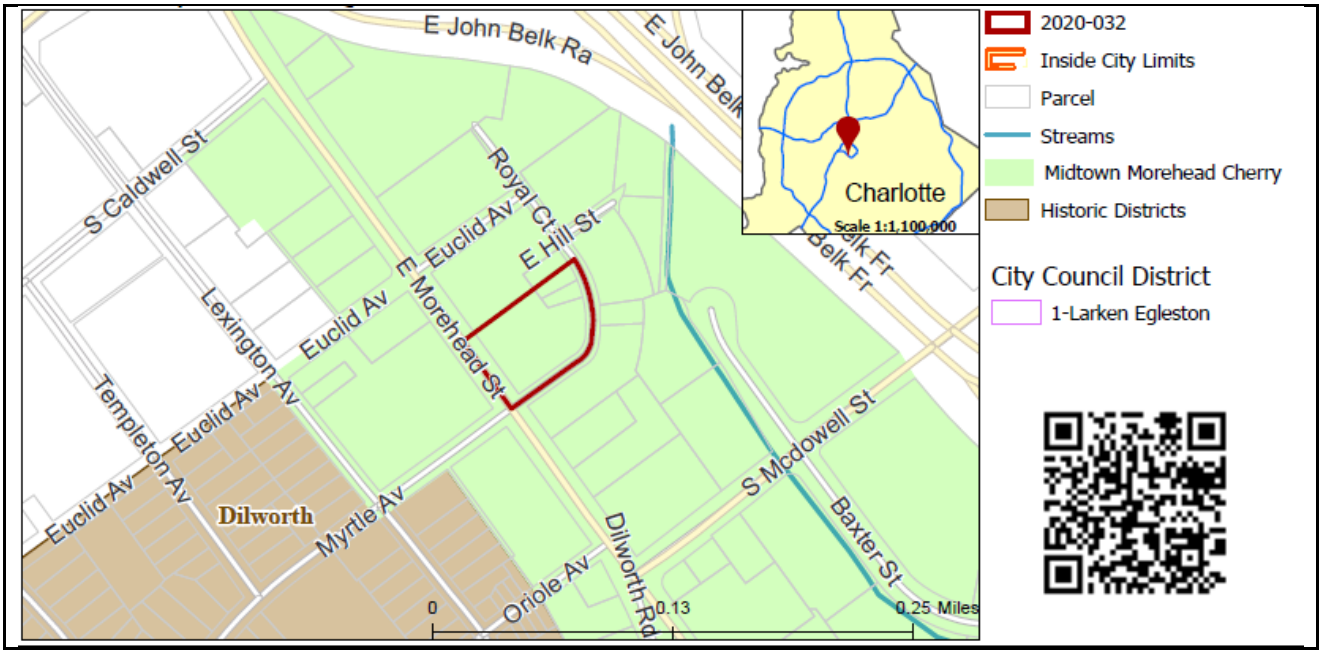
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2020-032
Post Hearing Staff Analysis
June 30, 2020

REQUEST	Current Zoning: MUDD-O PED (mixed use development district, optional, pedestrian overlay) Proposed Zoning: MUDD-O PED SPA (mixed use development district, optional, pedestrian overlay, site plan amendment)
LOCATION	Approximately 1.379 acres bounded by Royal Court and Morehead Street, southeast of Euclid Avenue.



SUMMARY OF PETITION	The petition proposes to modify an approved plan to allow an age restricted community on a parcel developed with a funeral home constructed in 1925 and a warehouse.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Various Bridgewood Houston Property Company, L.P (Attn: Jim Hepburn) Keith MacVean & 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: 38

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design.

Plan Consistency

The petition is **consistent** with the *Midtown Morehead Cherry Plan* recommendation for residential/office/retail uses with a pedestrian overlay district.

Rationale for Recommendation

- The petition is consistent with the current mix of uses in the area and the adopted plan recommendation.
- The petition proposes a project that supports a desired mix of housing types.
- The proposed building height is consistent with the height allowed in the currently approved plan.

- The petition provides architectural design commitments for the building that break up the massing, enhance the overall streetscape, encourage pedestrian activity, and complement pedestrian environment.

