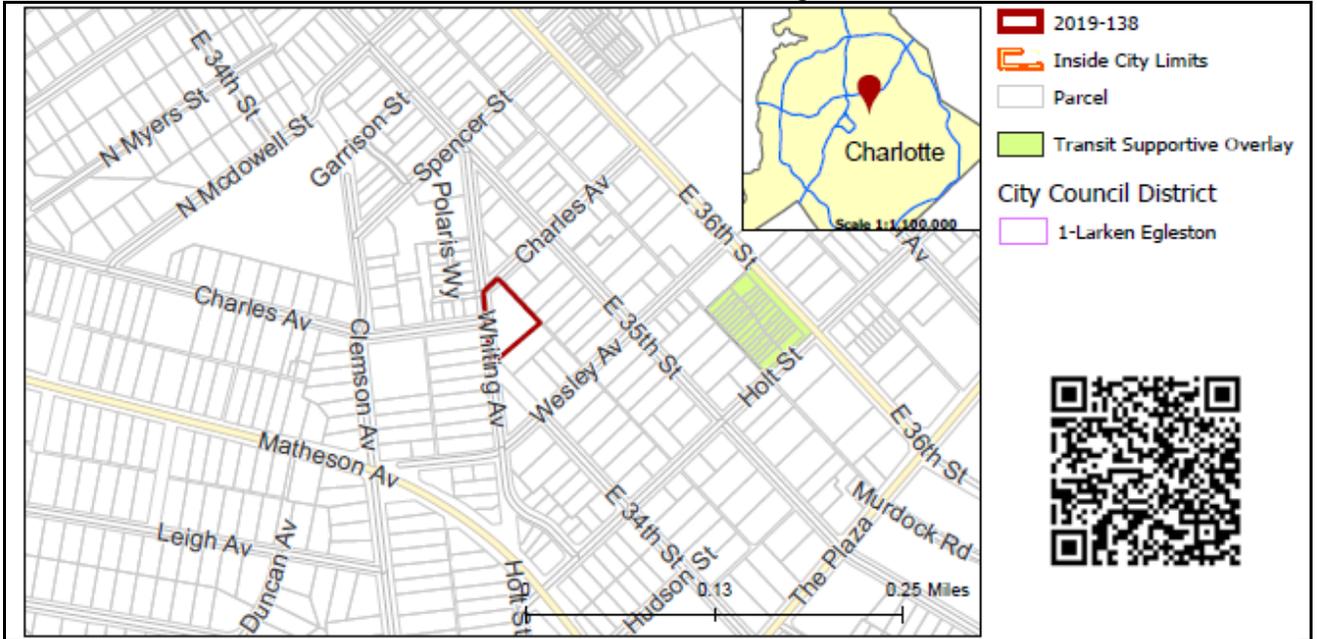


REQUEST

Current Zoning: R-5 (single family residential)
Proposed Zoning: R-8 CD (single family residential, conditional)

LOCATION

Approximately 0.55 acres located at the southern intersection of Charles Avenue and Whiting Avenue.



SUMMARY OF PETITION

The petition proposes to rezone a parcel to allow four single family detached residential homes at a density of 7.3 DUA.

**PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE**

Horace L. & Faye P. Willoughby
Bill Katsaros, Roma Homes
Paul Pennell, Urban Design Partners

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 5

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation.

Plan Consistency

The petition is **inconsistent** with the *Central District Plan* (1993) recommendation for residential uses up to five dwelling units per acre but **consistent** with *General Development Policies* (GDP) recommendation for over 17 units per acre with design guidelines.

Rationale for Recommendation

- The request for four detached single family units on .55 acres (7.3 DUA) is significantly less impactful than the 17 DUA density supported by the GDP.
- The request allows for the development of a vacant parcel of land with a product that closely matches the context of the surrounding single family neighborhood with detached, single family dwelling units.

- The requested density is similar to a recently approved rezoning petition (2018-049) directly across Whiting Avenue for 18 single family detached dwelling units on 2.57 acres (7 DUA).

The approval of this petition will revise the adopted future land use as specified by the *Central District Plan*, from residential uses up to 5 dwelling units per acre to residential uses up to 8 dwelling units per acre.

