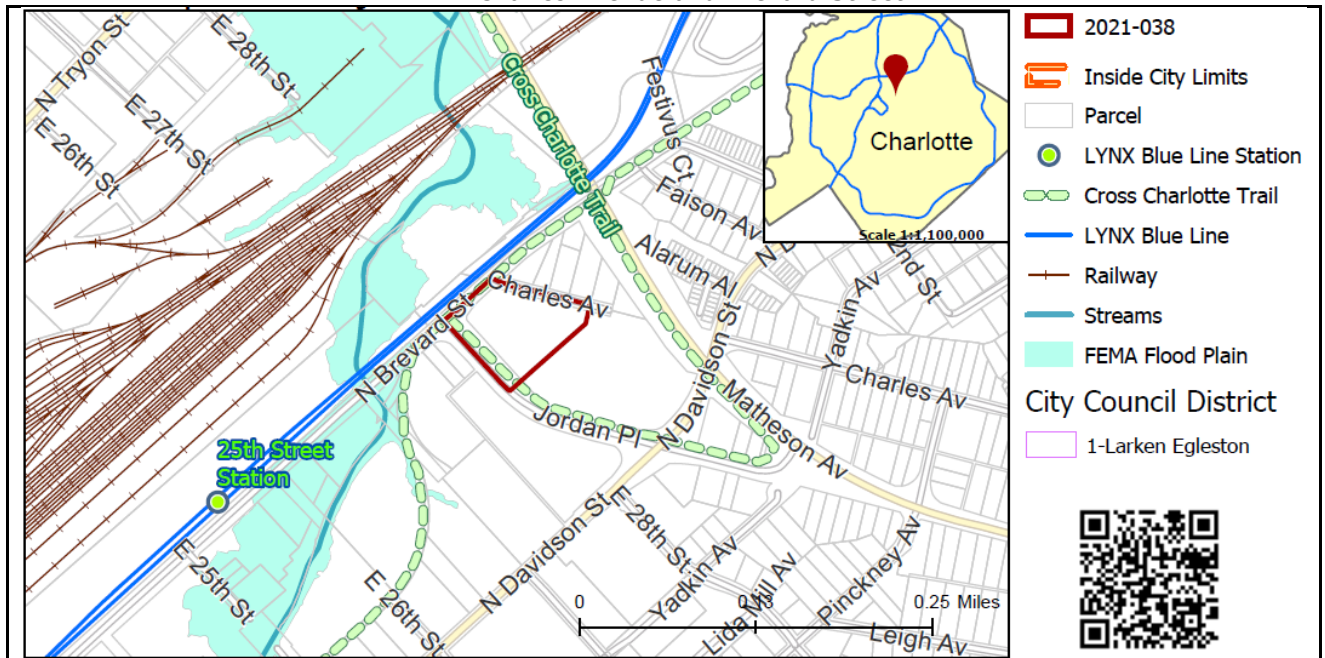


## REQUEST

Current Zoning: TOD-M(CD) (transit-oriented development, mixed, conditional)  
Proposed Zoning: TOD-UC(EX) (transit-oriented development, urban center, exception)

## LOCATION

Approximately 2 acres located at the southern intersection of Charles Avenue and Brevard Street.



## SUMMARY OF PETITION

The petition proposes to rezone to a contemporary transit-oriented development district in order to utilize the exception (EX) provision to permit encroachment into the site's setback along Charles Avenue.

## PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE

Chadbourn Mill Owner, LLC  
White Point Partners, LLC  
John Carmichael, Robinson Bradshaw

## COMMUNITY MEETING

Meeting is required and has been held. Report available online.  
Number of people attending the Virtual Community Meeting: 3

## STAFF RECOMMENDATION

Staff recommends approval of this petition.

### Plan Consistency

The petition is **consistent** with the 25<sup>th</sup> Street Station Plan's (2013) for mixed transit-oriented development at the site.

### Rationale for Recommendation

- The request meets the approval standards listed in Section 15.12.4 in the City's *TOD Ordinance*, including being a "creative approach to the use of land that results in more efficient development than might otherwise be accomplished under the strict application of this ordinance" as well as encouraging "...the redevelopment, restoration, and/or adaptive reuse of existing structures..."

