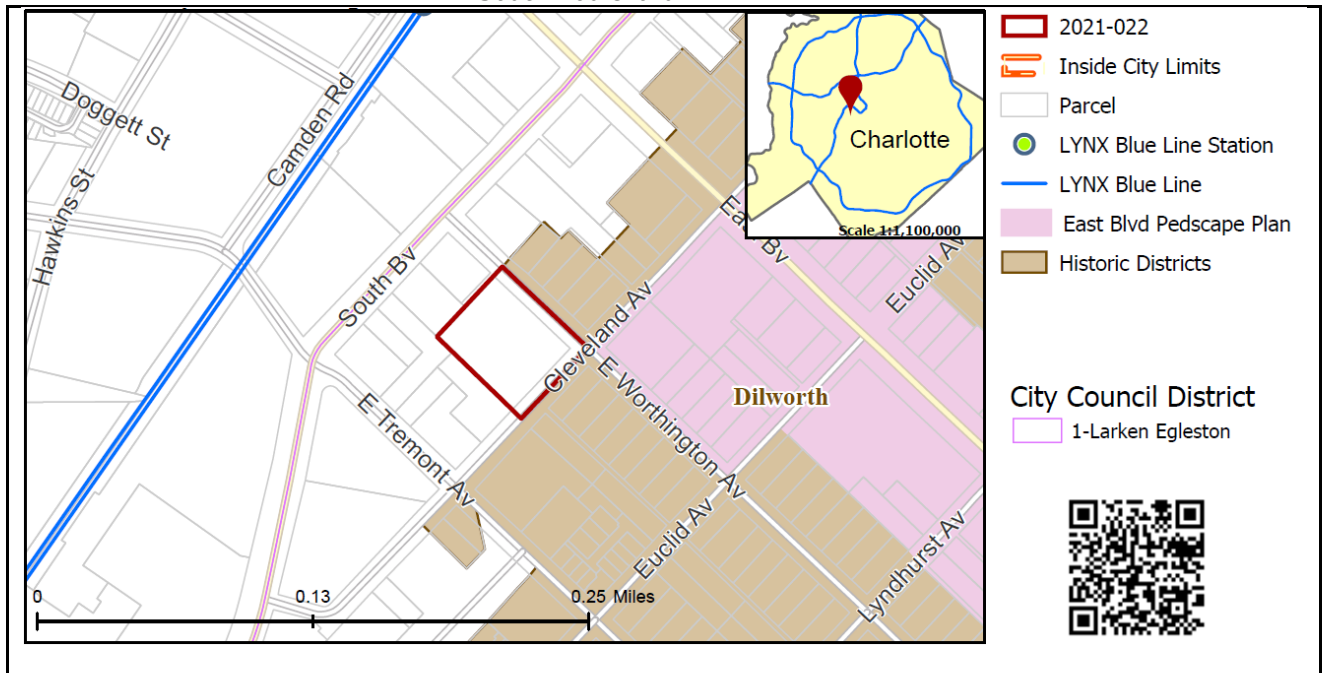


REQUEST

Current Zoning: TOD-M(O) (transit oriented development-mixed use, optional)
Proposed Zoning: TOD-NC (transit oriented development-neighborhood center)

LOCATION

Approximately 1.14 acres located in the western quadrant of the intersection of Cleveland Avenue and Worthington Avenue, east of South Boulevard.



SUMMARY OF PETITION

The petition proposes to allow all transit supportive uses per TOD-NC (transit oriented development-neighborhood center) zoning for a 1.14 acre site that is within 0.25 mile of the East/West Transit Station on the LYNX Blue Line.

PROPERTY OWNER

OMS Dilworth LLC

PETITIONER

OMS Dilworth

AGENT/REPRESENTATIVE

Collin Brown and Brittany Lins/Alexander Ricks, PLLC

COMMUNITY MEETING

Meeting is not required.

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *South End Transit Station Area Plan* recommended retail land use, as amended by petition 2014-002.

Rationale for Recommendation

- The subject site is within 0.25 mile of the East/West Boulevard Station on the LYNX Blue Line.
- The proposal permits a site previously used for industrial uses to convert to transit supportive land uses.
- Use of conventional TOD-NC (transit oriented development – neighborhood center) zoning applies standards and regulations

to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary.

