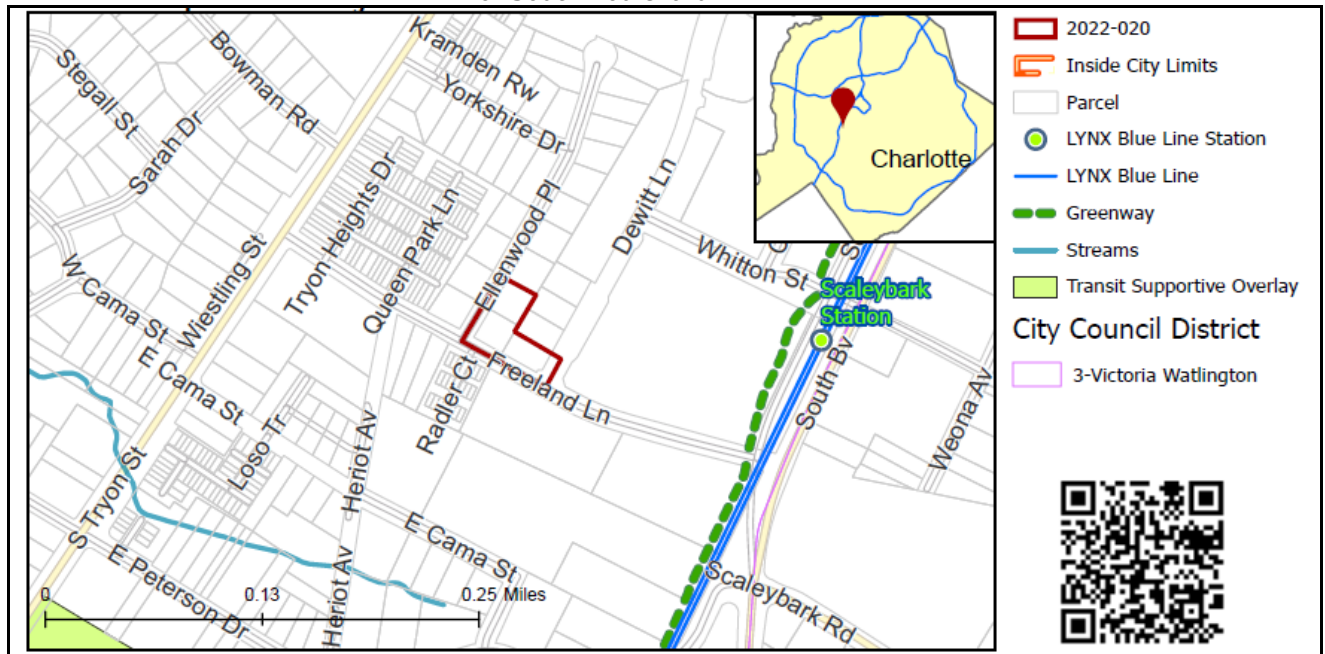


REQUEST

Current Zoning: R-5 (single family residential)
Proposed Zoning: UR-3(CD) (urban residential, conditional)

LOCATION

Approximately 0.71 acres located on the west side of Dewitt Lane, east side of Ellenwood Place, and north side of Freeland Lane, west of South Boulevard.



SUMMARY OF PETITION

The petition proposes to redevelop three parcels with up to 16 residential units.

PROPERTY OWNER

Queens Park, LLC; Julie and Robert Keppner; Benjamin Dodd

PETITIONER

Denciti Partners, LLC

AGENT/REPRESENTATIVE

Eric Lemieux, Denciti Partners, LLC

COMMUNITY MEETING

Meeting is required and has been held. Report available online.

Number of people attending the Community Meeting: 20

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

Although a portion on the petition is generally consistent with the supported land uses and building forms in the Neighborhood 1 Place Type, the petition on a whole is **inconsistent** with the 2040 Policy Map (2022) recommendation for Neighborhood 1.

