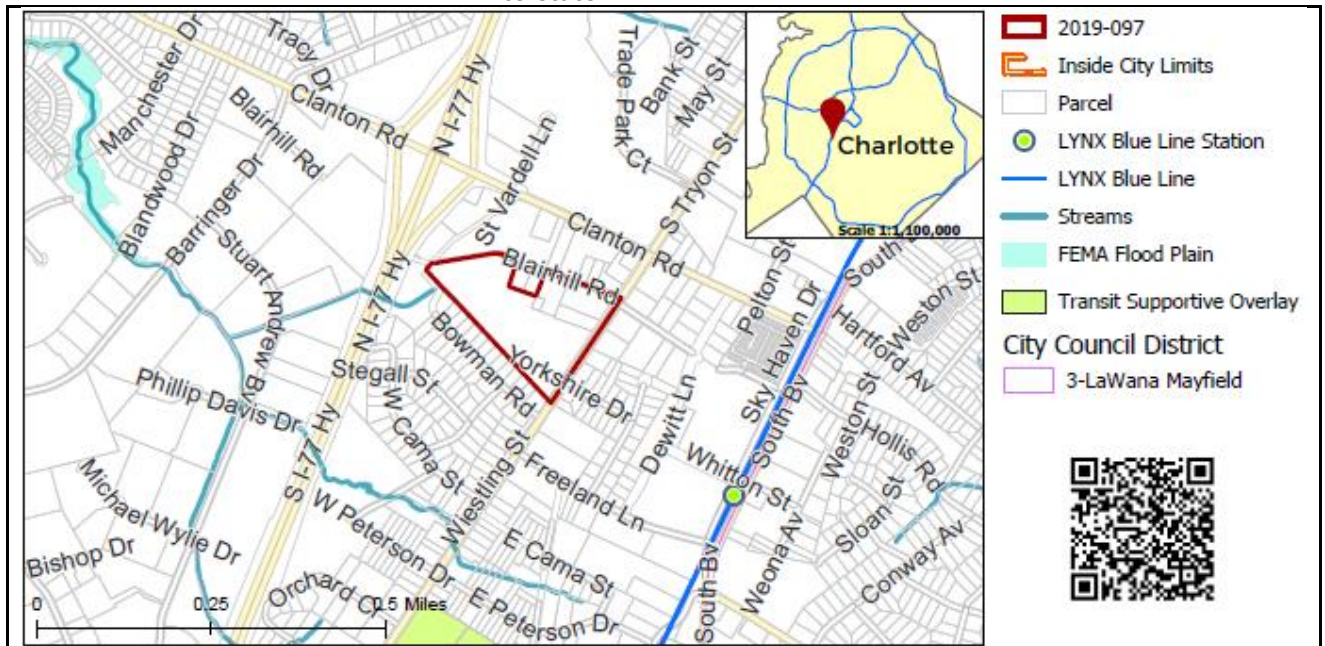


**REQUEST**

Current Zoning: I-1 (light industrial) and I-1(CD) (light industrial, conditional)  
Proposed Zoning: TOD-TR (transit oriented development - transit transition)

**LOCATION**

Approximately 17.02 acres located on the west side of South Tryon Street, south of Blairhill Road, south of Clanton Road, east of Interstate 77.



**SUMMARY OF PETITION**

The petition proposes to allow all uses in the TOD-TR (transit oriented development-transit transition) on a parcel developed with a health fitness facility and commercial uses located south of Clanton Road between South Tryon Street and Interstate 77.

**PROPERTY OWNER  
PETITIONER  
AGENT/REPRESENTATIVE  
COMMUNITY MEETING**

Box Fight LLC, David C. Van Every, and Cardo Properties  
Ardent Acquisitions LLC  
John Carmichael (Robinson Bradshaw)  
Meeting is not required.

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Scaleybark Station Area Plan* recommendation for office, industrial-warehouse distribution for this site.

Rationale for Recommendation

- The subject site is within ½-mile walk of the Scaleybark Transit Station on the LYNX Blue Line.
- Since the adoption of the plan, TOD development has advanced in the direction of this parcel significantly.
- Use of conventional TOD-TR (transit oriented development-neighborhood center) zoning applies standards and regulations to

create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary.

