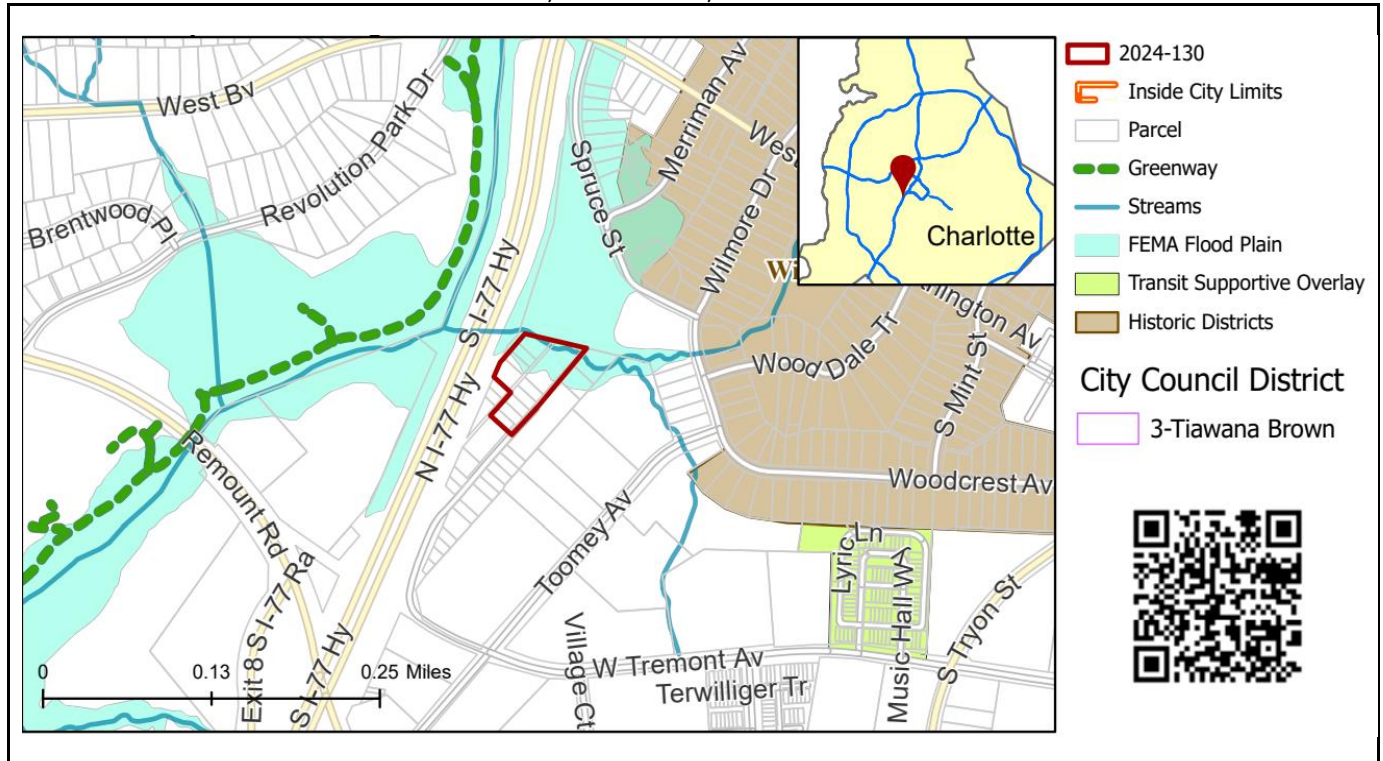


**REQUEST**

Current Zoning: ML-1 (Manufacturing & Logistics-1)  
Proposed Zoning: IMU(CD) (Innovation Mixed Use, Conditional)

**LOCATION**

Approximately 1.44 acres located on the west side of West Tremont Avenue, east of I-77, and south of West Boulevard.



**SUMMARY OF PETITION**

The petition proposes to develop up to 28 multi-family attached dwelling units with all other uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the IMU zoning district.