PLANNING STAFF REVIEW

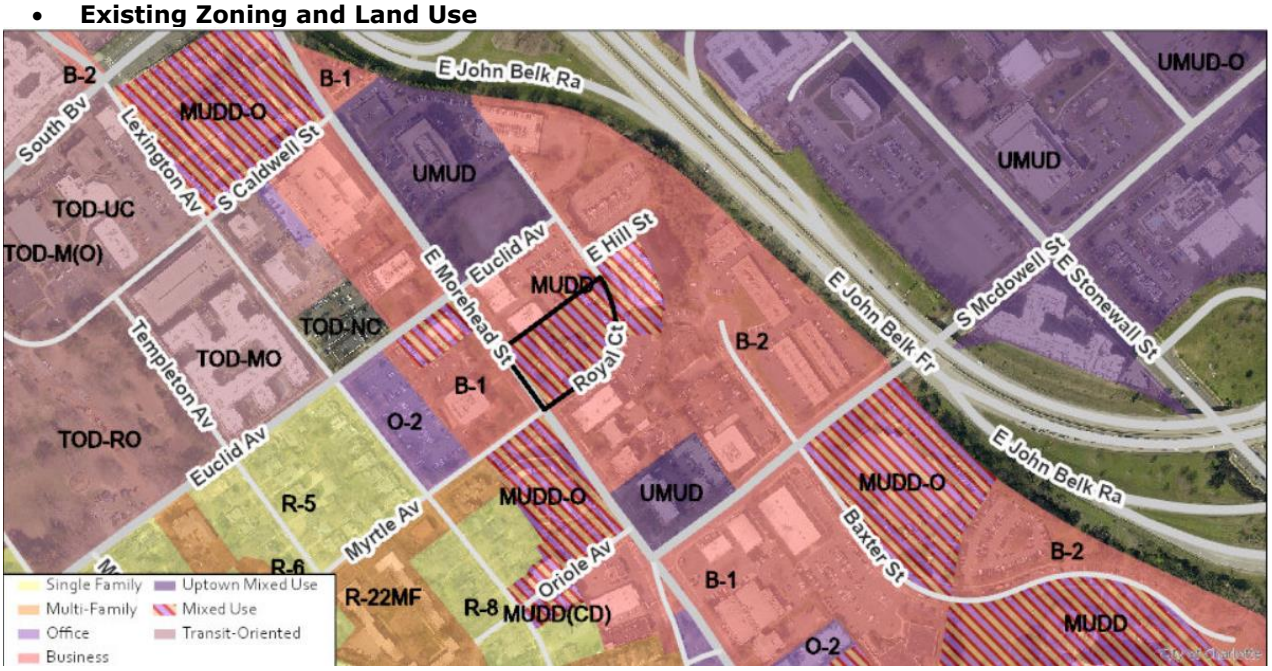
- **Proposed Request Details**

The site plan amendment contains the following changes:

- Proposes an age restricted community with up to 220 multi-family residential units with accessory uses.
- As an alternative, proposes up to 195,000 square feet of office uses with ground floor retail, EDEE, personal services and/or ~~commercial~~ other non-residential uses, and limits building height to up to 160 feet as approved per petition 2008-025.
- Limits number of principal buildings on site to 1.
- Requests the following optional provision:
  - Retain previous approval to allow a maximum building height of 160 feet.
  - Allow modifications to the streetscape along Royal Court to allow on-street parking and an on-street passenger pick-up and drop-off space.
  - Allow encroachments into the setback along Royal Court as noted:
    - Transformers and other electrical equipment may encroach into the setback from Royal Court provided that these items or features do not encroach into the required clear sidewalk zone.
    - The screening elements for the transformers and other electrical equipment may encroach into the side setback from Royal Court provided that these items or features do not encroach into the required clear sidewalk zone. Such screening elements shall comply with the requirements of the Ordinance.
- Proposes the following transportation improvements:
  - Proposes 2 points of access from Royal Court.
  - Dedicates and conveys 40 feet of right-of-way from the existing centerline of East Morehead Street.
  - Illustrates potential short-term passenger pick up/drop-off space and potential locations of on-street parking on Royal Court.
  - Replaces the existing accessible ramp located at the intersection of East Morehead Street and Royal Court to PROWAG standard.
  - Notes the westernmost driveway on Royal Court will be designed and used as a service drive to provide primary access to the site's service areas (e.g. trash handling areas, deliveries, loading space(s)). The petitioner will work with service providers to schedule trash pick up and deliveries during non-peak hour.
- Proposes the following design guidelines:
  - Combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood.
  - Allows vinyl as a building material only on windows, soffits and on handrails/railings. Notes railings on balconies and patios must be metal railings. Prohibits concrete masonry units not architecturally finished.
  - Notes each building elevation abutting/facing an existing or proposed public street will have at least 30% masonry materials. Use of synthetic stucco or EIFS as a principal building material will be only be allowed above the 4th floor.
  - Proposes buildings will front a minimum of 50% of the total street frontage along East Morehead Street and a minimum of 50% of the total street frontage along Royal Court.
  - Notes first floors of all buildings, including structured parking, must be designed to encourage and complement pedestrian-scale activity through use of arcades, colonnades, or windows and doors arranged so that the uses are visible from and/or accessible to the street on at least 80~~60~~% of the length of East Morehead frontage and 50~~60~~% of the entire length of Royal Court frontage.
  - Designs the proposed service entrance driveway on Royal Court with a door that will be treated with decorative architectural design elements. Design of the door will screen the loading dock and service areas of the building from Royal Court when closed. The petitioner will also design the area of the building surrounding the service entrance with additional architectural elements and details so that the service entrance presence along Royal Court is minimized.

