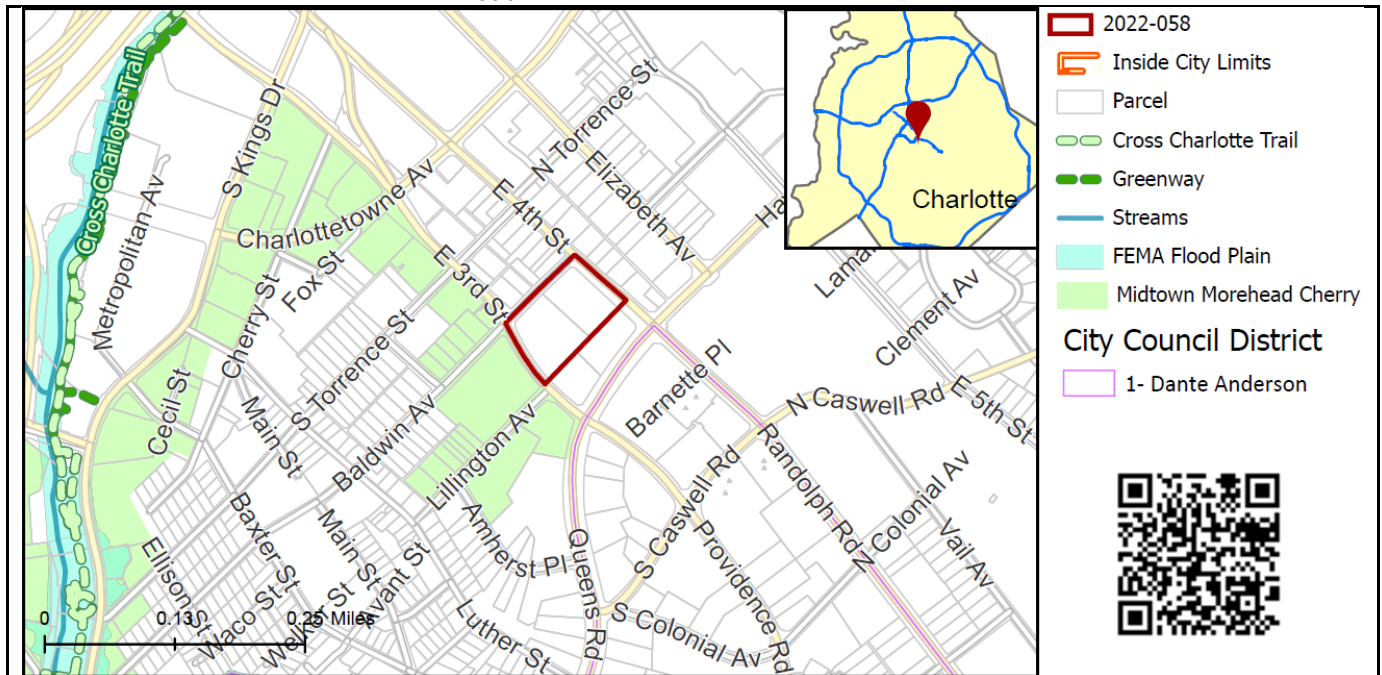


## REQUEST

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

## LOCATION

Approximately 3.4 acres bound by the south side of Baldwin Avenue, west side of East 4th Street, and east side of East 3rd Street, north of Queens Road



## SUMMARY OF PETITION

The petition proposes to amend proposed transportation improvements at the intersection of Baldwin Ave. and 3<sup>rd</sup> St.

## PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE

BALDWIN SRE-A LLC, HAMPSTEAD SC (SRE) LLC, and BALDWIN SRE-C, LLC  
BALDWIN SRE-A LLC, HAMPSTEAD SC (SRE) LLC, and BALDWIN SRE-C, LLC  
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: 9

## STAFF RECOMMENDATION

Staff recommends approval of this petition.