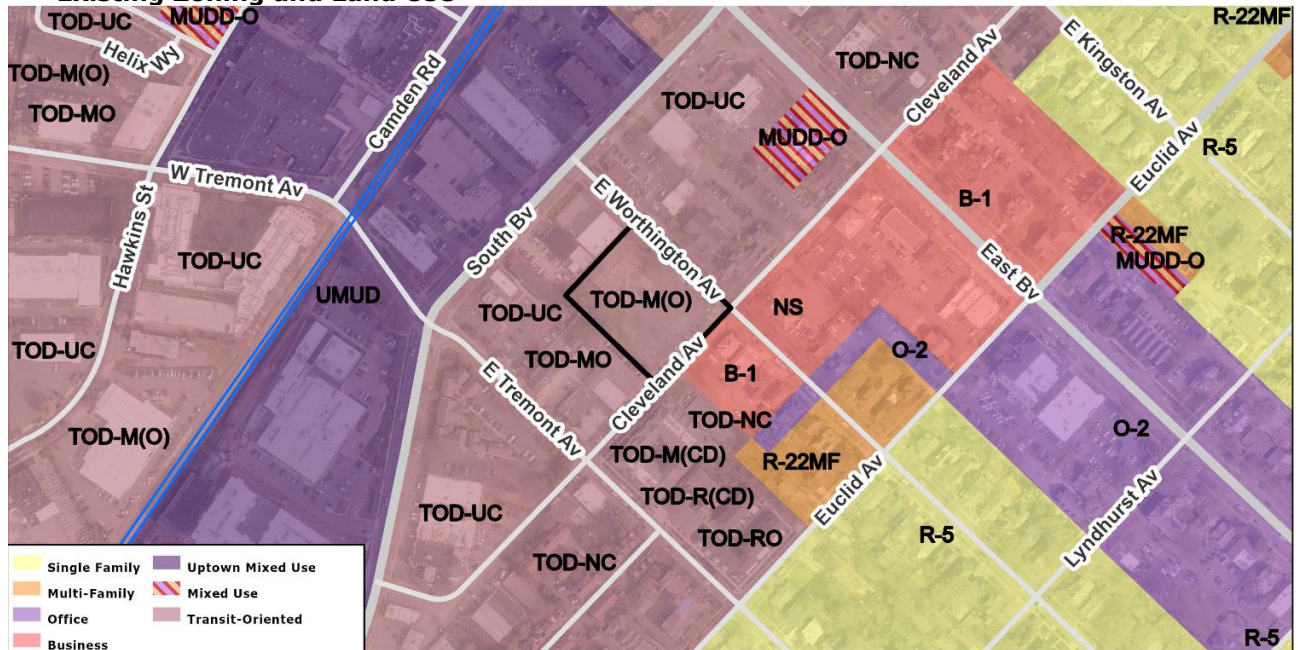
The approval of this petition will revise the adopted future land use as specified by the *South End Transit Station Area Plan*, from current recommended retail use to new recommended transit oriented development use for the site.

PLANNING STAFF REVIEW

- **Proposed Request Details**

This is a conventional rezoning petition with no associated site plan. Uses allowed in the TOD-NC district include residential, retail, and civic uses.

- **Existing Zoning and Land Use**



- The site is developed with an industrial building and associated parking and is surrounded by a mix of residential and non-residential uses in various zoning districts.
- The site was rezoned from B-1 to TOD-R(CD) via petition 2006-162 to allow up to 80 multi-family residential units.
- Rezoning petition 2013-068 proposed a TOD-R(CD) site plan amendment to revise the layout and change the product type to multi-family residential with up to 33 dwelling units. The request was withdrawn.
- Rezoning petition 2014-002 rezoned the site from TOD-R(CD) to TOD-M(O) to allow a 130-room hotel with accessory uses.



The site is developed with an industrial building and associated parking constructed in 1969.