    - Notes all rooftop mechanical equipment on buildings will be screened from public view from below by integrating the equipment into the building and roof design to the maximum extent feasible, using parapet walls or similar architectural treatments.
    - Notes for flat roofs, a parapet extends above the roof plane and include an element that provides a visual termination of the façade.
    - Notes ventilation grates located at the first floor level in building façade oriented to any public street must be decorative.
    - Notes proposed parking structure will be integrated into design of the building. Specifies parking spaces located within the parking structure, if visible from adjoining streets, will be screened on all levels visible from adjoining streets by decorative architectural louvers or grates.
    - Notes pedestrian crossings will be designed to incorporate markings, or varied paving or pavers, signage, and lighting so that crossings are visible to moving vehicles during day light and nighttime hours.
- Provides an 8-foot sidewalk and 8-foot planting strip along East Morehead Street, and a 6-foot sidewalk and 8-foot planting strip along Royal Court. Provides cross section showing 6-foot sidewalk and 3-foot pedestrian refuge where on-street parking is proposed on Royal Court.
- Notes improved urban open space will include areas improved with some or all of the following types of improvements: seating and landscaping, lighting, shade structures, water features or fire pits.
- States required trash handling areas including staging will be located within the interior of the proposed building.
- Limits detached lighting on site to 22 feet in height. Notes on-site pedestrian circulation system will be lighted to a level where employees, residents, and visitors can safely use system at night.
- Illustrates existing trees to be preserved along East Morehead Street.
- Commits to consulting a Certified Arborist to determine the health of the existing trees located within the right-of-way and within the setback along East Morehead Street, and to determine what measures should be implemented during construction to protect existing tees to be preserved.