### Plan Consistency

The petition is **consistent** with the *2040 Policy Map* recommendation for Community Activity Center place type but **inconsistent** in regard to building height.

### Rationale for Recommendation

- The petition carries forward all the entitlements and conditions from the previously approved rezoning and only proposes changes to the transportation improvements at the intersection of Baldwin Ave and E. 3<sup>rd</sup> St.
- The proposed transportation improvement changes have been coordinated with CDOT.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 1: 10-Minute Neighborhood

- 4: Trail & Transit Oriented Development
- 5: Safe & Equitable Mobility
- 6: Healthy, Safe & Activity Communities
- 7: Integrated Natural & Built Environments
- 8: Diverse & Resilient Economic Opportunity

## PLANNING STAFF REVIEW

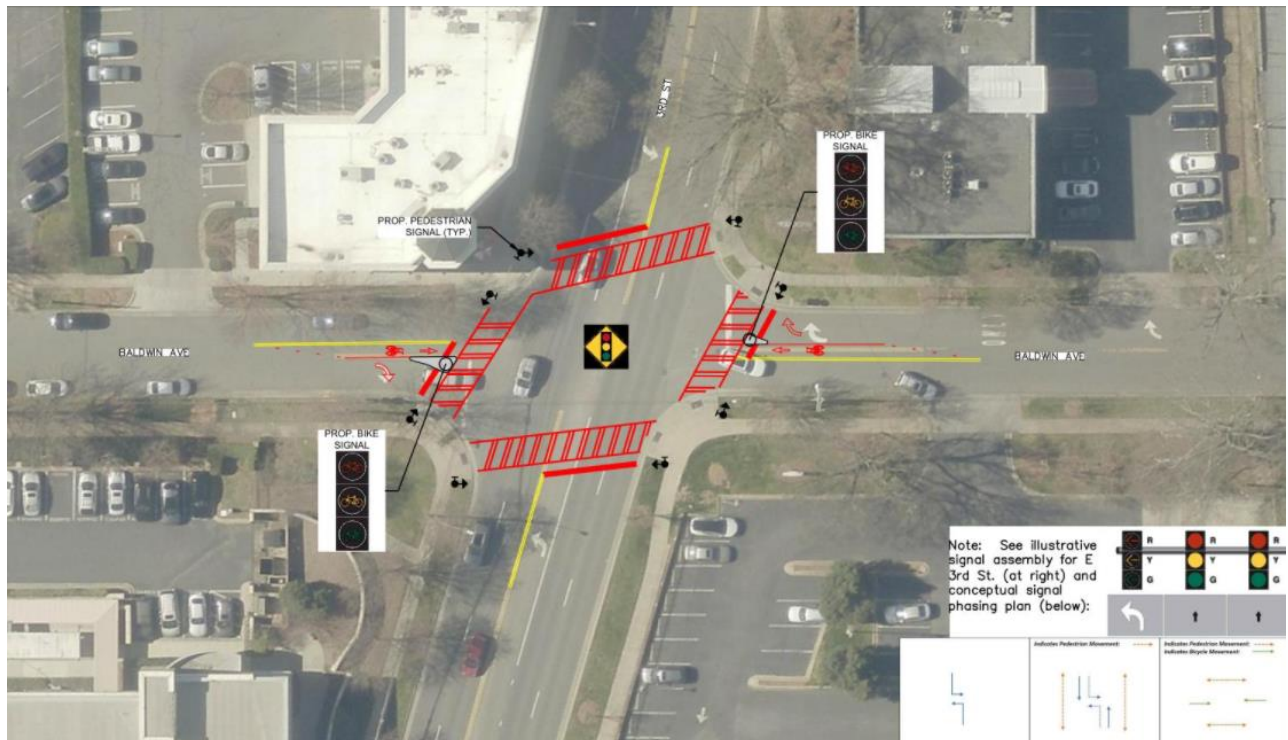
### • Proposed Request Details

The site plan amendment contains the following changes:

- The plan incorporates the intersection improvements (shown below).

