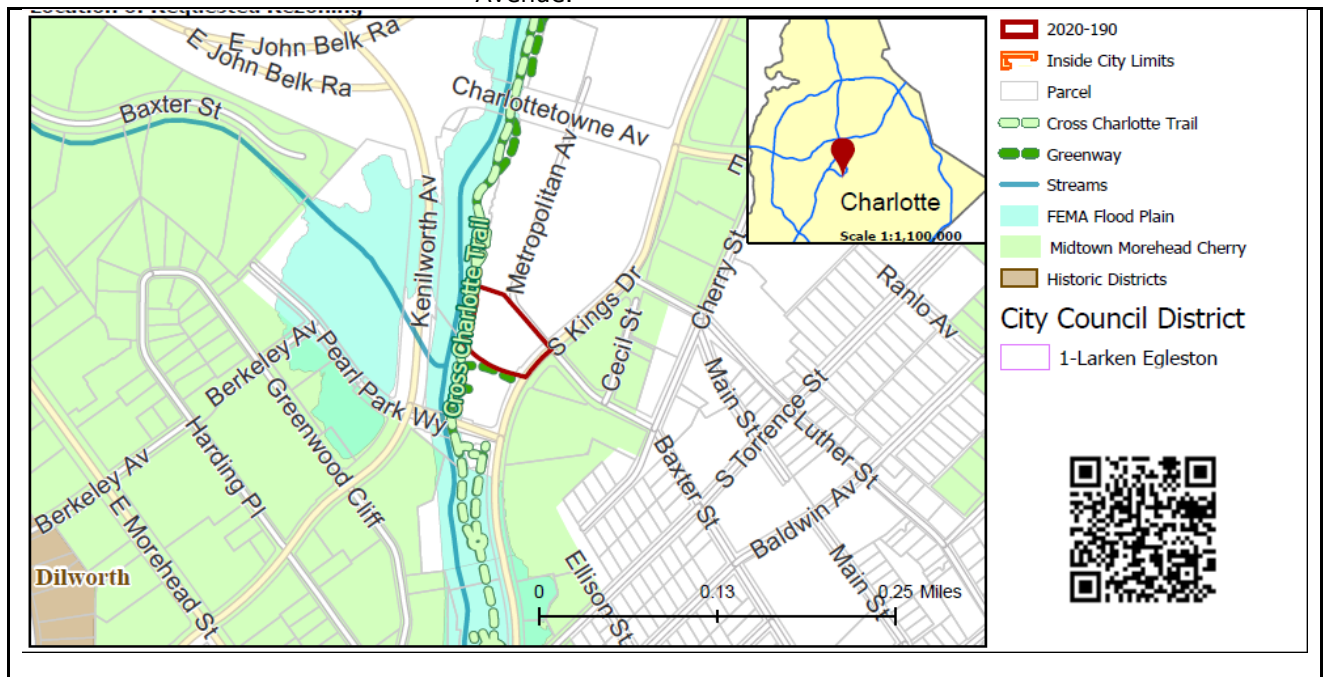


**REQUEST**

Current Zoning: MUDD-O (mixed-use development, optional)  
Proposed Zoning: MUDD-O SPA (mixed use-use development, optional, site plan amendment)

**LOCATION**

Approximately 1.3 acres located along the west side of South Kings Drive, east of Kenilworth Avenue, and south of Charlottetowne Avenue.



**SUMMARY OF PETITION**

The petition proposes a site plan amendment to a portion of the Metropolitan planned development to convert hotel room entitlements to residential units for a previously approved 285-foot high building.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**  
**COMMUNITY MEETING**

NR Met Property Owner LP  
Northwood Ravin  
Collin Brown and Brittany Lins/Alexander Ricks PLLC

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 15

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the Midtown Morehead Cherry Area Plan with the residential/office land use recommendation, as amended via petition 2014-030.

Rationale for Recommendation

- The current rezoning plan allows a up to 155 multi-family residential units and/or a 175-room hotel.
- The number of residential units proposed is equal to the approved number of residential units and hotel rooms.
- The site plan amendment request limits the modifications to conversion of hotel room entitlements to residential units with minor adjustments to transportation improvements.