- **Existing Zoning and Land Use**

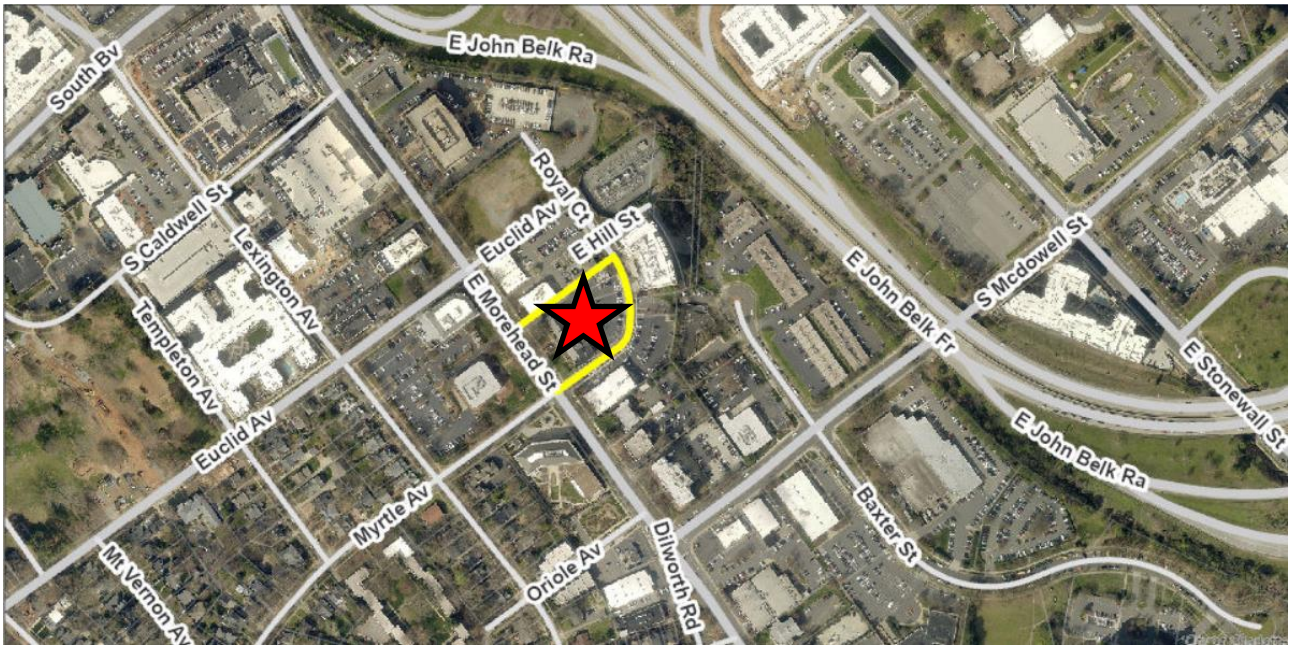


- The parcel is developed with a funeral home constructed in 1925 and a warehouse, and is surrounded by a mix of residential and non-residential uses in various zoning districts.
- The parcel was rezoned via 2008-025 to allow up to 195,000 square feet of office uses with ground floor retail, EDEE, personal services and/or commercial uses, and limits building height to 160 feet as approved per petition 2008-025.

The site is developed with a funeral home (in the background to the left) and a warehouse right).

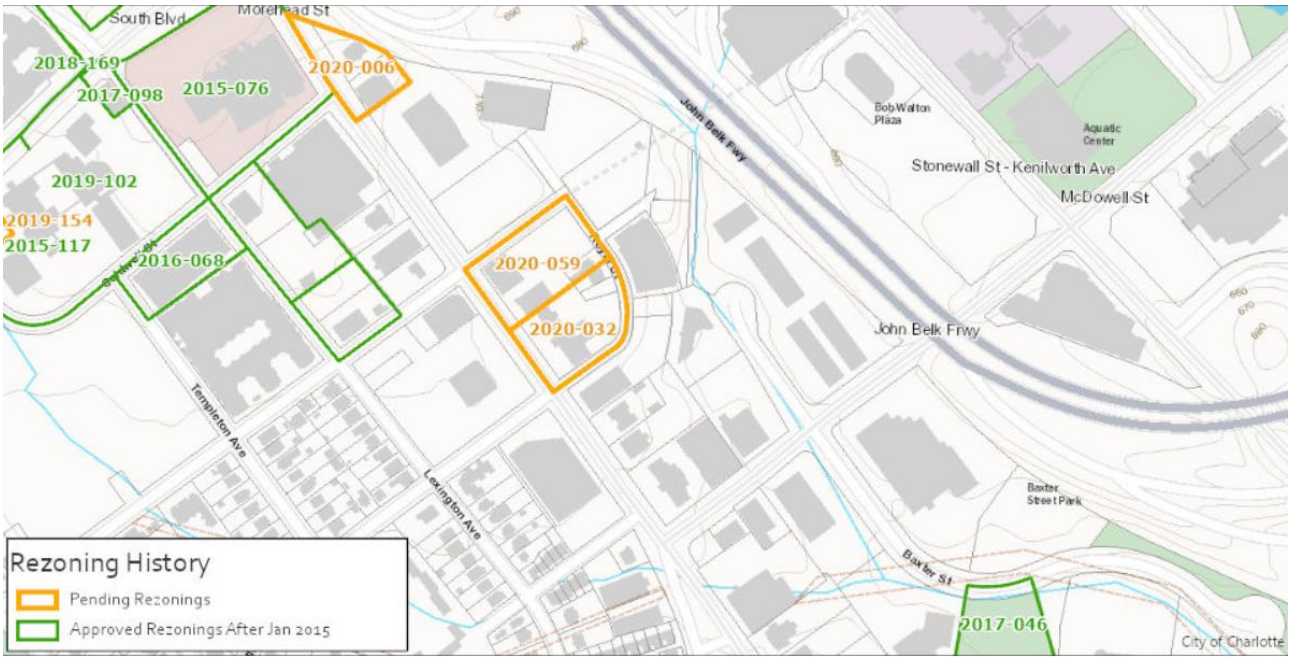
On the opposite side of Royal Court are condominiums.

