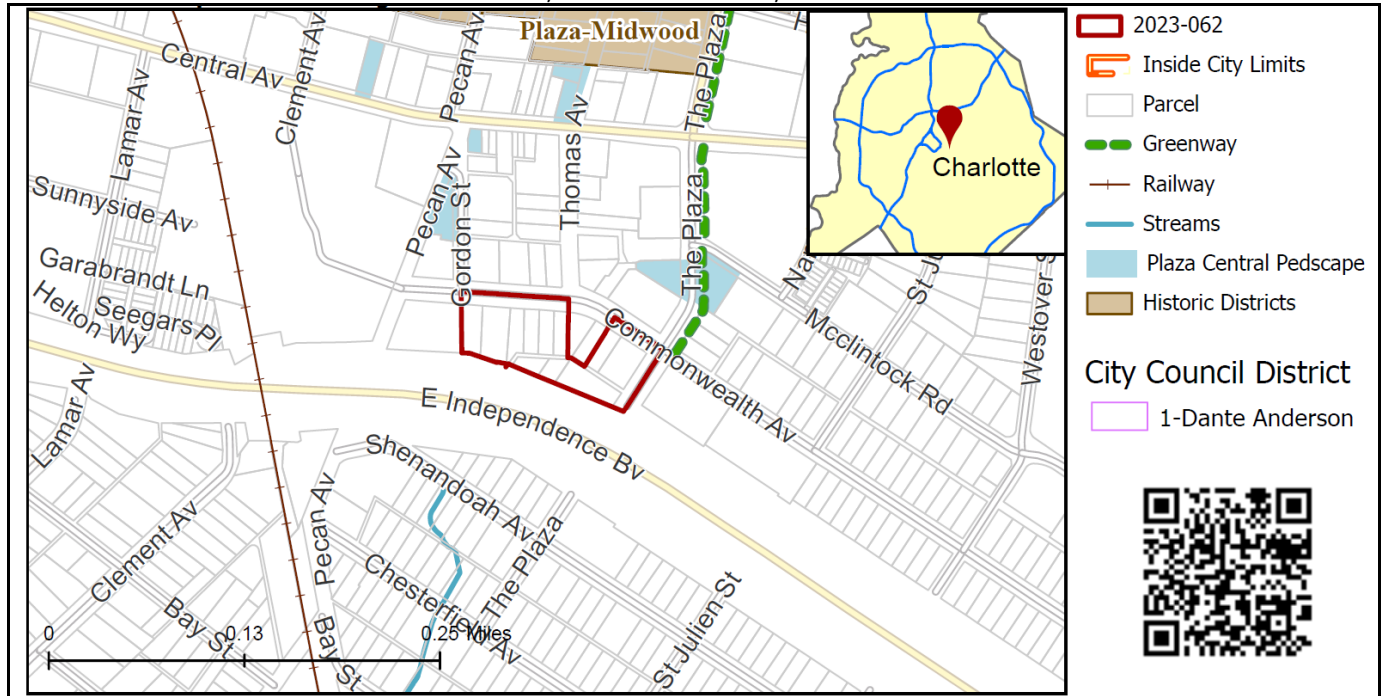


**REQUEST**

Current Zoning: NC (neighborhood center)  
Proposed Zoning: CAC-2(CD) (community activity center – 2, conditional)

**LOCATION**

Approximately 2.59 acres located along the south side of Commonwealth Avenue, west of The Plaza, and east of Pecan Avenue.



**SUMMARY OF PETITION**

The petition proposes to allow all uses in the CAC-2 district with conditions related to commercial uses and building design on parcels that are currently developed with single story structures that house commercial and office uses. WP Commonwealth, LLC; Golden Triangle #7 Commonwealth, LLC; 1431 E Independence Blvd, LLC; and 1103 The Plaza, LLC.

**PROPERTY OWNER**

**PETITIONER**

**AGENT/REPRESENTATIVE**  
**COMMUNITY MEETING**

White Point Partners  
Keith MacVean, Moore & Van Allen, PLLC  
Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 9

**STAFF**  
**RECOMMENDATION**

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

Plan Consistency

The petition is **consistent** with the 2040 Policy Map recommendation for Community Activity Center.