Rationale for Recommendation

- This petition is in an area of established single family homes, and rapidly growing medium to high density development. Just a quarter mile away from the Scaleybark Station and abutting a neighborhood of long-standing single family development, this site must contend with the demands of a growing city while also being able to consider the interests of residents that have lived in the area for decades.
- The Neighborhood 1 Place Type is intended for areas where single family detached homes are the primary use but other residential

building forms can also be accommodated such as duplexes, triplexes, and quadraplexes.

- Along Ellenwood Place where there is no frontage on Freeland Lane, the site plan identifies proposed Buildings 1 and 2 wherein Building 1 will be either a duplex or triplex, Building 2 will be a triplex, Building 3 will be a triplex or quadplex, and Building 4 will have no more than 6 units. The building forms proposed along Ellenwood Place are compatible with the Neighborhood 1 Place Type and establish a marked transition between the high density corridor to the east as well as the proposal's denser residential buildings along Freeland Lane and the low density residential areas to the north and west.
- Along Freeland Lane where Building 4 is shown, the proposal is inconsistent with the adopted Neighborhood 1 Place Type given that this portion of the rezoning site may be developed residential buildings that have more than 4 units per structure.
- This site is adjacent to areas designated as Regional Activity Center and Community Activity Center, which aligns to those properties' TOD zoning districts. This proposal offers a middle density solution that appropriately negotiates the high density development desired along South Boulevard and the Neighborhood 1 areas to the north and west of the subject site.
- This petition would generate an increase in residential density on the three parcels while maintaining some design principles that are consistent with single family building forms, such as a 36' height cap for Buildings 1 and 2 along Ellenwood Place, a 40' height cap for any other buildings on the site, a 4:12 roof slope for Buildings 1 and 2, incorporation of front porches or balconies, and a three unit limit on Buildings 1 and 2. These architectural features help facilitate a single family character on the portion of the rezoning site that must be the most sensitive to the existing adjacent development.
- The proposal commits to a 10' Class C landscape buffer along the rezoning area's northeastern boundary against parcel 14901232.
- This petition incorporates a setback along Ellenwood Place that increases from 20' to 23' where the petition abuts single family uses. This gradient of setback widths blends the development into the existing neighborhood and conforms to the minimum setback in the R-5 zoning district. The setback along Freeland Lane will be a minimum of 18'. Comparatively, the minimum setback of the UR-3 district without conditions is 14'.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion
 - 4: Trail & Transit Oriented Development
 - 5: Safe & Equitable Mobility
 - 6: Healthy, Safe & Active Communities

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map* (2022), from Neighborhood 1 to Neighborhood 2 for the site.

