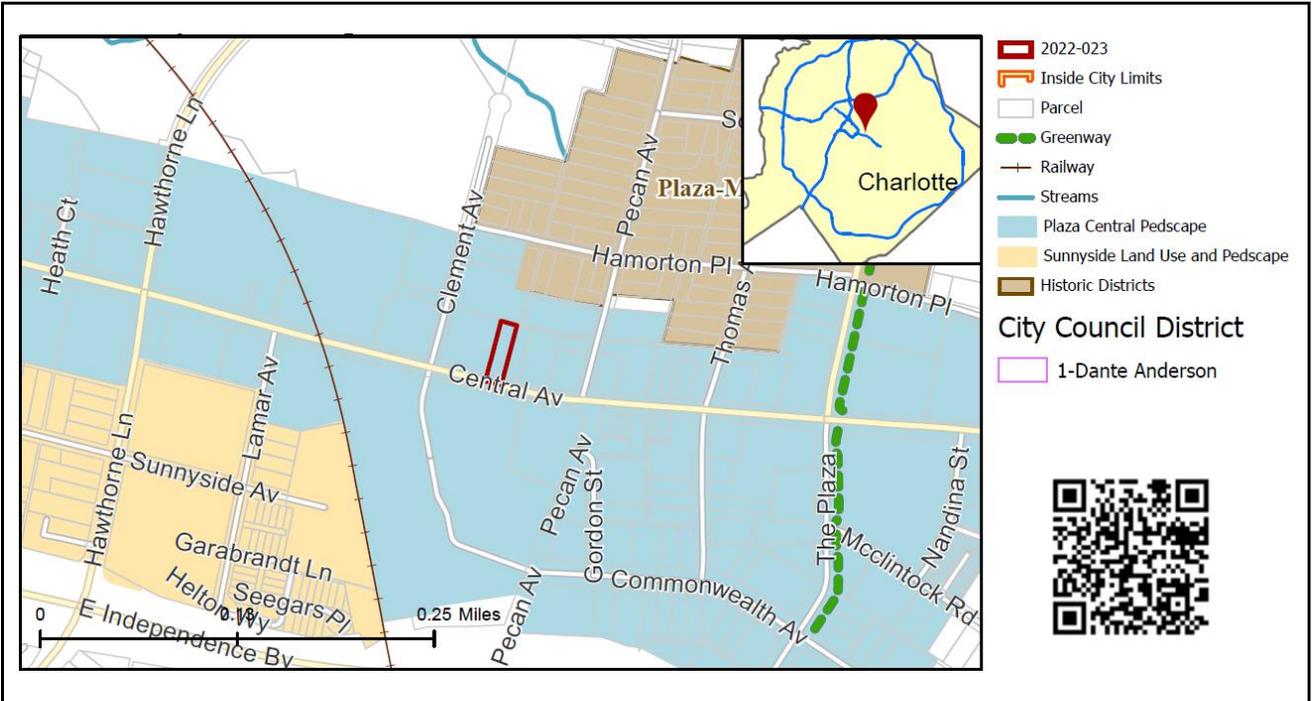


**REQUEST**

Current Zoning: B-2 PED (general business, pedestrian overlay)  
 Proposed Zoning: MUDD-O PED (mixed-use optional, pedestrian overlay)

**LOCATION**

Approximately 0.22 acres located on the north side of Central Avenue between Clement Avenue and Pecan Avenue.



**SUMMARY OF PETITION**

The petition proposes to maintain an existing nonresidential building in the Plaza Midwood neighborhood while allowing for renovation and expansion including an outdoor patio area.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**

Kindredfruit Properties LLC  
 Kindredfruit Properties LLC  
 Russell Fergusson

**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 an outstanding issue related to transportation.

Plan Consistency

The petition is **consistent** with the 2040 Policy Map recommendation for the Community Activity Center place type.

Rationale for Recommendation

- The proposed rezoning is appropriate for the mixed-use development envisioned for the Community Activity Center place type.
- The request is contextually appropriate considering the site's location along Plaza Midwood's Central Avenue mixed-use corridor.

- The petition would improve the streetscape along the site’s Central Avenue frontage by replacing the existing head-in angled parking with 8’ planting strip and 8’ sidewalk.
- The request would allow renovation and expansion of the building while limiting building height to 40’.
- The petition could facilitate Goals 1 (10-Minute Neighborhoods), 5 (Safe & Equitable Mobility), 8 (Diverse & Resilient Economic Opportunity), and 9 (Retain Our Identity & Charm) of the 2040 Comprehensive Plan.