- The proposed development is compatible with the surrounding uses.

## PLANNING STAFF REVIEW

### • Background

- The subject property was part of a larger rezoning in 2005 for the Metropolitan development, Petition 2005-60, that rezoned 26.6 acres on the west side of South Kings Drive, south of East Third Street and north of Baxter Street to MUDD-O (mixed use development, optional) and UR-C(CD) (urban residential-commercial, conditional) to accommodate a “mixed-use village”. The development rights for the subject property identified as “Component C” allows the following:
  - 413,000 square feet of commercial uses (retail and restaurants);
  - 256 residential units;
  - Conversion rights allow flexibility between the allowed uses.
  - Limited primary residential building to 250 feet in height.
  - Limited primary office building to 165 feet in height.
- Subject property has been developed with approximately 192,000 square feet of retail/restaurant uses, 183,000 square feet of office uses, and 101 residential units.
- Petition 2014-030 approved a site plan amendment to the subject parcel to allow up to 155 multi-family dwelling units and/or a hotel with up to 175 hotel rooms in a building not to exceed 285 feet. The development rights for the subject site per petition 2014-030 allows the following:
  - One building containing a maximum of 155 multi-family dwelling units and/or a 175-room hotel.
  - Up to 25 additional residential units may be added by converting hotel rooms at a rate of one for one.
  - Up to 25 additional hotel rooms may be added by converting residential dwelling units at a rate of one for one.
  - Building materials include brick, natural stone, architecturally finished precast concrete, decorative concrete masonry units, architectural metal panels, glazing, and stucco and tile cladding. Vinyl siding and unfinished concrete masonry units are prohibited as exterior building materials.
  - Building facades designed to reduce mass, scale and appearance of large unadorned walls. Specific frontage types are identified as a) greenway entry; b) park protection; and c) urban edge, with architectural guidelines provided for each.
  - Endeavor to enter into an agreement with County Parks and Recreation to provide shared site elements that may be located on the site and/or the adjoining park property including, but not limited to, bathrooms, gathering space, outdoor seating areas, storage and landscaping areas. In addition, will work with County Parks and Recreation to provide an architectural response to the existing artwork in the Midtown Park.
  - Optional provisions were approved as follows:
    - Building height of up to 285 feet.
    - Allow two detached signs with 36 square feet of sign area and up to five feet in height.
    - Allow two wall signs with up to 400 square feet of sign surface area for each tenant and/or use to be located on the top of the building (defined as the upper three floors), and up to 100 square feet of sign face area or 5% of the wall to which they are attached, whichever is less, for wall area located below the upper three floors.
    - Allow up to 300 square feet of digital wall signage that may be used to (i) advertise and identify tenants and merchandise located and sold at Metropolitan, (ii) advertise and identify events occurring at Midtown Park and on the Sugar Creek Greenway, and (iii) as a screen for motion pictures (e.g. movies, TV shows and the like), and (iv) to promote major events, which may include but are not limited to religious, educational, charitable, civic, fraternal, sporting, or similar events including but not limited to golf tournaments, festivals, and major or seasonal sporting events. The design/content of signs displayed on the digital sign will contain predominantly graphic images (a minimum of 80 percent of the sign must be composed of interesting and unique art like graphic images); copy area will be limited to 20 percent of the sign area. This digital wall sign must be used to promote events occurring at Mid-Town Park, Sugar Creek Greenway and major events for a majority of the time the sign is in use.
    - Limit the location of proposed digital wall signs to the portion of the building wall that faces South Kings Drive and the first 30 linear feet of the building wall that faces

