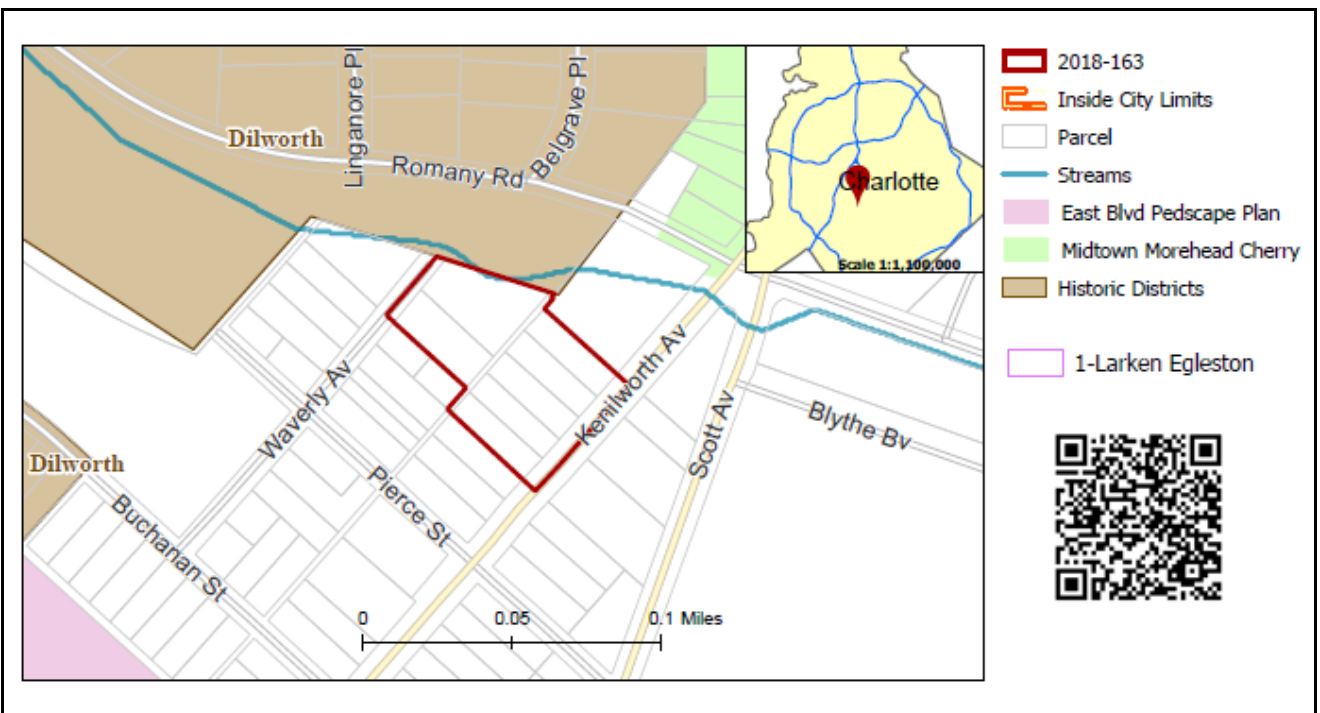


**REQUEST**

Current Zoning: R-8 (single family residential) and R-22MF (multi-family residential)  
Proposed Zoning: R-8(CD) (single family residential, conditional) and MUDD (CD) (mixed use development, conditional)

**LOCATION**

Approximately 1.75 acres located on the eastside of Waverly Avenue, west side of Kenilworth Avenue, south of Romany Road. (Council District 1 - Egleston)



**SUMMARY OF PETITION**

The petition proposes to redevelop the subject site with 56 multi-family units in two development areas at a density of 32 units per acre.

**PROPERTY OWNER**

1300 Kenilworth LLC and 1417-23 Waverly, LLC

**PETITIONER  
AGENT/REPRESENTATIVE**

Suncap Property Group, LLC  
Collin Brown & Bailey Patrick Jr. / K & L Gates

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 24

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

While the request provides residential land uses as recommended in the *Dilworth Land Use and Streetscape Plan*, the density of 51 units per acre and the proposed height of 58 feet are inconsistent for development area 'A' per the *Dilworth Land Use and Streetscape Plan* which recommends 22 dwelling units per acre (DUA) and a building height of 40 feet.