**PROPERTY OWNER**

Kimbark, LLC

**PETITIONER**

Abacus Acquisitions LLC

**AGENT/REPRESENTATIVE**

Collin Brown, Alexander Ricks PLLC

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 1

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design.

Plan Consistency

The petition is **inconsistent** with the 2040 Policy Map recommendation for Manufacturing & Logistics Place Type.

Rationale for Recommendation

- The Innovation Mixed-Use Zoning District is intended to accommodate those areas that have typically developed as industrial areas but are transitioning from an exclusively industrial orientation to a broader mix of light industrial, artisan industrial, commercial, and moderate density residential uses, within a more walkable environment. The proposed use,

consisting of 28 multi-family attached units in context with the adjacent mix of uses is consistent with the intent of the overall IMU district.

- The subject property request could provide additional transition between adjacent Neighborhood 1 and aging Manufacturing & Logistics. The surrounding area is also seeing multiple sites rezoned for IMU.
- Access to housing is the highest priority need in this area according to the EGF Community Reports. The petition may help address the housing need with the proposal of multi-family attached units.
- The site is in an aging manufacturing area in the Wilmore community that is naturally transitioning to more residential uses.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
  - 1: 10 Minute Neighborhoods

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from Manufacturing & Logistics Place Type to Innovation Mixed Use Place Type for the site.

