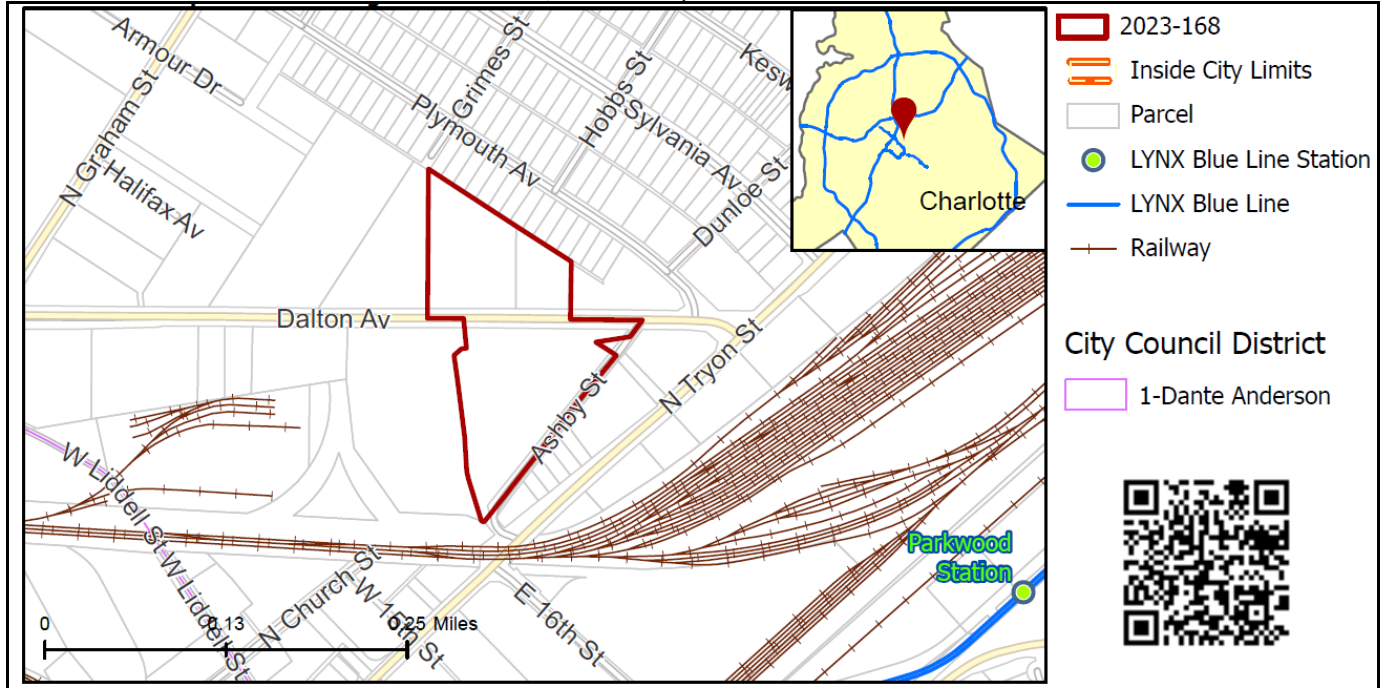


**REQUEST**

Current Zoning: ML-2 (manufacturing and logistics – 2)  
Proposed Zoning: IMU (innovation mixed-use)

**LOCATION**

Approximately 9.1 acres located on the north and south side of Dalton Avenue, west of Plymouth Avenue.



**SUMMARY OF PETITION**

The petition proposes to allow all uses in the IMU district on parcels developed with commercial, office, and industrial uses.

**PROPERTY OWNER**

Cutter Family Properties, LLC

**PETITIONER**

Cutter Family Properties, LLC

**AGENT/REPRESENTATIVE**

Collin Brown and Brittany Lins, Alexander Ricks, PLLC

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 4

**STAFF RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *2040 Policy Map* recommendation for Innovation Mixed-Use and **inconsistent** with the recommendation for Commercial.

Rationale for Recommendation

- Located just northwest of North Tryon Street, this site is along the North Graham Street/North Tryon Street Corridor of Opportunity (NGNT). The NGNT is one of six identified corridors in the Corridors of Opportunity (COO) program which aims to revitalize areas with a mix of uses that provide critical resources and businesses to its neighbors, creating more prosperous and safe communities. This rezoning would allow the site’s entitlements to be shifted away from industrial uses to a more balanced mix of uses that could better align with the goals of the NGNT Corridor.

