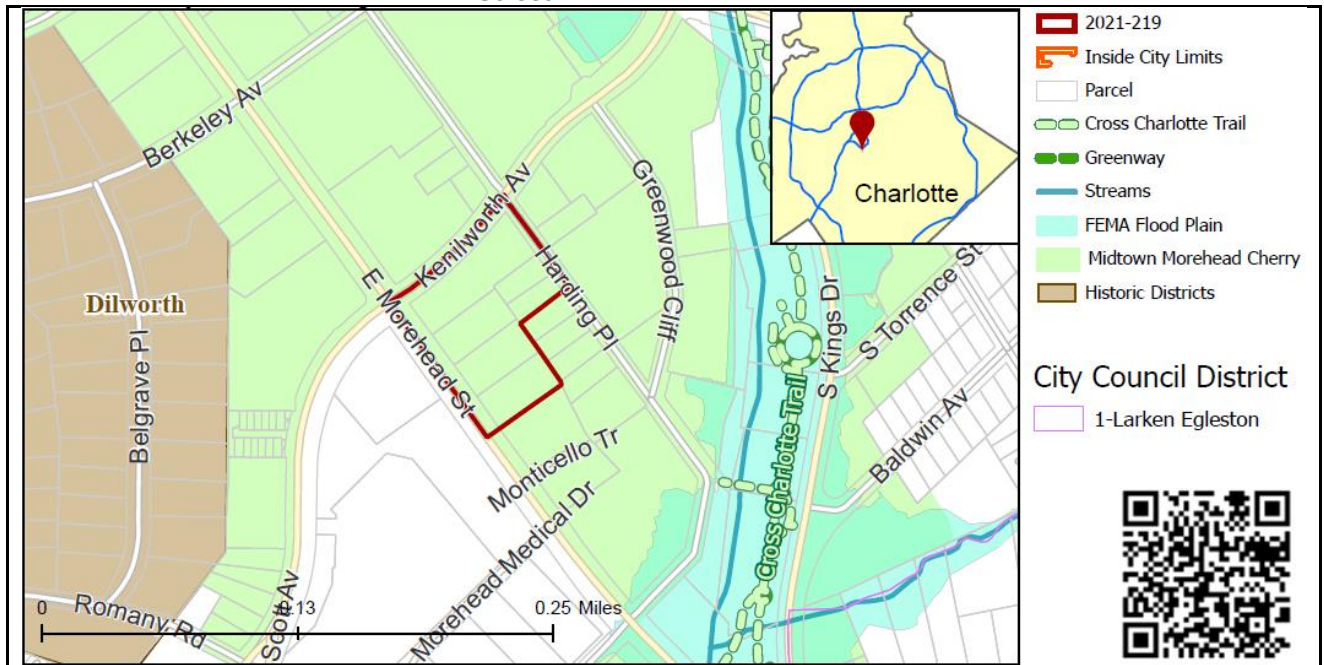


## REQUEST

Current Zoning: MUDD-O PED (mixed use development, optional, pedestrian overlay)  
Proposed Zoning: MUDD-O PED SPA (mixed use development, optional, pedestrian overlay, site plan amendment)

## LOCATION

Approximately 2.65 acres located on the south side of Kenilworth Avenue, west side of Harding Place, and east side of East Morehead Street.



## SUMMARY OF PETITION

The petition proposes to modify the entitlements for the existing building to allow a portion of the area set aside for ground floor non-residential use to have the potential to be developed with up to 8 multi-family dwellings.

## PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE

Dilworth Ventures LLC  
Lincoln Property Company  
Collin Brown & Brittany Lins / Alexander Ricks

## 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 issue related to land use and technical revisions related to transportation.

### Plan Consistency

The petition is **consistent** with *Midtown Morehead Cherry Area Plan* recommendation for mixed residential/office/retail use.