- TOD (transit oriented development) standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.

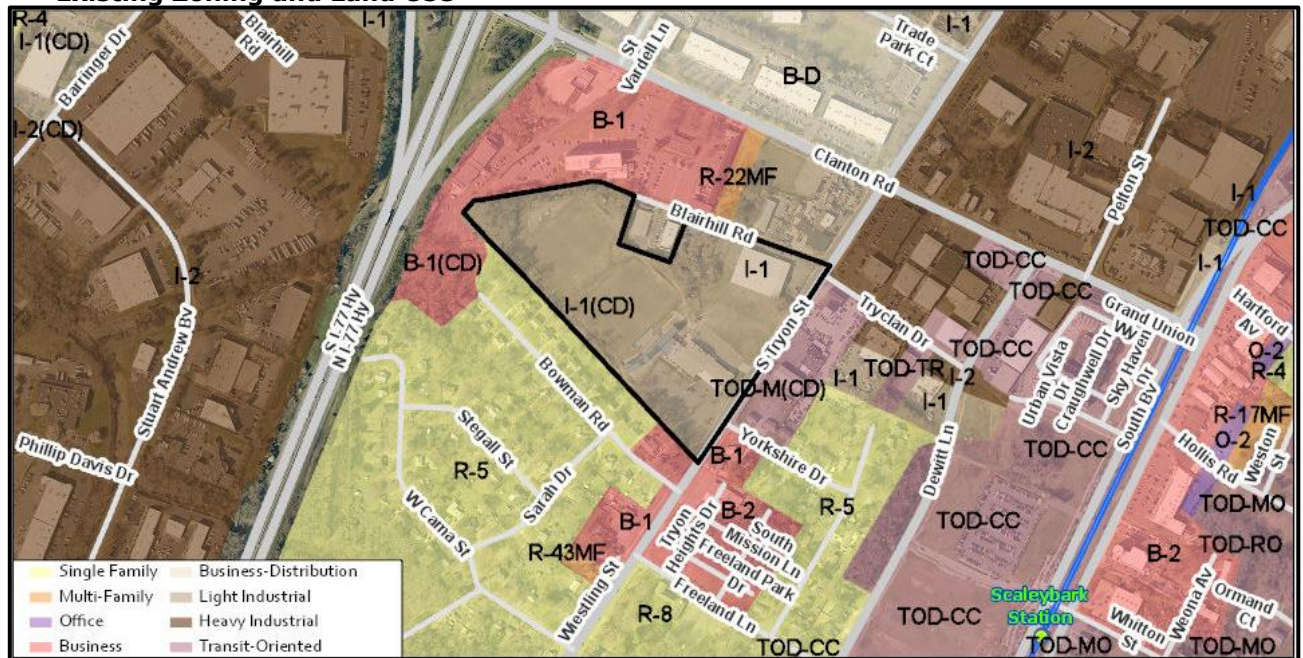
The approval of this petition will revise the adopted future land use as specified by the *Scaleybank Station Area Plan*, from office/industrial/warehouse-distribution to transit oriented development for the site.

## PLANNING STAFF REVIEW

### • Proposed Request Details

This is a conventional rezoning petition, which applies all the standards, regulations and uses in the TOD-TR (transit oriented development-transit transitional) zoning district. Uses allowed in the TOD-TR district include residential, commercial, institutional, and government uses.

### • Existing Zoning and Land Use



- The site is developed with a fitness facility and commercial uses and is surrounded by a mix of commercial, institutional, office, residential, retail, and warehouse uses in various zoning districts. A portion of the site was rezoned via petition 1973-031 to allow industrial uses.