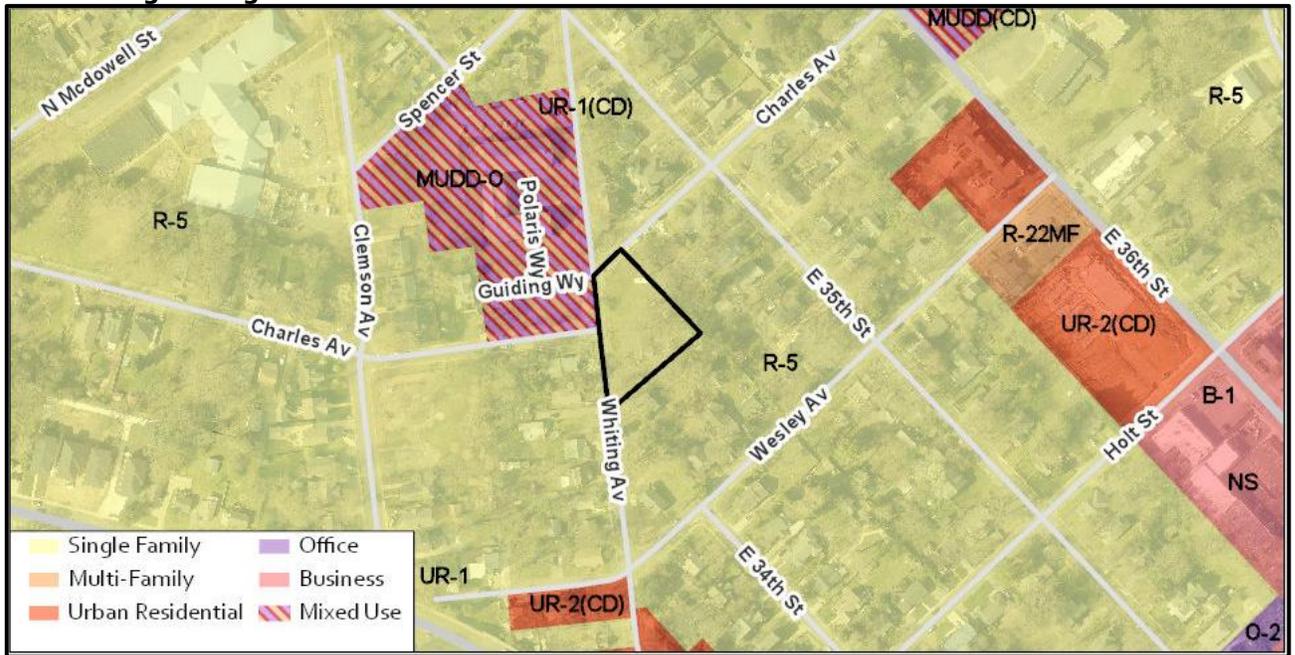
PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Proposes up to four detached, single family dwelling units
- Proposes driveway access to dwelling units from Whiting Avenue and Charles Avenue.
- Commits to the construction of an 8-foot planting strip and 6-foot sidewalk along Charles Avenue.
- Commits to construction of 10.5-foot planting strip and 6-foot sidewalk along Whiting Avenue to accommodate future curb location.
- Commits to enhanced architectural design including identifying preferred building materials and limiting the use of vinyl to window and/or door trim.
- Constructs pedestrian connection to sidewalk from each residential unit.

• **Existing Zoning and Land Use**



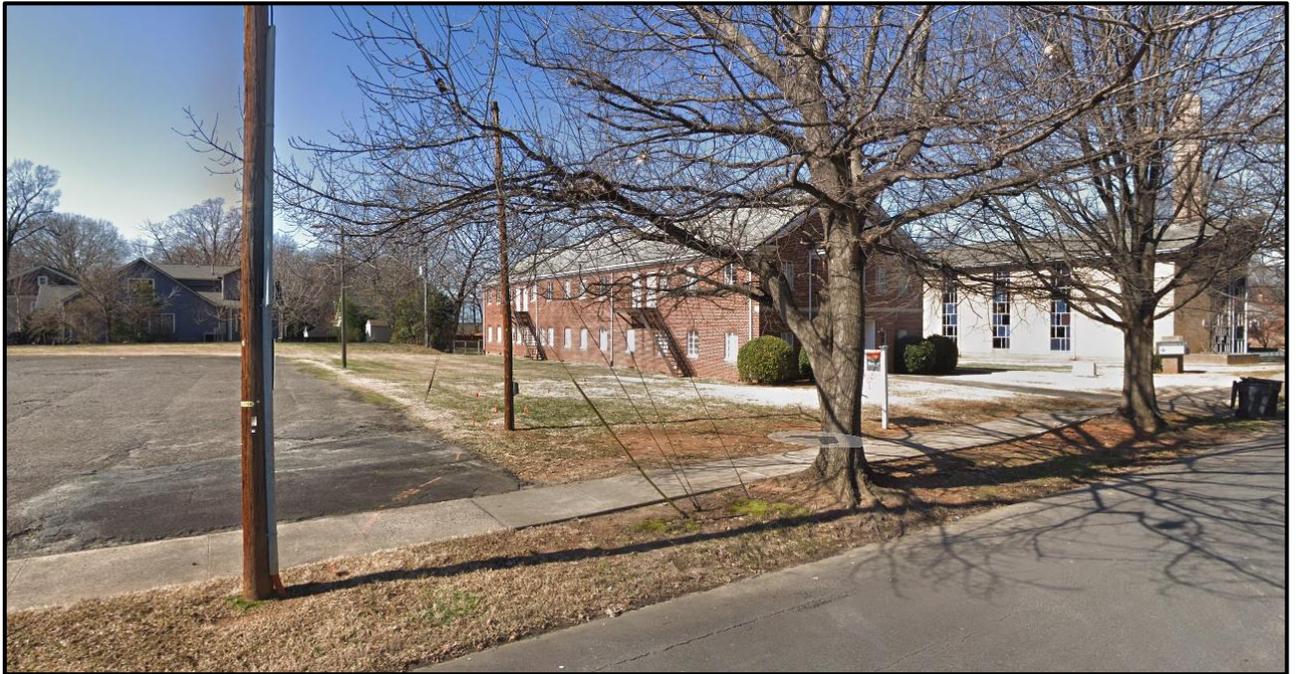
The parcel is located within a largely residential area of the larger NoDa neighborhood. Most of the surrounding zoning allows for single family detached residential dwelling units. There is a recently approved mixed-use development immediately adjacent to the subject property across Whiting Avenue consisting of a repurposed church building, single family detached dwellings, and a small townhome element. Higher density residential and some retail uses are located a couple blocks east along E. 36th Street.