### Rationale for Recommendation

- The building is existing and set aside space for ground floor commercial use.
- The proposal will allow the option to construct up to 8 additional dwelling units, and no other changes to the building would occur.

- The commercial space has been vacant since the building was constructed in 2013 and the proposal will provide additional options for use of the space.

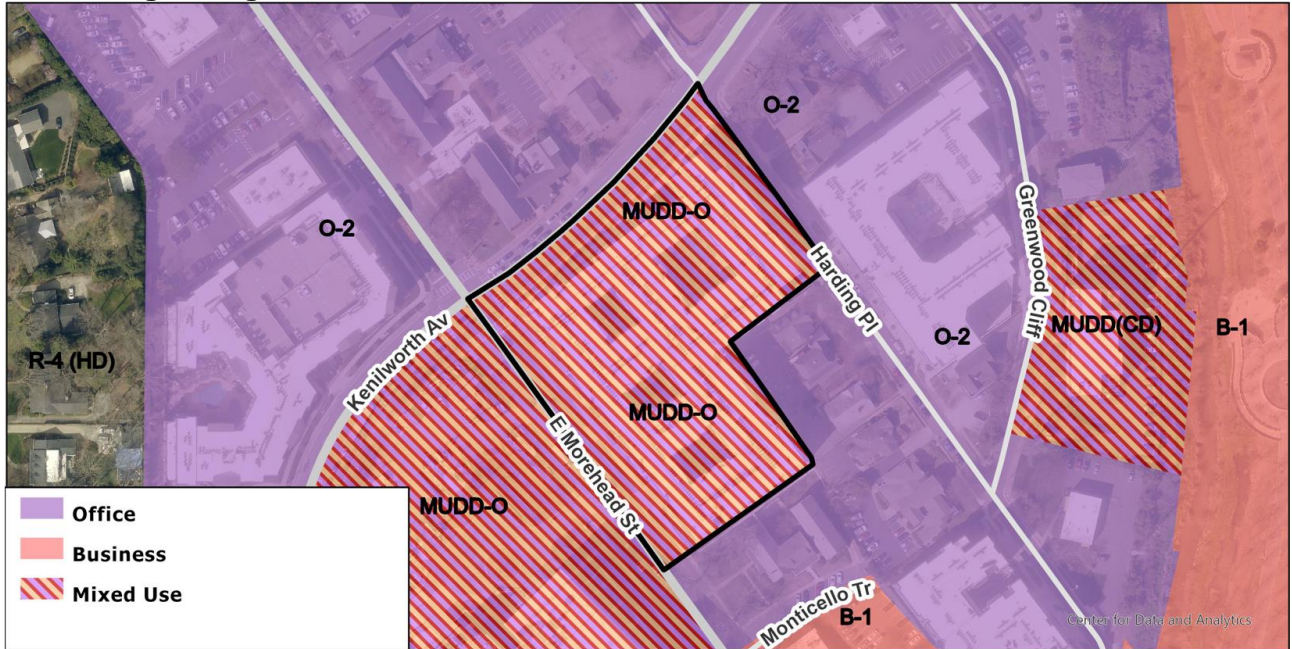
### PLANNING STAFF REVIEW

- Proposed Request Details**

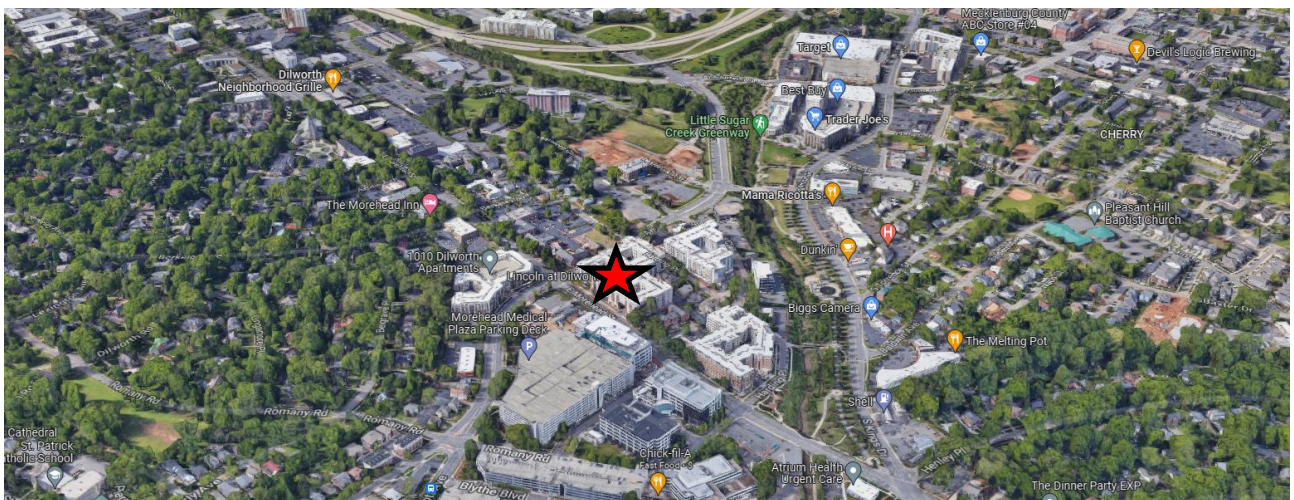
The site plan amendment contains the following changes:

- Increases the number of allowed dwellings units from 380 to 388. Density increases from 143 dwelling units per acre to 147 units per acre.
- Updated labels for ground floor commercial space to possible residential units.

- Existing Zoning and Land Use**



The site was previously rezoned by 2013-092 to MUDD-O PED to allow 380 dwellings, 10,000 square feet of residential supportive uses and 25,000 square feet of commercial uses (capped at 15,000 sqft if retail use or if a drive-through window is incorporated) The 15,000 sqft cap does not apply to grocery use. There is a mixture of uses in the area including office, commercial, institutional and residential.



The site indicated by the red star above, is just outside the I-277 loop in an area with a mix of uses.





The site is developed with a multi-family building with ground floor, street facing residential support uses and space reserved for commercial use that could potentially be developed as residential units under the current proposal.



North of the site, across Kenilworth Ave. is a religious institution.



East of the site across Harding Place are office and multi-family residential uses.