Rationale for Recommendation

- The proposed height is inconsistent, but the height is along an existing major thoroughfare and in context with continued re-development along the corridor where both 3 and 4 story buildings are present.
- The proposed building height is an average of 58 feet as measured by the ordinance. The maximum height is 65 feet adjacent to existing 3-story townhomes, and 49 feet adjacent to existing the single family lot.
- The ordinance allows up to 100 feet in building height in the MF-22 Zoning District, so while the proposed height exceeds the area plan recommendation, it falls below the allowed height by-right.
- The R-8 portion on Waverly Avenue seeks to allow single family detached dwellings, and the minimum setback and yards and building height are compatible with the surrounding pattern of development.
- The petition will provide improvements that will significantly enhance the pedestrian environment on the subject site through the development of an 8-foot sidewalk and 8-foot planting strip along the property frontage on both Kenilworth Avenue and Waverly Avenue.

The approval of this petition will revise the adopted future land use map as specified by the *Dilworth Land Use and Streetscape Plan*, from residential at up to 22 dwellings per acre to residential over 22 dwellings per acre for development area A of the site.

**PLANNING STAFF REVIEW**

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows the development of 56 residential units in two development areas.
- Development Area 'A' which includes 50 multi-family units.
- Development Area 'B' which includes six single-family attached units.
- 24-foot setback along Kenilworth Avenue which includes an eight-foot planting strip and eight-foot sidewalk.
- 32-foot setback along Waverly Avenue which includes an eight-foot planting strip and eight-foot sidewalk.
- Existing alley to be abandoned.
- Provides the following architectural treatments:
  - Facades fronting a public street shall be comprised of a minimum of 50 percent of building material such as: brick, natural stone, synthetic stone, stucco or other material approved by the Planning Director.
  - Prohibits vinyl as a building material except for hand rails, windows, door trim, and concrete masonry block.
  - Service areas will be screened from view from public streets with materials and design to be compatible with the principal structures.

**Development Area A:**

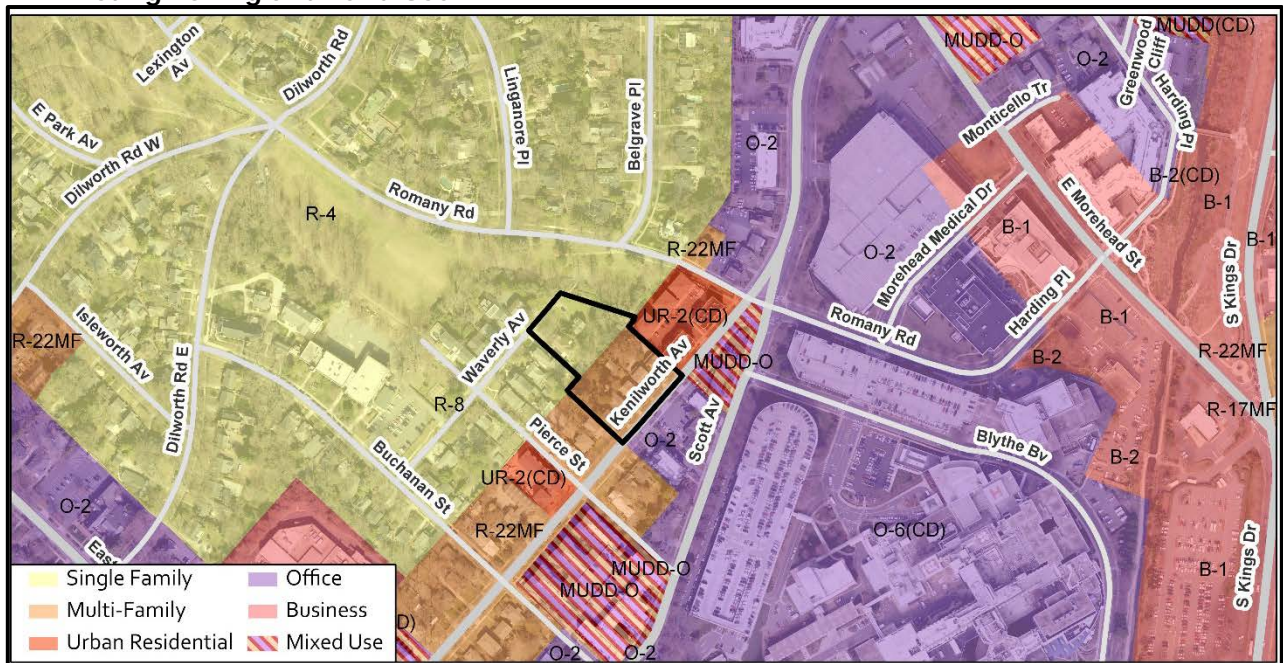
- The upper floors (above the ground floor) of the proposed building will have a minimum transparency of 25%.
- The ground floor of the proposed building will have a minimum transparency of 50%.
- Minimum of two operable doors will be provided along Kenilworth Avenue.
- Ground floor residential units facing Kenilworth Avenue will have raised entrances along the street.
- Stoops shall be provided along public and private streets.
- No building will exceed 120 feet in block face without modulations, break or variation of the façade. Modulations shall be at least 10 feet wide and project or recess a minimum of one foot extending at least a full floor.
- Building elevations shall be designed with vertical bays or articulated architectural façade features, exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.

