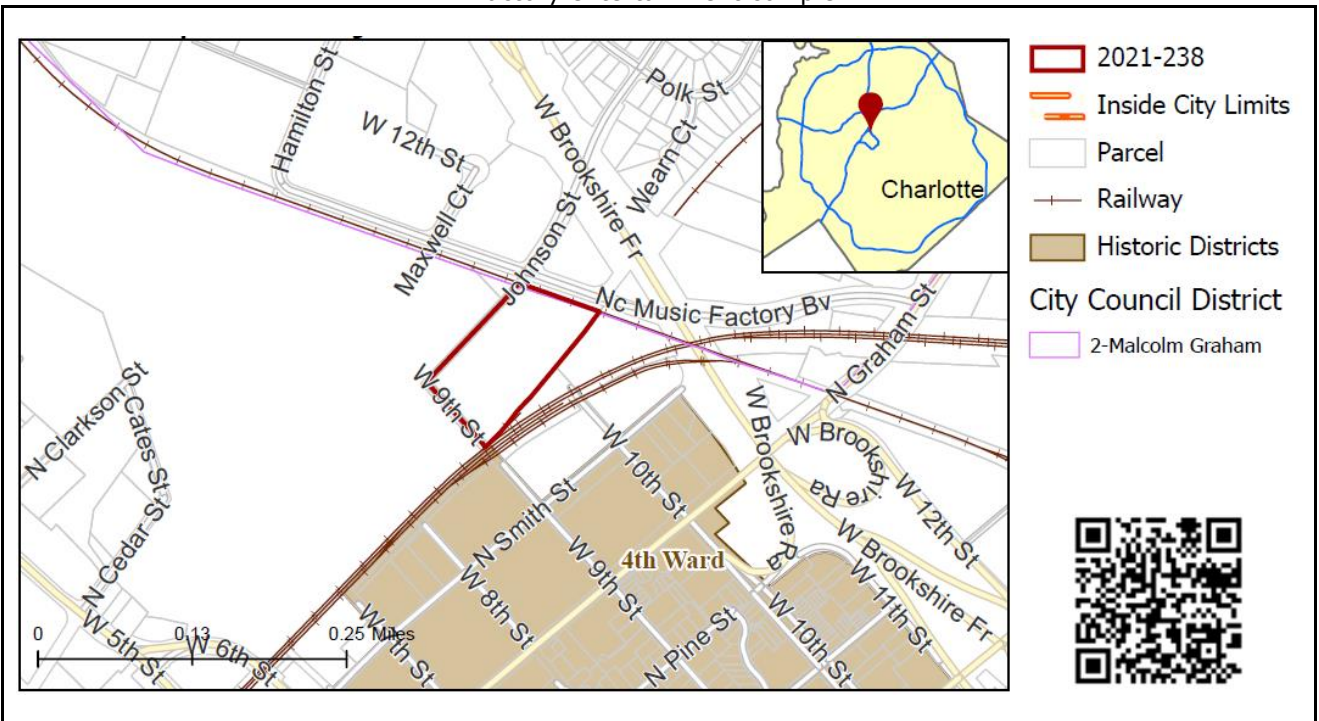


## REQUEST

Current Zoning: I-2 (general industrial)  
Proposed Zoning: MUDD-O (mixed use development district, optional)

## LOCATION

Approximately 5.12 acres on the south side of NC Music Factory Boulevard, adjacent to Elmwood Cemetery and near the NC Music Factory entertainment complex.



## SUMMARY OF PETITION

The petition proposes to allow redevelopment of the site with 7,500 square feet of non-residential uses and up to ~~82~~ 77 single family attached dwellings at ~~16.02~~ 15.04 dwelling units per acre (DUA).

## PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE

CCRP Seaboard LLC  
Lennar Carolinas, LLC  
Collin Brown & Brittany Lins

## 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.

### Plan Consistency

The petition is **consistent** with the Regional Activity Center recommendation of the 2040 Policy Map (2022).

### Rationale for Recommendation

- The proposed single family attached development is consistent with the regional activity center recommendation, which is characterized by its urban form and mix of uses.
- The proposed development is compatible with the mixed-use developments in the area which is transitioning from industrial use to mixed use.

- The proposed site plan provides fencing and vegetative screening between the residential development and existing industrial uses.
- The petition would provide “missing middle” housing in a growing mixed-use area surrounding the NC Music Factory entertainment complex.