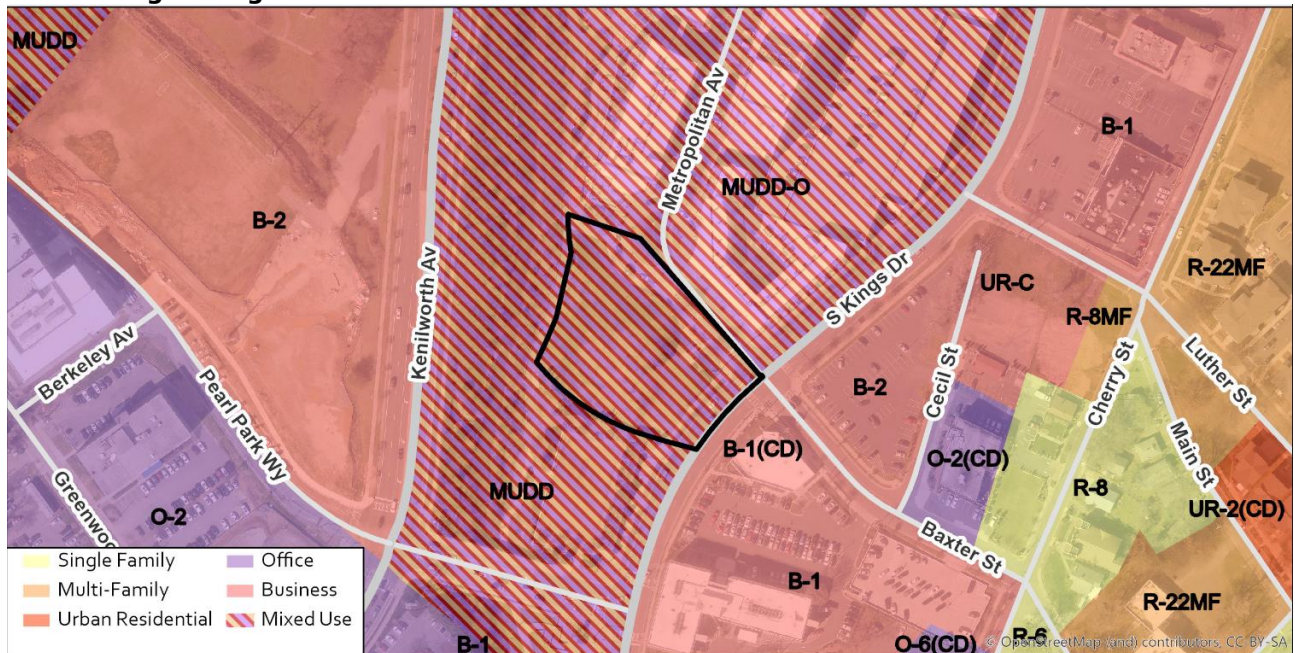
Metropolitan Avenue. The digital wall signs along these building walls will be limited to a maximum cumulative sign face area of 300 square feet of sign area.

- **Proposed Request Details**

The site plan amendment contains the following changes:

- Allow up to 330 multi-family dwelling units together with accessory uses, as allowed in the MUDD zoning district.
- Notes landscape island/associated lighting may be removed to accommodate proposed development.
- Notes required planting strip and sidewalk to be included within the 16-foot setback along South Kings Drive. **Labels 8-foot sidewalk and 8-foot planting strip along South Kings Drive.**
- **Notes that the proposed streetscape along Metropolitan Avenue will be a 6-foot sidewalk and trees with grates (5 feet wide).**
- Labels 40-foot right-of-way from centerline of South Kings Drive.
- **Notes existing curb on South Kings Drive to remain. Restrict movement at this driveway to right-in/right-out with a combination of an internal channelized median signage. Petitioner will work with staff during Land Development permitting on final design of this driveway configuration.**
- Notes architectural lighting such as but not limited to sconces, uplighting, accent lighting, including color accent lighting and decorative lighting on the building facades will be permitted.
- Modifies Architectural Guidelines Note 5.h to read "The design of the focal point feature will be submitted to the Planning Director or designee for review and comment as part of the MUDD review for the site."
- **Removes previous optional provision language pertaining to signage and replaces with note that signage will comply with ordinance.**

