

**REQUEST**

Current Zoning: R-8 (single family residential) and MUDD(CD) (mixed use development, conditional)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

**LOCATION**

Approximately 4.02 acres located on the east side of South Tryon Street, south of East Cama Street and north of East Peterson Drive. (Council District 3 - Mayfield)



**SUMMARY OF PETITION**

The petition proposes to allow a single family attached residential development on acreage partially developed with single family detached homes and the remainder vacant. The site is located between South Tryon Street and Old Pineville Road, north of Yancey Road.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**

Various  
Hopper Communities, Inc.  
John Carmichael (Robinson Bradshaw)

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 2

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Scaleybank Transit Station Area Plan* recommendation for office uses at the corner of S. Tryon Street and E. Peterson Drive, the recommended density for 12 dwelling units per acre along South Tryon Street, and 8 dwelling units per acre along East Cama Street.

The proposed density of ~~21.6~~ **21.39** units per acre is **inconsistent** with the plan's recommendation for 12 dwelling units per acre along South Tryon Street and 8 dwelling units per acre along East Cama Street.

Rationale for Recommendation

- The majority of the site is within ½ mile walk of the Scaleybark Station on the LYNX Blue Line.
- The project will allow for infill that will provide transit supportive uses within close proximity to a station area and TOD zoning designations.
- The project provides street oriented residential uses along E. Cama Street and S. Tryon Street, with internal units facing proposed internal streets.
- The project provides future connections that can allow for enhanced connectivity and block layout for future development.
- The project provides pedestrian elements that create an enhanced pedestrian network along E. Cama Street, Heriot Avenue, and S. Tryon Street.
- The proposed project provided adequate buffers and screening to adjacent residential on E. Cama Street, and Peterson Drive.

The approval of this petition will revise the adopted future land use as specified in the *Scaleybark Transit Station Area Plan* from the current office, residential up to 8 DUA, and residential up to 12 DUA to residential up to 22 DUA.

