

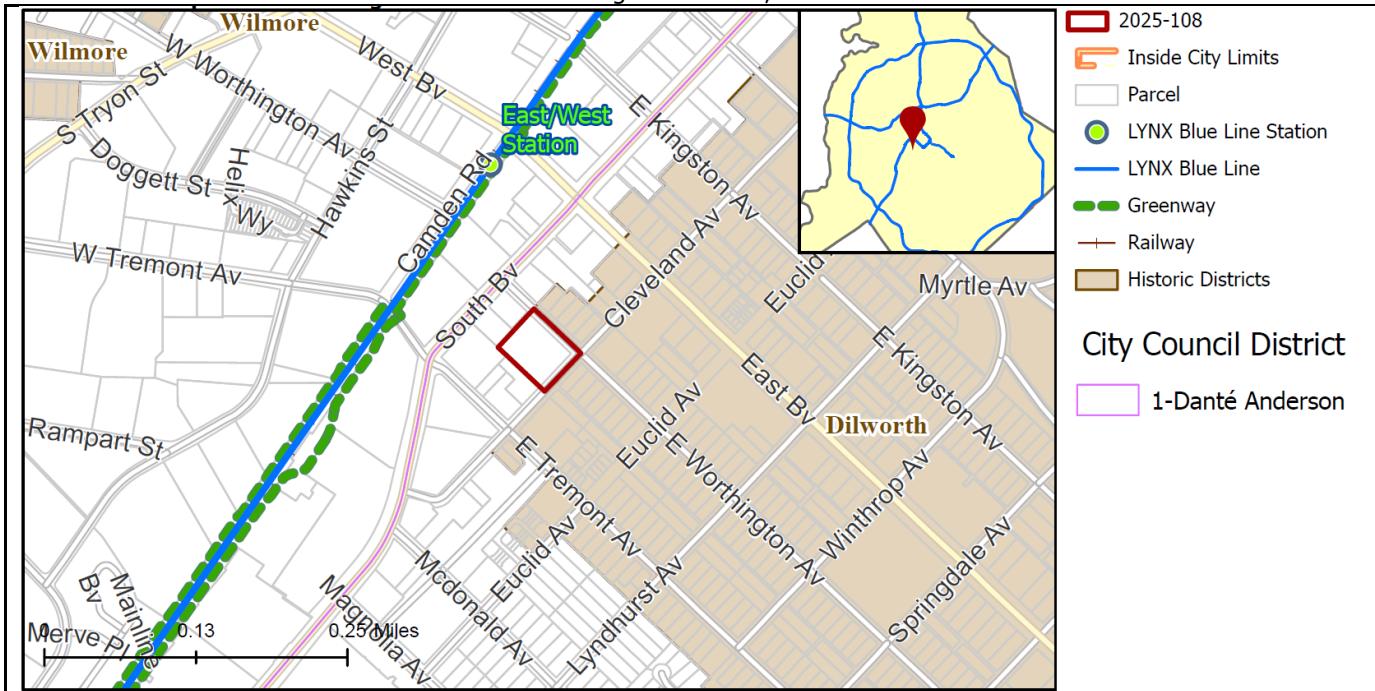


REQUEST

Current Zoning: TOD-NC(CD) (Transit Oriented Development - Neighborhood Center, conditional) and TOD-UC(CD) (Transit Oriented Development - Urban Center, conditional)
Proposed Zoning: RAC(EX) (Regional Activity Center, exception) and TOD-UC(CD) (Transit Oriented Development - Urban Center, conditional)

LOCATION

Approximately **1.14** **1.49** acres located north of Cleveland Avenue, west of East Worthington Avenue, and east of South Boulevard.



SUMMARY OF PETITION

The petition proposes the development of any use permitted in the RAC and TOD-UC districts on a site that contains with an abandoned warehouse.

PROPERTY OWNER

CRD Dilworth, LLC

PETITIONER

CRD Development, LLC

AGENT/REPRESENTATIVE

Collin Brown & Brittany Lins, Alexander Ricks, PLLC

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 32

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the goals and policies of the *South Inner Area Plan*.