- Building will provide notched corners with a minimum dimension of twelve feet by twelve at the top of the building.
- Long pitched or flat roofs shall avoid continuous expanses without variation by including changes in height and or roof form, to include but not to be limited to gables, dormers or parapets.
- Maximum building height of 58 feet.
- **Ten-foot buffer area adjacent to the existing single-family home.**

**Development Area B:**

- Pitched roofs if provided shall be sloped no less than 5:12.
- Corner units that face Waverly Avenue, will have stoops and enhanced side elevations.
- Side elevations fronting Waverly Avenue shall not contain blank wall expanses greater than ten feet on all building levels.
- Side elevations may include usable doors, decorative lighting, architectural details, transom windows, awnings, and or stairs.
- Attached units will be limited to four units.
- All residential within 15 feet of the sidewalk must be raised from the average sidewalk grade a minimum of 24 inches.
- Garage doors visible from public or private streets shall minimize visual impact by provide a setback of 12 to 24 inches.
- **20-foot rear yard with planting detail adjacent to the existing residential structure.**

• **Existing Zoning and Land Use**



- The surrounding properties are zoned R-8 (single family residential),
- R-22MF (multi-family residential), UR-2(CD) (urban residential, conditional), O-2 (office) and MUDD-O (mixed used development, optional) and developed with single family and multi-family residential structures.





The subject property on Kenilworth Ave. is developed with single-family homes.



The subject property on Waverly Ave. is developed with single-family homes

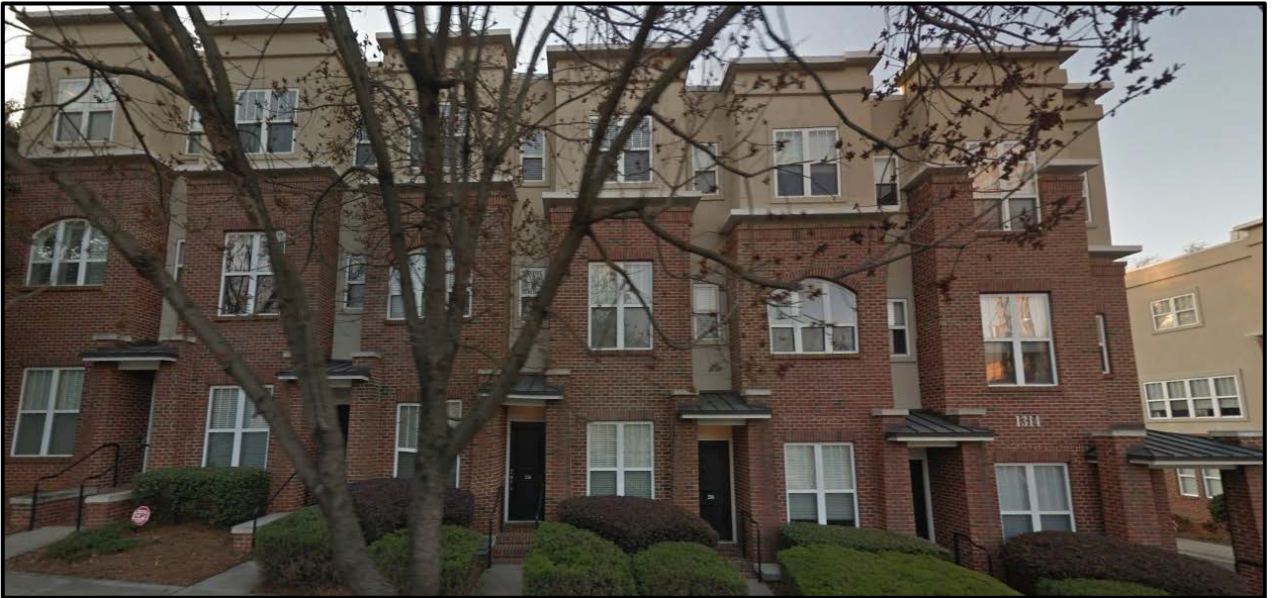


The properties to the east along Kenilworth Avenue are developed with a mix of single-family, multi-family, and office uses.