- The request meets the requirement of utilization of the EX district in that the petition provides two required actions – one action from sustainability (commitment to adaptively reuse the building with the need for the EX provision) and one action from public benefit (commitment to provide enhanced bike parking and seating).
- TOD-UC is appropriate for this site as it is less than .5 miles from the 25<sup>th</sup> Street Station.

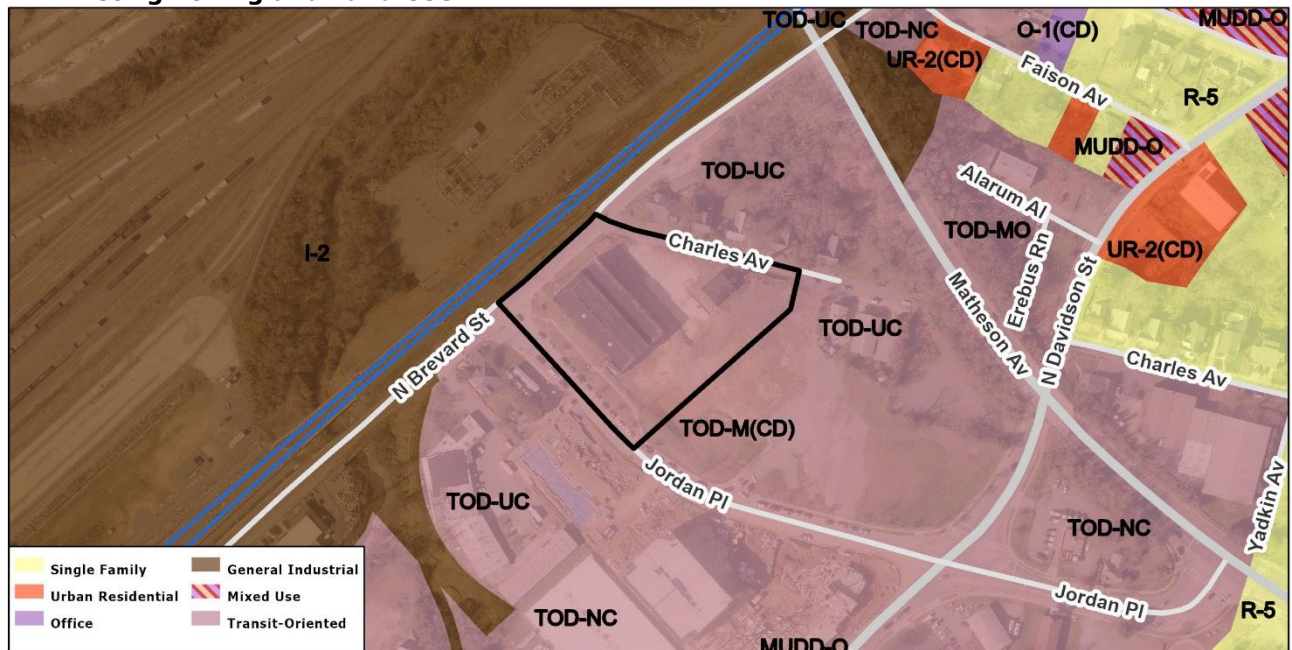
## PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows all uses permitted within the TOD-UC district.
- States the intent of utilizing Existing Building 1 and Existing Building 2 on the site (the mill building and the former powerhouse/smokestack).
- Allows for the complete redevelopment of the site under TOD-UC development regulations.
- EX provisions apply only to the reuse and expansion of Existing Building 2 (powerhouse/smokestack) and are as follows:
  - A building addition may encroach into the required setback along Charles Avenue.
  - An outdoor dining patio may encroach into the setback along Charles Avenue.
- Accommodates the EX provision through the adaptive reuse of Existing Building 2 and through one bike parking/seating area a minimum of 95 square feet in area.
- Commits to building streetscape to TOD standards in the event that Existing Buildings 1 and 2 are demolished singularly or collectively.
- Commits to the preservation of building 2 unless deemed impractical or unreasonable due to structural or environmental issues by a third party engineer.

- **Existing Zoning and Land Use**



The site was most recently rezoned in 2015 (2015-051) to a conditional mixed TOD district that enabled the restoration and adaptive reuse of the Chadborne Mill building and powerhouse. The site is surrounded by new mixed-use, transit-oriented development and similarly zoned parcels south of the Blue Line, while industrial uses are found to the north of the site.





General location of subject property denoted by red star.



