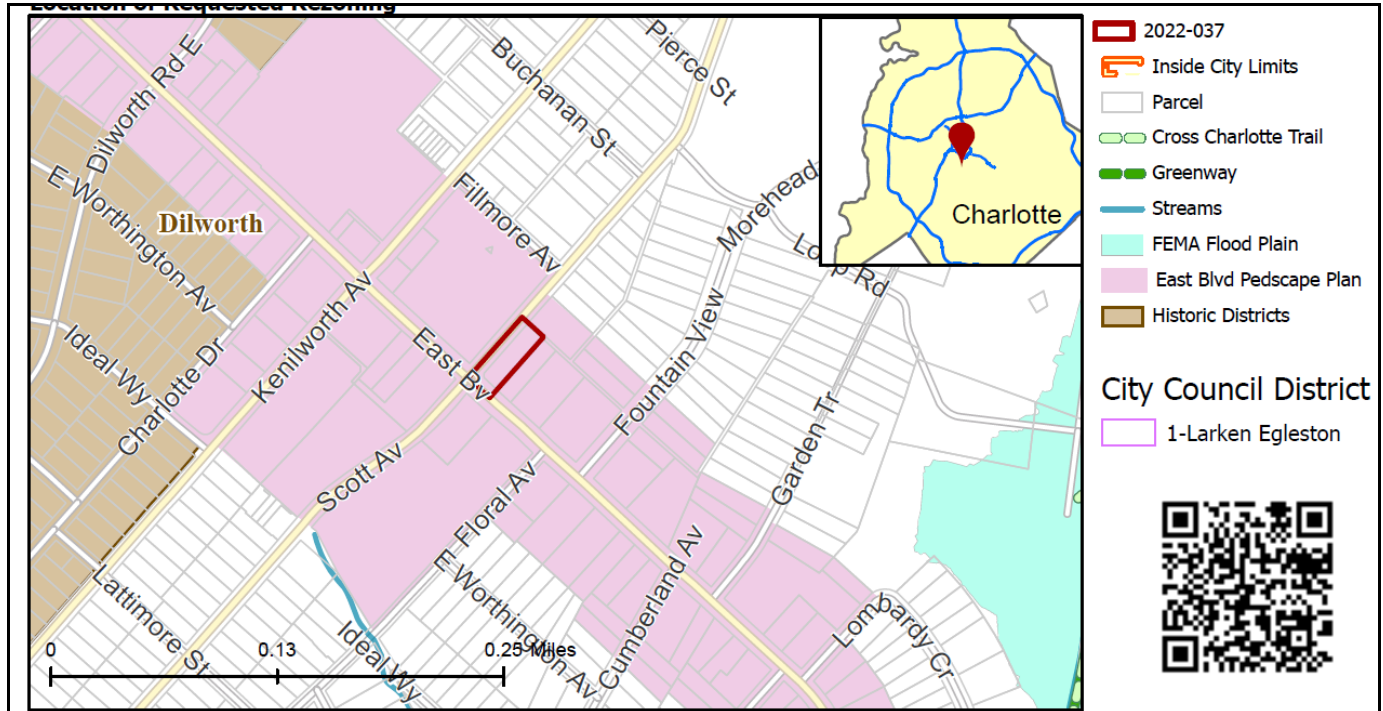


## REQUEST

Current Zoning: NS PED (neighborhood services, pedestrian overlay)  
Proposed Zoning: B-1 PED (neighborhood business, pedestrian overlay)

## LOCATION

Approximately 0.28 acres located at the northeast intersection of East Boulevard and Scott Avenue.



## SUMMARY OF PETITION

The petition proposes to allow all uses in the B-1 zoning district on a parcel currently developed with commercial uses as a Starbucks. Development on the site is subject to the standards of the Pedestrian Overlay.

## PROPERTY OWNER

SHG East Boulevard, LLC

## PETITIONER

SunCap Property Group, LLC

## AGENT/REPRESENTATIVE

Brittany Lins and Collin Brown, Alexander Ricks, PLLC

## COMMUNITY MEETING

Meeting is required and has been held. Report available online.

Number of people attending the Community Meetings: 78 attendees at the first meeting and 55 at the second meeting.

## STAFF RECOMMENDATION

Staff recommends approval of this petition.

### Plan Consistency

The petition is **consistent** with the 2040 Policy Map recommendation for Neighborhood Center.

### Rationale for Recommendation

- Located within the Dilworth community with a majority of the corridor in the pedestrian overlay, the area in which the site is located houses a variety of low to middle density mixed-uses along East Boulevard with residential uses extending out from the major thoroughfares. Commercial uses at the street-level, pedestrian connections, and consciously integrated transitions into the surrounding neighborhoods are predominant features of the existing development in the area.