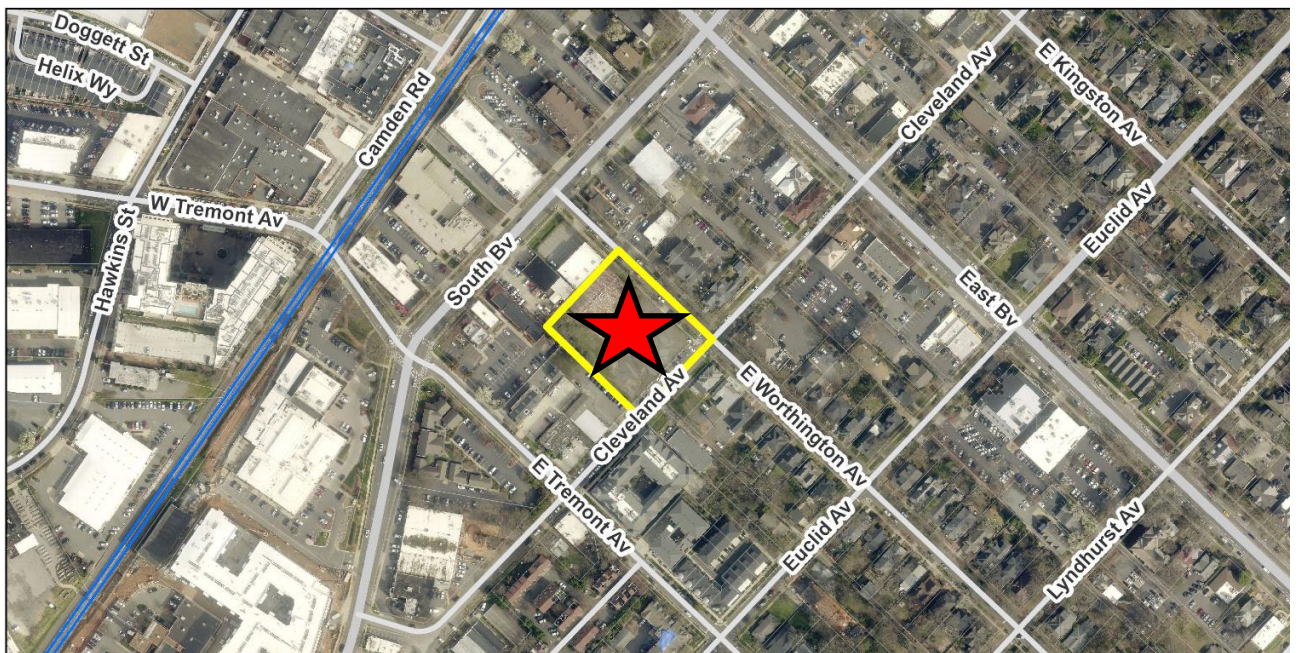
The site is developed with an industrial building and associated parking.



North are residential and institutional uses.

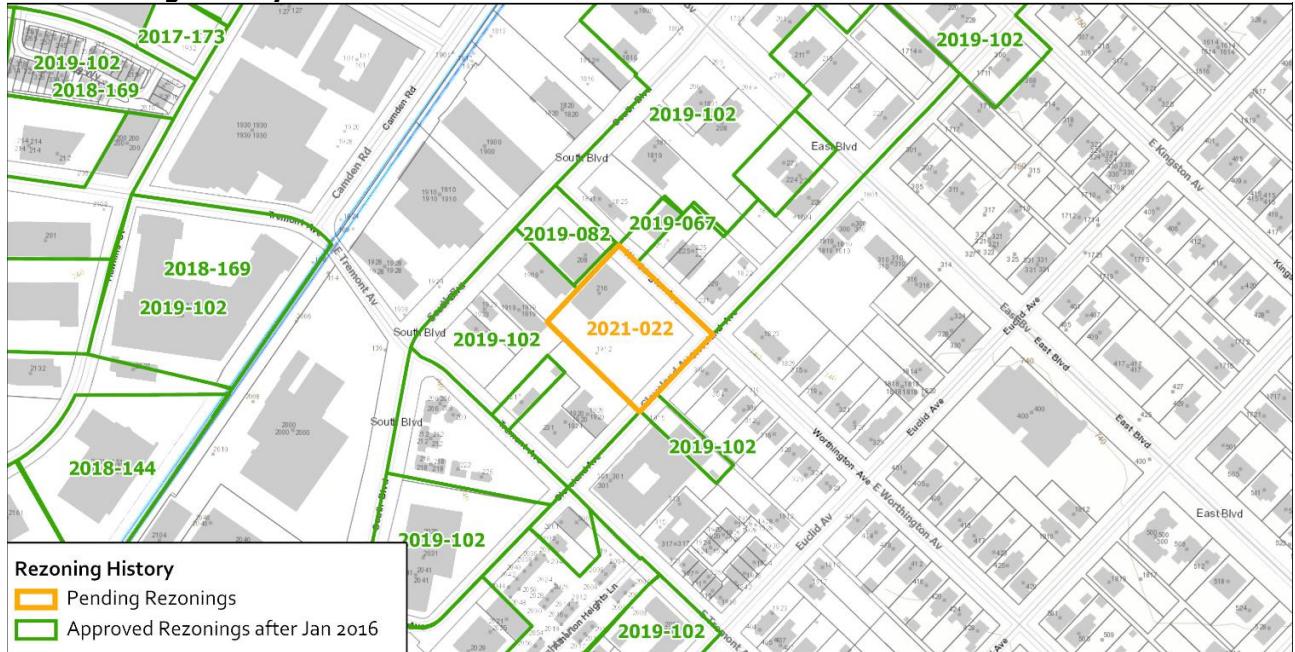


Along South Boulevard are a mix of residential and non-residential uses.