PLANNING STAFF REVIEW

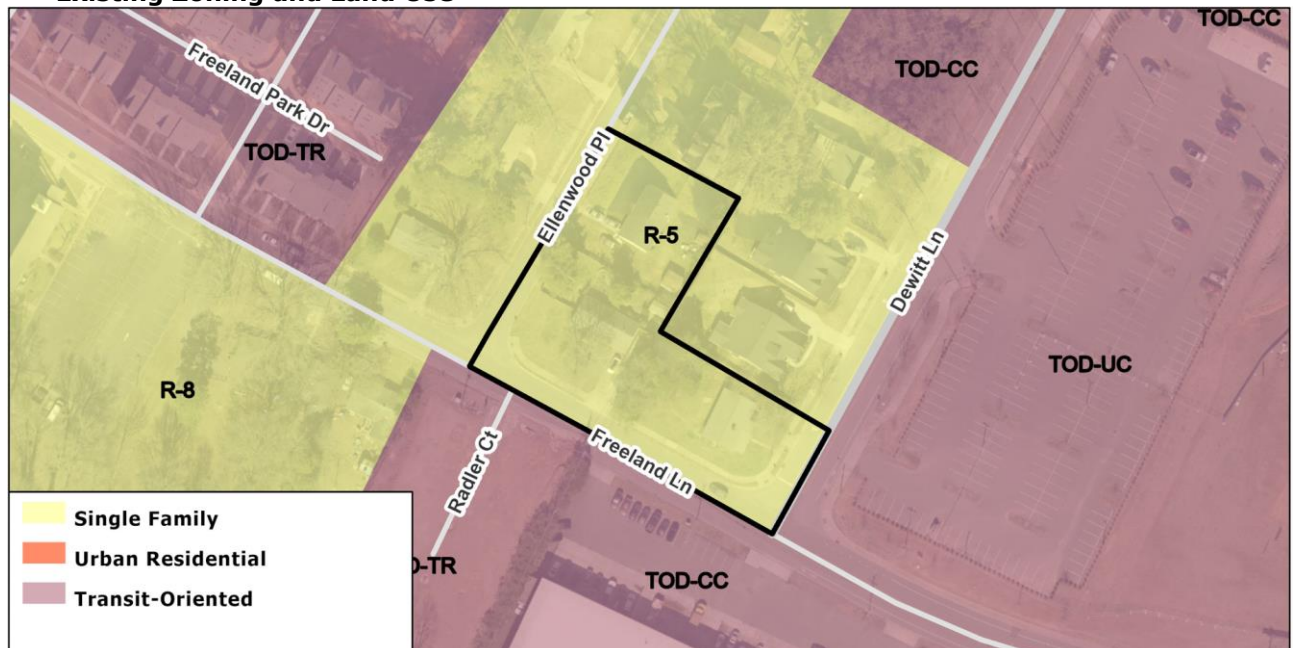
• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Proposes the development of up to ~~16~~ 15 residential units with no more than 6 units in each building, with a minimum of ~~3~~ 4 buildings on the site.
- The maximum height of Buildings 1 and 2 is 36' and 40' for Buildings 3 and 4 each building is 40'. Side yards, rear yards, and front setbacks will comply with UR-3 ordinance standards.
- Commits to a maximum of three units for Buildings 1 and 2.
- Commits to a maximum of four units for Building 3 and six units for Building 4.

- Provides a 10' Class C Landscape Buffer along the site's northeastern boundary as depicted on the site plan.
- ~~The residential structures will be placed within a build-to-zone of 0-20' beginning at the 18' setback from the proposed back of curb of the recessed on-street parking. A minimum build-to percentage of 80% of each building's façade line will be located within the build-to-zone.~~
- Provides a 23' setback for Building 1, a 20' setback for Building 2, and an 18' setback for Buildings 3 and 4. The setback for Buildings 1 and 2 will be from the proposed back of curb of the recessed on-street parking on Ellenwood Place. The setback for Buildings 3 and 4 will be measured from the proposed back of curb of the recessed on-street parking.
- Any surface parking spaces will be located to the rear of the buildings, and vehicular access to garages will be from the rear of the buildings, not facing a frontage or common open space.
- The residential structures will incorporate architectural elements such as usable porches and stoops, balconies, bay windows, and raised entries of 18" or greater above grade.
- Will comply with the City of Charlotte Post Construction Stormwater Ordinance and Tree Ordinance.
- Commits to provide either 400 square feet of private open space per unit or developing 10% of the site as usable common open space.
- Buildings 1 and 2 commit to additional architectural features including having either a front balcony or porch, prohibiting rooftop terraces, and providing a minimum roof slope of 4:12.
- All lighting will be full or semi cut off at a maximum height of 22'.
- Includes the following transportation and pedestrian provisions:
 - Commits to install an 8' planting strip and 8' sidewalk along Dewitt Lane, Freeland Lane, and Ellenwood Place.
 - Shall install a curb and gutter 32' from the existing centerline of Dewitt Lane to provide optional on-street parking adjacent to a standard bike lane per the Charlotte Streets Map. If the street parking is built out as depicted on the site plan, the petitioner will stripe a 5' bike lane and a 3' buffer between on-street parking and the bike lane. **If on-street parking is not built along Dewitt Lane, the petitioner will restripe the existing three lane section on Dewitt Lane, from Freeland Lane to the existing parking lot north of the site, and incorporate a 5' bike lane along the west side of Dewitt Lane per CDOT standards.**
 - Along Freeland Lane and Ellenwood Place, the petitioner will install a curb and gutter 20.5' from the existing centerlines to provide on-street parking.
 - For vehicular access to the site, the petitioner will either provide a two-way driveway along ~~Ellenwood Place or Freeland Lane~~; or, alternatively, the petitioner will provide two one-way driveways with an ingress on ~~Freeland Lane~~ **Dewitt Lane** and egress on ~~Ellenwood Place~~ **Freeland Lane**.
 - Commits to provide accessible ramps at both street intersections.
 - Will dedicate and convey 48' of public ROW on Dewitt Lane with a 2' sidewalk utility easement from the proposed back of sidewalk.
 - Will dedicate and convey 36.5' of public ROW along Freeland Lane and Ellenwood Place with a 2' sidewalk utility easement from the proposed back of sidewalk.