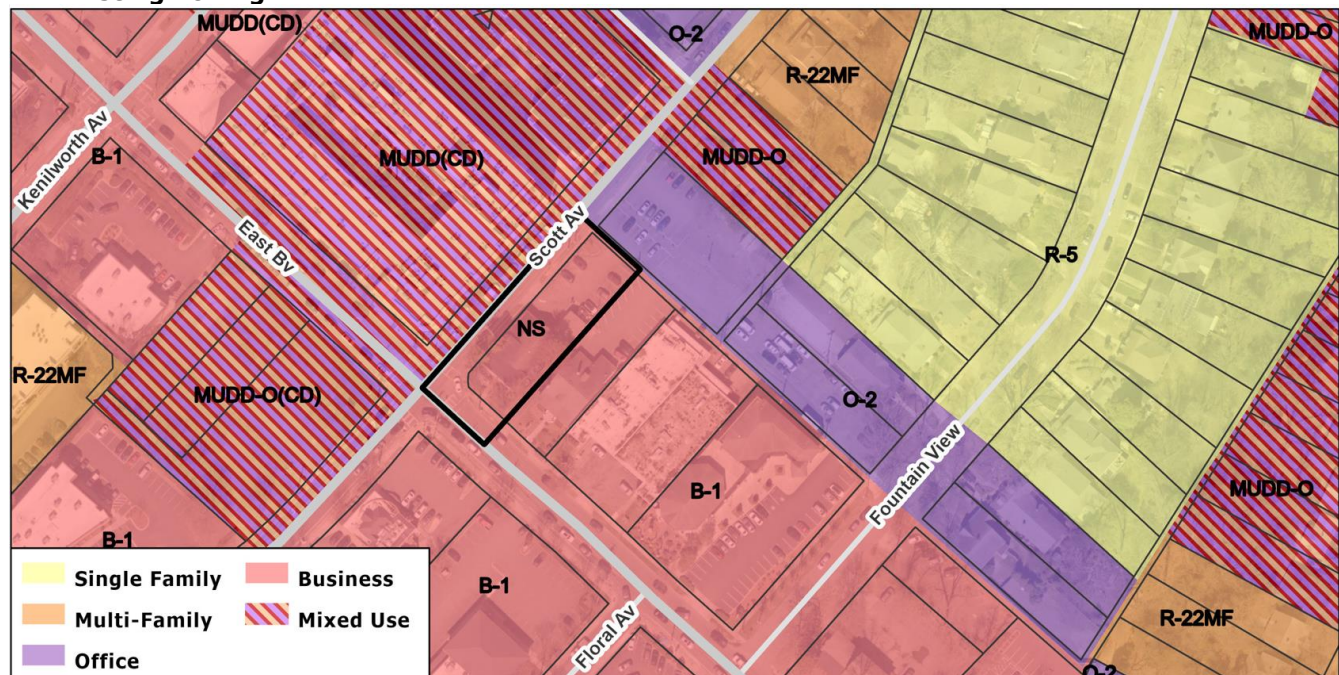
- The subject site is adjacent to a number of other conventionally zoned B-1 and O-2 parcels. Conventionally zoned parcels in the pedestrian overlay will automatically translate under the Unified Development Ordinance (UDO) to the Neighborhood Center (NC) zoning district on June 1, 2023. Rezoning this corner parcel to B-1 would allow for a consistent development pattern under the NC zoning district given that the surrounding lots will be translating to NC on June 1, 2023. If the site is not rezoned, the existing conditional NS zoning district will remain in place after the UDO goes into effect.
- The NC zoning district is the complimentary zoning district for the Neighborhood Center Place Type recommended for the area. This Place Type is defined by walkable mixed-use areas embedded within neighborhoods that provide a range of services for nearby residents. Rezoning the site to B-1 so that it sequentially translates to the NC zoning district and allows for pedestrian-friendly redevelopment helps to further goals of the Neighborhood Center Place Type on a critical corner lot in the East Boulevard corridor.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 1: 10 Minute Neighborhoods
  - 5: Safe & Equitable Mobility
  - 6: Healthy, Safe & Active Communities
  - 8: Diverse & Resilient Economic Opportunity

## PLANNING STAFF REVIEW

### • Background

- This petition was initially submitted as a MUDD-O PED and MUDD-O SPA request for a larger area of 2.01 acres along this block between Scott Avenue and Fountain View. The request has since been reduced to only apply to the corner lot along Scott Avenue and East Boulevard currently zoned NS. Given the conditional nature of the NS district, unless it is successfully rezoned, the parcel would not automatically translate to the NC zoning district unlike a majority of the parcels in the initial rezoning area which are primarily zoned B-1 and O-2.