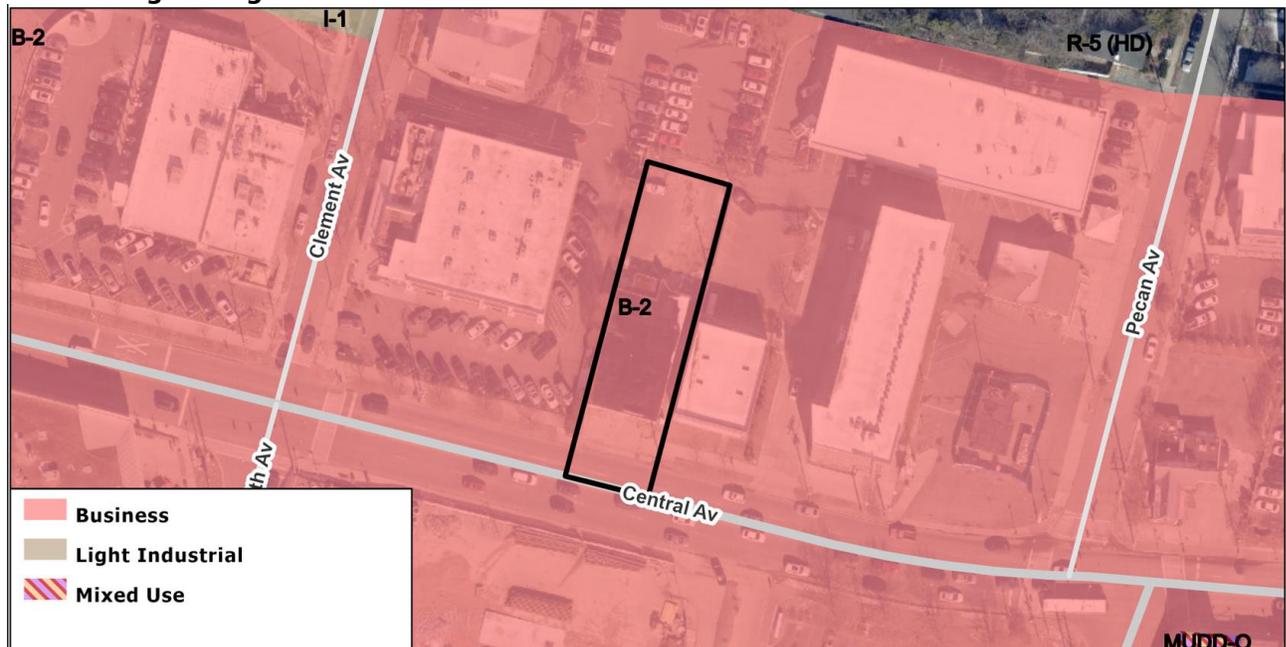
**PLANNING STAFF REVIEW**

• **Proposed Request Details**

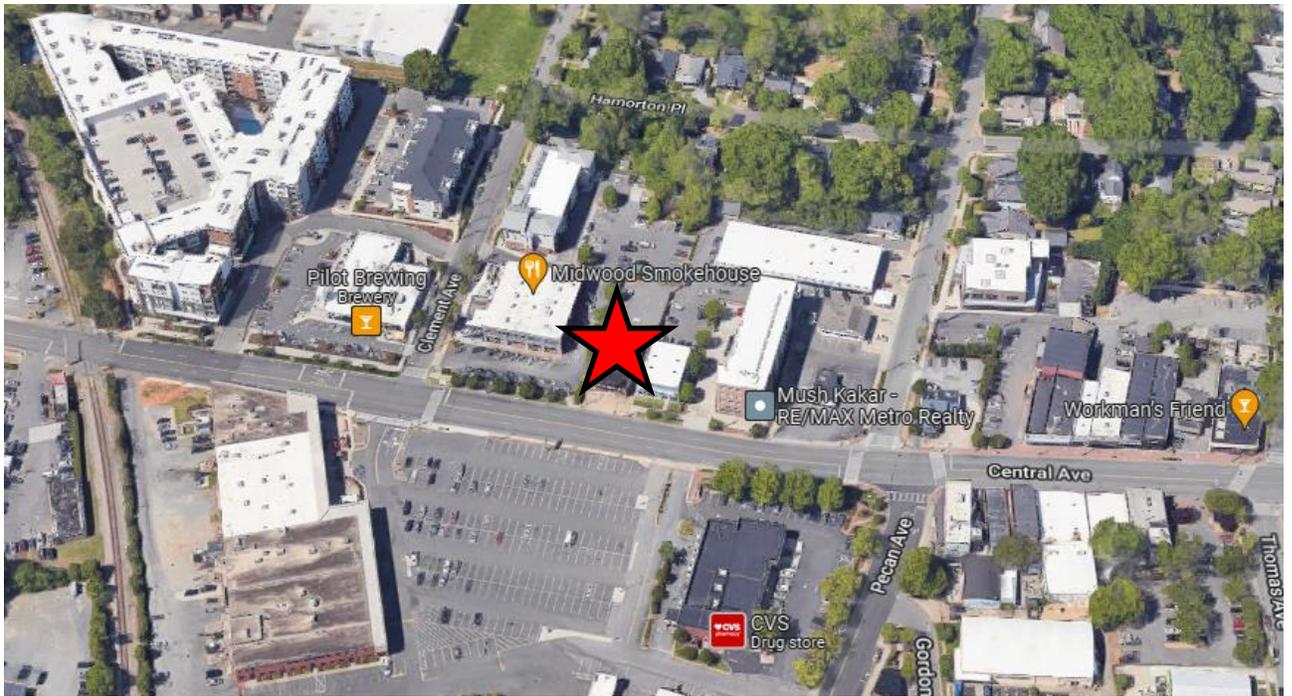
The site plan accompanying this petition contains the following provisions:

- Commits to maintaining the existing building while allowing for renovation and expansion for a maximum of 10,000 square feet of nonresidential uses.
- Limits building height to 40’.
- Allows for building expansion and/or outdoor patio, which may be located on the rooftop.
- Prohibits the following uses: adult establishments, self-storage, drive-through windows (excluding walk-up windows), and gas stations.
- Requests the following optional provisions:
  - The existing building may remain and be renovated, improved, expanded, and replaced to include the upward expansion of the building and/or rooftop patio.
  - No parking will be required for use of the existing building, building expansion, or outdoor patio area.
  - The existing parking may be removed from the site.
- In the event that a rooftop patio is installed, the petitioner will provide a screening wall of at least 8’ in height along the northern boundary of the occupiable patio space.
- Commits to installation of an 8’ planting strip and 8’ sidewalk along the site’s Central Avenue frontage.
- Limits all new lighting to being full cut-off type fixtures except for lower decorative lighting that may be installed along the internal drive aisles, sidewalk, courtyards, and landscape accent lighting.

• **Existing Zoning and Land Use**



The site and all adjacent parcels are zoned B-2 and are within the Pedestrian overlay. The site is surrounded by a mix of commercial, office, and residential uses.



The location of the site, situated near the heart of the Plaza Midwood neighborhood, is noted by a red star.

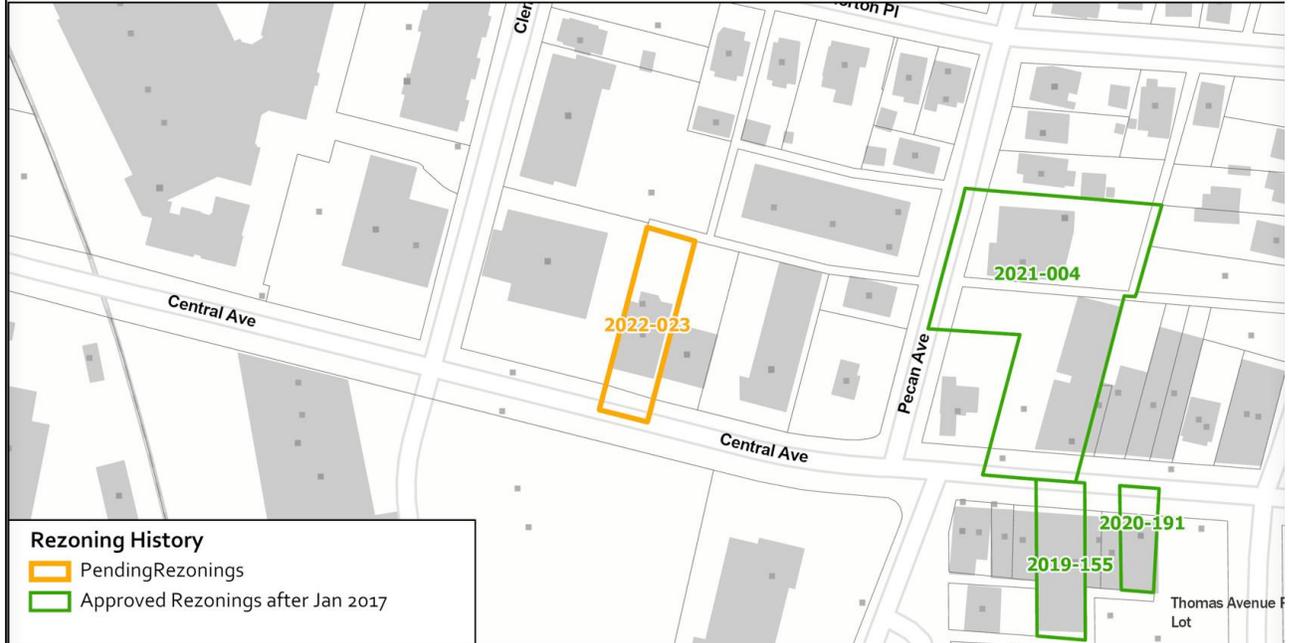


Streetview looking north at the site's Central Avenue frontage.