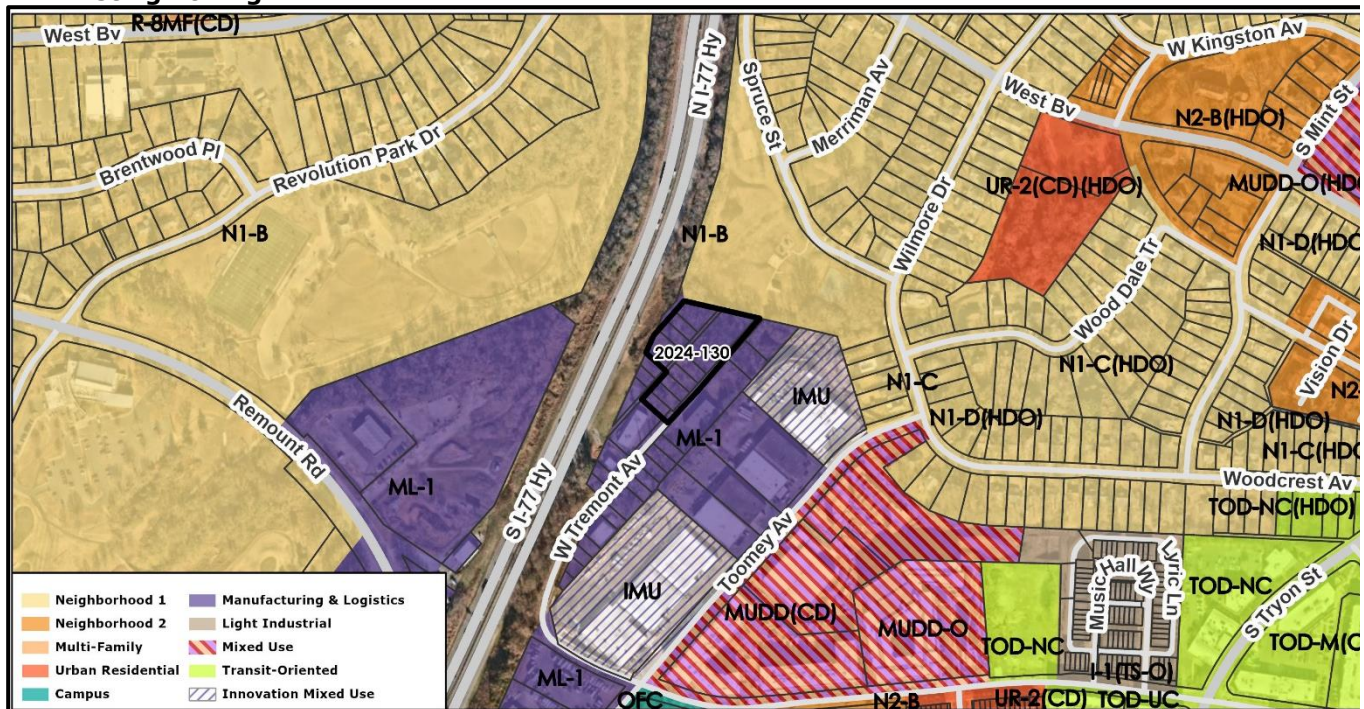
## PLANNING STAFF REVIEW

### Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows up to 28 multi-family attached townhome style dwelling units.
- Prohibits the following uses: adult uses, hotel/motel, night club, self-storage facility, vehicle fueling facility, vehicle rental, vehicle repair facility.
- Provides an 8-foot-wide sidewalk and 8-foot-wide planting strip.
- Improves West Tremont Street frontage to meet Charlotte Land Development Standards Manual.
- Limits buildings to a maximum of 5 units per building.
- Driveway access for individual residential units shall be from internal private alleyways only.
- Provides a minimum 25-foot wide Class C landscape yard on the northern portion of the property line.
- Commits to coordinate with Mecklenburg County Park and Recreation Department on a potential future bicycle/pedestrian path dedication area to Abbot Park.
- Provides walkways to connect all residential entrances to sidewalks along public and private streets.
- Provides architectural and design standards.
- **Contributes \$10,000 to CDOT for pedestrian improvements in the area.**

### Existing Zoning



- The site is zoned ML-1. The surrounding zoning includes IMU, N1-B, and ML-1.





The site is denoted with a red star.



The property to the north along Spruce Street is Abbot neighborhood park.





The property to the west along West Tremont Avenue is developed with a warehouse.



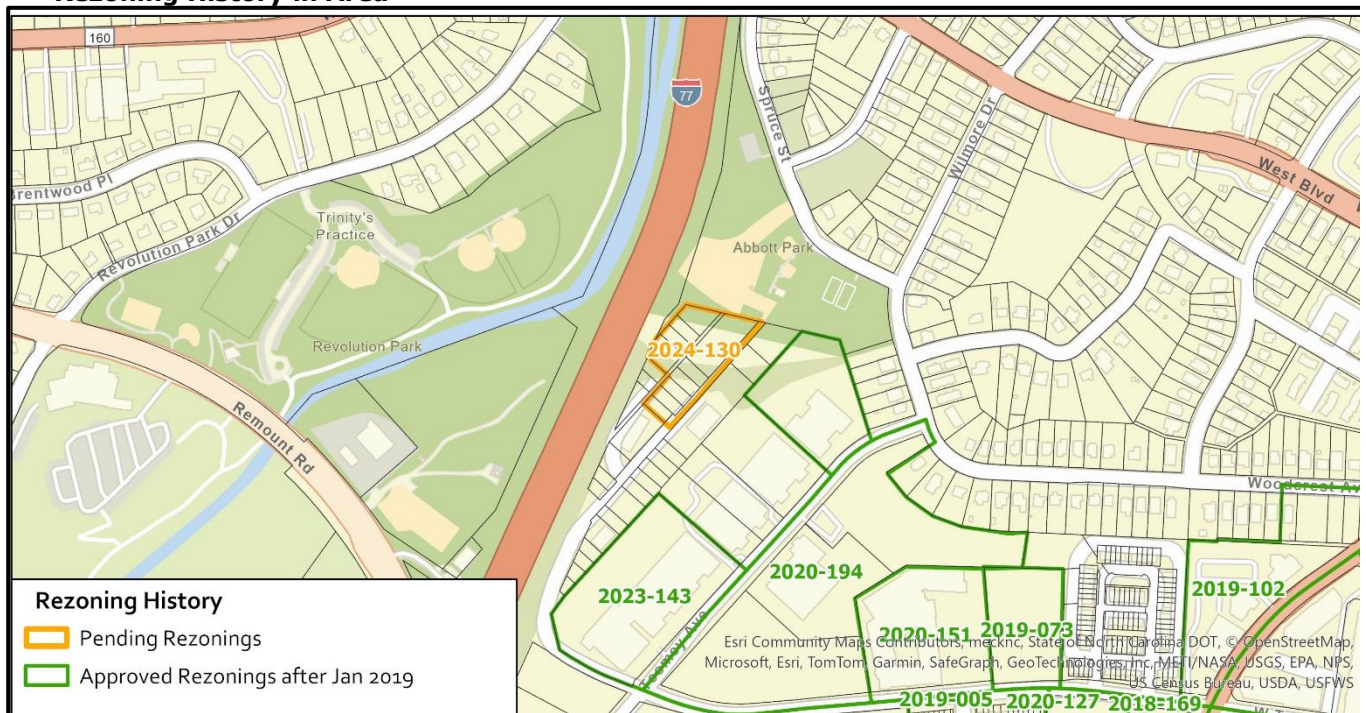
The property to the south along West Tremont Avenue is developed with a commercial use.





