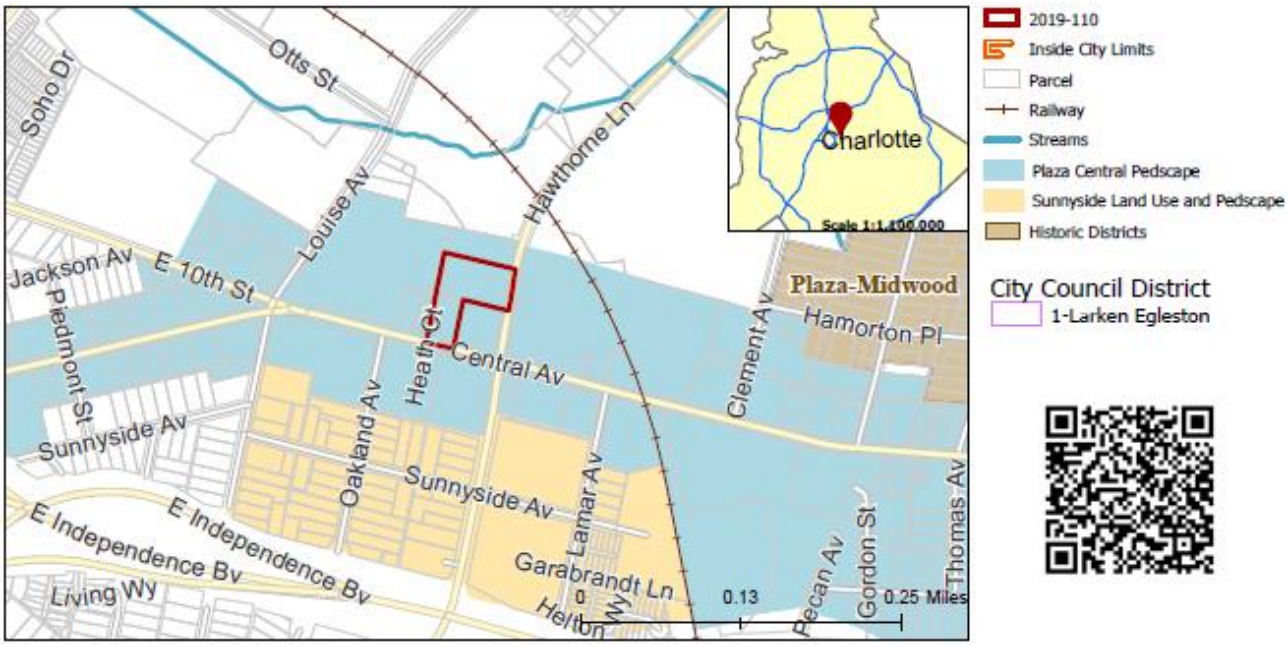
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2019-110
Post-Hearing Staff Analysis
January 2, 2020

REQUEST	Current Zoning: MUDD-O (PED) (mixed use district, optional, pedestrian overlay) Proposed Zoning: TOC-CC (PED) (transit oriented development, community center, pedestrian overlay)
LOCATION	Approximately 1.2417 acres located at the northwest corner of Central Avenue and Hawthorne Lane, east of Louise Avenue and west of Clement Avenue.



SUMMARY OF PETITION	The petition proposes to rezone two parcels in order to permit all uses allowed in the TOD-CC district.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Michael Adams Jay Patel, Wintergreen Hospitality Jay Patel, Wintergreen Hospitality
COMMUNITY MEETING	Meeting is not required.

STAFF RECOMMENDATION	Staff recommends approval of this petition. <u>Plan Consistency</u> The petition is **consistent** with the *Plaza-Central Pedscape Plan* (2003) recommendation for residential/office/retail uses at this site as amended by rezoning petition 2016-046. <u>Rationale for Recommendation</u> • The request is consistent with the neighborhood character around the intersection of Central Avenue and Hawthorne Lane and would allow for a similar, complimentary mixture of land uses. • As written, TOD-CC may be applied to parcels that are within a 1/4 mile walk of an adopted streetcar stop and have compatible adopted future land uses. The site's location within a 1/4 walk of