Rationale for Recommendation

- This area of Plaza Midwood is characterized by a lively mix of uses in low to mid-rise structures connected by a well-utilized pedscape that weaves throughout the commercial core of the neighborhood to the adjacent residential areas it services.
- Abutting this portion of the neighborhood is Independence Boulevard where land uses are quickly densifying. The current adopted Silver Line route will run along the backside of this property between Independence Boulevard and the rezoning boundary. Less than a ¼-mile away at the

intersection of Pecan and Central Avenue there is a proposed transit station. The adjacency to this forthcoming transit infrastructure gives credence to intensification on parcels such as these that don't abut single family homes or other sensitive land uses.

- The core of Plaza Midwood's densest development is anticipated to occur along the west side of Pecan Avenue just north of Independence Boulevard along the proposed Silver Line which plans for a transit station at that site. As a result, that property is zoned TOD-UC, the most intense of the transit oriented development zoning districts which allows for a greater scale of development than the community activity center zoning districts. As you travel east through Plaza Midwood the profile of the structures shift to more low and mid-rise commercial and office buildings and then single family residences. This rezoning sits in a transitional space between the neighborhood's most intense scale of development to the west of the site and the neighborhood center and neighborhood 1 development to the east.
- The CAC-2 district is being requested for the site rather than CAC-1 because the CAC-2 district provides more flexibility in vehicle parking requirements. Lessening reliance to personal vehicle usage in this area is relevant given the existing and planned public transit options and the prioritization of walkability.
- The conditions of this rezoning petition would require the developer to prioritize development bonus options in order to achieve any height above 80 feet. The maximum height of any building in the rezoning area is 126 feet. These height restrictions closely reflect the less dense community activity center zoning district, CAC-1, which also requires development bonus commitments for any height above 80 feet with a maximum height of 120 feet. The maximum height proposed in this petition does not exceed the maximum building height that was approved for the adjacent site on the east site of The Plaza as petition 2022-099.
- Guaranteeing commercial uses at the ground floor of any redevelopment along this corridor is vital to maintaining this area as an activity center that provides goods and services to nearby residents. This petition commits to activating the ground floors with commercial uses which is consistent with the goals of recommended Place Type for the site.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 1: 10 Minute Neighborhoods
  - 4: Trail & Transit Oriented Development
  - 5: Safe & Equitable Mobility
  - 6: Healthy, Safe & Active Communities
  - 8: Diverse & Resilient Economic Opportunity

## PLANNING STAFF REVIEW

### • Proposed Request Details

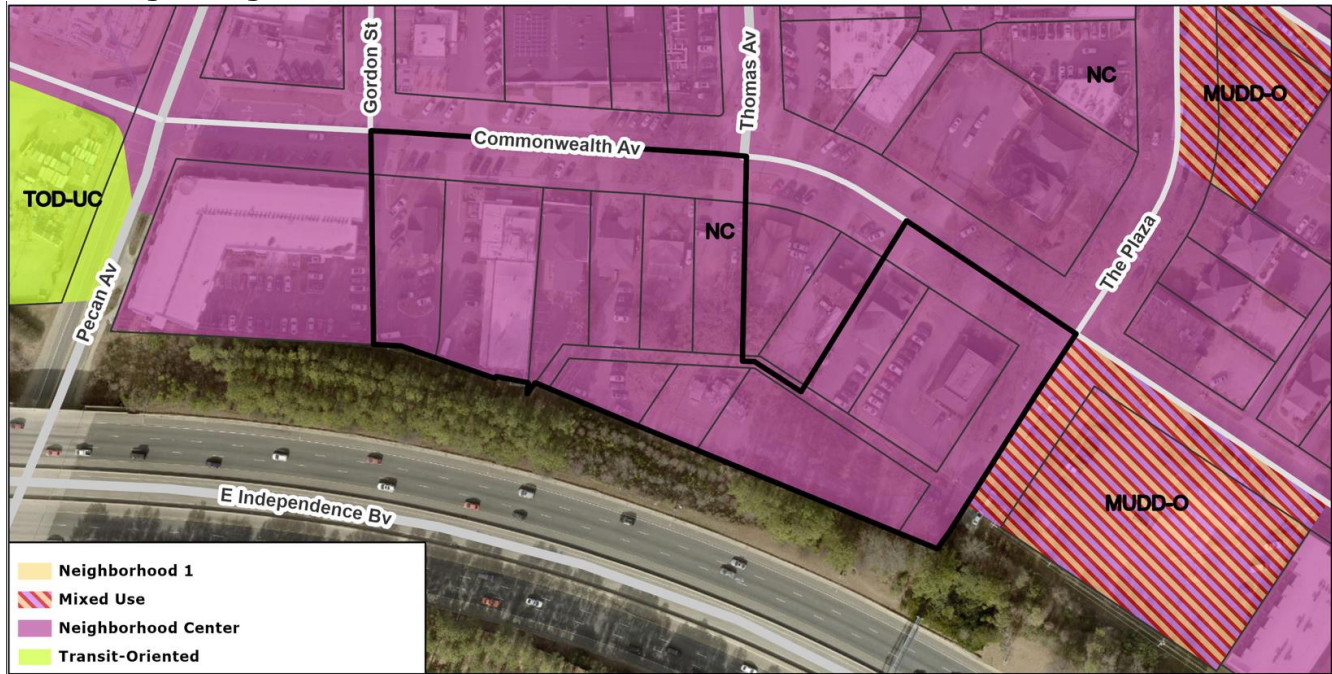
The development standards accompanying this petition contain the following provisions:

- Identifies four Development Areas – A, B, C, and D.
- Proposes all uses allowed by-right and under prescribed conditions in the CAC-2 zoning district.
- Notes that the existing building may remain and may undergo a change of uses, be expanded, or be demolished with redevelopment as allowed by the UDO.
- New buildings in Development Areas A and B must incorporate ground floor activation by providing ground floor non-residential commercial uses on ~~35%~~ 40% of the ground floor area exclusive of vehicular circulation loading and parking areas.
- If redevelopment occurs in Development Areas A or B, at least one small (less than 2,000 square feet) non-residential commercial space will be provided.
- When construction is occurring on the site, within any of the development areas, parking to support the construction may occur through the site.
- Proposes a maximum building height of 126'. Any height achieved above 80' must utilize the Development Bonus provisions of the UDO.
- ~~Proposes the abandonment of an existing alley on the site.~~ The petitioner reserves the right to request the abandonment of portions or all of the alle located on the property.
- Notes that at the time of redevelopment of Development Area A, the petitioner will work with the City and Plaza Midwood Merchants Association to replace existing streetscape treatment along

Commonwealth Avenue to create a streetscape treatment that prioritizes pedestrians and outdoor seating areas.

- If at the time of redevelopment, the City adopts plans for a shared use path along the site's frontage or along the Silver Line corridor, the petitioner will incorporate the shared use path into their plans.
- Commits to reserve right-of-way for future acquisition by CATS for a minimum of five years on the southern boundary of the site. Uses that may occur in the reserved right-of-way includes outdoor seating and entertainment, dining areas, arbors, trellis, shade canopies, and other similar open structures.
- Commits to providing contributions to the Plaza Midwood Merchants Association as detailed in the site plan's conditional notes.

• **Existing Zoning**



- The site is currently zoned NC and is in an area with NC, MUDD, and TOD zoning. A majority of the parcels in the immediate area were within the pedestrian overlay which translated many of the legacy zoning districts to NC.



- The subject site is denoted with a red star and is in an area with commercial, office, residential, and mixed-use developments.



- North of the site are various commercial uses.



- East of the site is a vacant lot utilized for surface parking. This property was recently rezoned to MUDD-O as petition 2022-099.