- This rezoning would create a preferred buffer and transition between the adjacent single family residential area and the commercial and industrial uses populating Dalton Avenue.
- Although inconsistent with the portion of the *2040 Policy Map* that calls for Commercial, the application of the Innovation Mixed-Use place type is not wholly contrasting to the Commercial Place Type given that it would encourage commercial uses as well but unlike the Commercial Place Type, Innovation Mixed-Use better reflects the existing character of the corridor.
- The innovation mixed-use zoning district is intended for sites such as these that currently have or had industrial developments but are situated in areas that are transitioning to an array of commercial, residential, and artisan industrial uses.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 1: 10 Minute Neighborhoods
  - 5: Safe & Equitable Mobility
  - 6: Healthy, Safe & Active Communities

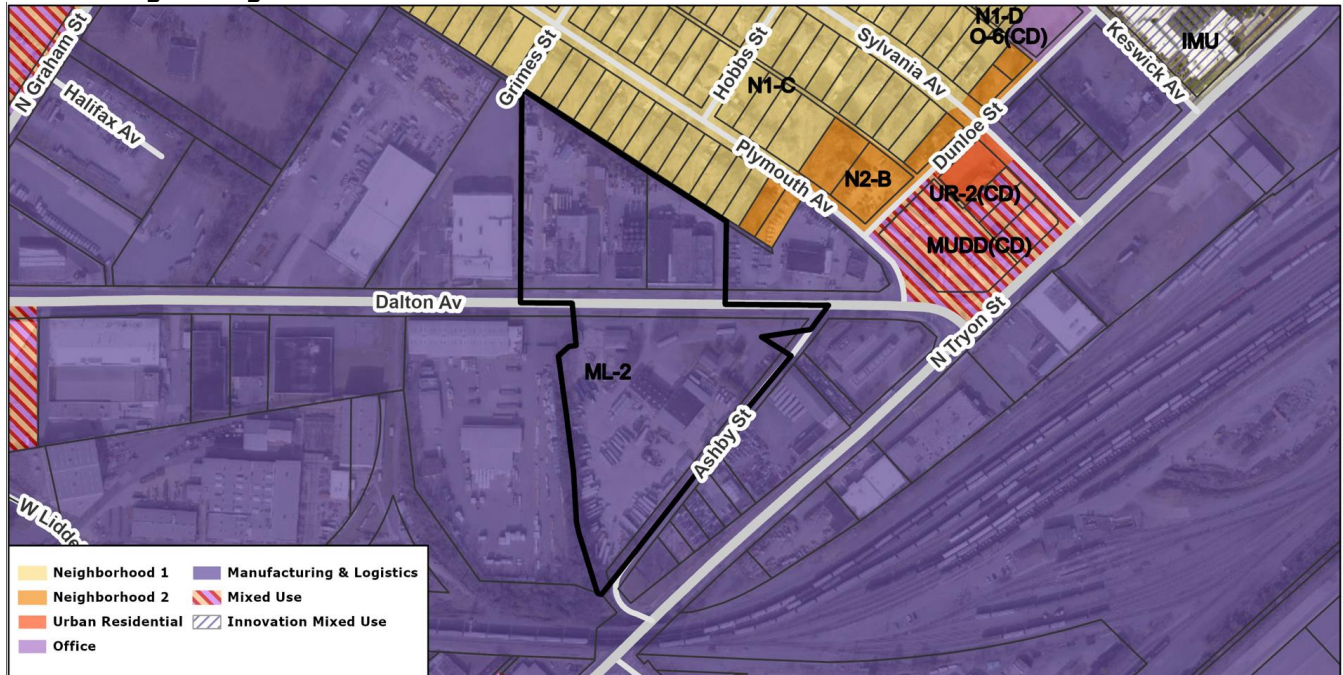
The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map* for a portion of the site, Commercial to Innovation Mixed-Use for the site.

**PLANNING STAFF REVIEW**

• **Proposed Request Details**

- This is a conventional rezoning petition with no associated site plan.
  - Allows all uses in the IMU (innovation mixed-use) zoning district.

• **Existing Zoning**



- The site is currently zoned ML-2 and is in an area with ML-2, N2-B, N1-C, N1-D, IMU, MUDD(CD), UR-2(CD), and O-6(CD) zoning.