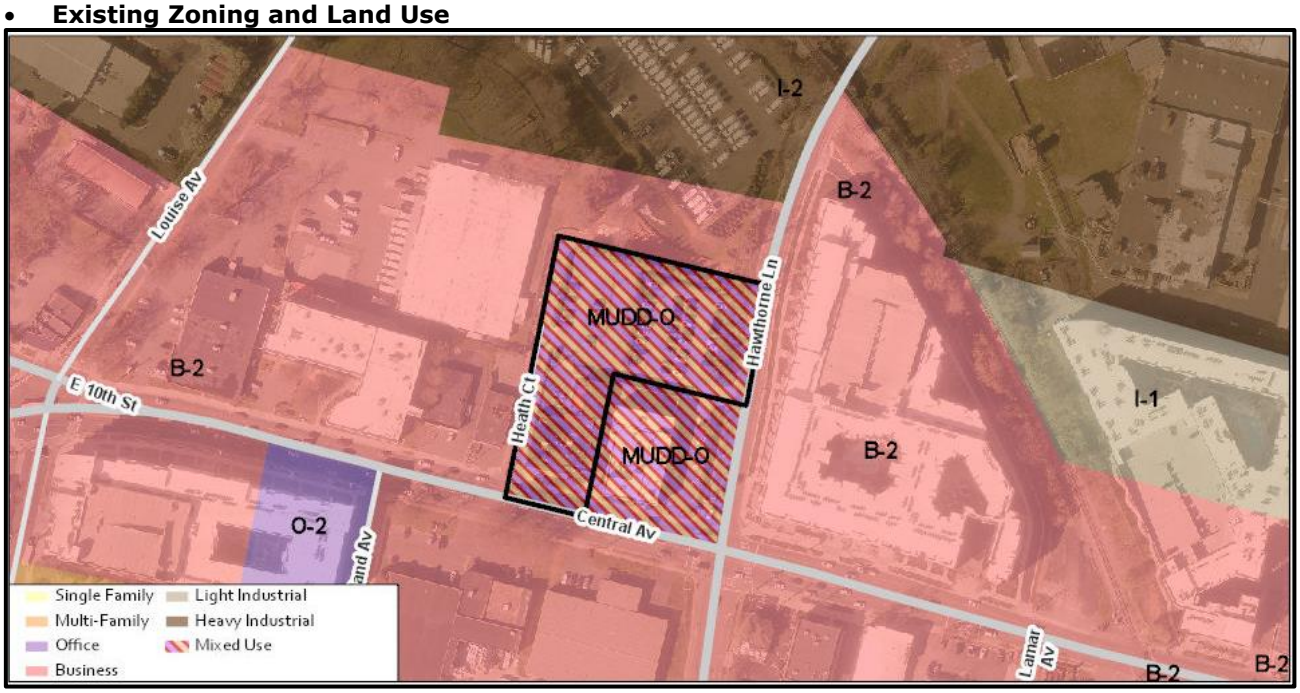
the adopted LYNX Gold Line Sunnyside stop on Hawthorne Lane and mixed use land use recommendation make it an appropriate location for the TOD-CC district.

- The rezoning would eliminate the conditional uses now attached to it though petition 2016-046, which commits the subject property to providing up to 124,800 SF of mini-warehouse uses. This petition would allow a richer mix of uses to help this property in keeping with the vision of the *Plaza-Central Pedscape Plan's* overall vision of "creating a vibrant, mixed use district…".