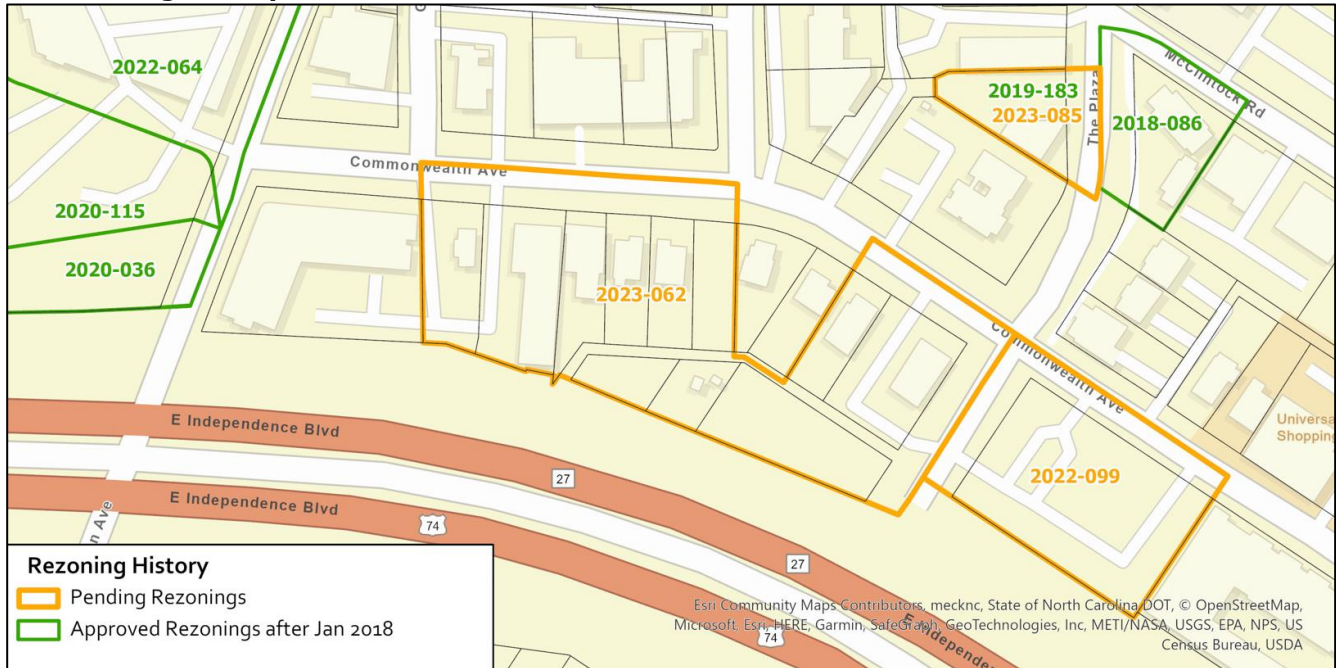


- The site's southern boundary abuts the right-of-way for Independence Boulevard.



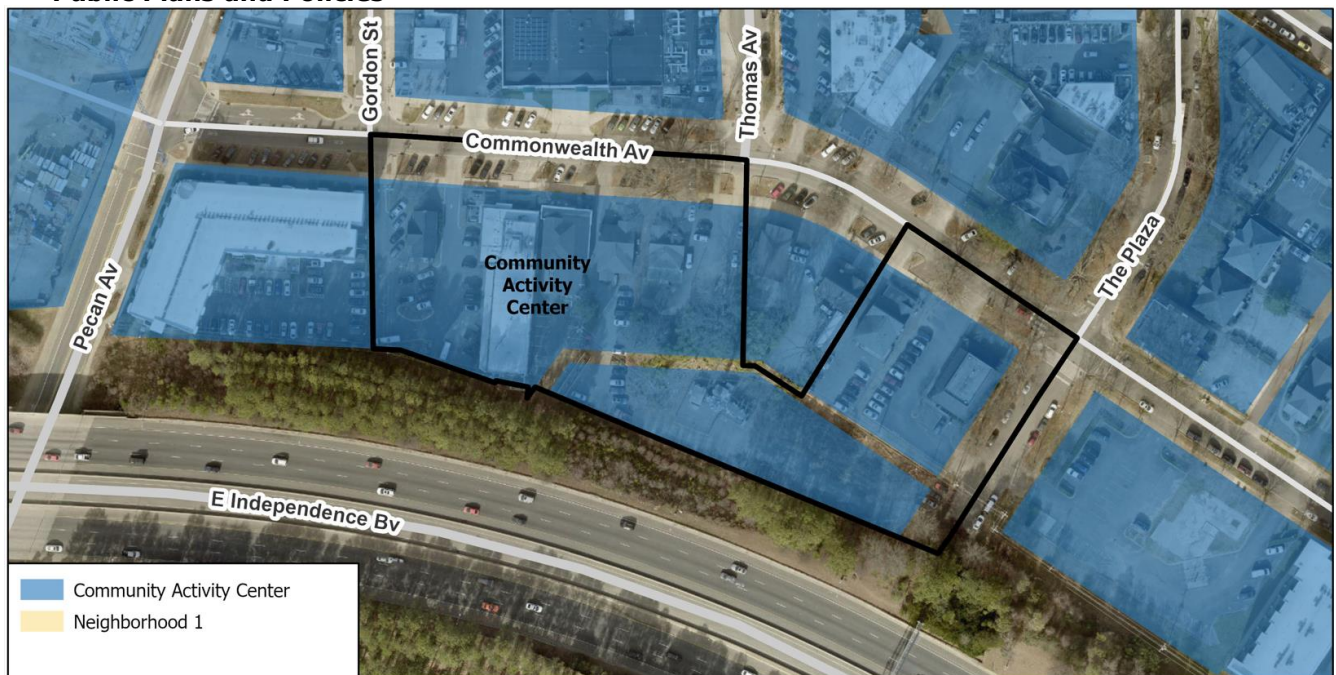
- West of the site is a brewery, a church, and a multi-family residential development.