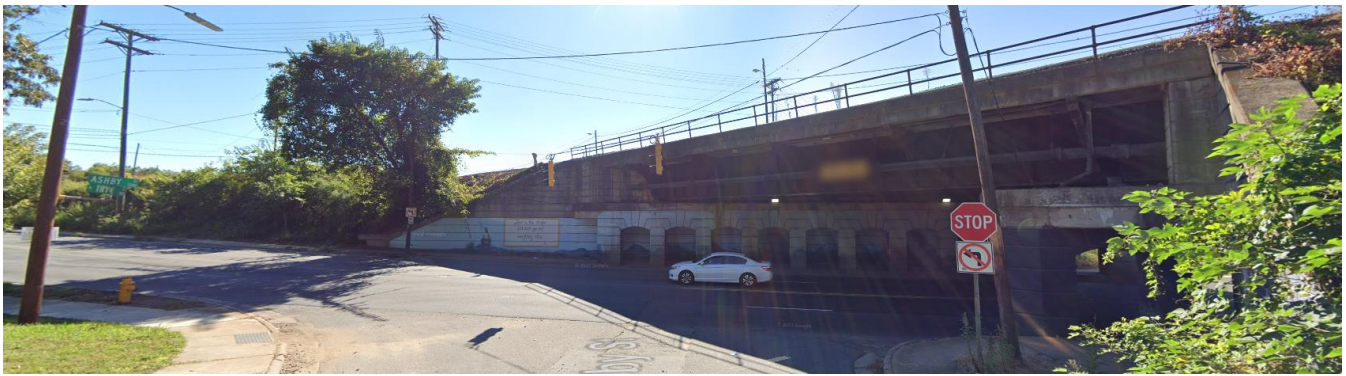
- The subject site is denoted with a red star and is in an area with industrial, commercial, office, and residential uses.



- North of the site is a single family neighborhood.



- East of the site is a vehicle repair facility, gas station, and industrial uses.

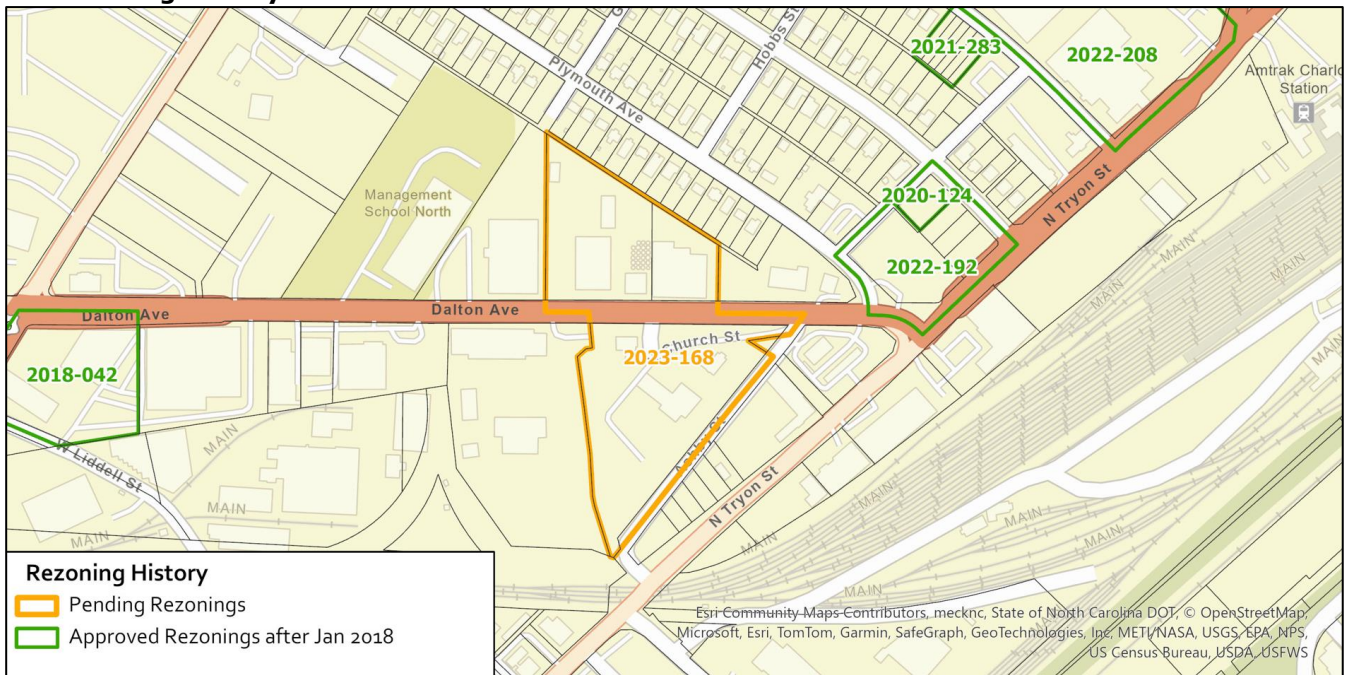


- The south side of the site is bound by Ashby Street, North Tryon Street, as well as the railway.