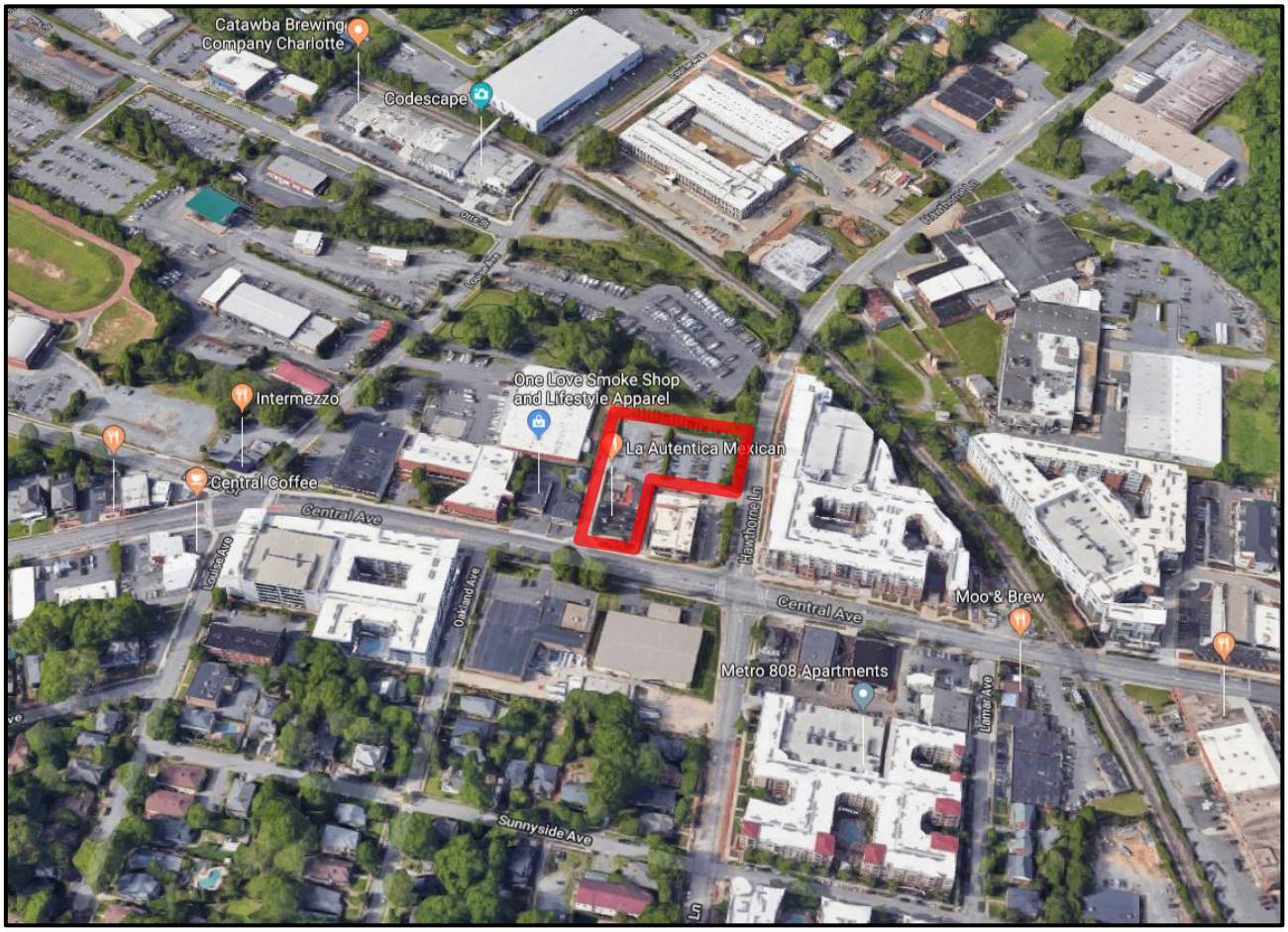
PLANNING STAFF REVIEW

- **Proposed Request Details**
  This is a conventional rezoning petition with no associated site plan.

- **Existing Zoning and Land Use**



The parcels associated with this rezoning are a part of a conditional site plan (petition 2016-046) approved that would allow the development of a self-storage facility, office, retail, restaurants, and associated parking. This area of Central Drive, close to Uptown Charlotte, is dominated by B-2 (General Business) zoning districts which contain a mixture of retail establishments, eating, drinking, and dining establishments, and multi-family housing developments. Land uses further north of the subject property include are largely industrial in nature.