Summary of the updated design of the 3<sup>rd</sup> and Baldwin intersection and signal:

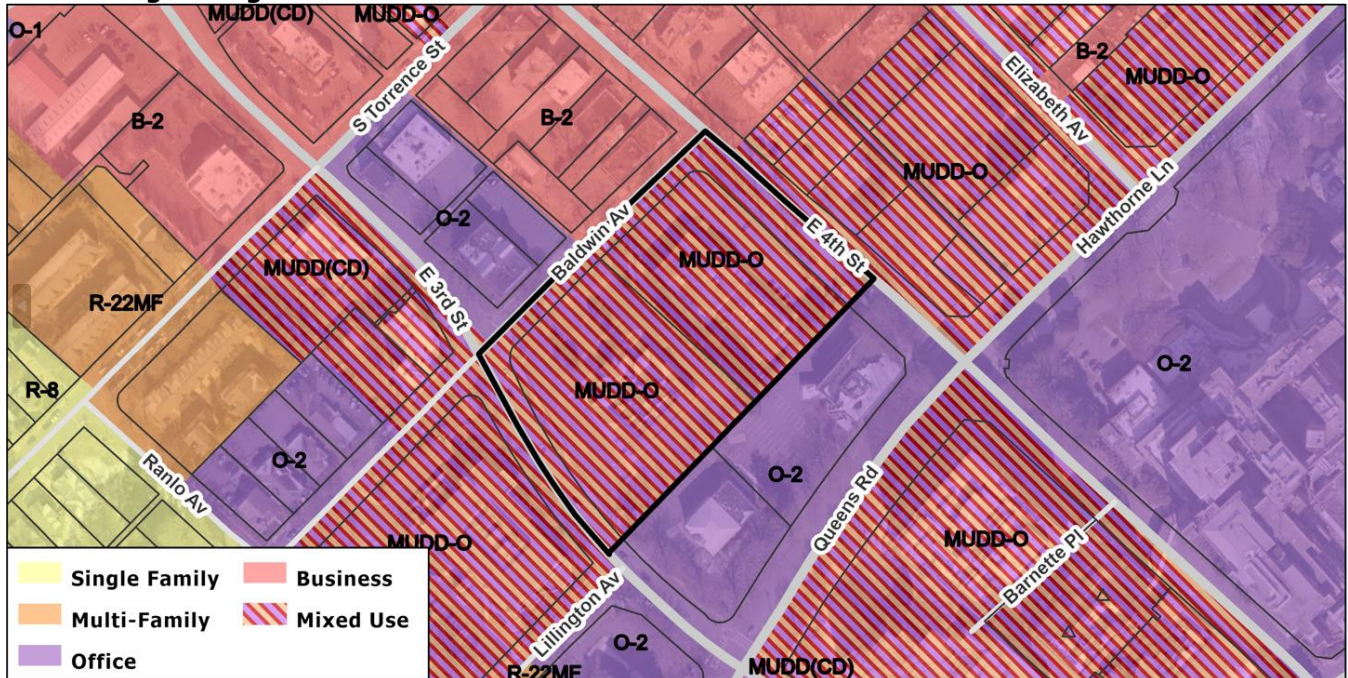
- Restricts left and through movements from Baldwin Avenue (maintaining the existing right turn in and out restrictions on Baldwin Avenue) with the intent to limit through vehicle traffic from the planned development into the neighborhood via Baldwin Avenue.
- Incorporates a bicycle signal and lane to allow through bicycle connectivity on Baldwin Avenue across 3<sup>rd</sup> Street.
- Thorough coordination between NCDOT (3<sup>rd</sup> Street is NCDOT maintained) and CDOT was conducted to ensure a safe and functional intersection design and signal operation.
- The resulting design is a significant alteration to the operation, access and traffic patterns of the project's existing transportation requirements and reflects a substantive change to the approved site plan and overall transportation commitments.