- **Existing Zoning and Land Use**

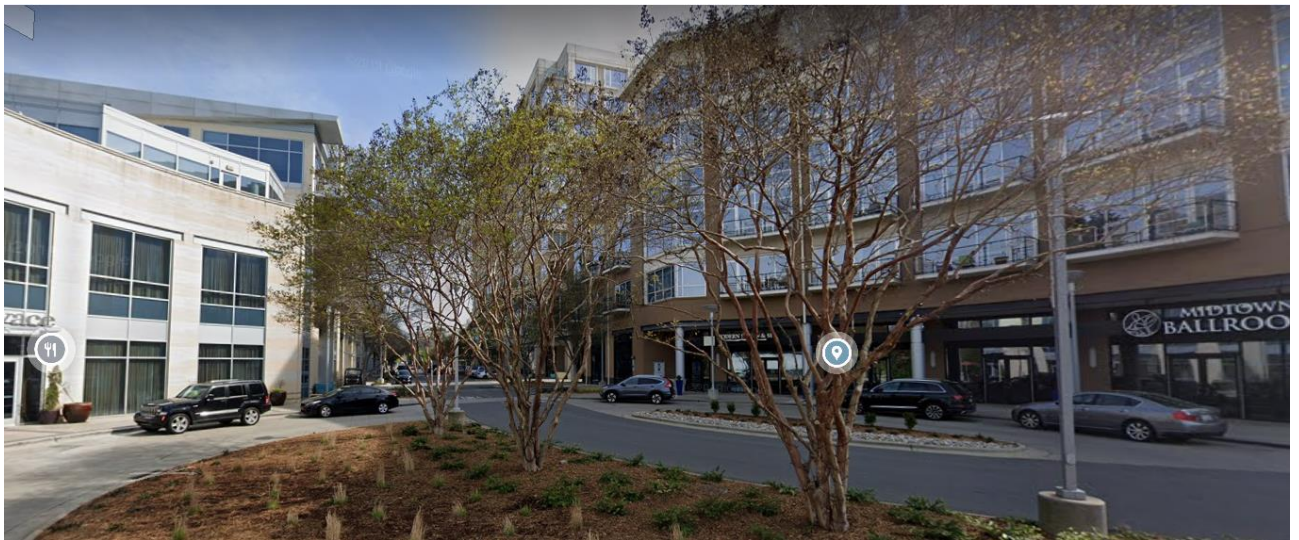


- The site is currently vacant and abuts the Metropolitan and the Little Sugar Creek Greenway. The site is surrounded by a mix of residential and non-residential uses on parcels in various zoning districts.
- The site is part of a larger 26-acre site rezoned via 2005-060 to accommodate a mixed use village. Petition 2014-030 approved a site plan amendment to the subject parcel to allow up to 155 multi-family dwelling units and/or a hotel with up to 175 hotel rooms in a building not to exceed 285 feet.





The site is currently vacant.