The property is bordered by Interstate 77 to the west.

• **Rezoning History in Area**

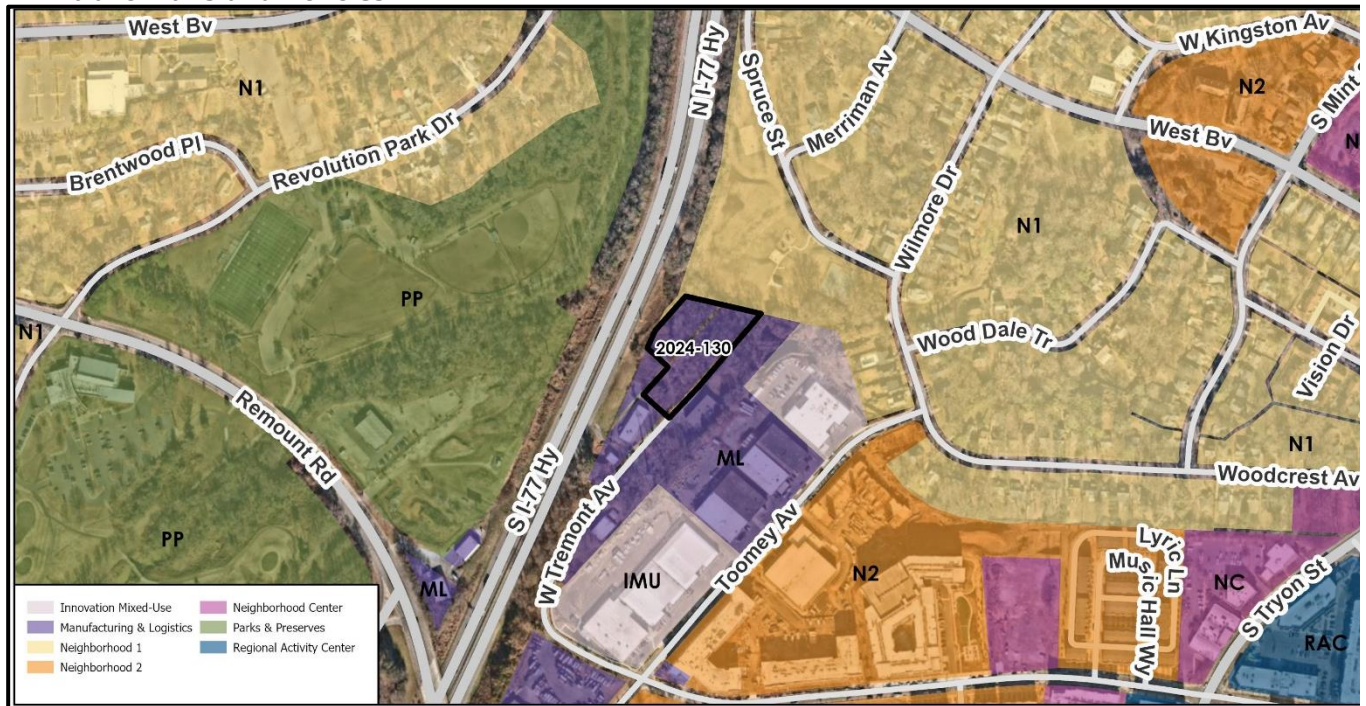


Petition Number	Summary of Petition	Status
2018-169	Amendment to the Zoning Ordinance to replace three existing transit oriented development districts with four new transit oriented development districts and regulations.	Approved