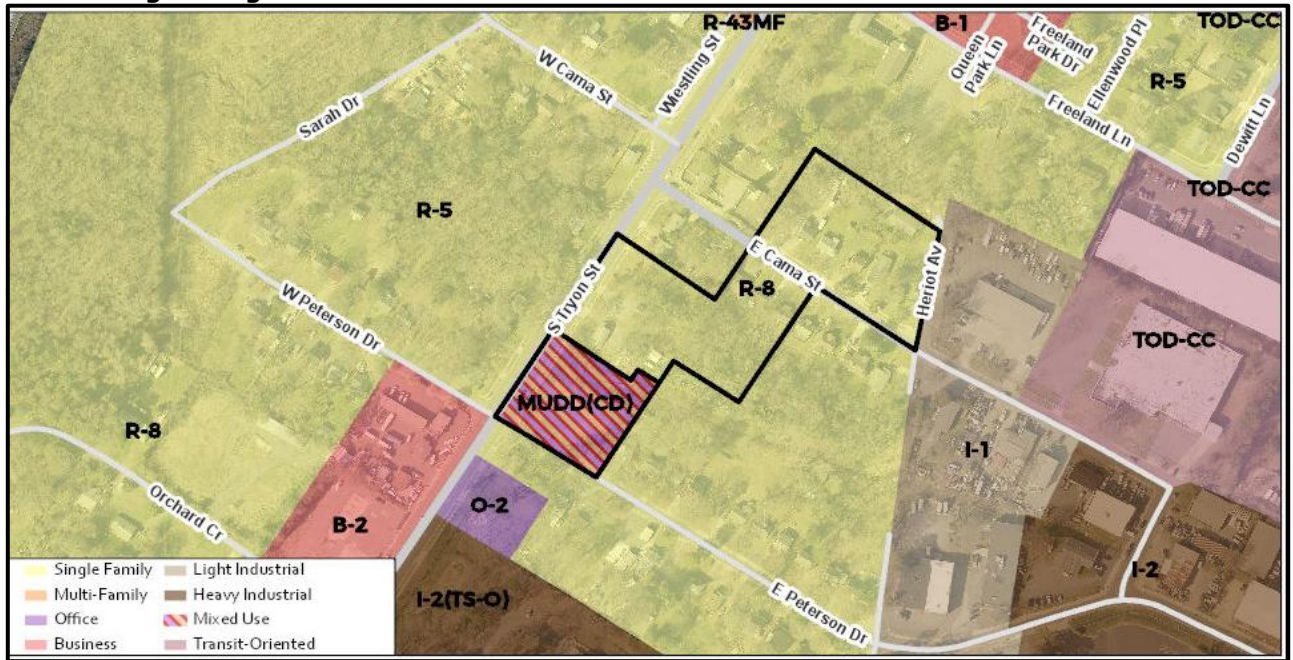
**PLANNING STAFF REVIEW**

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Up to ~~87~~ 86 single family attached dwelling units at a density of ~~21.6~~ 21.39 units per acre with each unit having a garage.
- A maximum building height of 48 feet.
- Proposes a 14-foot setback along East Cama Street, and 14-foot setback along Heriot Avenue from back of curb.
- Proposes a 24-foot setback along South Tryon Street, and a 30-foot setback along Peterson Drive.
- Proposes site access via East Cama Street, Heriot Avenue, and East Peterson Drive with an internal network of private alleys.
- Provides an access easement over the east-west private alley located between Buildings 5, 6, 10 and 11 and Buildings 4, 7, 8, and 9 to provide access from and to South Tryon Street and from the parcels of land located to the east of the site. This access easement will only take effect if the eastern parcels are redeveloped for residential purposes and an appropriate reciprocal cross-easement agreement is entered into by the owner of the site and the owner(s) of the eastern parcels.
- Installs 8-foot wide planting strips and 8-foot wide sidewalks along the site's frontages on Heriot Avenue, East Cama Street, and East Peterson Drive.
- A minimum 8-foot wide planting strip and a minimum 8-foot wide sidewalk to be installed along the South Tryon Street frontage except where the existing guardrail and headwall are located as generally shown on the site plan. The minimum 8-foot wide planting strip and minimum 8-foot wide sidewalk may taper as necessary as these improvements approach the guardrail and headwall.
- Proposes the following architectural standards:
  - Rooftop terraces may be installed on the single family attached dwelling units.
  - Any rooftop terrace located on Buildings 5, 6 and 10 shall face the interior of the site.
  - Primary exterior building materials will be a combination of portions of the following: brick veneer or similar masonry products, stone, manufactured stone, stucco and cementitious siding.
  - Vinyl, EIFS or Masonite may not be used as an exterior building material. Vinyl may be used on windows, doors, garage doors, soffits, trim and railings.
  - Front elevation of each unit will have windows or architectural details limiting the maximum blank wall expanse to 15 feet.
  - Specified dwelling units will have a porch or stoop that wraps a portion of the front or rear of the unit and the side of the unit. If a porch is utilized, it may be located on the second story of such unit.

- The single family attached dwelling units to be constructed on the site will be alley loaded, with the exception that the single family attached dwelling units located in Buildings 5, 6, 10, 11 and 22 will be front loaded single family attached dwelling units.
  - Single family dwelling units located in Buildings 12 and 13 will front East Cama Street.
  - Walkways will be provided to connect all residential entrances to sidewalks along public streets.
  - Installs a minimum 6-foot tall wood screen fence with small maturing evergreen trees along portions of the site's boundary lines.
  - Provides a cross section of the rear yard screening including small maturing Evergreen trees and 6-foot high wooden fence.
  - Identifies existing 30-foot PCCO stream buffer and proposed open space.
  - Identifies storm drainage easements.
- **Existing Zoning and Land Use**



- A portion of the site is developed with single family detached homes, and the remainder of the acreage is vacant.
- Approximately 0.971 acres was rezoned to MUDD(CD) (mixed use development, conditional) via rezoning petition 2007-151 to allow a 10,000-square foot building with office, residential, and catering uses.
- The site is surrounded by single family residential homes and office/warehouse/distribution activities in various zoning districts.





The rezoning site is surrounded by single family homes and an institutional use (religious facility). Other nearby uses include office/warehouse/distribution activities.



A portion of the site is developed with single family homes.