Rationale for Recommendation

- The site is designated as the Regional Activity Center (RAC) Place Type by the *2040 Policy Map*. The RAC Place Type calls for a mix of uses such as office, multi-family residential, and retail and is characterized by urban form with mid-to high-rise commercial and residential buildings.
- The site is currently underutilized and contains an abandoned warehouse structure and is used as a surface parking lot.

- An Exception (EX) conditional rezoning is a request to modify quantitative zoning standards, in exchange the petitioner agrees to provide at least two public benefits from two of the following three categories: sustainability, city improvement, and public amenities.
- The primary driver of this rezoning request is the request for an Exception (EX) provision to increase the allowable building height within 200 feet of the designated Neighborhood 1 Place Type. The site is located adjacent to the southeast corner of Cleveland Avenue and East Worthington Avenue, which is designated as Neighborhood 1 Place Type by the *2040 Policy Map*. However, this Place Type is applied to former single family homes, now zoned CG (General Commercial), that have been repurposed for nonresidential uses such as office and retail.
- The site is in a rapidly developing area with new high-rise residential and office buildings as well as a broad mix of uses such as former warehouses converted to office and retail space, mid-rise apartments, single-use commercial buildings, and single family homes.
- The proposed Regional Activity Center zoning district better aligns with the *2040 Comprehensive Plan*'s vision for the area, as well as with the surrounding Transit Oriented Development (TOD) zoning districts. Additionally, the proposed building height is lower than what is permitted in the RAC (Regional Activity Center) district under the standards of the UDO (Unified Development Ordinance).
- The site is located within ¼-mile of the LYNX Blue Line East/West Station.
- The petition could facilitate the following additional *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 4: Trail & Transit Oriented Development
 - 7: Integrated Natural & Built Environments

PLANNING STAFF REVIEW

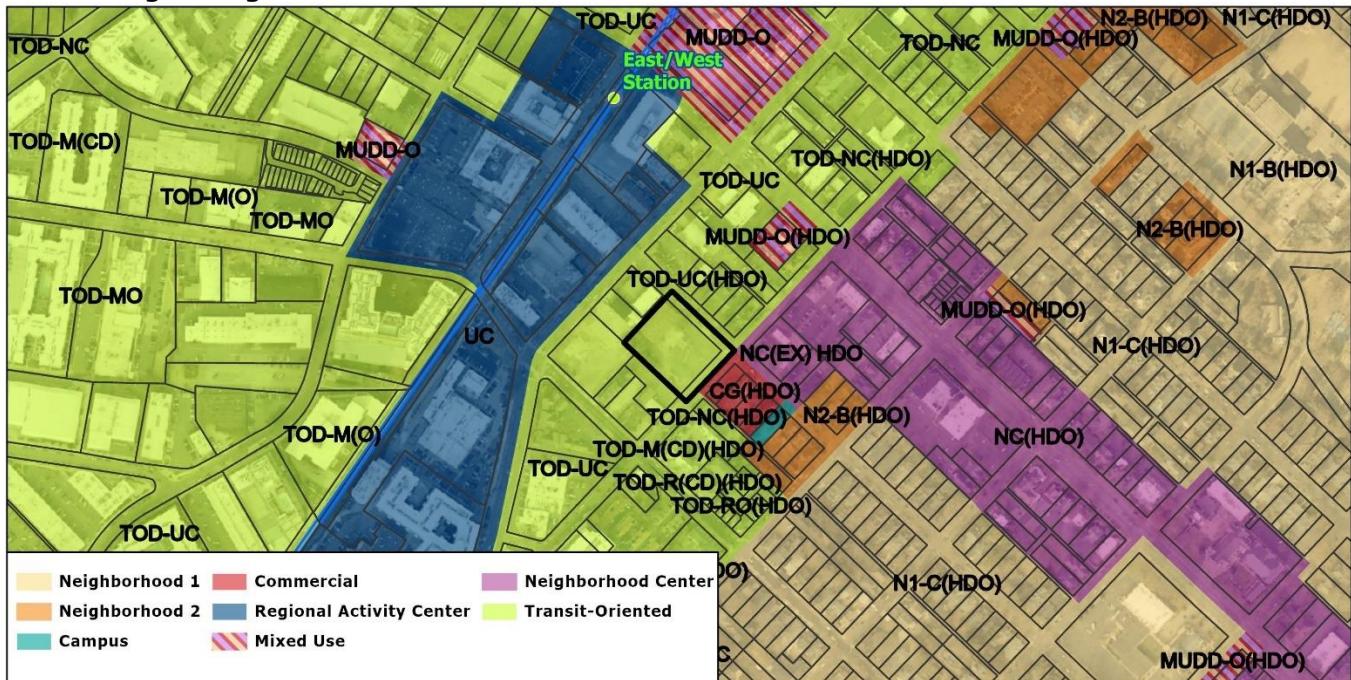
• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