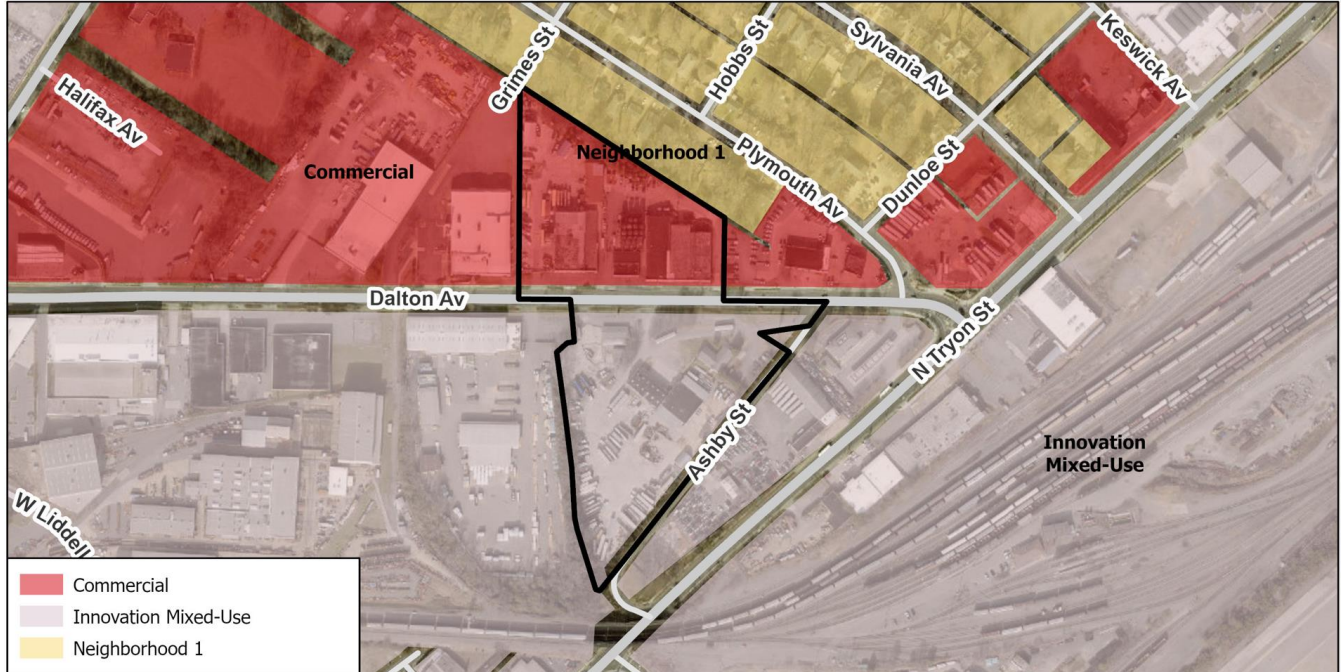
- West of the site are office and warehouse uses.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2018-042	Rezoned 3.15 acres from I-2 to MUDD-O.	Approved
2020-124	Rezoned 0.33 acres from I-2 to UR-2(CD).	Approved
2021-283	Rezoned 0.60 acres from R-5 to R-8.	Approved
2022-192	Rezoned 2 acres from ML-2 to MUDD(CD).	Approved
2022-208	Rezoned 7.6 acres from I-2 to IMU.	Approved

• **Public Plans and Policies**



- The 2040 Policy Map (2022) calls for commercial and innovation mixed-use.

• **TRANSPORTATION SUMMARY**

- The site is located at the intersection of intersection of North Tryon Street, a State-maintained Avenue, and Dalton Avenue, a City-maintained Avenue street. A Comprehensive Transportation Review (CTR) is not necessary for the complete review of this petition due to the conventional rezoning. 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.

• **Active Projects:**

- There are no active projects near the site.

• **Transportation Considerations**

- No outstanding issues.

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 135 trips per day (based on existing light industrial and commercial offices).

Entitlement: 667 trips per day (based on 9.133 acres of ML-2 uses).

Proposed Zoning: Too many uses to determine trip generation.

**DEPARTMENT COMMENTS**

- **Charlotte Area Transit System:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **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 conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
  - Walter G Byers K-8 at 71%
  - West Charlotte High at 98%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main along Dalton Ave, as well as a 6-inch water distribution main located inside parcel 07811404. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Dalton Ave, as well as an existing 8-inch gravity sewer main located inside parcel 07811404. No outstanding issues.
- **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 comments submitted.
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**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**  
**Planner:** Holly Cramer (704) 353-1902