• **Existing Zoning and Land Use**



- The site is currently zoned R-5 and is in an area with single family residential, multi-family residential, warehousing, retail, and institutional uses.



- The subject site is denoted with a red star and Scaleybark Station is denoted with a red dot for context.



- North of the site are single family homes.



- The area east of the site is zoned TOD-UC and has a surface parking lot, but the parcel is largely vacant.



- South of the site are warehousing uses and a parcel that is being developed with townhomes.



- West of the site are single family homes and a townhome development.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2018-169	Amendment to zoning ordinance to replace 3 existing transit oriented development districts with 4 new transit oriented development districts and regulations. The amendment resulted in 3 existing conventional districts translating to the new TOD districts.	Approved
2019-102	Rezoned 1,771.18 acres under a range of zoning districts to TOD-UC, TOD-NC, TOD-CC, or TOD-TR.	Approved
2020-004	Rezoned 0.76 acres from R-8 to TOD-TR.	Approved
2020-013	Rezoned 0.613 acres from R-8 to UR-C((CD))	Approved

- Public Plans and Policies**



- The 2040 Policy Map (2022) recommends Neighborhood 1 for the site.

- **TRANSPORTATION SUMMARY**

- The site is located on Freeland Lane, a City-maintained major collector, Ellenwood Place, a City-maintained local street, and Dewitt Lane, a City-maintained minor throughfare. In accordance with City Ordinances, Vision Zero, and Charlotte WALKS and BIKES Policies, the petitioner has committed to provide sidewalks along the site's public street frontages and provide a bike lane along Dewitt Lane.
- CDOT has no outstanding issues.

- **Active Projects:**

- There are no active projects near the site.

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 25 trips per day (based on 3 dwelling units).

Entitlement: 30 trips per day (based on 3 dwelling units).

Proposed Zoning: 30 trips per day (based on 0.725 acres of multi-family).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** See advisory comments at www.rezoning.org
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No comments submitted.
- **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 1.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Dilworth (Sedgefield Campus K-2) at 56%
 - Dilworth (Latta Campus 3-5) at 54%
 - Sedgefield Middle at 68%
 - Myers Park High at 120%.
- **Charlotte Water:** See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Storm Water Services:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** No comments submitted.

OUTSTANDING ISSUES

Land Use

1. ~~Provide a building form for proposed units on parcel 14901233 that better aligns with the Neighborhood 1 Place Type such as a duplex or triplex, and more closely align the building with the setback of existing single family homes.~~ Addressed

Site and Building Design

2. ~~Add a commitment to the maximum number of units allowed in Buildings 3 and 4.~~ Addressed
3. ~~Remove the build to zone from the plans and provide a setback line for the project.~~ Addressed
4. ~~Provide a greater setback along Ellenwood Place for Buildings 1 and 2 to allow for building placement that would transition into and better align with the single family neighborhood.~~ Addressed

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

Planner: Holly Cramer (704) 353-1902