General location of the subject property denoted by red star. Highland Mill Montessori is located a few blocks to the east (structure with blue roof).



General location of subject property as viewed from Whiting Avenue. The fence line in the picture is representative of the parcel lines of the subject property.

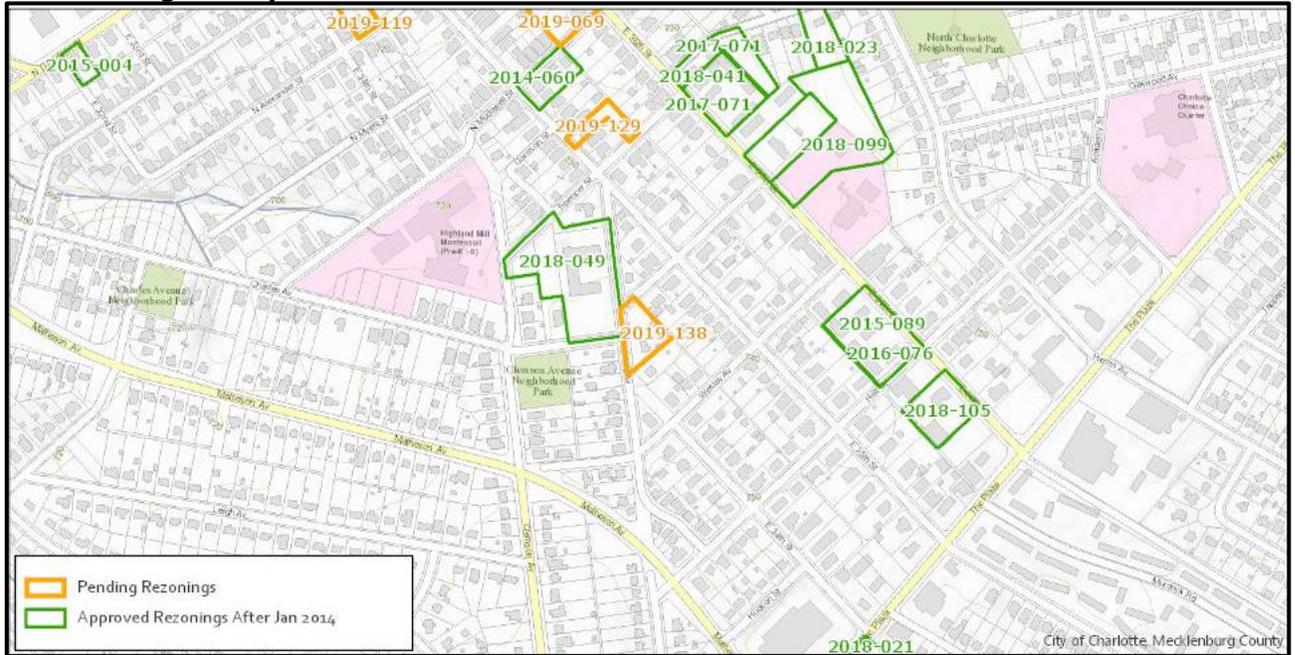


Streetview from Whiting Ave. looking NW towards former site of Charlotte Christian College (rezoning petition no. 2018-049).



