



## Zoning Committee Recommendation

Rezoning Petition 2021-197

July 5, 2022

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### REQUEST

Current Zoning: MUDD-O PED (mixed use development, optional, pedestrian overlay) and TOD-CC PED (transit oriented development, community center, pedestrian overlay)  
Proposed Zoning: TOD-CC-EX PED (transit oriented development, community center, exception, pedestrian overlay)

### LOCATION

Approximately 1.91 acres located at the northeast intersection of Heath Court and Central Avenue, west of Hawthorne Lane, and east of Louise Avenue.  
(Council District 1 - Egleston)

### PETITIONER

Crescent Communities

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### ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

#### To Approve:

This petition is found to be **consistent** with the *Charlotte Future 2040 Policy Map (2022)* based on the information from the staff analysis and the public hearing, and because:

- The *Charlotte Future 2040 Policy Map (2022)* recommends the Community Activity Center Place Type.

Therefore, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- The petition is consistent with the Charlotte Future 2040 Comprehensive Plan Goals #1: 10-Minute Neighborhood, #4: Trail & Transit Oriented Development (2-TOD), #5: Safe & Equitable Mobility, and #7: Integrated Natural & Built Environments.
- As written, TOD-CC is applicable at any site within ¼ mile walking distance of an existing streetcar stop. The site is within a ¼ mile walk of the Sunnyside Station.
- The proposal for adaptive reuse and commitment to public open space aligns with TOD-EX requirements.
- The petition fulfills goals to support walkable, mixed use environments with access to a variety of amenities and services.

Motion/Second: Barbee / Harvey  
Yeas: Barbee, Gaston, Gussman, Harvey, Samuel, Russell  
Nays: None  
Absent: Rhodes  
Recused: None

## **ZONING COMMITTEE DISCUSSION**

Staff reviewed the request as it pertains to adaptive reuse of an existing building and redevelopment of additional acreage, the request for exceptions primarily due to Heath Court, and provision of clarity with programming the public open space component.

Commissioner Barbee asked for clarity with respect to amenities and if the proposal involves establishing a park. Staff noted it would serve as a park and noted potential amenity/elements to be incorporated. Staff noted the request for categorizing of minimum and major elements and expressed support of the provided results. Commissioner Gussman commended the petitioner for being engaged with the community. Commissioner Russell asked about vehicular access and staff responded that the main park elements will be at Hawthorne and Central, and most of the parking will be provided via structured parking. Commissioner Russell inquired about the parking requirement and staff responded there is no parking minimum. Commissioner Russell noted concerns with parking in the area due to streetcar and inquired if the parking garage driven by staff request or by need. Staff responded that the parking facility was based upon development team's project scope.

Commissioner Gussman noted the value of TOD-EX as this site has been rezoned multiple times, and given the complexities about conditions, the EX adjustments are appropriate. Commissioner noted the purpose of the EX is to acknowledge nuanced conditions and to enhance the project's viability since the letter of code does not fit this property. Commissioner Samuel noted this particular request originally came to the Zoning Committee in February and underwent several reiterations so this result is appropriate.

There was no further discussion of this petition. Staff noted the petition is consistent with the *2040 Policy Map*.

## **PLANNER**

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