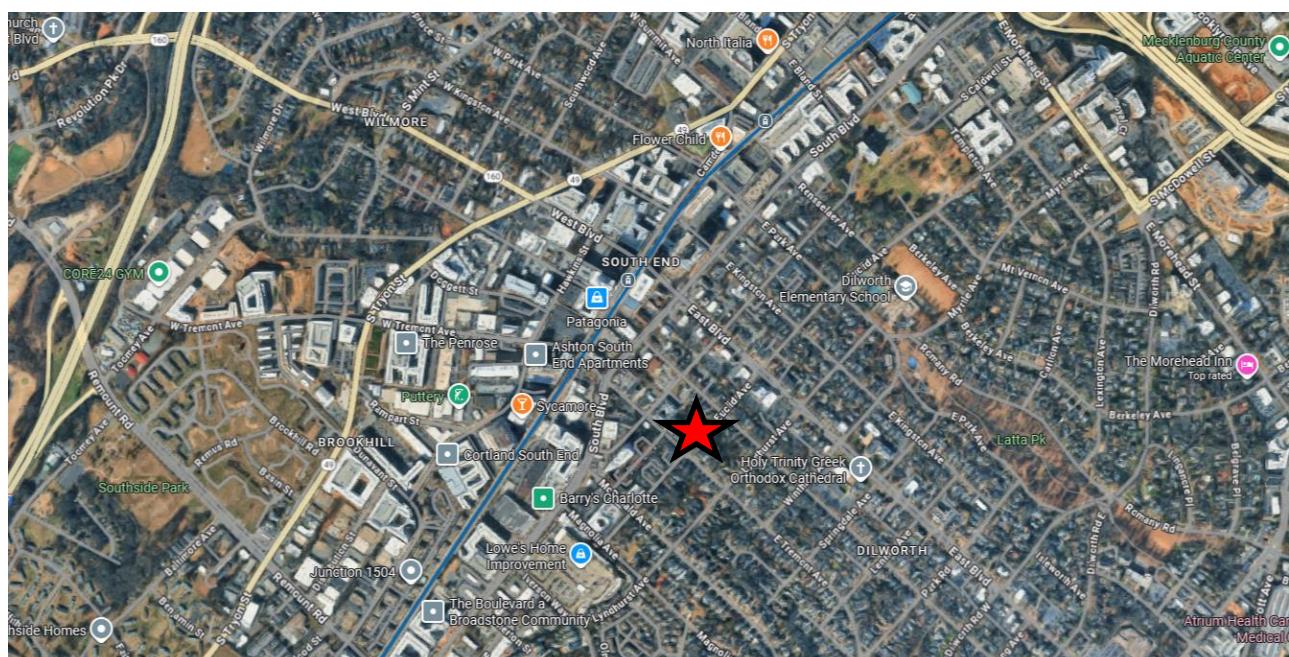
- Allows the development of **multi-family stacked dwellings, office, commercial, and** all uses permitted by-right and under prescribed conditions together with accessory uses, as allowed in the RAC and TOD-UC zoning districts.
- Requests Exception (EX) provisions and specifies that the required public benefits will include sustainability and public amenity as outlined by Article 37 of the UDO:
 - **Sustainability:** The petitioner shall commit to building design that meets or exceeds LEED (Leadership in Energy and Environmental Design) standards.
 - **Public Amenity:** The petitioner shall work with the Dilworth Community Association (DCA) to provide an off-site, publicly accessible amenity, which may include (but is not limited to) a playground, park, public plaza, or a similar outdoor feature; and shall provide a minimum of 50% additional public open space beyond the UDO requirements for the RAC portion of the site.
 - **City Improvement:** The Petitioner shall contribute a minimum of \$65,000 to the Dilworth Community Association (DCA) tree canopy fundraiser.
- The following Exceptions (EX) are requested in exchange for the proposed public benefits:
 - EX provision to Article 12.3.C (Table 12-2 Footnote 3): to increase the maximum height permitted within 200 feet of a Neighborhood 1 Place Type.
 - The maximum building height for any structure within 100 feet of a Neighborhood 1 Place Type is limited to 50 feet. The petitioner proposes an Exception to increase this height to 84 feet for Development Area A.
 - The maximum building height for any structure located between 100 and 200 feet of a Neighborhood 1 Place Type is limited to 65 feet. The petitioner proposes an Exception to increase this height to 114 feet for Development Area B.
 - EX provision to Article 12.3.E (Table 12-4 B): to decrease the minimum ground floor transparency for nonresidential buildings along an other-primary frontage.
 - The minimum ground floor transparency along Cleveland Avenue in Development Area A is 50%. The petitioner proposes an Exception to decrease the minimum transparency to 40% of the façade area.
- Minimum parking requirements are proposed for the following uses **in the RAC(CD) district:**