2019-005	Rezoned 5.5 acres from I-2(CD) to UR-2(CD) to allow up to 103 attached townhomes.	Approved
2019-073	Rezoned 1.9 acres from I-1 to TOD-NC to allow all uses in the TOD-NC zoning district.	Approved
2019-102	Alignment rezoning to one of four transit oriented development districts.	Approved
2020-127	Rezoned 2.6 acres from I-1 to TOD-NC to allow all uses in the TOD-NC zoning district.	Approved
2020-151	Rezoned 3.4 acres from I-1 to MUDDO-O to allow up to 300 residential units and up to 5,000 square feet of non-residential uses.	Approved
2020-194	Rezoned 8.8 acres from I-1 to MUDD(CD) to allow up to 325 residential units and up to 61,000 square feet of non-residential uses.	Approved
2023-143	Rezoned 6.6 acres from ML-1 to IMU to allow all uses permitted by right and under prescribed conditions in the IMU zoning district.	Approved

• **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Manufacturing & Logistics Place Type.

• **TRANSPORTATION SUMMARY**

- The site is located adjacent to West Tremont Avenue, a City-maintained local street, west of Toomey Avenue, a City-maintained major collector. A Traffic Impact Study (TIS) is not required for the site due to the development generating site trips under ordinance thresholds and not meeting additional TIS triggers. All outstanding CDOT comments have been addressed.
- **Active Projects:**
- I-77 South Corridor Improvements (I-5718A)
  - Widen existing freeway to ten lanes by constructing four managed lanes (two in each direction), reconstruct I-77/I-277 (Belk Frwy) interchange, and install ramp meters.
  - 2045 Estimated Completion
- Transportation Considerations
  - See Outstanding Issues, Notes 1-2 Addressed
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 0 trips per day (based on vacant land).
    - Entitlement: 67 trips per day (based on 14,370 square-feet of warehousing).
  - Proposed Zoning: 163 trips per day (based on 28 attached dwelling units).



**DEPARTMENT COMMENTS**

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** This development may add 2 students to the schools in this area.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Charles H Parker Elementary remains at 91%.
    - Sedgefield Middle remains at 60%.
    - Harding High remains at 104%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main along W Tremont Avenue. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located inside the zoning boundary. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No outstanding issues.
- **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 outstanding issues.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** No outstanding issues.

**OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING**Transportation

1. ~~Revise site plan to commit to shifting western driveway a minimum of 10 feet from the western property line per Streets Manual. Measurement of 10 feet is from property line to PC of driveway. Also, within the 10 feet from the property line to the driveway PC, provide taper to connect to existing curb and gutter to the west.~~ Addressed
2. ~~CLDSM section U-06 calls for 6 foot wide sidewalk along Tremont Avenue frontage.~~ Addressed
3. ~~Staff recommends the petitioner to consider working with CDOT to address the gap in pedestrian infrastructure along Tremont Avenue to facilitate access to the residential serving sites adjacent to the subject property.~~ Addressed

**REQUESTED TECHNICAL REVISIONS PRIOR TO PUBLIC HEARING**Transportation

4. ~~Remove references to State Street and replace with W. Tremont Avenue on site plan.~~ Addressed

**OUTSTANDING ISSUES AFTER PUBLIC HEARING**Site and Building Design

5. Remove note under section I. c. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, and public/private street frontage requirements, provided, however, that all such separation standards along the exterior boundary of the Site shall be adhered to and treated as the Site as a whole and not individual portions or lots located therein.

**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**  
**Planner:** Michael Russell (704) 353-0225