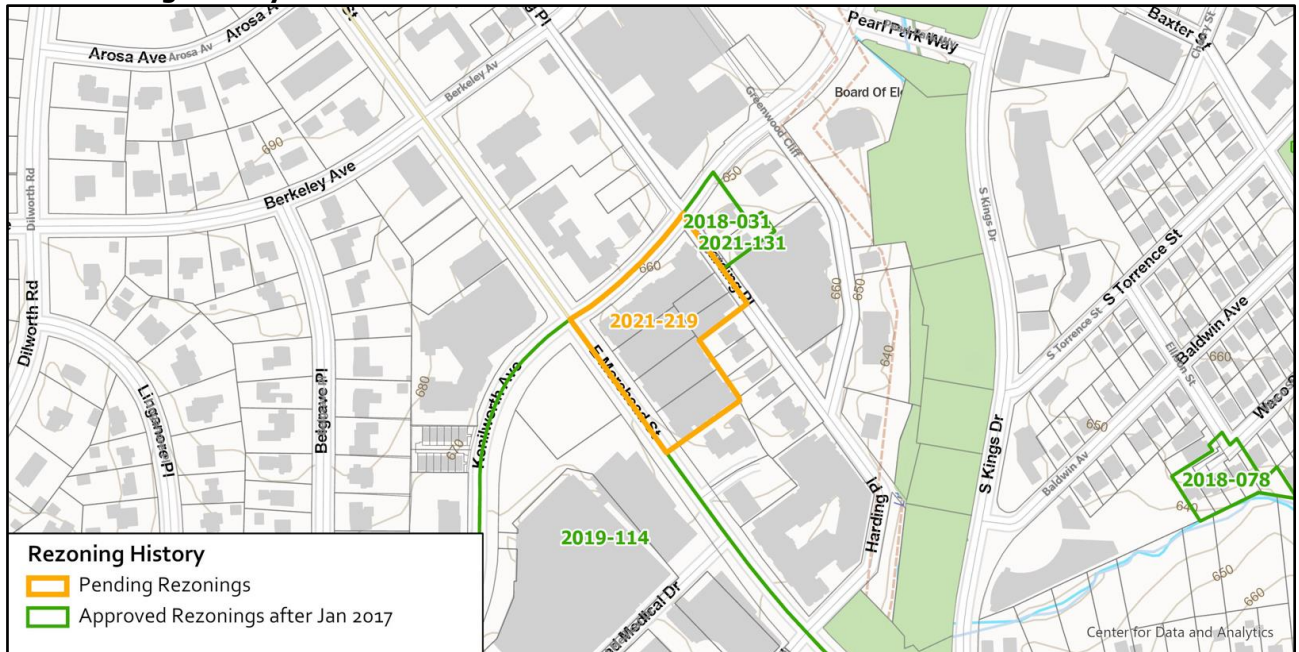


South of the site between Morehead Street and Harding Place are office uses.



West of the site across Morehead Street is hospital and medical office use.