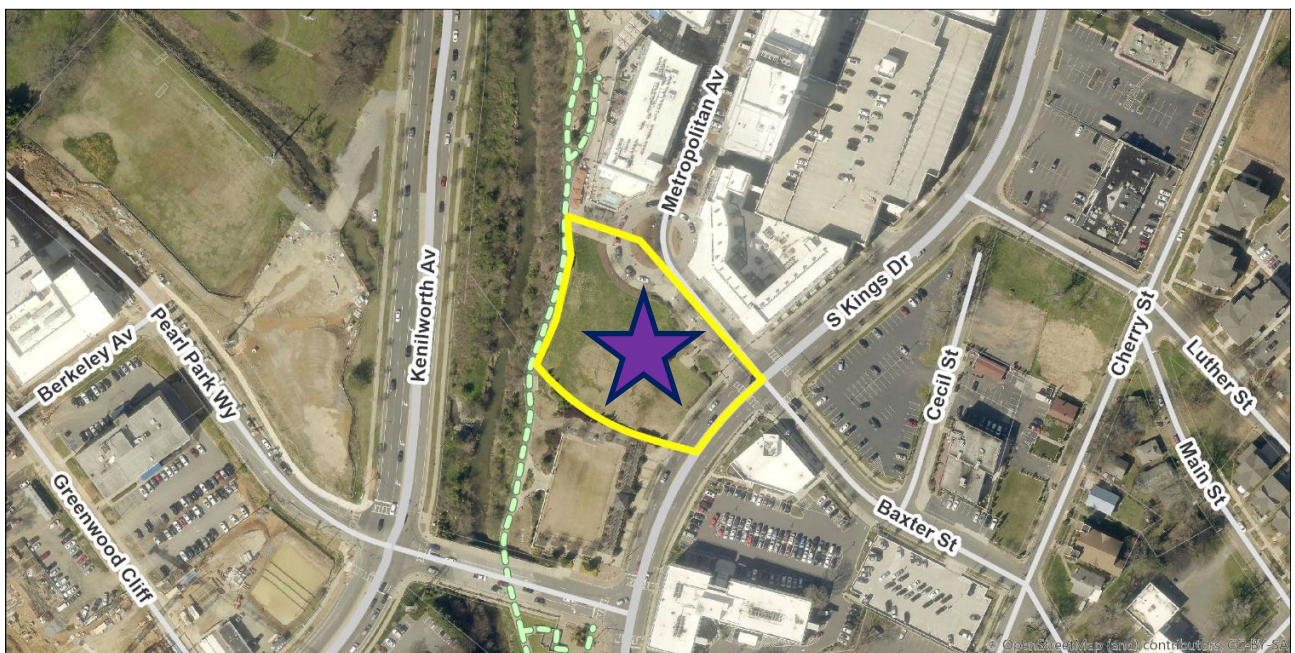


The site is part of the larger Metropolitan mixed-use development.





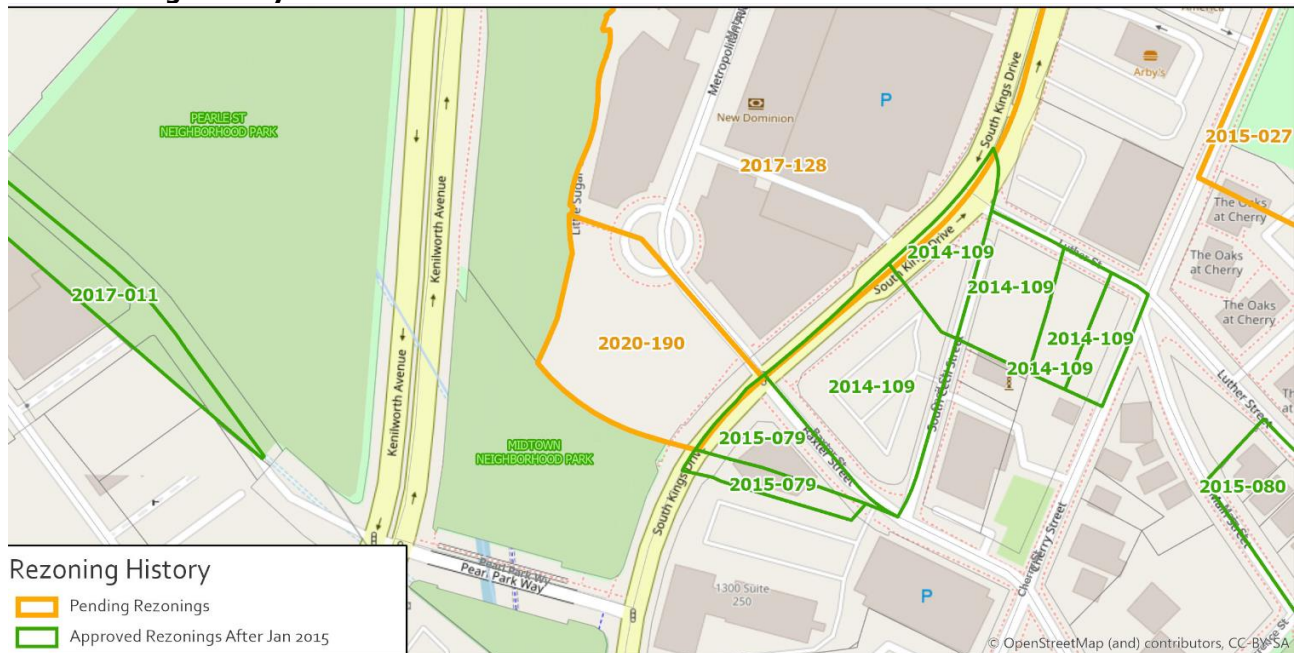
A portion of the site abuts the Little Sugar Creek Greenway/Cross Charlotte Trail.