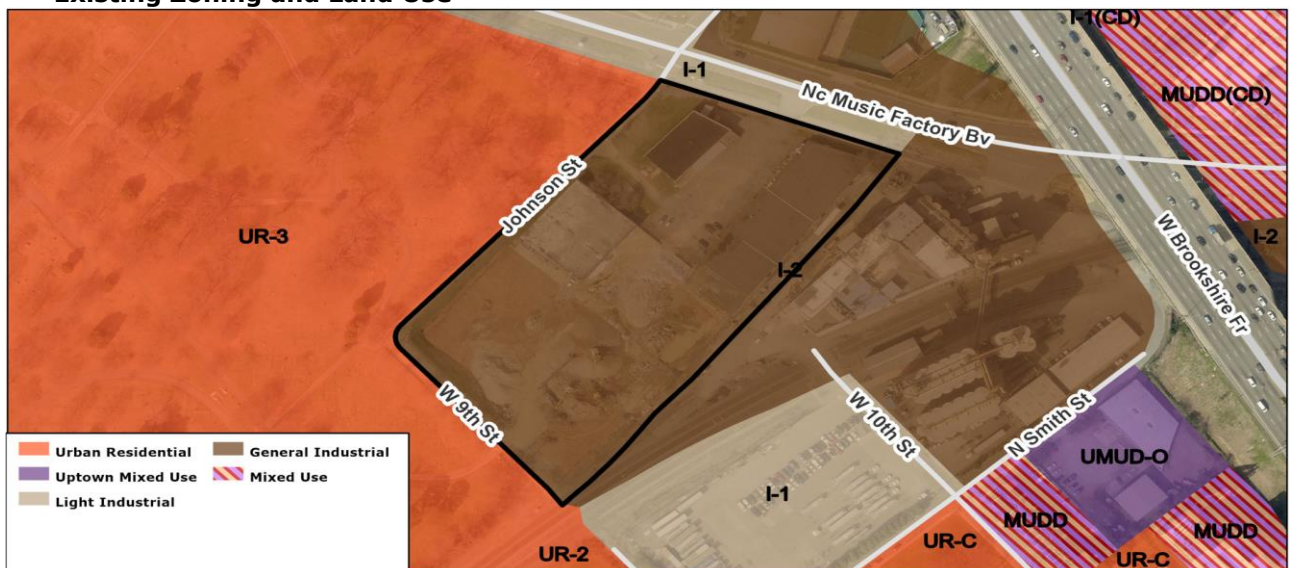
## PLANNING STAFF REVIEW

### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Proposes redevelopment of the site with 7,500 square feet of non-residential uses and 82 77 single family attached dwelling units.
- The 7,500 square feet of non-residential uses would be in adaptively reusing the building at the intersection of NC Music Factory Boulevard & Johnson Street. All MUDD uses would be allowed with the exception of the following prohibited uses: gas station, car wash, self-storage building, or accessory vehicular drive-through window. In the event that the building cannot be preserved, reserves the option to add an additional 14 townhome units in its place for a total of 96 dwelling units.
- Requests an optional provision to deviate from the typical streetscape standards along NC Music Factory Boulevard to eliminate the sidewalk due to site constraints caused by the existing railroad right of way.
- Limits building height to 55’.
- Proposes to abandon the right of way of both Johnson Street and W Ninth Street. A public easement would be provided, and the streets would be used as pedestrian and bicycle facilities. If the abandonment is not approved, the petitioner is required to install the code required curb and streetscape facilities.
- Vehicular access to the cemetery would be maintained.
- Commits to use of preferred building materials of brick, natural stone, stucco, cementitious siding, fiber cement, and metal.
- Limits the number of dwelling units per building to six.
- Commits to providing a minimum 6’ tall aluminum fence and 10’ wide landscape buffer area where feasible where feasible on the south side of the development.
- Commits to providing amenity areas with a minimum of two of the following elements: benches, public art, sculptures, enhanced landscaping, garden area, dog park, picnic table, workout equipment, and/or passive recreation.
- Provides an open space area in the northeastern corner of the site closest to the adjacent mill structure.
- Commits to enhancements associated with the Urban Arboretum Trail or a donation of \$15,000 to the city in lieu of those enhancements.

### • Existing Zoning and Land Use



The site is currently zoned I-2 and is surrounded by a mix of uses including industrial, institutional (Elmwood Cemetery), multifamily residential, and entertainment.





