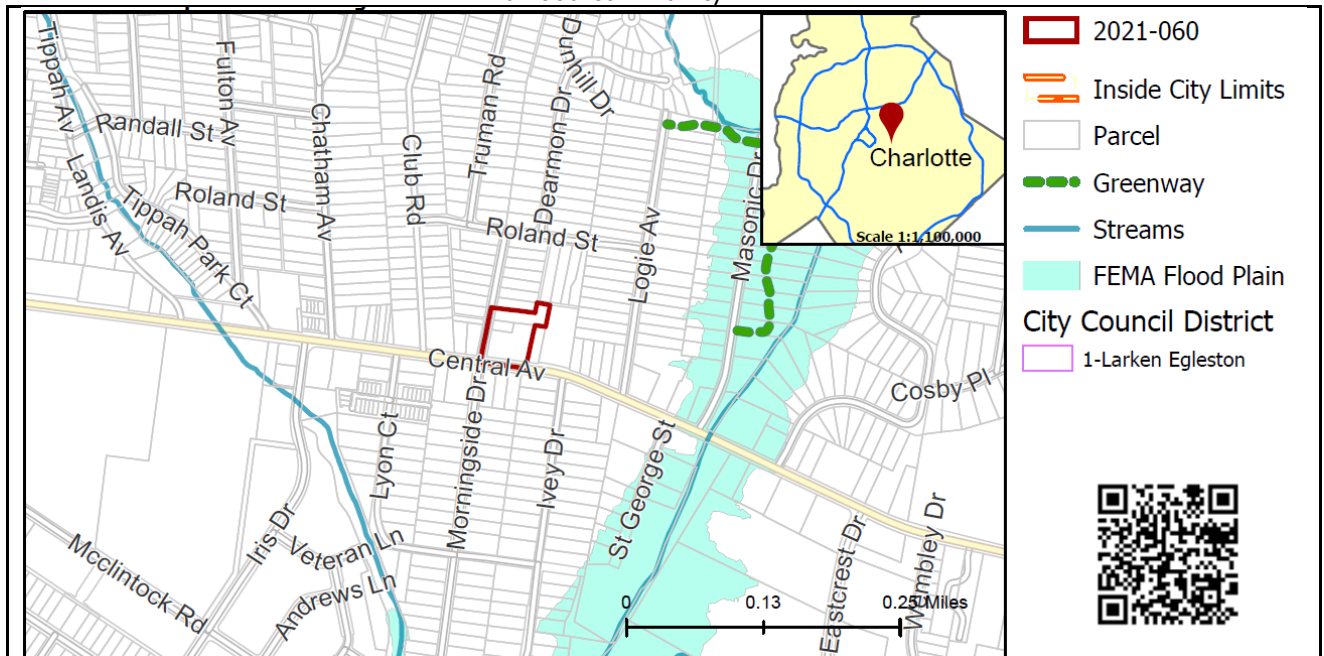


REQUEST

Current Zoning: B-1/B-2 (neighborhood business, general business)
 Proposed Zoning: MUDD(O) (mixed-use development, optional)

LOCATION

Approximately 1.23 acres located at the NE corner of the intersection of Central Avenue and Morningside Drive in the Plaza Midwood community.



SUMMARY OF PETITION

The petition proposes to rezone a multi-parcel assemblage to a mixed-use development district to accommodate potential redevelopment of the site to a more pedestrian friendly mixture of non-residential uses at the site.

PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE

SRL Central Avenue Partners LLC
 SRL Central Avenue Partners LLC
 Russell Fergusson

COMMUNITY MEETING

Meeting is required and has two meetings have been held. Report available online.
 Number of people attending the Virtual Community Meetings: 10

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of requested technical revisions related to site and building design.

Plan Consistency

The petition is **consistent** with the *Central District Plan's* (1993) recommendation for retail uses for a majority of the site but **inconsistent** with the plan's recommendation for single family uses up to four dwelling units per acre (DUA) for a single parcel to the north of the overall subject property.