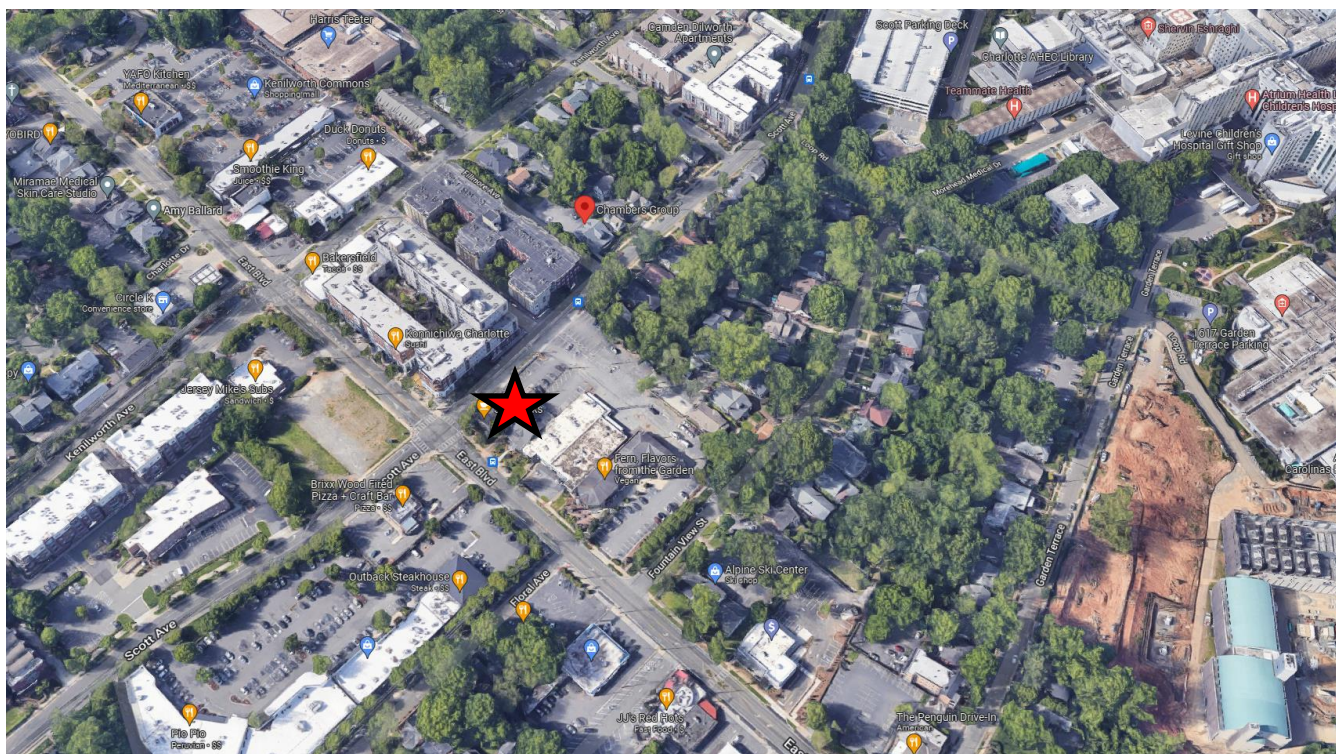
### • Existing Zoning



- The site is currently zoned NS and is in an area with B-1, O-2, R-5, R-22MF, and MUDD zoning. Most of the parcels in the immediate area as well as the petition site are also within the Pedestrian Overlay.

Existing Zoning	Translated Zoning	Recommended Place Type
NS PED (neighborhood services, pedestrian overlay)	N/A	Neighborhood Center





- The subject site is denoted with a red star and is in an area with commercial, single family residential, office, and multi-family residential uses.

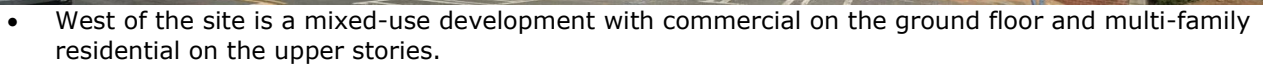
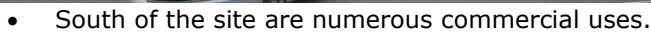


- North of the site is a surface parking lot and single family homes are further north along Scott Avenue.



- East of the site are various retail and office uses.





Petition Number	Summary of Petition	Status
2019-114	Rezoned 70.53 acres from O-2, O-6(CD), B-1, B-2, R-5, and R-22MF to MUDD-O.	Approved
2020-052	Rezoned 1 acre from NS to MUDD-O.	Approved



- **Public Plans and Policies**



- The *2040 Policy Map* (2022) calls for Neighborhood Center on the site.

- **TRANSPORTATION SUMMARY**

- This site is located on the east corner of Scott Avenue and East Boulevard, two City-maintained major thoroughfares. A Traffic Impact Study (TIS) is not necessary for the complete review of this petition due to the conventional rezoning. CDOT will work with the petitioner during the permitting process to ensure all required streetscape and transportation related ordinance requirements are complied with for adequate access and connectivity to the site and surrounding network. Rezoning Petitioner changed zoning request and can now be conventional.

- **Active Projects:**

- There are no active projects near the site.

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 1,500 trips per day (based on EDEE use).

Entitlement: 1,500 trips per day (based on EDEE use).

Proposed Zoning: 1,450 trips per day (based on 0.28 acres of B-1 uses).

**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:** 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:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Scott Ave. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located Scott Ave. No outstanding issues.
- **Erosion Control:** No comments submitted.
- **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 comments submitted.

- **Stormwater Services Land Development Engineering:** No comments submitted.
  - **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Urban Forestry / City Arborist:** No outstanding issues.
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**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Holly Cramer (704) 353-1902