



**Rezoning Petition 2021-087
Final Staff Analysis
December 20, 2021**

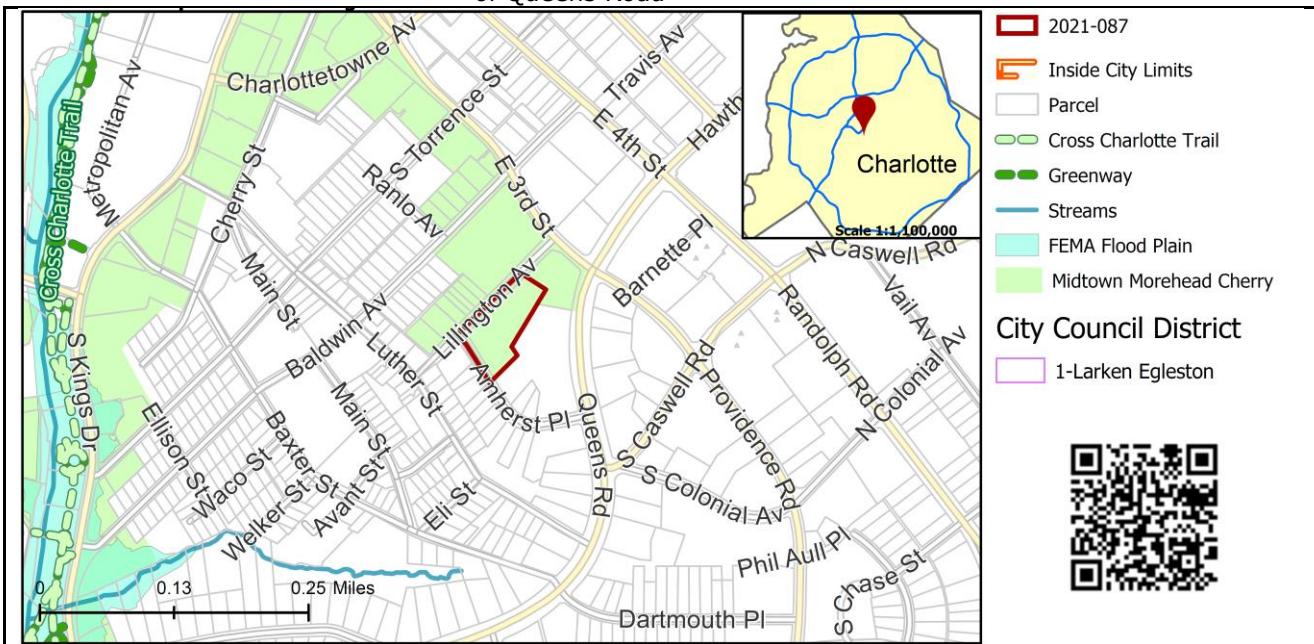
REQUEST

Current Zoning: O-6(CD) PED (office, conditional, pedscape overlay)

Proposed Zoning: MUDD(CD) PED (mixed use development, conditional, pedscape overlay)

LOCATION

Approximately 1.91 acres located at the intersection of Amherst Place and Lillington Avenue, west of East 3rd Street, and northwest of Queens Road



SUMMARY OF PETITION

The petition proposes to allow up to 15,000 SF of office, medical office, or institutional including health clinics in the MUDd district.

PROPERTY OWNER

Novant Health

PETITIONER

Novant Health

AGENT/REPRESENTATIVE

Dan Blackman, Stimmel

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 19

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Midtown Morehead Cherry Area Plan*'s recommended land use of residential or office uses at this site.

Rationale for Recommendation

- The *Midtown Morehead Cherry Area Plan* recommends residential or office land uses at this site, and also states that mixed use development is appropriate at this location.
- The maximum building height of 30' will provide an appropriate building scale and context with the existing uses in the area and is consistent with existing entitled height.
- Proposed square footage of 15,000 in two buildings is a reduction from the previously entitled 31,600 SF single building reducing the

overall footprint and providing a better building orientation to the street frontages.

- The project includes 6' sidewalks while maintaining the existing planting strips and street trees along the site's frontages to maintain and enhance the pedestrian infrastructure.