- No other changes to the previously approved entitlements and conditions are proposed.
- The previous petition 2017-177, approved the following:
- Development of up to 512,500 square feet of office, 16,800 square feet of retail and eating/drinking/entertainment establishments and a 240-room hotel.
- Maximum building height of 299 ft. Maximum of 85 ft for parking structures.
- Prohibits EDEEs from being located on the top of the building.
- 20,000 sqft of open space with amenities
- Architectural standards related to building materials and ground floor activation.
- Contributions to the City of Charlotte and Partners for Parks and/or Mecklenburg County Parks and Recreation to improvements to Cherry Neighborhood Park and pedestrian access to the park.

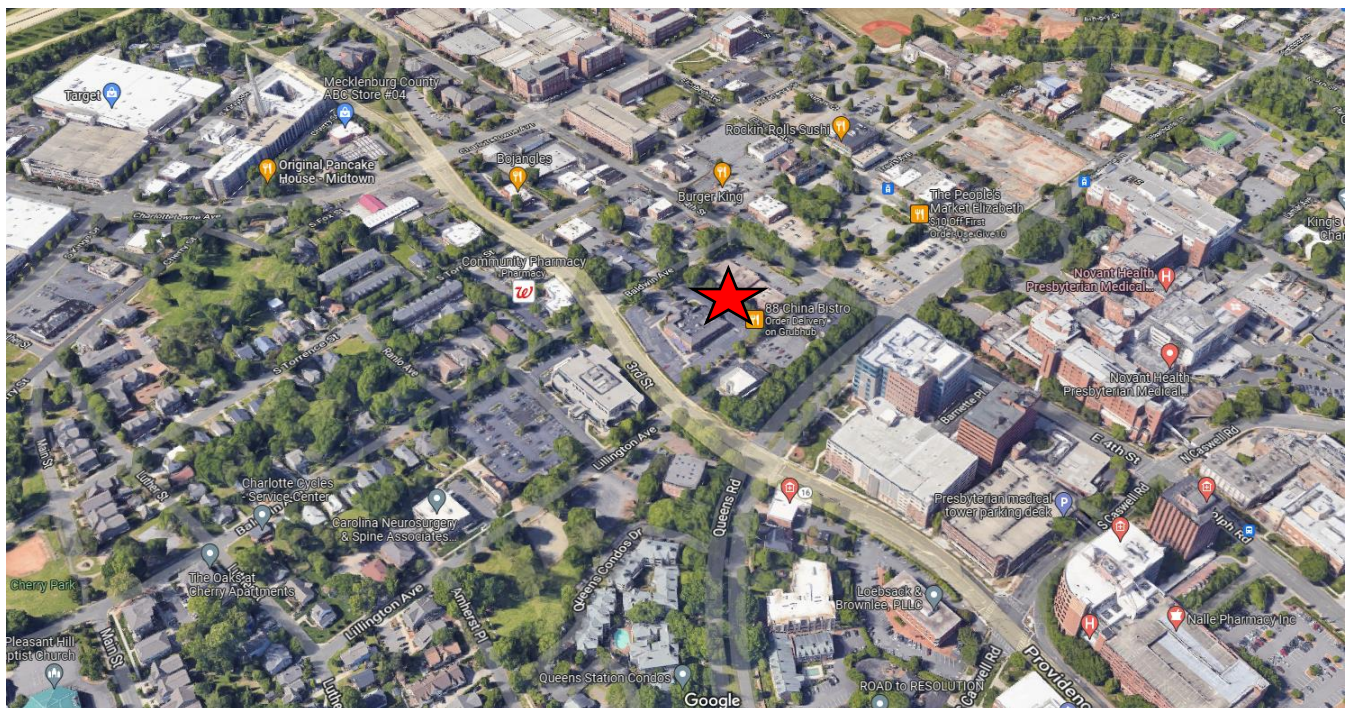


- Existing Zoning**



- The site was rezoned per 2017-177 to MUDD-O. There is a mixture of zoning in the area including commercial, office and mixed use development around the site with multi-family and single family residential zoning to the west near S. Torrence St. and Ranlo Ave.