- Commercial Uses: minimum of one (1) vehicular parking space per 250 ±,000 square feet.
- Hotel: minimum of 0.75 0.5 vehicular parking spaces per room.
- A minimum of 50 paid public parking spaces will be provided on nights and weekends.

- Existing Zoning



The site is zoned TOD-NC(CD) (Transit Oriented Development – Neighborhood Center, conditional) and TOD-UC(CD) (Transit Oriented Development – Urban Center, conditional). It is adjacent to properties across Cleveland Avenue to the east, which are zoned NC(EX) (HDO) (Neighborhood Center, exception, Historic District Overlay), CG (HDO) (General Commercial, Historic District Overlay), TOD-NC (HDO) (Transit Oriented Development – Neighborhood Center, Historic District Overlay), and TOD-M (HDO) (Transit Oriented Development – Mixed-Use Oriented, Historic District Overlay). To the north, across East Worthington Avenue, properties are zoned TOD-NC (HDO), TOD-UC (HDO) (Transit Oriented Development – Urban Center, Historic District Overlay), and TOD-UC. Properties to the south along Tremont Avenue, as well as those to the west along South Boulevard within the same block as the subject site, are zoned TOD-UC.



The site (indicated by the red star above) is located on the west side of Cleveland Avenue and the south side of East Worthington Avenue. It is one parcel east of South Boulevard, approximately 1/8-mile south of East Boulevard, and about a 1/4-mile walk from the East/West Boulevard LYNX Blue Line Station. The site currently

contains a disused warehouse and is used as a surface parking lot. It is situated in a rapidly developing area characterized by new high-rise residential and office buildings but with a wide range of existing uses from single family homes to adaptively reused historic warehouses and mid-rise apartments.



View of the site looking southwest from the intersection of Cleveland Avenue and East Worthington Avenue. The site is currently developed with an abandoned warehouse and is used as a surface parking lot.



View of adaptively reused buildings north of the site along East Worthington Avenue. Many of the surrounding properties were once single family homes, warehouses, or auto-oriented commercial uses that have since been revitalized into restaurants, retail spaces, and offices.



View looking east from the intersection of Cleveland Avenue and East Worthington Avenue, adjacent to the site. On the left side of the image is a former church that has been converted into a restaurant. On the right are former single family homes, now zoned CG (General Commercial), which have been repurposed for nonresidential uses such as offices and retail. One of the primary drivers of this rezoning request is the Neighborhood 1 Place Type designation applied to the former single family homes, which restricts the permitted height of neighboring properties within 200 feet.



View from the site looking south on Cleveland Avenue. The area contains a mix of uses such as former warehouses converted to office space as well as mid-rise and high-rise apartments.