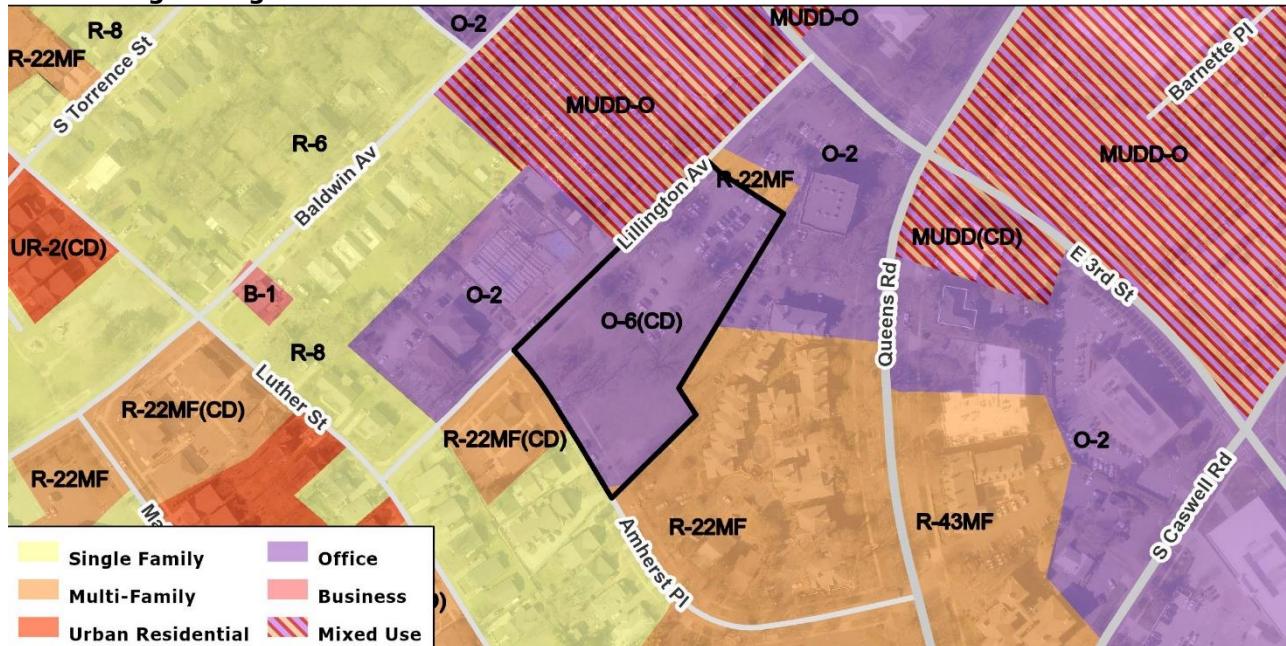
PLANNING STAFF REVIEW

• Proposed Request Details

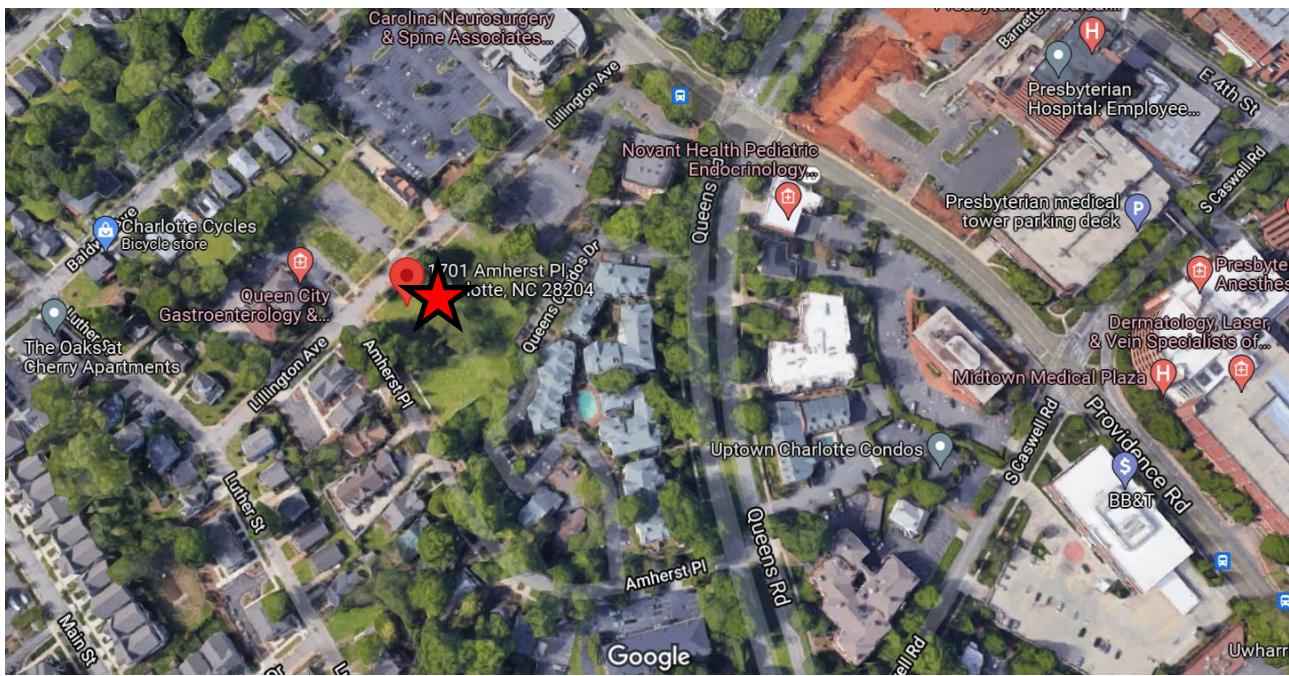
The site plan accompanying this petition contains the following provisions:

- Up to 15,000 SF of proposed office, medical office, or institutional, including health clinics and similar uses.
- Limits buildings on site to 2 with a maximum height of 30 feet.
- Vehicular access to be provided through 1 point on Amherst Place, and a maximum of 2 points of access on Lillington Avenue.
- Setbacks will be 16 feet on both Amherst Place and Lillington Ave.
- Existing planting strips to be maintained and a 6' sidewalk to be installed along both frontages.
- Architectural standards include:
 - Facades fronting streets shall include a combination of windows, operable doors, public plaza space, or wall art for a minimum of 60% of the length of building façade along each street
 - Limitations on blank wall expanses.
 - Direct pedestrian connections provided between street facing doors and corner entrance features to sidewalks on adjacent streets.
- Detached lighting shall be full cutoff, excluding lower decorative lighting along driveways, sidewalks and parking area.
- Lighting to be limited to 25 feet in height.

• Existing Zoning and Land Use



- The property is currently zoned for office uses, and the area is a mix of office zoning and uses, as well as single family and multi-family residential zoning and uses.



- The site, red star above, is in an area with retail, office, multi-family residential, and single family residential uses.



- North of the site are medical offices.



- East of the site is a multi-family development.



- South of the site are single family homes.