Existing Zoning	Translated Zoning	Recommended Place Type
MUDD-O	NA	Community Activity Center



The site, indicated by the red star above, is in an area with a mix of non-residential uses. There are multi-family uses to the south on Queens Rd and west on S. Torrence St. There are single family homes to the west in the Cherry neighborhood.





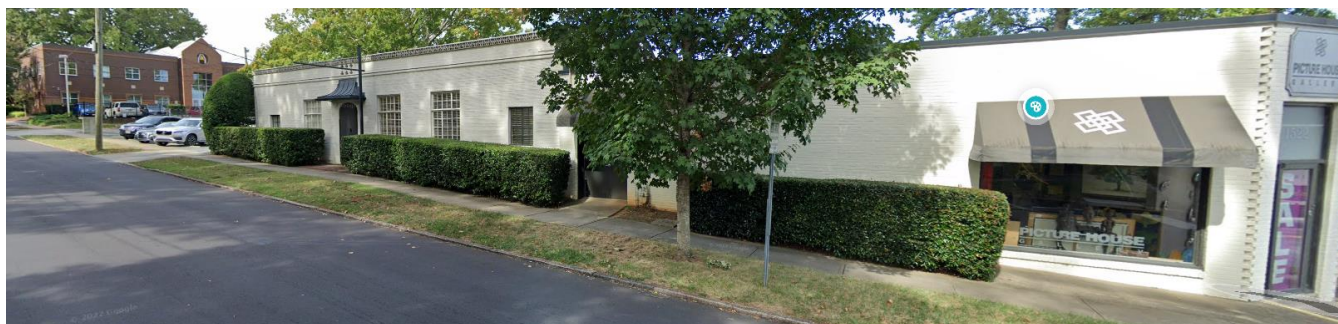
The site is developed with medical office and commercial uses.



South of the site fronting E. 4<sup>th</sup> St, Queens Rd and E. 3<sup>rd</sup> St. are office and financial institution uses.



East of the site, across E 4<sup>th</sup> St. are several parking lots.



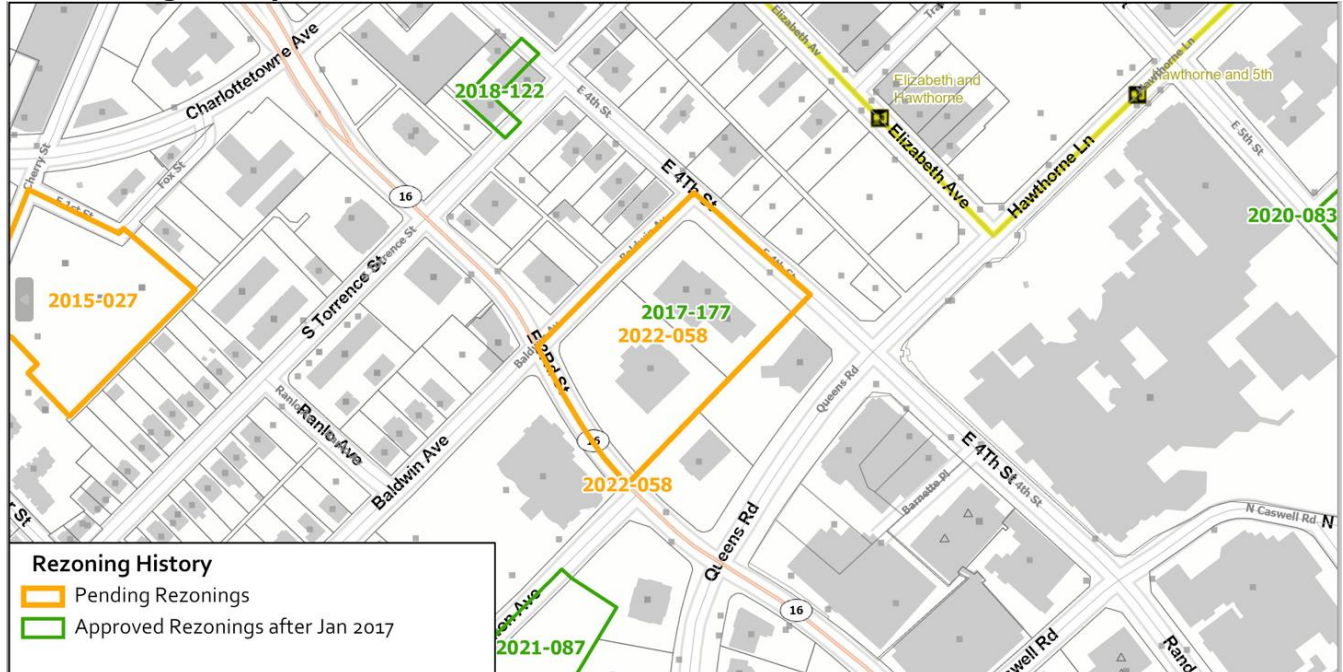
North of the site, across Baldwin Ave. is a gallery and office use.