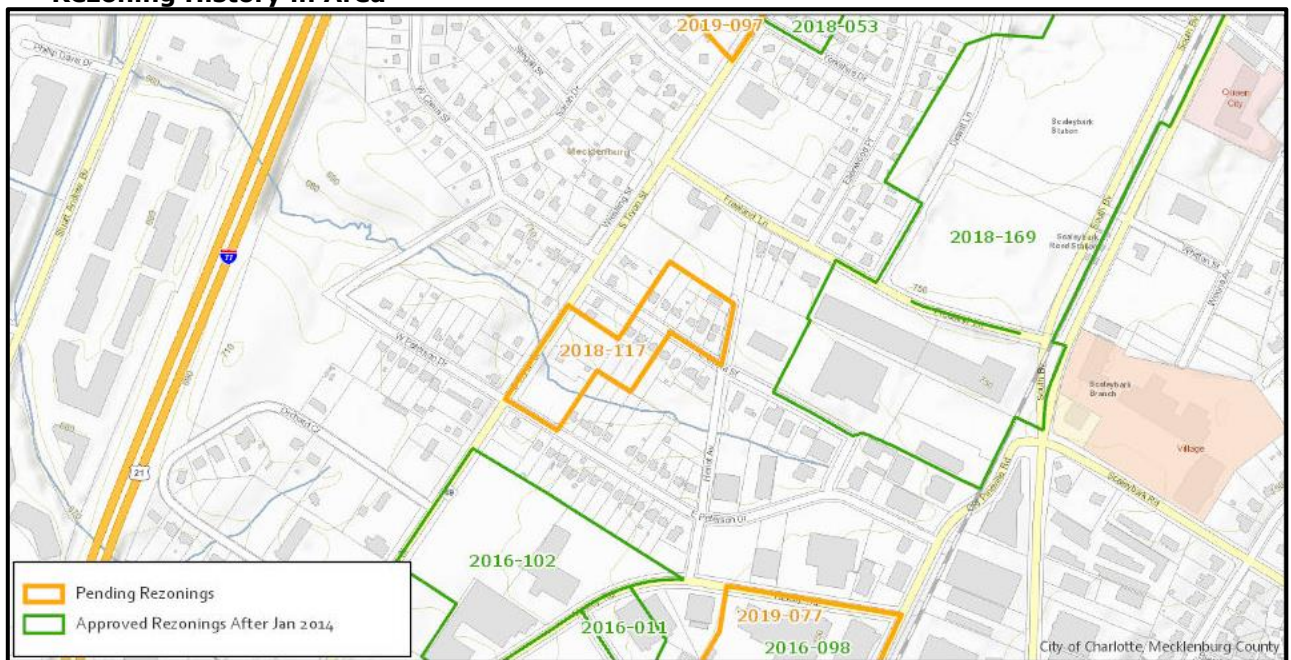


North is a religious institution.



South are single family homes.