The site, marked by a red star, is situated between the NC Music Factory and Fourth Ward, and is surrounded by a mix of uses including industrial, institutional (Elmwood Cemetery), multifamily residential, and entertainment.



View of the site from NC Music Factory Boulevard. An active railroad lies between the site and its sole point of access from the public right of way.



The property to the north of the site across NC Music Factory Boulevard is developed with a commercial use.



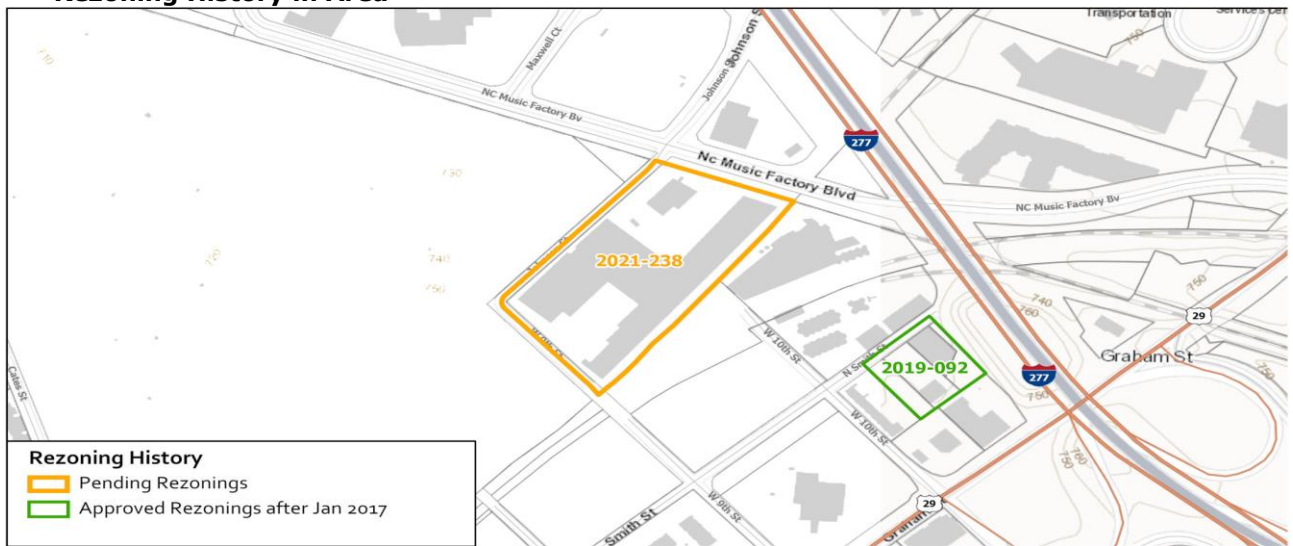
The property to the east of the site is development with industrial uses.