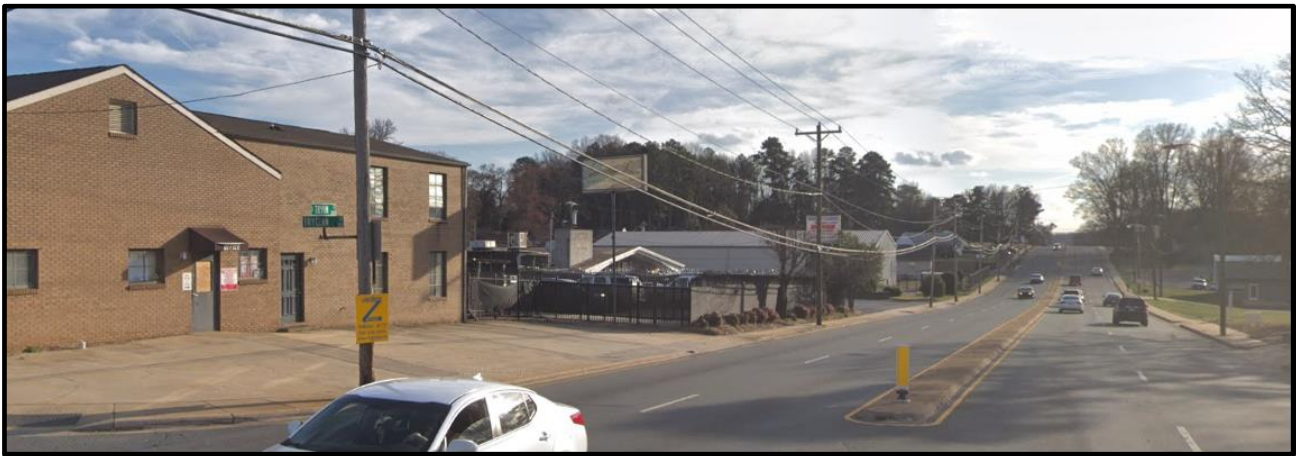


The site is developed with a health/fitness facility.





The site is developed with commercial uses.



to East are commercial uses.

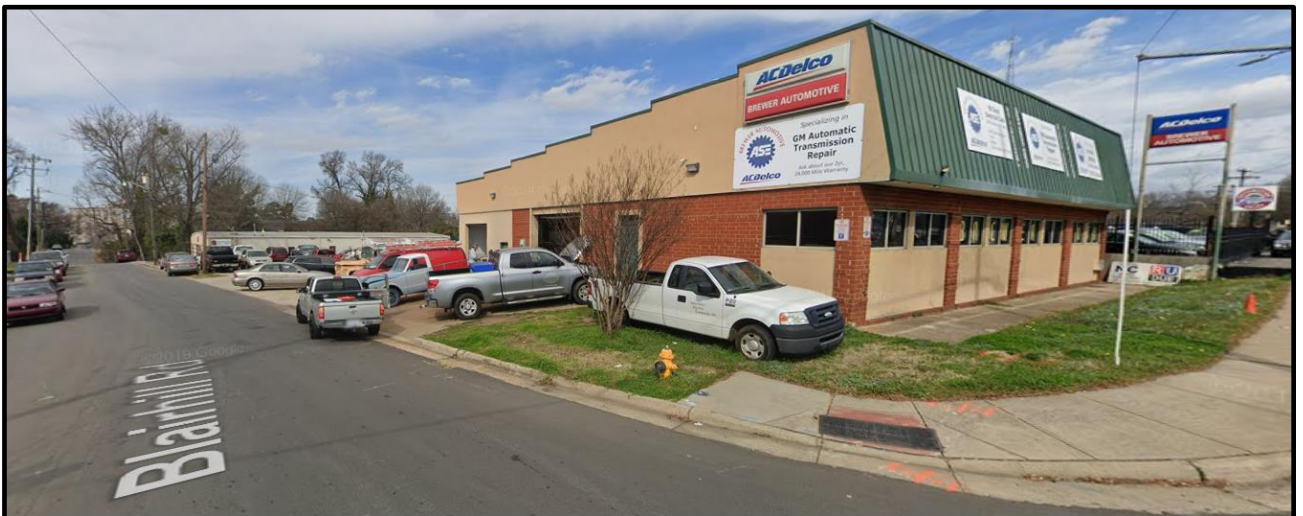


East are single family homes.