The properties to the west along Waverly Avenue are developed with single-family homes.



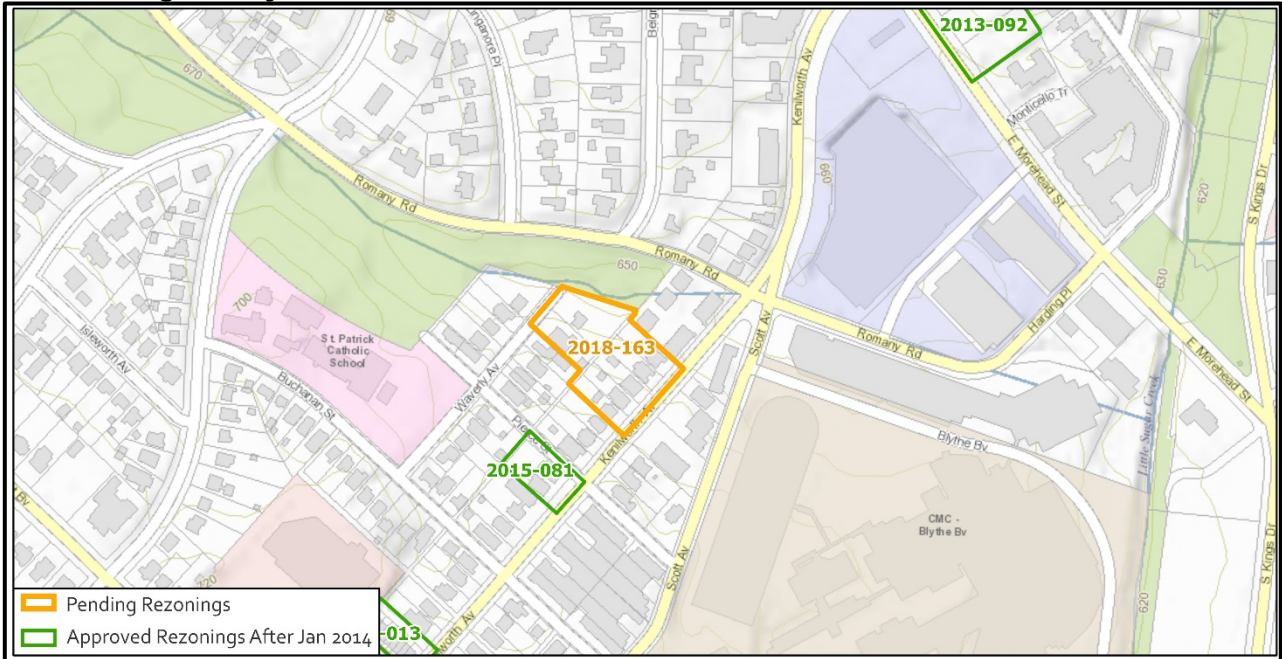
The property to the north along Kenilworth Avenue is developed with multi-family townhomes.



The properties to the south along Kenilworth Avenue are single-family homes.