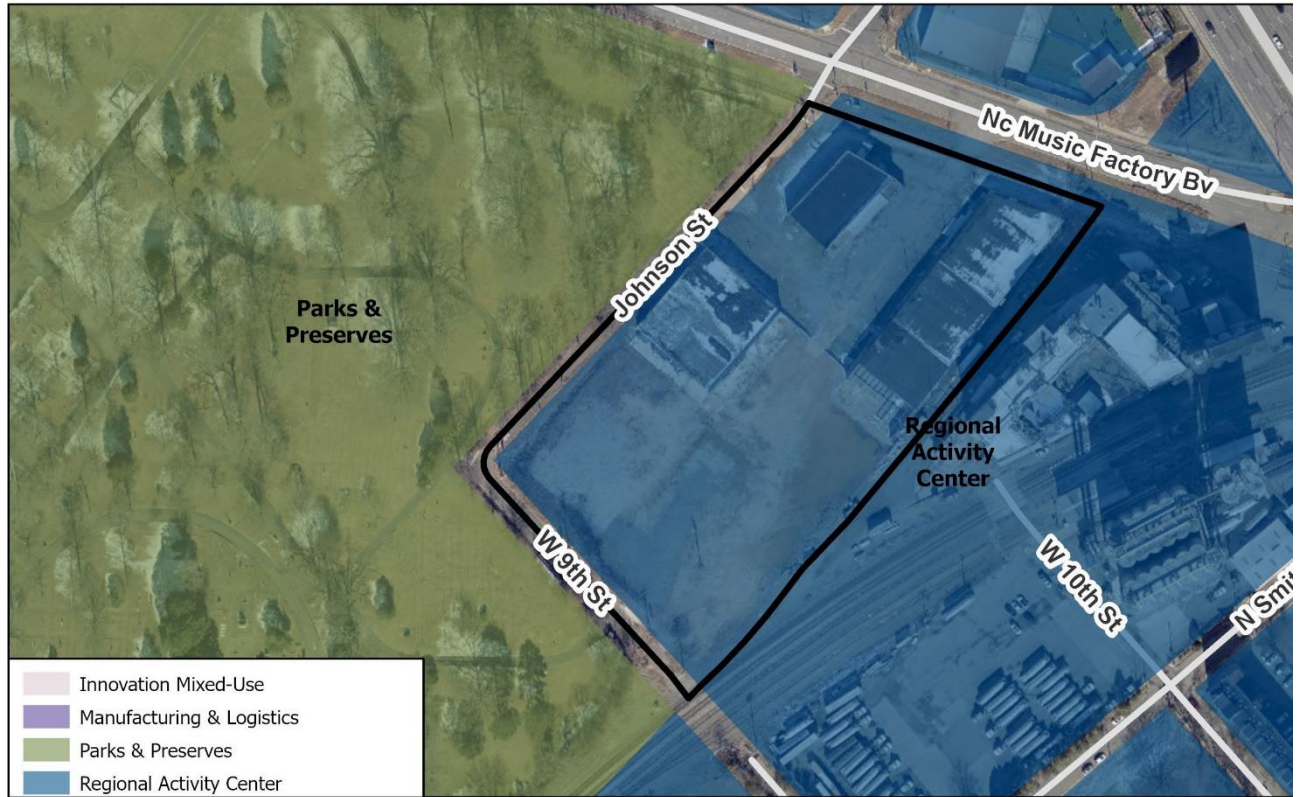
The property to the south and west of the site is occupied by Elmwood Cemetery.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-092	Request to rezone to UMUD-O HD-O to allow for the development of a high rise mixed-use building.	Approved

- **Public Plans and Policies**



- The 2040 Policy Map identifies this area as a Regional Activity Center.

- **TRANSPORTATION SUMMARY**

- The site is located on three City-maintained local roads - NC Music Factory Blvd, Johnson Street, and 9th Street. A Traffic Impact Study (TIS) is not needed for this site due to the site generating less than 2,500 trips. The site plan proposes to reconfigure Johnson Street and West Ninth Street to accommodate pedestrian and bicycle traffic in accordance with the Charlotte WALKS and Charlotte BIKES Plans. CDOT has no outstanding comments.

- **Active Projects:**

- N/A

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 120 trips per day (based on 44,540 square feet of warehouse).

Entitlement: 400 trips per day (based on 223,028 square feet of industrial uses).

Proposed Zoning: 1,575 trips per day (based on 77 townhomes and 7,500 square feet of retail).

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

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **Charlotte-Mecklenburg Police Department:** No comments submitted.

- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 0 students, while the development allowed under the proposed zoning may produce 5 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 5.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - First Ward Creative Arts Academy at 100%.
    - Sedgefield Middle at 72%.
    - Myers Park High at 121%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 2-inch water distribution main located along Johnson Street. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Johnson Street. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No comments submitted.
- **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 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

##### Transportation

1. ~~Provide a mountable curb on Johnston Street at the driveway into the site to differentiate between the ped/bike facility and motorized vehicular access.~~ ADDRESSED

##### Environment

2. ~~Confirm how the city tree within the Johnston Street right of way will be protected with regards to the potential new curb and gutter that will be moving toward the tree.~~ ADDRESSED
3. ~~Provide a tree protection plan regarding the city tree within the Johnston Street right of way.~~ ADDRESSED

##### Site and Building Design

4. ~~Revise site plan and note VI.2 to commit to full evergreen screening or widen landscape buffer to 20'.~~ ADDRESSED

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

**Planner:** Joe Mangum (704) 353-1908







## Goals Relevant to Rezoning Determinations Petition 2021-238

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 (February 2022) and when the **Policy Map** is effective (adopted March 28, 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.	✓
	<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.	N/A



	<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>N/A</b></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>N/A</b></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><b>N/A</b></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><b>N/A</b></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><b>N/A</b></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><b>N/A</b></p>