The site is surrounded by a mix of residential and non-residential uses (denoted by the purple star) and is just outside of Uptown.

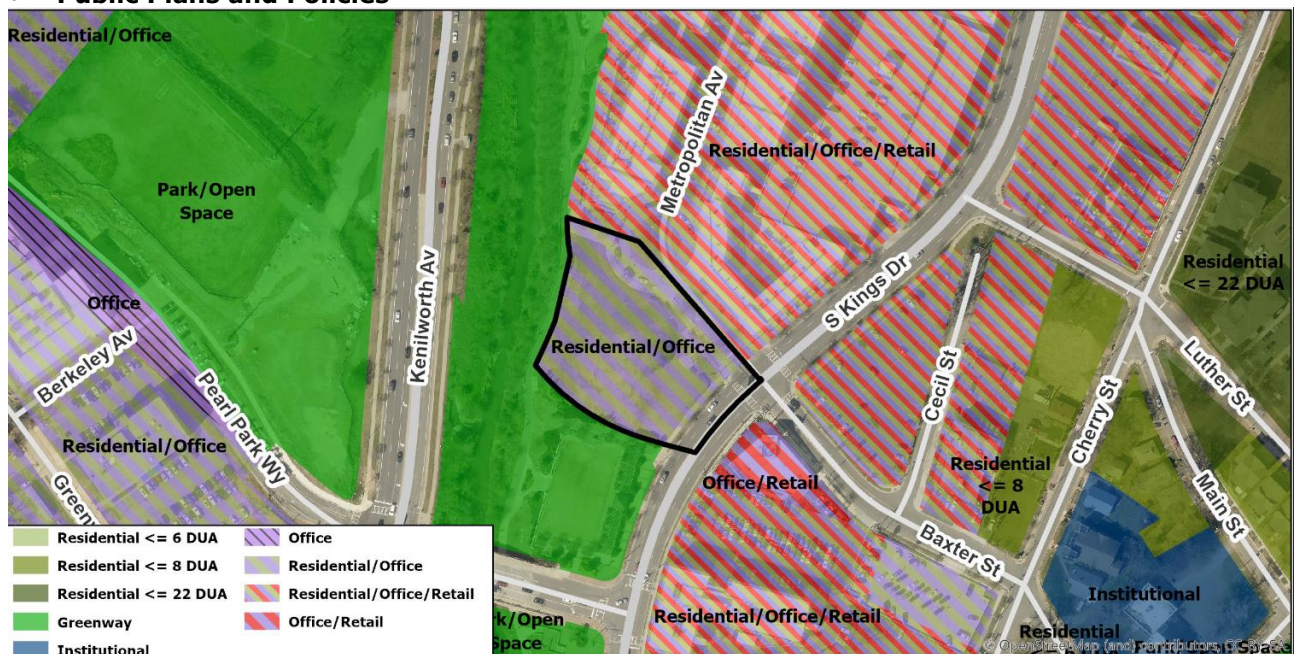


- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-128	MUDD-O SPA for 8.04 acres	Pending
2015-080	Rezoned 0.40 acres to UR-2(CD)	Approved
2015-079	Rezoned 0.30 acres to B-1(CD) PED	Approved
2015-027	Rezone 3.031 acres to UR-C(CD)	Pending
2014-109	Rezoned 1.99 acres to B-2, UR-C, and R-8MF, all in pedestrian overlay	Approved

- **Public Plans and Policies**



- The *Midtown Morehead Cherry Plan* (2012) recommends office/residential, as amended by petition 2014-030.

- **TRANSPORTATION SUMMARY**

- The site is located on a City-maintained, major thoroughfare (South Kings Drive) and a private local road (Metropolitan Avenue). The existing 8-foot sidewalk and 8-foot planting strip, along South Kings Drive, meet ordinance requirements and provide pedestrian connectivity and accessibility in accordance with Council-Approved Charlotte Walks Plan. Additionally, the petitioner commits to dedicating 40' of Right-of-way from the South Kings Drive centerline. All outstanding CDOT comments have been successfully addressed.