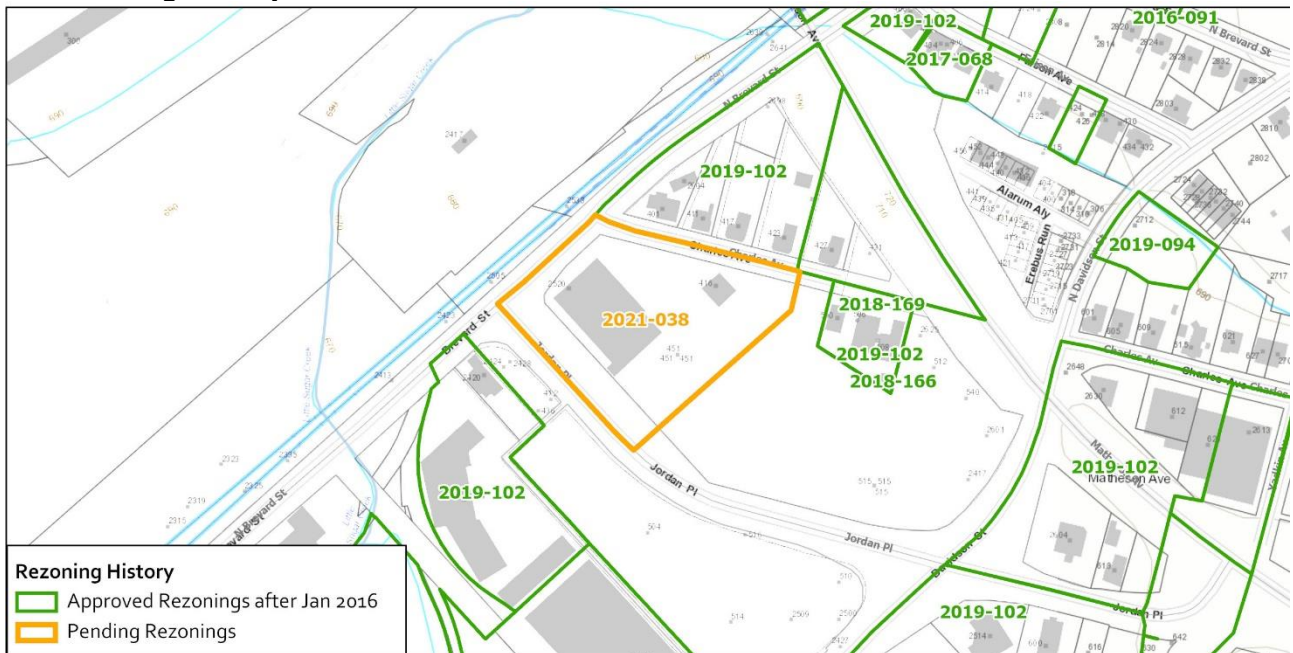
Looking SE toward the subject property along N. Brevard Street. Construction on this building has finished.





General location of the portion of the site that is requesting EX provisions located between the powerhouse's building edge and the retaining wall along Charles Ave.