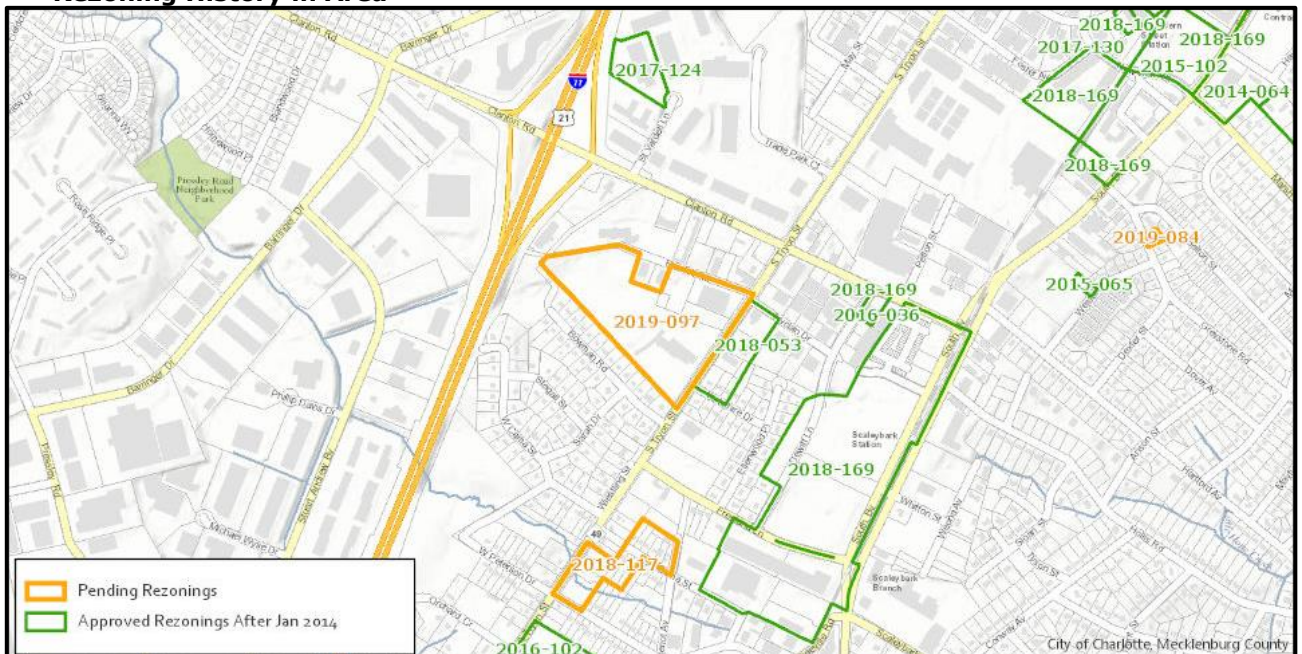


South are single family homes.



North and west are hotels, institutional, retail, and warehouse uses.