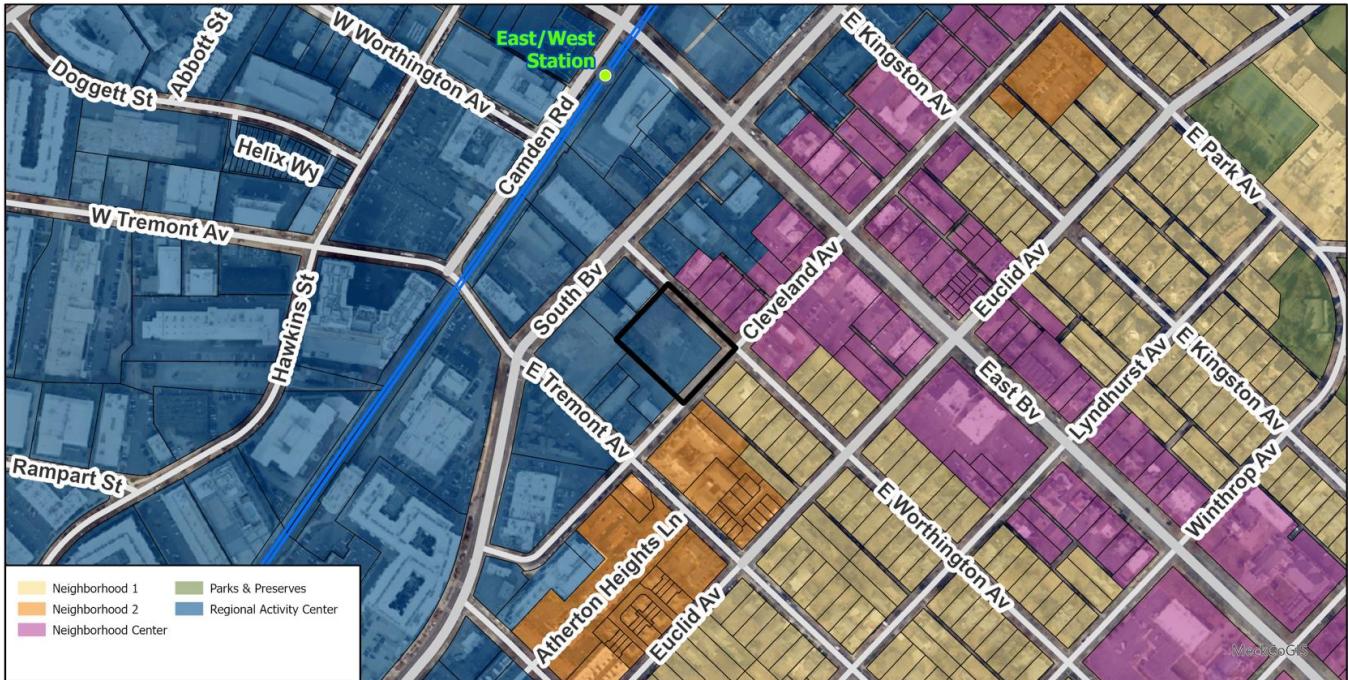
View of low-rise, single-use commercial development along South Boulevard abutting the subject site to the west. These properties are zoned TOD-UC (Transit Oriented Development – Urban Center). They can be developed into more intense residential and commercial uses, such as high-rises, by-right under the TOD-UC zoning.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-149	Rezoned 1.0 acre from MUDD-O (Mixed-Use Development District, optional) and TOD-MO (Transit Oriented Development - Mixed-Use Oriented, optional) to TOD-UC (Transit Oriented Development – Urban Core) for any use allowed in the TOD-UC district.	Approved
2020-192	Rezoned 3.50 acres from TOD-UC (Transit Oriented Development – Urban Core) to MUDD-O (Mixed-Use Development District, optional) for an adaptively reused building with an accessory drive-through.	Approved
2021-022	Rezoned 1.14 acres from TOD-M (Transit Oriented Development - Mixed-Use Oriented) to TOD-NC(CD) (Transit Oriented Development – Neighborhood Center, conditional) for all transit supportive uses per TOD-NC and parking.	Withdrawn
2021-262	Rezoned 1.14 acres from TOD-MO (Transit Oriented Development - Mixed-Use Oriented, optional) to TOD-NC(CD) (Transit Oriented Development – Neighborhood Center, conditional) and TOD-UC(CD) (Transit Oriented Development – Urban Center, conditional) for all uses in the TOD-NC and TOD-UC zoning districts with a commitment to minimum parking standards.	Approved
2021-285	Rezoned 0.15 acres from CG (HDO) (General Commercial, Historic District Overlay) to MUDD-O (HDO) (Mixed-Use Development District, optional, Historic District Overlay) for the development of commercial uses.	Withdrawn
2022-207	Rezoned 0.17 acres from TOD-MO (Transit Oriented Development - Mixed-Use Oriented, optional) to TOD-UC (Transit Oriented Development – Urban Center) for any use allowed in the TOD-UC district.	Approved
2023-088	Rezoned 0.517 acres from NS (HDO) (Neighborhood Services, Historic District Overlay) to NC(CD) (HDO) (Neighborhood Center, conditional, Historic District Overlay) for any use allowed in the NC district and relocation of a historic building on the site.	Approved
2023-157	Rezoned 0.36 acres from CG (General Commercial) to NC(EX) (Neighborhood Center, exception) for any use allowed in the NC district.	Withdrawn