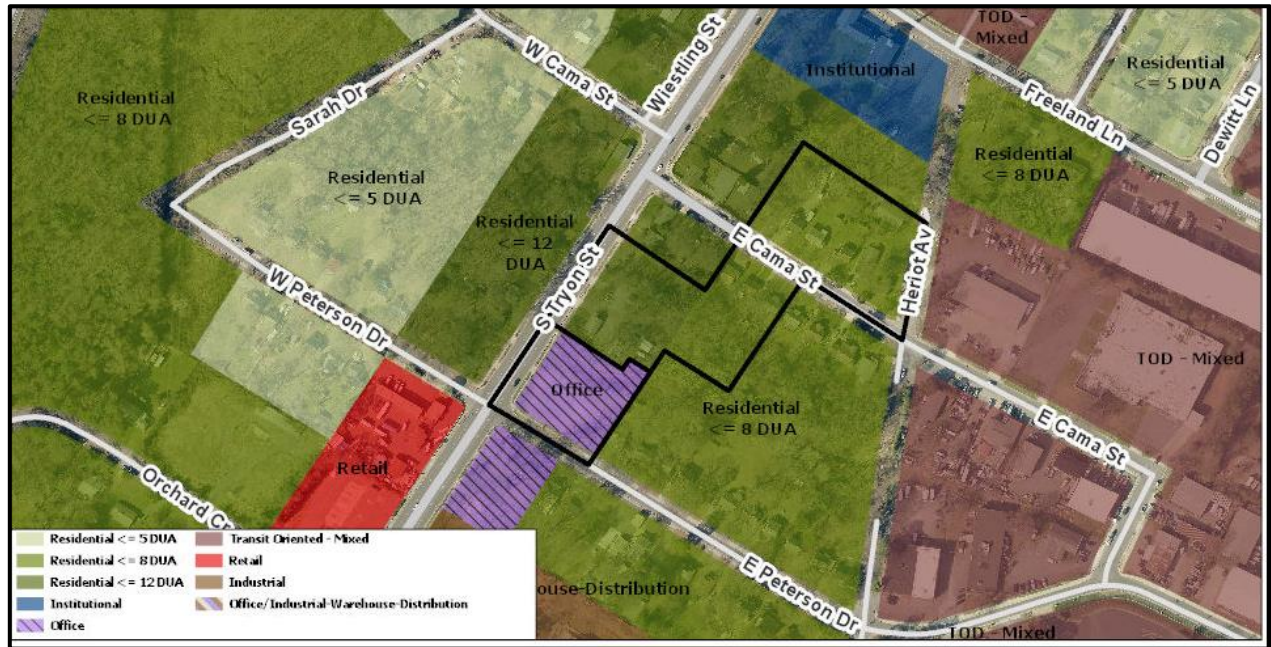
- **Rezoning History in Area**





Petition Number	Summary of Petition	Status
2019-097	Rezone 17 acres from I-1(CD) and I-1 to TOD-TR and TOD-CC to allow transit supportive uses.	Pending
2019-077	MUDD-O site plan amendment to allow up to 334,000 square feet of permitted uses in the MUDD.	Pending
2018-169	TOD text amendment - translated zoning of properties conventionally zoned TOD (transit oriented development) (TOD-M, TOD-R, TOD-E) to TOD-CC.	Approved
2018-053	Rezoned 3.169 acres from I-1, I-2, B-1 and R-5 to TOD-M(CD) to allow all uses in the TOD-M district.	Approved
2016-102	Rezoned 9.52 acres from I-2 to I-2 (TS-O) to allow the expansion of the existing uses associated with the Olde Mecklenburg Brewery.	Approved
2016-098	Rezoned 5.1 acres from I-2 to MUDD-O to allow the reuse of 3 existing industrial warehouse buildings with a total of 74,877 square feet near for all uses allowed in the MUDD district.	Approved
2016-011	Rezoned 1.173 acres from I-2 to allow the reuse of an existing 17,455-square foot industrial warehouse building for all uses allowed in the MUDD district.	Approved

- Public Plans and Policies**



- The *Scaleybark Transit Station Area Plan* recommends office uses at the corner of South Tryon Street and East Peterson Drive; it recommends residential uses up to 12 dwelling units per acre along South Tryon Street, and residential uses up to 8 dwelling units per acre along East Cama Street, with the intention to maintain and enhance the existing single family neighborhood.

- TRANSPORTATION CONSIDERATIONS**

- The site is located on South Tryon Street (major thoroughfare) between two local roads. The site commits to installation of the streetscape identified in the *Scaleybark Transit Station Area Plan* and extending Heriot Avenue meeting the Subdivision Ordinance.
- No outstanding issues.
- Vehicle Trip Generation:**  
Current Zoning:  
Existing Use: 10 trips per day (based on 1 single family dwelling).  
Entitlement: 290 trips per day (based on 7 single family dwellings and 8,500 square feet of office).  
Proposed Zoning: 610 trips per day (based on 86 townhomes).

**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 Fire Department:** See advisory comments online at [www.rezoning.org](http://www.rezoning.org) regarding fire hydrant location and on street parking.
- **Charlotte-Mecklenburg Schools:** See online advisory comments online regarding project increase in students from approved rezonings. The development allowed under the existing zoning would generate 1 students, while the development allowed under the proposed zoning will produce 8 students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is 7 students.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Dilworth Elementary at 74%.
    - Sedgefield Middle at 87%.
    - Myers Park High at 119%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via existing 8-inch water distribution main located along South Tryon Street and 6-inch water distribution mains located along East Peterson Drive and Cama Street. The proposed rezoning is located in an area that Charlotte Water has determined to have limited sanitary sewer system capacity. Sanitary sewer service cannot be provided until the completion of a public infrastructure project— Irwin Creek Tributary to Dewitt Lane and Yeoman Road Sanitary Sewer Replacement. This project was identified to support current and future customers, and any proposed sanitary sewer flow shall be coordinated to discharge after completion of said project. There is an anticipated completion date of late-2020. See online advisory comments at [www.rezoning.org](http://www.rezoning.org).
- **Engineering and Property Management:**
  - **Arborist:** No outstanding issues.
  - **Erosion Control:** No comments submitted.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** See Outstanding Issues, Notes 2-3. Addressed.
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See online advisory comments at [www.rezoning.org](http://www.rezoning.org) regarding possible submission of an asbestos Notification of Demolition and Renovation. No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**Infrastructure

1. ~~Show the Storm Drainage Easement (SDE) limits on the north side of the stream on sheets RZ-1 and RZ-2. This SDE is referenced in the original recommendations dated October 22, 2018. No buildings or structures are permitted over and across these easements. Show the existing SDE limits on rezoning site plan sheets and adjust the site plan as necessary to meet the easement language agreements and requirements.~~ Addressed.
2. ~~Charlotte-Mecklenburg Storm Water Services requests the following note be included under "Environmental Features": The petitioner shall complete a pre-development and post-development hydraulic analysis to ensure there are no adverse impacts to the drainage system and adjacent properties due to the development for up to and including the 100-year design storm event. The analysis shall include the culvert system under South Tryon Street and extend to Heriot Street.~~ Addressed.

Site and Building Design

3. ~~Add a note stating that 8-foot planting strip and 8-foot sidewalk will be provided along North Tryon Street except for the location where the existing guardrail is located.~~ Addressed.
4. ~~Clarify and provide buffer detail similar to cross section label A-A adjacent to areas where existing single family homes are located.~~ Addressed.
5. ~~Provide architectural notes for side facing units labeled with a star on the site plan.~~ Addressed.

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

**Planner:** Claire Lyte-Graham