- **Active Projects:**

- Belk Greenway Connector – Baxter Street to Stonewall Street
  - On Hold pending resolution of NCDOT funding suspension
  - <https://charlottenc.gov/Projects/Pages/BelkConnectorBaxterStonewall.aspx>
- Pearl Park Way Extension and Kenilworth protected intersection
  - Extend Pearl Park Way westward from its current street stub to Baxter St., including a 2-way cycletrack on the north side of the street
  - Construct Protected Intersection at the intersection of Kenilworth Ave./Pearl Park Way
  - Construction of the Extension almost complete
  - Construction of the protected intersection underway

- **Transportation Considerations**

- ~~See Outstanding Issues, Notes 1-3.~~ Addressed

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: Vacant

Entitlement: 2,392 trips per day (based on 155 apartment units and 175-room hotel; petition 2014-030)

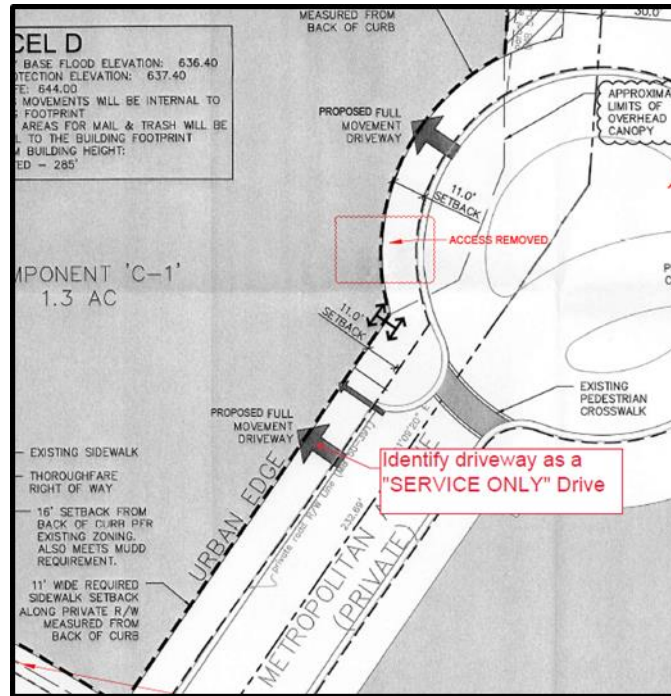
Proposed Zoning: 1,800 trips per day (based on 330 apartment units).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 28 students, while the development allowed under the proposed zoning may produce 60 students. Therefore, the net increase in the number of students from existing zoning to proposed is 32 students.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Dilworth (Sedgefield Campus K-2) from 68% to 73%
    - Dilworth (Latta Campus 3-5) remains at 59%
    - Sedgefield Middle from 72% to 74%
    - Myers Park High remains at 121%
  - See advisory comments at [www.rezoning.org](http://www.rezoning.org).
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along S Kings Rd. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 10-inch gravity sewer main located along the center of the rezoning boundary. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** ~~See Outstanding Issues, Notes 5-6.~~ Addressed
  - **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**Transportation

1. ~~Revise site plan and conditional notes to commit to constructing a Service Only driveway. Label the south-most driveway on Metropolitan Avenue as a Service Only driveway.~~ **Addressed**



2. ~~A site plan note(s) specifying dedication and fee simple conveyance of all rights of way to the City before the site's first building certificate of occupancy is issued is needed. CDOT requests rights of way set at 2' behind back of sidewalk where feasible.~~ **Addressed**
3. ~~A site plan note specifying that all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued is needed. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~ **Addressed**

Site and Building Design

4. ~~Please remove all optional provisions regarding signage and replace with a note stating that signage will meet ordinance requirements.~~ **Addressed**
5. ~~Label width of planting strip and sidewalk along South Kings Drive.~~ **Addressed**
6. ~~Clarify streetscape along Metropolitan Avenue and specify if it will be sidewalk, planting strip, or trees with grates. Label widths of these proposed improvements.~~ **Addressed**

**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Claire Lyte-Graham (704) 336-3782