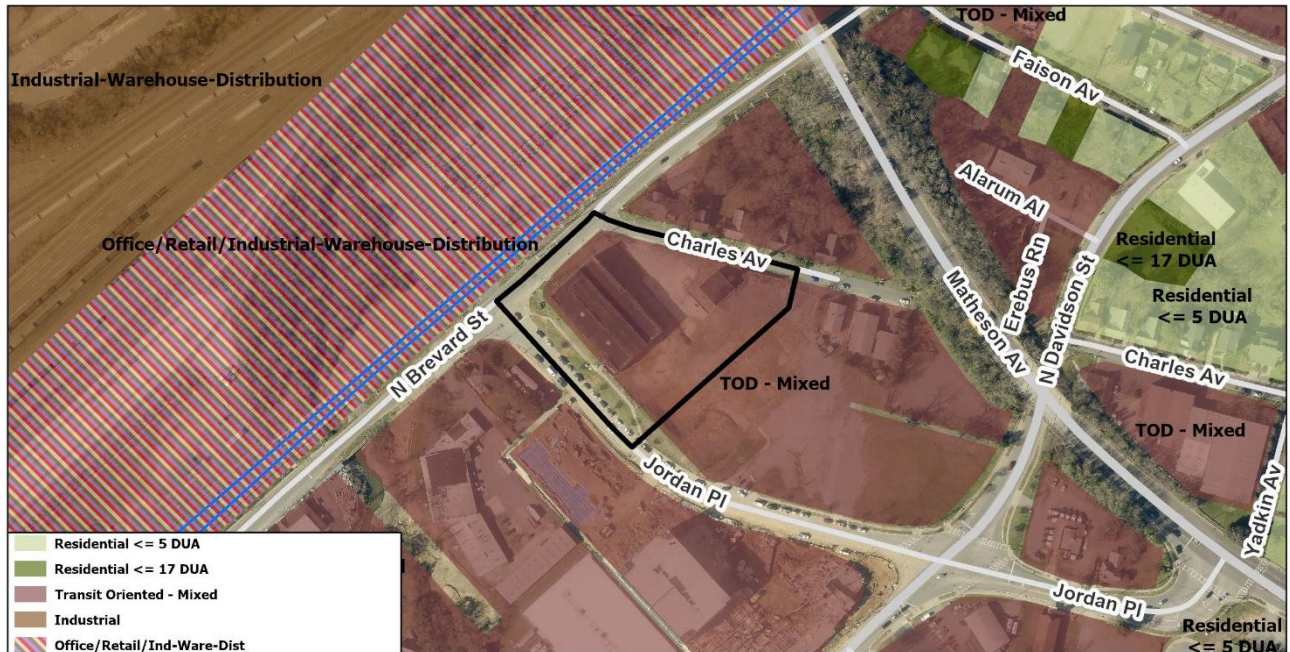
- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-102	City-sponsored TOD rezoning.	Approved
2019-094	Rezoning to permit townhouse development along N. Davidson Street.	Approved
2018-169	Text amendment that translated TOD districts to the new TOD districts.	Approved
2018-166	Rezoning to allow transit-supportive uses.	Approved
2017-068	Rezoning from conventional residential to an urban residential district.	Approved

2016-091	Site plan amendment to previously approved plan to permit construction of townhouse units at Highland Mill.	Approved
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• **Public Plans and Policies**



- The 25<sup>th</sup> Street Station Plan (2013) recommends mixed transit-oriented development at the site.

• **TRANSPORTATION SUMMARY**

- The site abuts three City-maintained streets: Charles Avenue (local street), North Brevard Street (major collector), and Jordan Place (local street). The site is located less than ¼ mile away from the 25<sup>th</sup> Street LYNX Blue Line Station. This site is requesting a TOD-UC zoning and will be subject to transportation improvements in accordance with the TOD Ordinance and the adopted CDOT Streets Map. As this is a TOD project, a Traffic Impact Study (TIS) will not be required as part of the rezoning process but will be evaluated during the permitting process per the TOD ordinance. The petitioner commits to constructing an 8-foot sidewalk with an 8-foot minimum planting strip on Jordan Place per TOD Standards. The site plan also proposes to provide on-street parking to include an ADA Parking Spot in accordance with ADA and PROWAG standards. All CDOT comments have been successfully addressed.

• **Active Projects:**

- Davidson St and Jordan Pl Intersection / XCLT Bike Boulevard
  - Planned improvements to the intersection of North Davidson and Jordan Place will enhance safety and improve accessibility for pedestrians, cyclists and motorists traveling to the 25th Street LYNX Blue Line station. Project includes a cycle-track and protected intersection design.
  - In Design – Anticipated Completion 2023
  - General Services PM: Stephen Tosco
  - <https://charlottenc.gov/Projects/Pages/DavidsonJordan.aspx>
- XCLT Davidson to Matheson (D2M)
  - 12' multi-use path from Jordan/Brevard intersection to Cordelia Park
  - Bid phase – construction expected to begin Summer 2021
  - General Services PM: Joe Frey

• **Transportation Considerations**

- No outstanding issues.

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on vacant land use).

Entitlement: too many uses to determine.

Proposed Zoning: too many uses to determine.



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

- **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:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** Water and sewer service is accessible for this rezoning boundary. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Charles Avenue. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Charles Avenue. See advisory comments at [www.rezoning.org](http://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](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:** No outstanding issues.

**OUTSTANDING ISSUES**Site and Building Design

- ~~1. Petitioner should commit to preserving Existing Building 2 as the building and its interaction with Charles Avenue is the reason behind the EX district request.~~ **ADDRESSED**

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

**Planner:** William Linville (704) 336-4090