West of the site, across E. 3<sup>rd</sup> St. is medical office use.

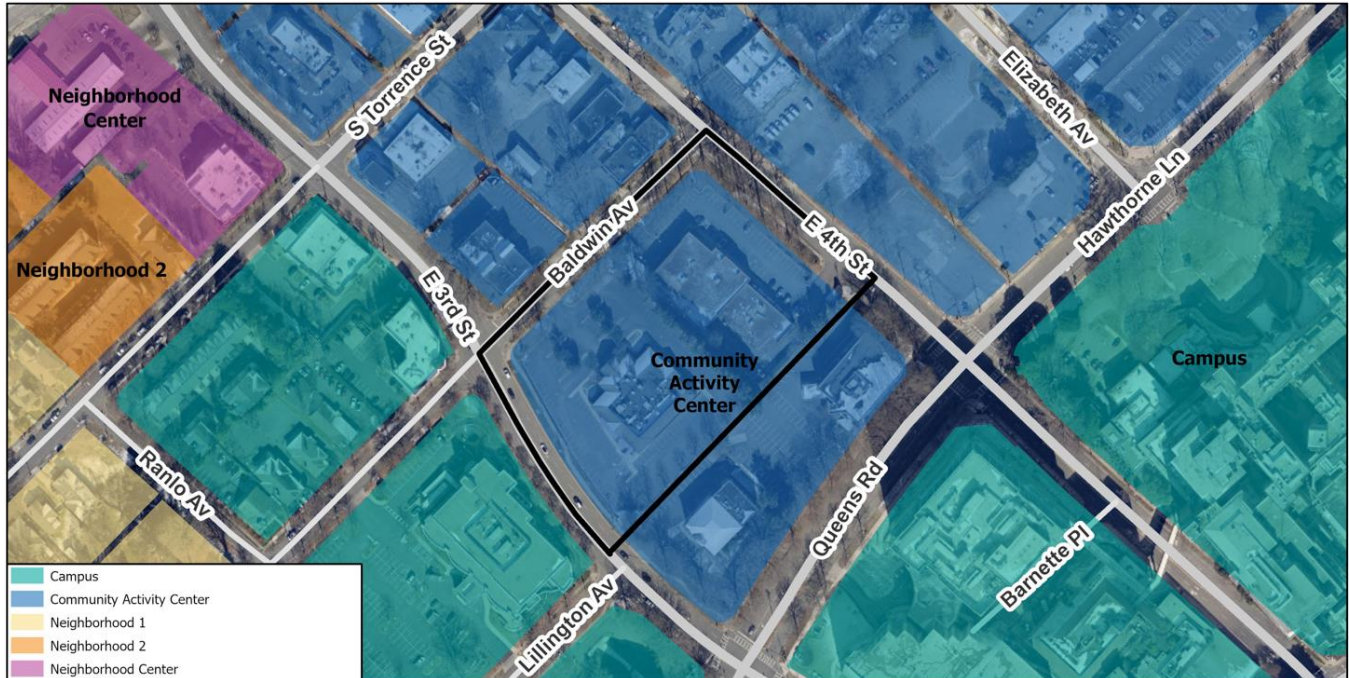


• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2015-027	3.03 acres west of site on the southeast corner at the intersection of Cherry St. and E. 1 <sup>st</sup> St. from R-22MF (multi-family) to UR-C(CD) (urban residential, commercial, conditional) proposing up to 200 multi-family dwellings. This petition has been on deferral since April of 2015.	Pending
2017-177	Previous rezoning of the subject 3.4 acre site to MUDD-O 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
2018-122	.24 acres northwest of the site on E 4 <sup>th</sup> St. to MUDD-O to retain the existing buildings with possible expansions and new outdoor areas.	Approved
2020-083	2.39 acres east of the site located at off E. 5 <sup>th</sup> St. to MUDD-O to allow a mix of residential and non-residential uses (including a cell tower) on parcels built with an office, quadraplex, vacant parcel, and a private school (Kings College).	Approved
2021-087	1.91 acres south of the site, located at the corner of Lillington Ave. and Amherst Pl. to MUDD(CD) PED (mixed development, conditional, pedestrian overlay) to allow up to 15,000 SF of office, medical office, or institutional including health clinics in the MUDD district.	Approved

- **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends Community Activity Center for the site.

- **TRANSPORTATION SUMMARY**

- The petition is located on the east side of Baldwin Avenue, a City-maintained minor collector north of East Third Street, a State-maintained major throughfare south of East Fourth Street, a City maintained major throughfare. A Traffic Impact Study (TIS) is not needed for this site (A TIS was previously approved by CDOT and NCDOT for RZP-2017-177). The petitioner provided a TIS addendum documenting changes from the previously approved TIS. TIS addendum was approved on 12/19/2022. Petitioner has committed to committing to constructing newly proposed intersection improvements.

- **Active Projects:**

- No active projects in the vicinity.

- **Transportation Considerations**

- See Outstanding Issues, Note 2. Addressed