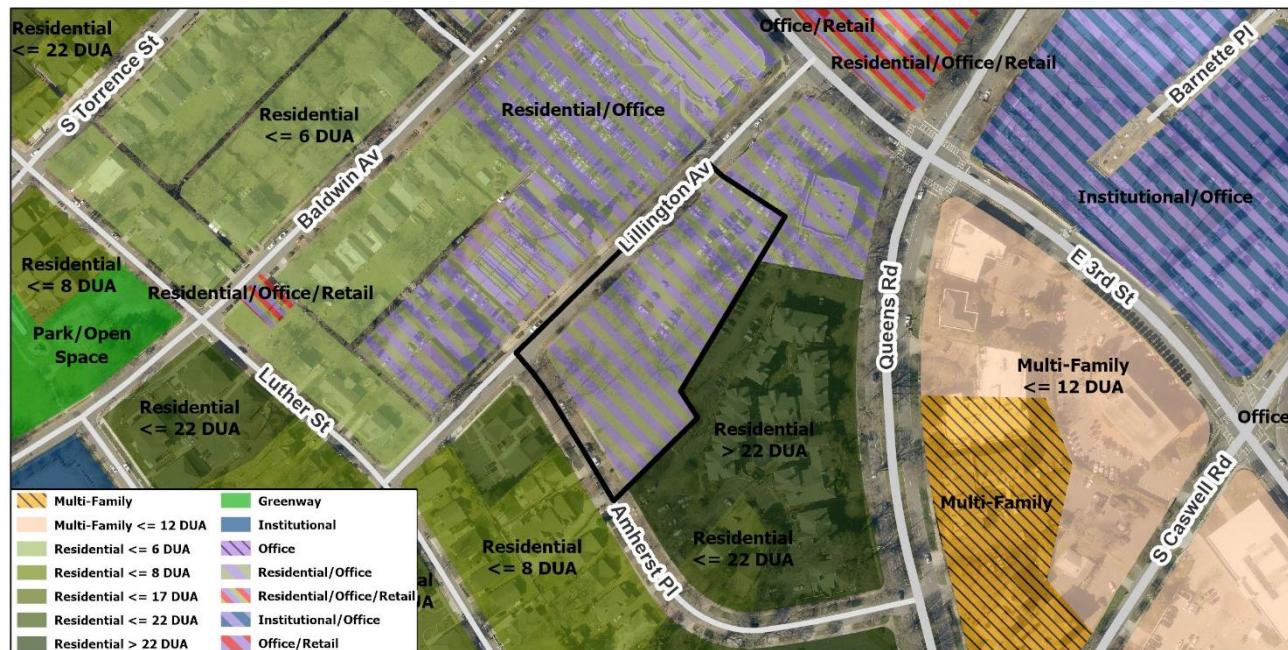
- West of the site are medical offices and retail uses.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2015-027	R-22MF to UR-C(CD) to allow the redevelopment of the site for up to 200 multi-family dwelling units for a density of 66 dwelling units per acre	Pending
2016-072	O-1 to O-2 to allow all office uses per conventional O-2 (office) zoning.	Approved
2017-128	MUDD-O to MUDD-O(SPA) to modify the approved signage package for the site.	Pending
2017-177	MUDD-O & O-2 to MUDD-O (SPA) to allow the development of 512,500 square feet of office, 16,800 square feet of retail and eating/drinking/ entertainment establishments and a 240-room hotel.	Approved

- Public Plans and Policies**



The Midtown Morehead Cherry Area Plan recommends residential or office uses at this site.

- TRANSPORTATION SUMMARY**

- The site is located at the intersection of Lillington Avenue and Amherst Place, both City-maintained local streets. A Traffic Impact Study (TIS) is not needed for this site. In accordance with the City's WALKS Policy, and City Ordinances, the petitioner has committed to maintaining the existing planting strips, construct a 6' sidewalk as required in the MUDD district and provide a Sidewalk and Utility Easement along the site's frontage on Lillington Avenue and Amherst Place. All CDOT comments have been addressed.

- Active Projects:**

- o N/A

- Transportation Considerations**

- o No outstanding issues.

- Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on Parking lot/vacant).

Entitlement: 350 trips per day (based on 31,600 SF general office).

Proposed Zoning: 170 trips per day (based on 15,000 SF general office).

DEPARTMENT COMMENTS (see full department reports online)

- 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-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Historic Landmarks:** See Outstanding Issues, Note
- **Charlotte-Mecklenburg Police Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Lillington Av. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Lillington Av. See advisory comments at www.rezoning.org
- **City Arborist:** No outstanding issues.
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at 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:** See advisory comments at www.rezoning.org

OUTSTANDING ISSUES

Site and Building Design

1. Please define the location, minimum area and amenities that will be provided for improved urban open space. - **ADDRESSED**
2. Show, label, and dimension all public street centerlines to the future back of curb. Label, show and dimension, the setback from the future back of curb which will include the required planting strip and sidewalk. - **ADDRESSED**

Land Use

3. Please modify use to general office and update conditional note 2(a) to match. - **ADDRESSED**
4. Clarify what can go in areas labeled "tree save" along adjoining properties if not used for tree save. - **ADDRESSED**

REQUESTED TECHNICAL REVISIONS

Site and Building Design

5. Note 5(b) change language from should to shall/will. - **ADDRESSED**

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

Planner: Dave Pettine (704) 336-4566

Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-087

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	<p>Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.</p>	
	<p>Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.</p>	N/A
	<p>Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.</p>	N/A
	<p>Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.</p>	N/A

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	N/A
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	N/A
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	N/A
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	N/A