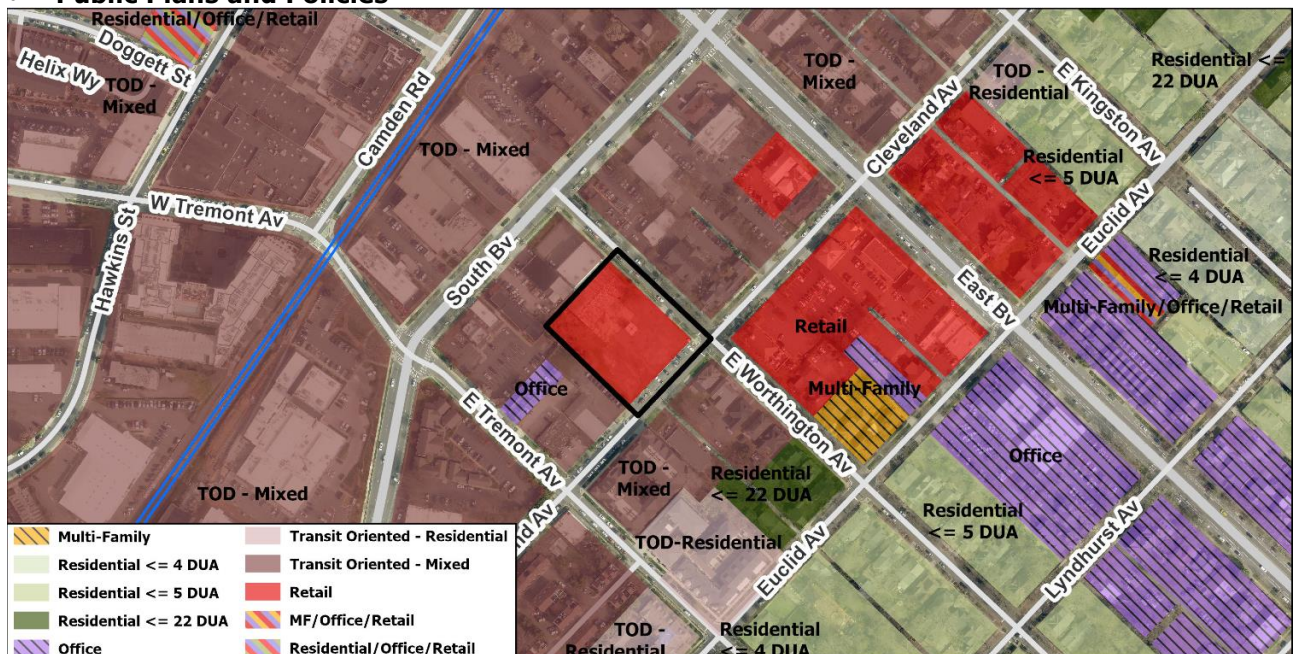
The rezoning site (denoted by the red star) is surrounded by a mix of residential and non-residential uses.

• Rezoning History in Area



Petition Number	Summary of Petition	Status
2019-102	Rezoned 1,771.18 acres under a range of zoning districts to TOD-UC, TOD-NC, TOD-CC or TOD-TR.	Approved
2019-082	Rezoned 0.32 acres from B-1 to TOD-UC.	Approved
2019-067	Rezoned 0.15 acres from B-1 to TOD-UC.	Approved
2018-169	Text amendment to modify TOD requirements.	Approved
2018-144	Rezoned 2.21 acres from MUDD-O to TOD-M(O).	Approved

• Public Plans and Policies



- The South End Transit Station Area Plan (2005) recommends retail, as amended by petition 2014-002.

- **TRANSPORTATION SUMMARY**

- The site is located on two City-maintained local roads (Worthington Avenue and Cleveland Avenue). The site is located less than ¼ mile south of LYNX East/West Blue Line Station. The site was previously rezoned for a hotel with petition 2014-002 and is now requesting a TOD-NC zoning and will be subject to transportation improvements in accordance with the TOD Ordinance and the adopted CDOT Streets Map. CDOT will work with the petitioner during the permitting process to provide additional forms of connectivity, as applicable, supporting the types of development in the TOD-zoned areas.
- **Active Projects:**
 - No projects near the site.
- **Transportation Considerations**
 - No outstanding issues. See advisory comments at www.rezoning.org.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: Vacant
 - Entitlement: 1,045 trips per day (based on 130-room hotel; rezoning petition 2014-002).
 - Proposed Zoning: Too many uses to determine (based on proposed TOD-NC).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** See advisory comments at www.rezoning.org
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org.
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined. See advisory comments at www.rezoning.org.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along E Worthington Ave and via a 6-inch main located along Cleveland Ave. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along E Worthington Ave. See advisory comments at www.rezoning.org.
- **City Arborist:** No comments submitted.
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at 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
- **Urban Forestry:** No outstanding issues.

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

Planner: Claire Lyte-Graham (704) 336-3782