

REQUEST	Current Zoning: R-22MF (multi-family residential) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 0.40 acres located on the southwest corner at the intersection of Kenilworth Avenue and Pierce Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes eight multi-family dwelling units, at an overall density of 20.1 units per acre.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Kenilworth Corporation Selwyn Property Group Investments, LLC Grey Poole
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 9
STATEMENT OF CONSISTENCY	<p>This petition is found to be consistent with the <i>Dilworth Land Use and Streetscape Plan</i>; however, the requested height is inconsistent with the recommendation of the plan based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The plan recommends residential land uses up to 22 units an acre and a height limit of 40 feet. <p>However, 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 it:</p> <ul style="list-style-type: none"> • Is designed to support the plan vision for this section of Kenilworth Avenue to transition into a moderate density urban residential and office district; and • Provides a maximum height that is only five feet greater than the plan recommendation of 40 feet; and • Includes elevations and commits to building materials designed to be compatible with the surrounding area; <p>By a 7-0 vote of the Zoning Committee (motion by Commissioner Labovitz seconded by Commissioner Dodson).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Modified Note A under transportation to read, "40 feet from centerline of Kenilworth Avenue will be dedicated and conveyed to the City of Charlotte." 2. Revised the plan to reflect the future back of curb along Kenilworth Avenue and measure setbacks from it. 3. Limited height of the proposed structure to 45 feet. 4. Added a note that states that vinyl may be used for windows, soffits, attic vents and handrails and railings. 5. Removed the five-year vesting request from the site plan as it was not on the rezoning application. 6. Addressed Charlotte Area Transit System's comment by showing and labeling a concrete pad for a proposed bus stop to meet CATS standards.
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VOTE	Motion/Second:	Labovitz/Nelson
	Yeas:	Dodson, Eschert, Labovitz, Lathrop, Nelson,

Sullivan, Wiggins

Nays: None
Absent: None
Recused: None

**ZONING COMMITTEE
DISCUSSION**

Staff reviewed the petition and noted that the outstanding issues had been addressed. There was no further discussion.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows eight multi-family dwelling units, with a two-car garage on the lower level of each unit.
- Specifies that non-residential uses will not be permitted.
- Access to the site via an alley with access to Pierce Street.
- A six-foot sidewalk and eight-foot planting strip along Pierce Street.
- Existing sidewalk and planting strip to remain along Kenilworth Avenue.
- Dedication of 40 feet of right-of-way along Kenilworth Avenue as measured from the existing centerline of the road.
- A 35-foot setback from the future back of curb from Kenilworth Avenue.
- Proposed building elevations.
- Limits the height of detached lighting to 20 feet.
- Garbage and recycling to be handled with rollout containers for each unit.
- Limits the building height to 45 feet and three stories.
- Building materials to include brick veneer, masonry material, precast stone, synthetic stone, cementitious siding and trim, decorative block and/or wood.
- A note that states vinyl may be used for windows, soffits, attic vents and handrails and railings.
- Front porches and stoops facing the public right-of-way for all units.
- Provides visitor parking internal to the site.
- Concrete bus pad for Charlotte Transit System stop.

• **Public Plans and Policies**

- *The Dilworth Land Use and Streetscape Plan (2006)* recommends residential land uses up to 22 dwelling units per acre and a height limit of 40 feet.
 - This petition is consistent with the *Dilworth Land Use and Streetscape Plan* but inconsistent with the 40 foot height recommendation.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** No issues.
- **Charlotte-Mecklenburg Storm Water Services:** 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 comments received.

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

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

Planner: Solomon Fortune (704) 336-8326