Rationale for Recommendation

- The request is reasonable as the MUDD district permits most uses already allowed through existing zoning.

- The request is contextually appropriate to existing zoning and uses for adjacent parcels with frontage along Central Avenue.
- The petition aligns with the Central District Plan's policy of "encouraging well designed pedestrian-oriented community mixed use centers to provide residents and the business community with a variety of retail and small business opportunities."

The approval of this petition will revise the residential portion of the site's adopted future land use as specified by the *Central District Plan* from residential to retail/office uses.

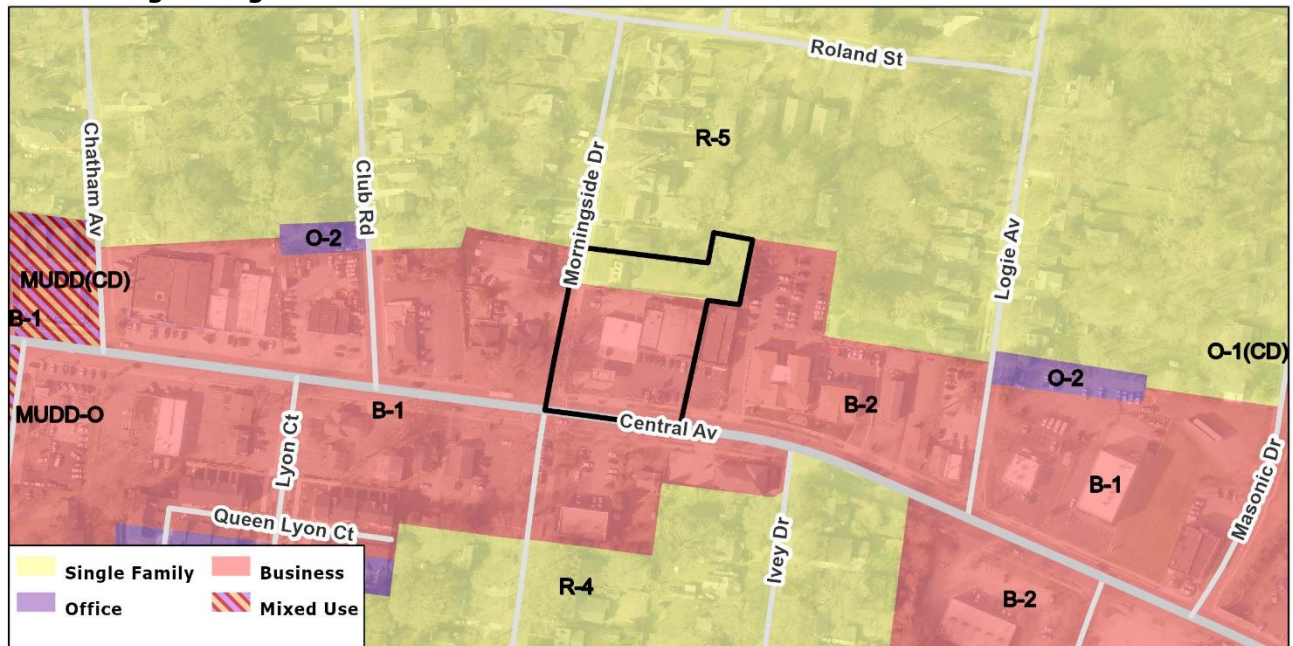
PLANNING STAFF REVIEW

• Proposed Request Details

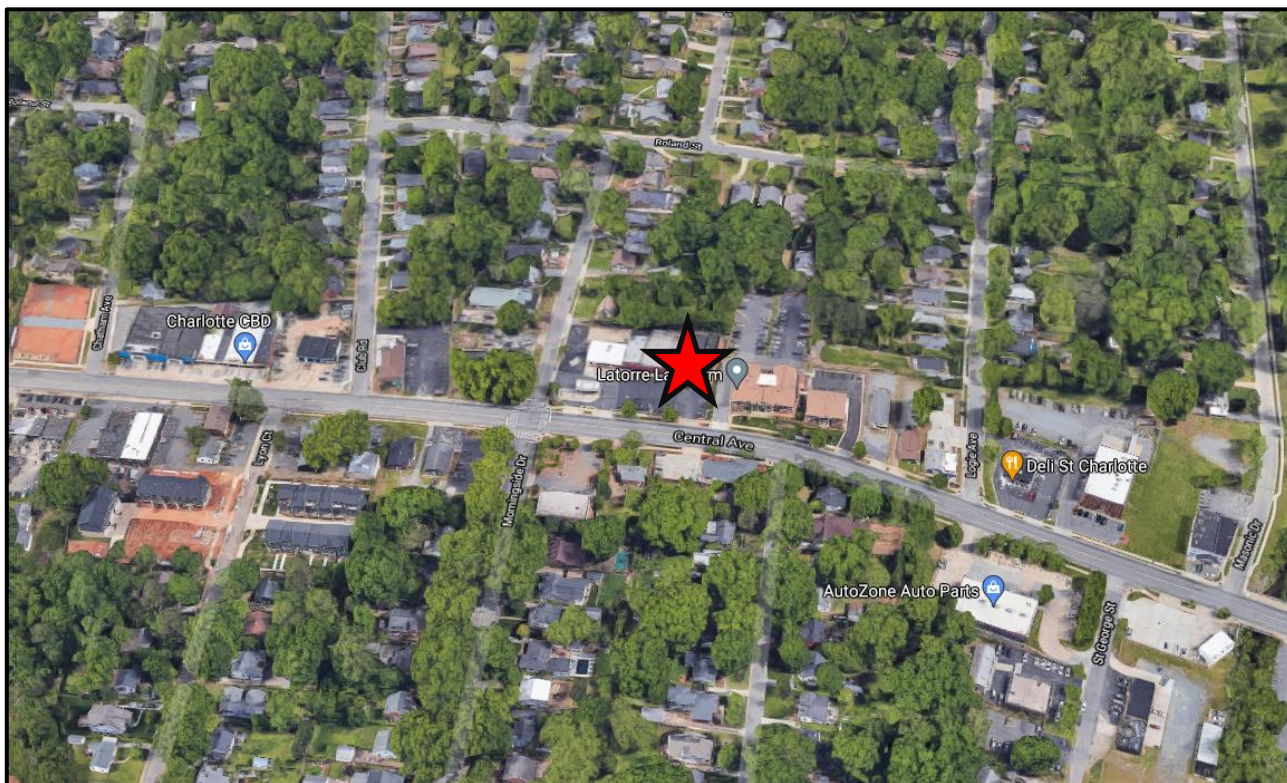
The site plan accompanying this petition contains the following provisions:

- Proposes up to 44,000 SF of development. Of the total, up to 24,000 SF may be dedicated to retail, EDEE, and other similar uses permitted in the MUDD district. The remaining 20,000 SF may be dedicated to any other non-residential use (outside of retail/EDEE) permitted within the MUDD district. ~~Proposed uses include any non-residential use or combination of non-residential uses allowed within the MUDD zoning district — not to exceed 50,000 square feet.~~ Notes that gas stations, car washes, self-storage, and other auto-oriented uses are prohibited on the site.
- Includes transportation improvements that include:
 - The construction of two ADA curb ramps at the Central Avenue and Morningside Drive intersection.
 - Commits to the construction of an 8-foot planting strip and an 8-foot sidewalk along back of existing curb along Central Avenue and an 8-foot planting strip and 6-foot sidewalk along the site's frontage with Morningside Drive.
- Commits to preferred building materials, excluding vinyl.
- Orients building against Central and Morningside while providing parking with enhanced landscaping areas and a 10-foot landscaping buffer along the parking lot perimeter.
- Commits to a maximum height of 60 feet.
- Limits height of freestanding lighting fixtures to 15 feet.
- Requests the following Optional Provisions:
 - To reduce required parking and provide 1 space per 1,000 SF for all uses.