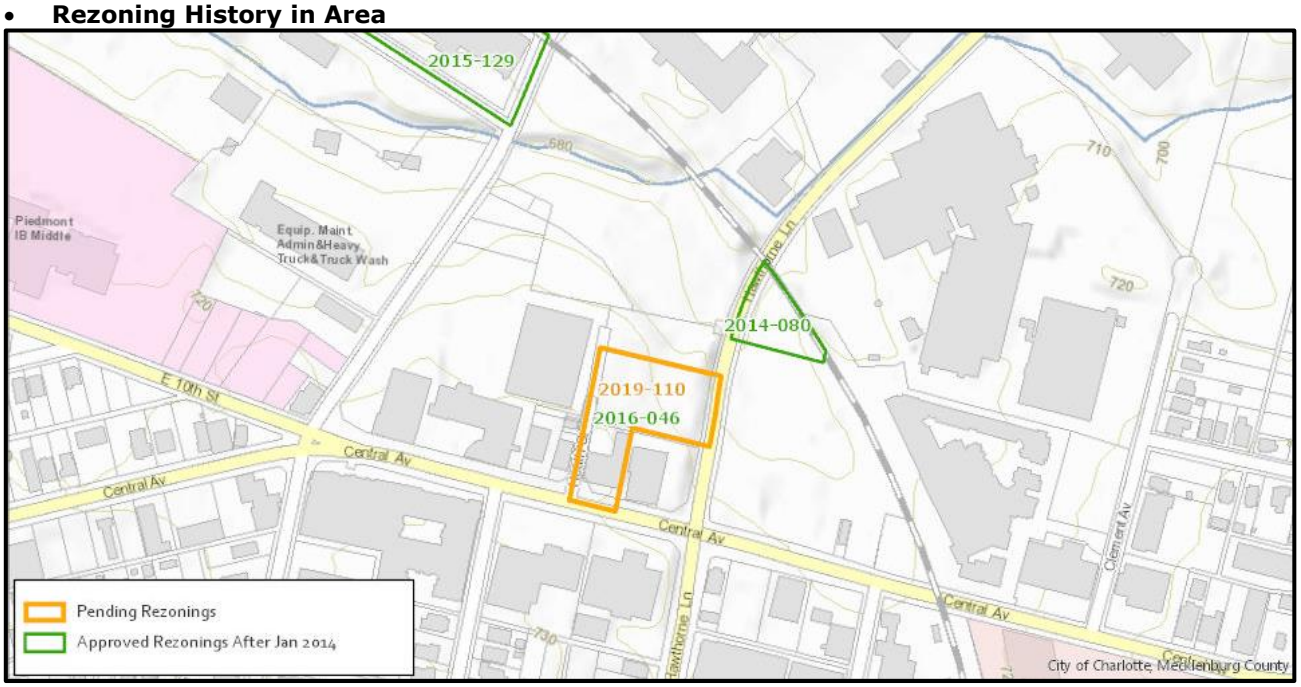
Aerial overview of rezoning petition. Location of subject properties outlined in red.

Looking north toward subject property and the existing eating and drinking establishments on site.

On Heath Court looking east toward the subject property. Multi-family housing is in the distance.

View from Hawthorne Lane looking west toward subject property.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2014-080	Petition to rezone approximately .5 acres from I-2 (industrial) to B-2 (PED) in order to allow for all uses permitted within the district.	Approved
2015-129	Petition to reuse an existing industrial building for any use permitted in the MUDD, including retail, office, residential, institutional, and eating/drinking/entertainment establishments (EDEE).	Approved
2016-046	Prior rezoning of parcels in current petition. This petition requested MUDD-O (PED) (mixed use development, optional, pedestrian overlay district) and proposed 166,000 square feet of development area to include retail, office and warehousing within an enclosed building along with a parking deck.	Approved

- **Public Plans and Policies**

- The *Plaza-Central Pedscape Plan* (2003) recommendation was amended by rezoning petition 2016-046 to mixed-use development, including multi-family, office, and limited retail uses for these parcels. The plan recommends that office and residential uses dominate this area of Central Avenue, with retail and restaurant uses on the ground level.
- Policy in the City's *TOD Ordinance* (2019) states that the requested TOD-CC district may be applied to parcels within a ¼ mile walking distance of an adopted streetcar stop.

- **TRANSPORTATION CONSIDERATIONS**
  - The site's frontage on Central Avenue and Hawthorne Avenue features curb and gutter with back-of-curb sidewalk. CATS bus routes #9 and #17 run along Central Avenue with bus stops located within 500' of the site. CDOT will work with the petitioner during permitting to improve the streetscape in accordance with city ordinance to support the urban zoning district requested.
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 1,320 trips per day (based on high turnover restaurant).
    Entitlement: 2,200 trips per day (based on 160,000 SF of retail, office and mini-warehouse uses).
    Proposed Zoning: unknown (per CDOT comments, the rezoning request allows too many high-intensity uses to determine potential trips.)

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** See advisory comments at www.rezoning.org
- **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.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Central Avenue. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Heath Court and an existing 8-inch gravity sewer main located along Central Avenue See advisory comments at www.rezoning.org
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No comments submitted.
  - **Land Development:** See advisory comments at www.rezoning.org
  - **Storm Water Services:** See advisory comments at www.rezoning.org
  - **Urban Forestry:** See advisory comments at www.rezoning.org
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.

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

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