### • Rezoning History in Area



| Petition Number | Summary of Petition                            | Status   |
|-----------------|------------------------------------------------|----------|
| 2018-086        | Rezoned 0.23 acres from B-2 PED to MUDD-O PED. | Approved |
| 2019-183        | Rezoned 0.24 acres from B-2 PED to B-2 PED-O   | Approved |
| 2020-036        | Rezoned 0.56 acres to B-2.                     | Approved |
| 2020-115        | Rezoned 2 acres from B-2 to TOD-UC.            | Approved |
| 2022-064        | Rezoned 8.6 acres from B-2 to B-2(CD) PED-O.   | Approved |
| 2022-099        | Rezoned 0.94 acres from NC to MUDD-O.          | Approved |
| 2023-085        | Rezoned 2.25 acres from NC to CAC-2.           | Approved |

### • Public Plans and Policies



- The 2040 Policy Map (2022) calls for Community Activity Center.

### • TRANSPORTATION SUMMARY

- The site is located adjacent to Commonwealth Avenue, a City-maintained major collector, east of Pecan Avenue, a City-maintained minor arterial. A Comprehensive Transportation Review (CTR) is not necessary for the complete review of this petition due to the conditional rezoning to

establish height standards and other development conditions. A CTR will be required during permitting if the site generates site trips over ordinance thresholds. The site will be subject to transportation improvements in accordance with the UDO and the adopted CDOT Streets Map. CDOT will work with the petitioner during the permitting process to pursue all options to provide additional forms of connectivity that reflect the types of development associated with this place type and zoning district. All outstanding CDOT comments have been addressed.

- **Active Projects:**

- Central Square
  - Construction of an office building, multi-family building, and reuse of existing buildings located at 1122 Central Avenue.
  - Currently under construction.
- Gordon Street Hotel
  - Construction of a 20-room hotel located at 1214 Gordon Street.
  - Currently under construction.

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 1,590 trips per day (based on office and commercial uses).

Entitlement: Too many uses to determine trip generation.

Proposed Zoning: Too many uses to determine trip generation.

## DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** See Outstanding Issues, Notes 5 and 6.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** The CAC-2 district allows a variety of uses; therefore, the impact on local schools cannot be determined.
  - Oakhurst Steam at 92%
  - Eastway Middle at 109%
  - Garinger High at 99%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Commonwealth Ave. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Commonwealth Ave. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No comments submitted.
- **Long Range Planning:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://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

### Land Use

- ~~1. Increase the commitment to what percentage of the ground floor area would be reserved for non-residential commercial uses.~~ **Addressed**

### Transportation

- ~~2. Remove all access points labeled on the site plan.~~ **Addressed**
- ~~3. Revise site plan to remove the alley abandonment.~~ **Addressed**
- ~~4. Remove Note (a) of the transportation provisions.~~ **Addressed**
- Add a conditional note stating that, "for parcels with a boundary shared with the future transit corridor as depicted on an adopted Metropolitan Transit Commission map, the petitioner shall comply with design requirements set forth in the UDO for transit station frontage types applicable at the time of land development submittal."**

6. Add a conditional note stating that, "the petitioner shall submit engineering and utility plans to CATS prior to site redevelopment in an effort to coordinate utility and infrastructure conflicts to accommodate public transit infrastructure."
- 

**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Holly Cramer (704) 353-1902