- **Public Plans and Policies**



- The 2040 Policy Map (2022) calls for the Regional Activity Center Place Type.

- **TRANSPORTATION SUMMARY**

- The site is located at the intersection of East Worthington Avenue, a City-maintained local street, and Cleveland Avenue, a City-maintained local street. A TIS is required for this site due to the site generating 3,32 daily trips and falling within the medium to high intensity development. The TIS was approved the week of 10/20/2025.

- **Active Projects:**

- N/A

- **Transportation Considerations**

- See Outstanding Issues, Notes 1 - 3.

- **Vehicle Trip Generation:**

Current Zoning: TOD-NC(CD) and TOD-UC(CD)

Existing Use: N/A (based on vacant).

Entitlement: N/A (based on too many uses to quantify).

Proposed Zoning: RAC(EX) and TOD-UC(CD) 3,322 trips per day (based on 445 units high-rise multi-family, 66,720 sq.ft. office, 8,380 sq.ft. of retail).

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Conditional plan permits all uses allowed in proposed districts; Therefore, the impact on schools cannot be determined.
 - Dilworth Elementary from 142%
 - Sedgefield Middle from 60%
 - Myers Park High from 108%

- **Charlotte Water:** Accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main along E Worthington Ave. Accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along E Worthington Ave. See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.
- **Long Range Planning:** 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 comments submitted.
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Urban Forestry / City Arborist:** No outstanding issues.

OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING

Transportation

1. ~~CDOT: Add a conditional note specifying "the Petitioner shall dedicate and convey in fee simple all rights of way to the City before the site's first building certificate of occupancy is issued. CDOT requests rights of way set at 2' behind back of sidewalk where feasible."~~ **Addressed**
2. ~~CDOT: Revise site plan and conditional note(s) to commit to the removal of shown potential site access off Worthington Avenue.~~ **Addressed**
3. ~~CDOT: Revise conditional notes to match project's proposed uses with the approved TIS.~~ **Addressed**
4. ~~Entitlement Services: The TIS for the site specifies a hotel use. The conditional notes should clearly state that the primary use on the site.~~ **Addressed**
5. ~~Entitlement Services: Continue negotiations with community to finalize Exception (EX) benefits.~~ **Addressed**

REQUESTED TECHNICAL REVISIONS PRIOR TO PUBLIC HEARING

Site and Building Design

6. ~~Entitlement Services: Correct the discrepancy in site acreage on the plan. One note states 1.49 acres, another note states 1.14 acres.~~ **Addressed**

OUTSTANDING ISSUES AFTER PUBLIC HEARING

Site and Building Design

7. ~~Entitlement Services: Revise the proposed City Improvement EX benefit so that it may be enforceable during permitting stages.~~ **Addressed**

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org

Planner: Maxx Oliver 704-336-3818