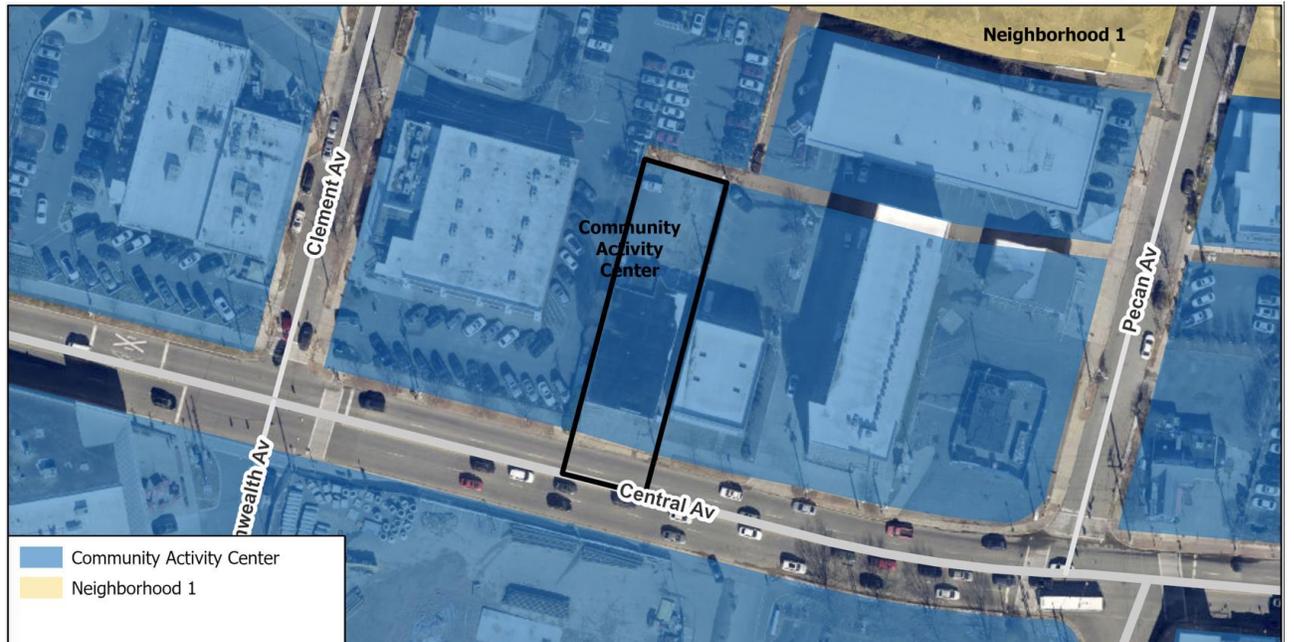
View of the rear of the site looking south. The subject building is in the center of the image.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-004	Request to provide parking and streetscape flexibility while preserving the site's existing building.	Approved
2020-191	Ped overlay optional request to allow flexibility in parking requirements to preserve existing building.	Approved
2019-155	Ped overlay optional request to allow flexibility in parking requirements to preserve existing building.	Approved

• **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Community Activity Center place type for this site and surrounding area.

- **TRANSPORTATION SUMMARY**

- The site is located on Central Avenue, a City-maintained major thoroughfare in between Clemente Avenue, a City-maintained local street and Pecan Avenue, a City-maintained local street. A Traffic Impact Study (TIS) is not needed for this site. Site plan revisions are needed to meet ordinance requirements and/or the outstanding items including, but not limited to a conditional note specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued. Further details are listed below:
  - **Active Projects:**
  - No active projects near the site
- **Transportation Considerations**
  - See Outstanding Issues, Note 1.
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 360 trips per day (based on 3,066 SF of retail).
    - Entitlement: 375 trips per day (based on 3,360 SF of retail).
  - Proposed Zoning: Too many uses to determine trip generation (based on 10,000 SF of uses permitted in MUDD-O).

**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 comments submitted.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **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 24-inch water distribution main located along Central Ave. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Central Ave. 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 comments submitted.
- **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. ~~Add note/call out on site plan referencing approved Land Development plans for this site.~~

ADDRESSED

2. Add a note to the Transportation section of conditional notes stating that dedication and fee simple conveyance of all rights-of-way, including 2' behind back of sidewalk where feasible, will be made to the City prior to the site's first building certificate of occupancy. **OUTSTANDING**

Environment

3. ~~Add a conditional note that states "Site will comply with the City of Charlotte Tree Ordinance".~~

ADDRESSED

Site and Building Design

4. ~~Add petition number 2022-023 to site plan.~~ **ADDRESSED**

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

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