• **Rezoning History in Area**

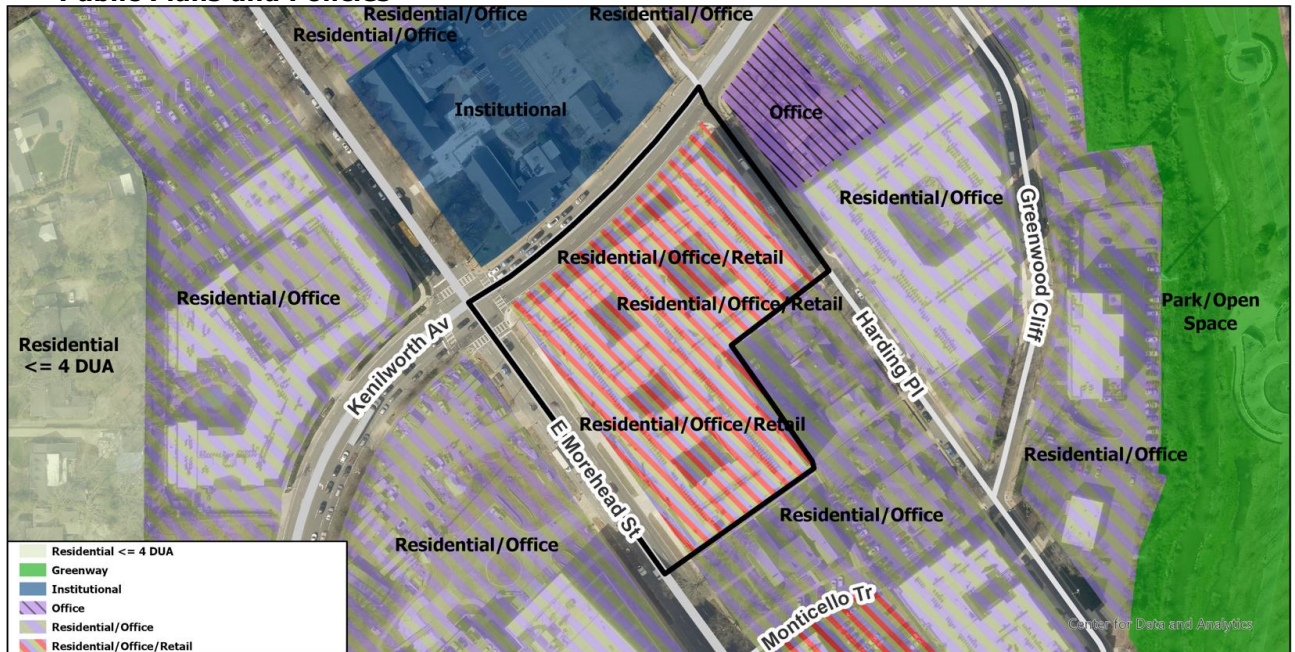


Petition Number	Summary of Petition	Status
2018-031	.49 acres east of the site, across Harding Place, to MUDD-O (PED) allow an office, climate control storage and ground floor non-residential uses	Approved
2018-078	.74 acres east of the site, at the end of Waco Street to UR-2(CD) (urban residential, conditional) to allow up to 4 single family detached dwellings.	Approved
2019-114	70.53 acres west of the site to allow hospital and medical office uses.	Approved



2021-131	.48 acres east of the site, across Harding Place (previous zoning 2018-031) to O-2 PED (office, pedestrian overlay) to allow all uses permitted in the O-2 district.	Approved
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• **Public Plans and Policies**



- The *Midtown Morehead Cherry Area Plan* (2012) recommends residential/office/retail use.

• **TRANSPORTATION SUMMARY**

- The petition is located adjacent to Kenilworth Avenue, a City-maintained major thoroughfare, East Morehead Street, a State-maintained major thoroughfare, and Harding Place, a City-maintained Local Road. A Traffic Impact Study (TIS) is not needed for this site. The Site Plan commits to accommodating pedestrian and bicycle facilities on Kenilworth Avenue, in accordance with the Charlotte WALKS and Charlotte BIKES Plans. CDOT has no outstanding comments.

• **Active Projects:**

- NA

• **Transportation Considerations**

- No outstanding issues

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 9,135 trips per day (based on 380 residential units and variable commercial square footage up to 20,000 sqft).

Entitlement: 9,135 trips per day (based on 380 residential units and variable commercial square footage up to 20,000 sqft).

Proposed Zoning: 9,180 trips per day (based on 388 residential units and variable commercial square footage up to 20,000 sqft).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 70 students, while the development allowed under the proposed zoning may produce 71 students, the net increase in the number of students generated from existing zoning to proposed is one student.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Dilworth Sedgefield Campus (K-2) from 68% to 75%

- Dilworth Latta Campus (3-5) at 59%
- Sedgefield Middle from 72% to 74%
- Myers Park High at 121 %.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Harding Pl. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Harding Pl. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No outstanding issues.
- **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:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Urban Forestry / City Arborist:** No outstanding issues.

#### **OUTSTANDING ISSUES**

##### Land Use

1. Amend development information and development standards to include a conversion of commercial space to residential units up to the proposed 8 additional units.

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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**





**Planner:** John Kinley (704) 336-8311







## Goals Relevant to Rezoning Determinations

### Rezoning Petition # 2021-219

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
	<b>Goal 1: 10- Minute Neighborhoods</b> 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.	✓
	<b>Goal 2: Neighborhood Diversity &amp; Inclusion</b> 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.	N/A
	<b>Goal 3: Housing Access for All</b> 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.	N/A
	<b>Goal 4: Trail &amp; Transit Oriented Development (2-TOD)</b> 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><b>Goal 5: Safe &amp; Equitable Mobility</b></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><b>Goal 6: Healthy, Safe &amp; Active Communities</b></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><b>Goal 7: Integrated Natural &amp; Built Environments</b></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>	<p>N/A</p>
	<p><b>Goal 8: Diverse &amp; Resilient Economic Opportunity</b></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>	<p>N/A</p>
	<p><b>Goal 9: Retain Our Identity &amp; Charm</b></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>	<p>N/A</p>
	<p><b>Goal 10: Fiscally Responsible</b></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>	<p>N/A</p>