Street view illustrating the context of residential units surrounding the subject property. This home is located on E. 35th Street, directly behind the subject property.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-138	Petition to allow the creation of four single family detached residential homes.	Pending
2019-129	Petition to rezone residential parcel to allow for potential subdivision from one to two lots and to allow all uses permitted within the R-6 district.	Pending
2019-119	Proposal to rezone to remove condition that existing house must not be demolished.	Approved
2019-069	Proposal to rezone to three contiguous parcels to NS to allow for up to 5,000 SF of retail uses and up to 60 multi-family dwelling units.	Pending
2018-105	Petition proposes reuse and expansion of existing building to allow up to 11,000 SF of retail and other uses allowed within the NS zoning district.	Approved
2018-099	Petition to rezone 3.5 acres to MUDD(CD) to allow up to 6 single family attached townhomes.	Approved
2018-049	Petition to rezone 2.57 acres to MUDD-O to develop 17,000 SF of mixed uses and up to 18 residential dwelling units.	Approved
2018-041	Petition to rezone 1.27 acres to allow up to 27 attached townhome units.	Approved
2018-023	Petition to allow all uses permitted in the R-6 (single family residential) district.	Approved
2018-021	Petition to allow all uses permitted in B-1 (neighborhood business)	Approved
2017-071	Petition to redevelop 1.5 acres to allow up to 22 single family attached townhome units.	Approved
2016-076	Proposal to redevelop existing 27-unit multi-family site with 32 single family attached units.	Approved
2015-089	Proposal to redevelop existing 27-unit multi-family site with 51 units at a density of 37.7 DUA.	Approved
2015-004	Proposal to allow all TOD uses except EDEE while preserving existing structure.	Approved

• **Public Plans and Policies**



- The *Central District Plan* (1993) recommends residential uses at up to five dwelling units per acre for the site.
- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the *General Development Policies* locational criteria for the 8 units per acre requested.

Assessment Criteria	Density Category – up to 8 dua
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	2
Connectivity Analysis	5
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 11	Total Points: 14

• **TRANSPORTATION CONSIDERATIONS**

The site is located on local roads. The petitioner should revise the site plan to meet the ordinance requirements and the outstanding items listed below. CDOT is requesting the petitioner update the site plan to show the curb and gutter at its future location, the curb that the site plan refers to is only extra asphalt to define the edge of pavement for storm water, it is not actual curb and gutter. CDOT is also requesting the petitioner upgrade the Alley as shown in the original site submittal for homes to have access from it, instead of Whiting Road. This will limit the vehicular access points to Whiting Road improving the overall pedestrian walkability on the public streets.

- See Outstanding Issues, Notes 1-2.
- **Vehicle Trip Generation:**
 Current Zoning:
 Existing Use: 10 trips per day (based on one dwelling).
 Entitlement: 20 trips per day (based on two dwellings).
 Proposed Zoning: 40 trips per day (based on four dwellings).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** See advisory comments at www.rezoning.org
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org

- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 1 student, while the development allowed under the proposed zoning may produce 2 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is one student.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Villa Heights Elementary remains at 50%
 - Eastway Middle remains at 108%
 - Garinger High remains at 117%
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Charles Avenue. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Charles Avenue. See advisory comments at www.rezoning.org
- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.
 - **Erosion Control:** No comments submitted.
 - **Land Development:** See advisory comments at www.rezoning.org
 - **Storm Water Services:** No comments submitted.
 - **Urban Forestry:** See advisory comments at www.rezoning.org
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

1. On Whiting Avenue, the location of curb and gutter needs to be constructed 15 feet from centerline to face of curb. The site plan should the curb and gutter labeled and dimensioned from the centerline for each road. **NOT ADDRESSED – Feedback from Petitioner- Understanding that this is recommended and not required, the Petitioner has agreed to additional landscape strip width along Whiting Avenue to accommodate future widening. This was included on the Rezoning Site Plan and Development Conditions submitted on December 17th and remains on the current Rezoning Site Plan.**
2. Update revised site plan (12/17/19) to show driveways off of alleyway and revise plan and conditional notes to construct the alley to 16 feet to match the City of Charlotte Land Development Standards 11.19B Rev 17. **NOT ADDRESSED – Feedback from Petitioner - The Petitioner agreed to remove the improved alley and rear driveways due to community concern for lessening privacy between existing adjacent parcels and proposed homes as we all as a concern for saving large maturing trees that exist in the unimproved alleyway currently. Garages will be at the rear of the proposed single family homes and two driveways will enter off Whiting Avenue, one single and one shared, and one driveway will enter off Charles Avenue.**

REQUESTED TECHNICAL REVISIONS

Site and Building Design

3. ~~Reconcile the differences between the site development data table height (2.5 stories, 40 feet) with the labels on the proposed residential footprints (3 stories).~~ **ADDRESSED**

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

Planner: William Linville (704) 336-4090