Along East Morehead Street are office, residential, and retail uses.



Northeast of the rezoning site (denoted by the red star) is the John Belk Freeway.

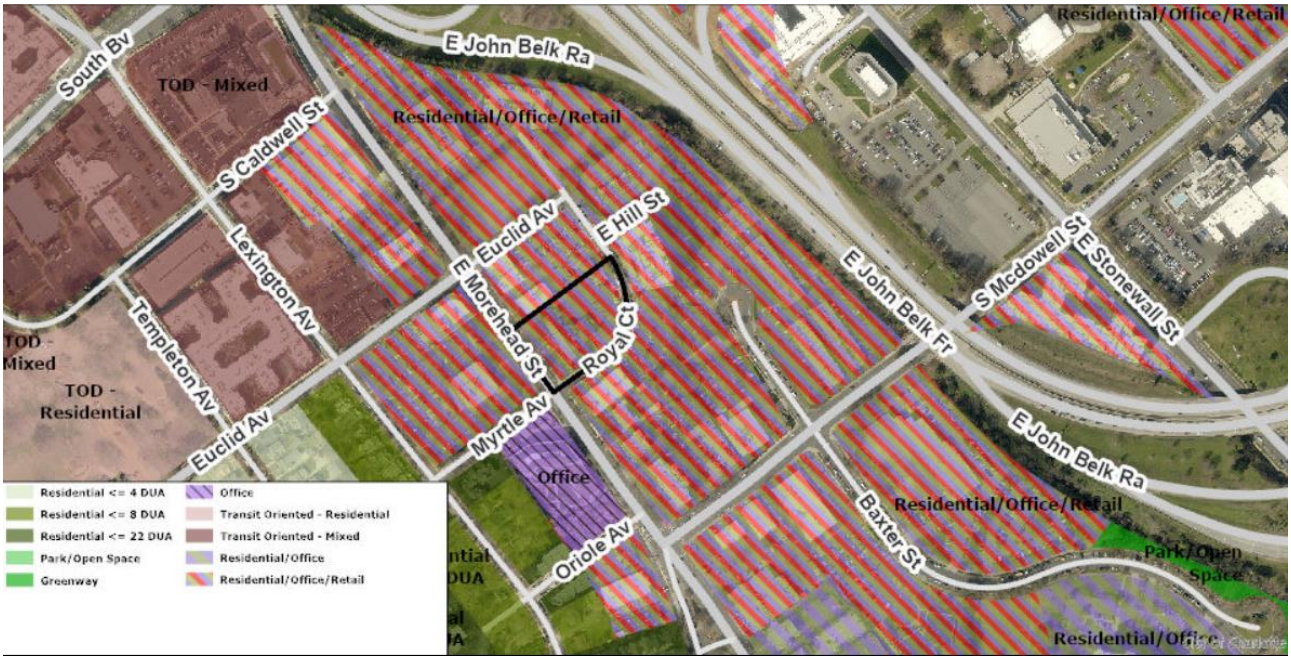
- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-059	Rezone to MUDD-O to allow up to 350 multifamily residential units with a building height limited to 170 feet	Pending
2020-006	Rezone to TOD-UC	Pending
2019-154	Rezone to TOD-UC	Withdrawn
2019-102	Rezoned 1,771.18 acres under a range of zoning districts to TOD-UC, TOD-NC, TOD-CC or TOD-TR.	Approved
2018-169	Amendment to zoning ordinance to replace 3 existing transit oriented development districts with 4 new transit oriented development districts and regulations.	Approved
2017-098	Rezoned site to TOD-M (transit oriented development-mixed)	Approved