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 2,055 trips per day (based on medical and dental office and retail use).

Entitlement: 7,930 trips per day (based on 512,500 sqft general office, 16,800 sqft retail, 240 hotel rooms).

Proposed Zoning: 7,930 trips per day (based on 512,500 sqft general office, 16,800 sqft retail, 240 hotel rooms).

## DEPARTMENT COMMENTS

- **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 outstanding issues.
- **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 8-inch water distribution main located along E 4th St. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along E 4th St. 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:** No outstanding issues.
- **Urban Forestry / City Arborist:** No outstanding issues.

## OUTSTANDING ISSUES

### Transportation

1. Provide TIS addendum to document any changes from the previously approved TIS. Addressed.
2. Revise site plan and conditional note(s) verifying the method in which any pavement marking removal and proposed pavement marking will be accommodated. This will be subject to review and approval with both NCDOT and CDOT. ~~Not addressed, add conditional note stating that the method of pavement marking removal and method of new pavement marking application will be subject to review and approval of both NCDOT and CDOT.~~ Addressed
3. A site plan note specifying that all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued as needed. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes. Addressed.

## REQUESTED TECHNICAL REVISIONS

### Site and Building Design

4. Amend rezoning petition number on the Site plan amendment sheets to reflect RZP-2022-058. Addressed
5. Remove references to 5 year vested rights on the site plan as the 5 year vesting has been removed from the application. ~~Notes struck, need to strike from Dev. Data Table.~~ Addressed
6. Amend the bubbled changes to only bubble the notes changed as a result of the requests site plan amendment. Addressed

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**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**

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