• Existing Zoning and Land Use



The majority of the site, excluding the single family parcel along the northern edge of the rezoning boundary, was rezoned to B-1 from B-2 in 1993 (1993-059). The site sits along Central Avenue, east of Plaza Midwood's commercial core, and is surrounded by multiple types of non-residential uses to the east and west. Detached single family homes are located to the north of the rezoning boundary.



General location of subject property denoted by red star.



Streetview looking north along Central Avenue. The site currently operates as a multi-tenant commercial building and law offices. The street edge shown here roughly illustrates the site's frontage along Central Avenue.



Streetview looking west along Morningside drive illustrating detached single-family in proximity to the subject property.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2018-087	Petition to adaptively reuse an existing building to accommodate non-residential uses.	Approved
2017-140	Petition to adaptively reuse an existing building to accommodate non-residential uses.	Approved
2016-075	Petition to accommodate up to 12 single family attached dwelling units.	Approved

- **Public Plans and Policies**



- The *Central District Plan* (1993) recommends retail and single family uses up to four DUA for the site.

- **TRANSPORTATION SUMMARY**

- The site is located on Central Avenue, a City-maintained major thoroughfare and Morningside Drive, a City-maintained Local Road. The petitioner commits to installing two curb ramps at the Central Avenue and Morningside Drive Intersection per ADA law and PROWAG standards. The site plan also commits to providing a 6-foot sidewalk with an 8-foot planting strip along Morningside Drive and an 8-foot sidewalk with an 8-foot planting strip along Central Avenue. The wider sidewalk also meets the Charlotte WALKS Policy. All CDOT items have been addressed.
- **Active Projects:**
 - N/A
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 2,540 trips per day (based on one SF dwelling, retail, gas station).
Entitlement: 1,120 trips per day (based on 2 SF dwellings, .82 acres retail).
Proposed Zoning: 3,440 trips per day (based on 44,000 SF retail uses).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** See advisory comments at www.rezoning.org
- **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
- **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 6-inch water distribution main located along Central Ave. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Central Avenue. 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:** No outstanding issues.

- **Mecklenburg County Parks and Recreation Department:** No comments submitted.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry:** See advisory comments at www.rezoning.org

OUTSTANDING ISSUESTransportation

1. ~~Modify conditional note E, specifying dedication and fee simple conveyance of all rights of way to the City before the site's first building certificate of occupancy.~~ **ADDRESSED**

REQUESTED TECHNICAL REVISIONSSite and Building Design

2. ~~Add R-5 as another existing zoning district in the development data table.~~ **ADDRESSED**
3. ~~Revise note B under "Permitted Uses" to state "...accessory drive through window..."~~ **ADDRESSED**
4. Remove Optional Provision note 2. Buffer is not required so no optional provision is not needed.
OUTSTANDING





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







Planner: William Linville (704) 336-4090

Goals Relevant to Rezoning Determinations

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 (anticipated early 2022) and when the **Policy Map** is adopted (anticipated summer 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods 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.	✓
	Goal 2: Neighborhood Diversity & Inclusion 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.	N/A
	Goal 3: Housing Access for All 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
	Goal 4: Trail & Transit Oriented Development (2-TOD) 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>Goal 5: Safe & Equitable Mobility</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>Goal 6: Healthy, Safe & Active Communities</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>N/A</p>
	<p>Goal 7: Integrated Natural & Built Environments</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>N/A</p>
	<p>Goal 8: Diverse & Resilient Economic Opportunity</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>Goal 9: Retain Our Identity & Charm</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>N/A</p>
	<p>Goal 10: Fiscally Responsible</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>N/A</p>