2017-046	Rezoned to MUDD PED to allow all uses for all of Baxter Street Park.	Approved
2016-068	Rezoned site to MUDD-O (mixed use development, optional) to allow a allow the redevelopment of a surface parking lot for an existing institutional use (Pritchard Memorial Baptist Church) to develop structured parking and 17,000 square feet of ground floor non-residential uses.	Approved
2015-117	Rezoned to TOD-MO to reuse a former fire station for any use in the TOD-M	Approved
2015-076	Rezoned site to MUDD-O (mixed use development, conditional) to allow the expansion of the existing YMCA including a new parking structure and additional facility space.	Approved

- **Public Plans and Policies**



- The *Midtown Morehead Cherry Plan* (2012) recommends mixed residential/office/retail uses.

- **TRANSPORTATION SUMMARY**
  - The site is located on a major thoroughfare road. CDOT collaborated with the petitioner to provide adequate intersection sight distance at the proposed access locations on Royal Court. Streetscape improvements will be provided by the petitioner. The petitioner has committed to on-site trash handling and on-street parking on Royal Court. There are three active rezonings within the immediate area, including petitions 2020-006, 2020-032, and 2020-059. A Traffic Impact Study is in-progress for a by-right mixed-use project, currently named Morehead Overlook (approximately 300 multi-family units, 321,780 sf of office, and 9,809 sf of retail), which is located on parcel ID numbers 12517506 and 12517519. The TIS scope was approved by CDOT and NCDOT 3/2/2020. The petitioner should continue to coordinate with these active petitions and projects in the immediate area. CDOT and the petitioner have collaborated to establish designated on-street parking spaces on Royal Court, with respect to the proposed developments near this petition.
  - **Active Projects:**
    - South End Rail Trail Pedestrian Bridge
      - The project will implement Create a new pedestrian bridge across I-277 connecting the Rail Trail on the south side of I-277 to the Convention Center.
      - Construction: TBD; planning in-progress end Q1 2020
    - South Boulevard Corridor Implementation
      - The project will implement pedestrian hybrid beacons, bulbouts, and pavement markings at various locations along South Boulevard between Clanton Road and Carson Boulevard.
      - Construction: TBD; real estate acquisition to finish end Q1 2020
  - **Transportation Considerations**
    - No outstanding issues.

- **Vehicle Trip Generation:**
  Current Zoning:
  Existing Use: No data trips per day (based on 19,281 square foot funeral home).
  Entitlement: 2,030 trips per day (based on 195,000 square feet of office; petition 2008-025)
  Proposed Zoning: 2,030 trips per day (based on 195,000 square feet of office; site plan).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** There is an estimated need for approximately 30,000 affordable housing units in the City of Charlotte. In an effort to increase the supply, developers are encouraged to assist in providing homes at diverse price points to meet increased housing demand.
- **Charlotte Department of Solid Waste Services:** See advisory comments at www.rezoning.org regarding dumpster/compactor and recycling requirements. ~~See Outstanding Issue, Note 3.~~ Addressed
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org regarding fire hydrant location and sprinkler system.
- **Charlotte-Mecklenburg Schools:** Not applicable
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Royal Court. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Royal Court.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** ~~See Outstanding Issues, Note 4.~~ Addressed
  - **Storm Water Services:** No outstanding issues. This property drains to Upper Little Sugar Creek, which is an impaired/degraded stream, and may contribute to downstream flooding. This project has the opportunity to mitigate future impacts to this stream. See advisory comments at www.rezoning.org regarding storm water quality treatment and volume and peak control.
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org pertaining to air quality and ground water services.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Site and Building Design

~~1. Add an optional provision to allow modification of the streetscape along Royal Court to accommodate pick up/drop off on Royal Court.~~Addressed

2. Design Guidelines Note 6.c.ii should refer to the minimum transparency provided on each frontage. This minimum should be 60%. Not addressed

~~3. Please show on the plan the staging location for the dumpster(s) and recycle carts to be collected for service.~~Addressed

Transportation

~~4. Please modify Note 4f by deleting the phrase "subject to the petitioner ability to post a bond for any improvements not in place at the time of issuance of the certificate of occupancy. (Petitioner is advised any c.o. release prior to completion of required roadway improvements shall be at the discretion of CDOT and may be conditioned upon posting a bond for incomplete improvements.)~~Addressed

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

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