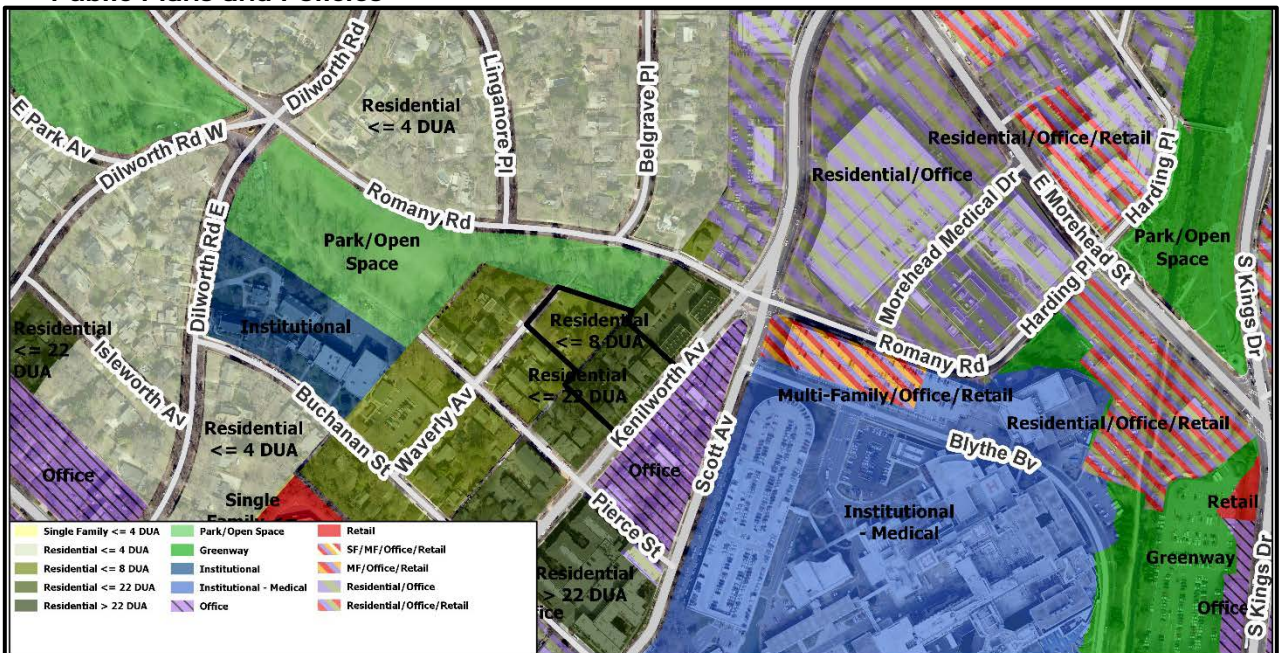


- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2015-081	Rezoned 0.40 acres to UR-2(CD) (urban residential, conditional) to allow the development of eight multi-family units.	Approved
2013-092	Rezoned 2.65 acres to MUDD-O SPA (PED) (mixed use development, optional, site plan amendment, pedestrian overlay) and MUDD-O (PED) (mixed use development, optional, pedestrian overlay) to allow the development of 380 dwelling units, 10,000 square feet of residential supportive uses, and 25,000 square feet of non-residential uses.	Approved

- Public Plans and Policies**



- The *Dilworth Land Use and Streetscape Plan* (2006) recommends residential uses at 22 dwelling units per acre for the portion of the site along Kenilworth Avenue and residential uses at eight dwelling units per acre for the portion along Waverly Avenue. The plan recommends a 50-foot height limit for structures along Kenilworth Avenue.

- **TRANSPORTATION CONSIDERATIONS**

- This site is located along a major thoroughfare and local street. The site commits to improving sidewalk and planting strips.
  - No outstanding issues.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 80 trips per day (based on 10 dwelling units).
      - Entitlement: 170 trips per day (based on 27 dwelling units).
    - Proposed Zoning: 300 trips per day (based on 50 multi-family and 6 single family attached dwelling units).

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

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** There is a need for approximately 30,000 affordable housing units in the City of Charlotte. To increase the supply of quality affordable housing, the City strongly encourages developers to assist by providing affordable mixed income housing.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning (R-8 and R-22MF) would generate six students, while the development allowed under the proposed zoning will produce nine students. Therefore, the net increase in the number of students generated from existing zoning to proposed is three.
  - The proposed development is projected to retail the existing school utilization over existing condition (without mobile classroom units) as follows:
    - Dilworth Sedgefield Elementary at 74%.
    - Dilworth Latta Elementary at 79%.
    - Alexander Graham Middle at 114%.
    - Myers Park High at 119%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via existing 8-inch water distribution main located along Kenilworth Avenue. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing 8-inch gravity sewer mains located along Waverly Avenue and Kenilworth Avenue.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **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**

Site and Building Design

1. ~~Add a note on the technical data sheet for the length, width and planting type for the proposed Plan Enlargement A and B cross section.~~ **Addressed.**

**REQUESTED TECHNICAL REVISIONS**

Site and Building Design

2. ~~Clarify if the 10-foot planting area will be a ten-foot Class 'C' buffer.~~ **Addressed.**

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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Locator Map

- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Housing and Neighborhood Services Review
  - Charlotte Department of Solid Waste Services Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Schools Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

**Planner:** Solomon Fortune (704) 336-8326