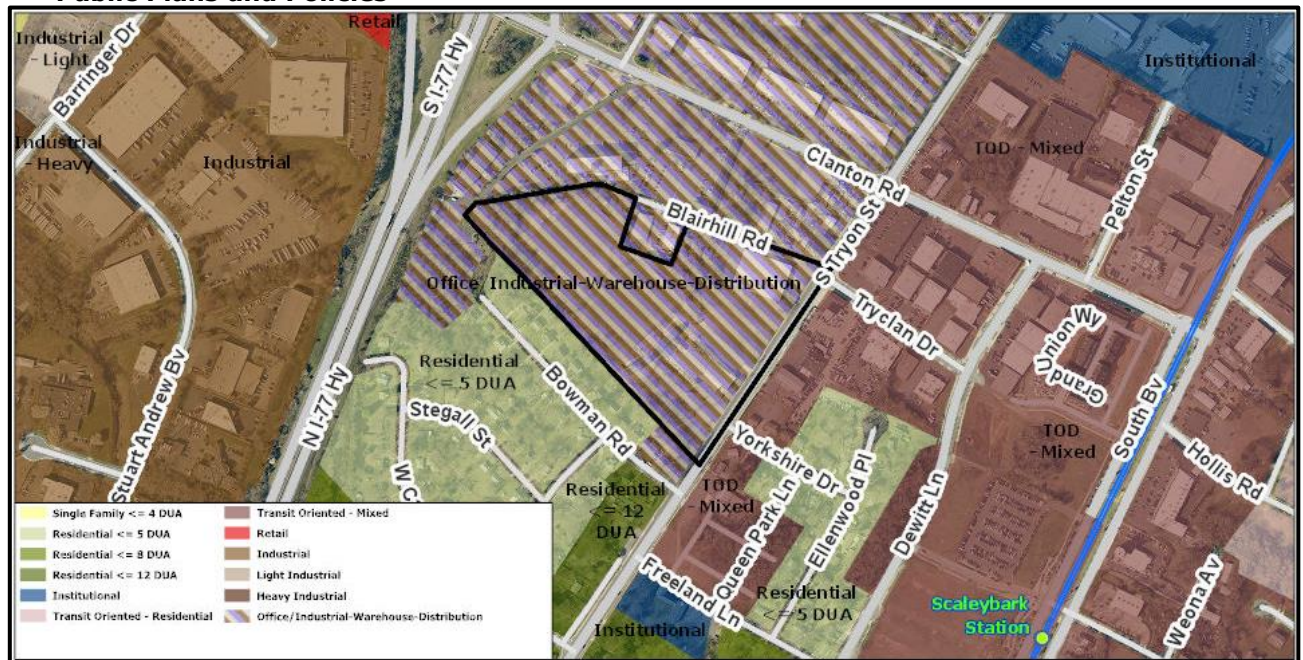
- Rezoning History in Area**





Petition Number	Summary of Petition	Status
2019-084	Rezone 0.18 acres from R-4 to UR-1(CD) to allow 1 duplex or 1 two-unit townhome.	Pending
2018-169	Amendment to the Zoning Ordinance to replace 3 existing transit oriented development districts with 4 new transit oriented development districts and regulations. These 4 new districts are the first phase of the City's Unified Development Ordinance (UDO).	Approved
2018-117	Rezone 4.02 acres from R-8 and MUDD(CD) to UR-2(CD) to allow a townhouse development.	Pending
2018-053	Rezoned 3.17 acres from R-5, B-1, I-1, and I-2 to TOD-M(CD) to allow all uses in the TOD-M.	Approved
2017-130	Rezoned 0.42 acres from I-2 to TOD-M to allow all transit supportive uses per conventional TOD-M.	Approved
2017-124	Rezoned 2.77 acres from BD to B-2(CD) to all several business uses in an existing building in the South End Business Park.	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
2016-036	Rezoned 0.45 acres from I-2 to TOD-M to allow all transit supportive uses per conventional TOD-M.	Approved
2015-102	Rezoned 4.69 acres from I-2 to TOD-M to allow redevelopment of the Pepsi Bottling Company plant for transit supportive uses.	Approved
2015-065	Rezoned 0.28 acres from R-17MF to B-2 to allow all uses in the B-2 district.	Approved
2014-064	Rezoned 59.4 acres from B-1, B-2, O-2, R-17MF, and R-8 to MUDD-O and UR-2(CD) both with 5-year vested rights to allow 198,000 square feet of non-residential uses and 980 residential units.	Approved

### • Public Plans and Policies



- The *Scaleybank Station Area Plan (2008)* recommends Office/Industrial-Warehouse-Distribution for this site.

- **TRANSPORTATION CONSIDERATIONS**

- The site is on a major thoroughfare near a signalized intersection. CATS bus routes 12 and 16 run along South Tryon Street and the site is less than ½ mile from the Scaleybark Blue Line Station. The site has existing curb and gutter and back of curb sidewalk along South Tryon Street and Blairhill Road.
- The petitioner previously submitted a traffic study scope. CDOT will work with the petitioner during permitting to design a street network and upgrade the streetscape in accordance with city ordinance to support the transit oriented development requested by the petitioner.
- The South Tryon Corridor Implementation Project is an active project near that site that will implement pedestrian hybrid beacons, bulb-outs, and pavement markings at various locations along South Tryon Street between Clanton Road and Carson Boulevard.
- No outstanding issues.
- **Vehicle Trip Generation:**  
Current Zoning:  
Existing Use: 250 trips per day (based on 47,530 square foot health/fitness club).  
Entitlement: 250 trips per day (based on 47,530 square foot health/fitness club).  
Proposed Zoning: 4,730 trips per day (based on 15,000 square feet of retail; 350 apartments; and 160 townhomes).

**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](http://www.rezoning.org) regarding estimated need for affordable housing in the City of Charlotte.
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org) regarding fire hydrant location and access road requirements.
- **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 S Tryon Street. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along South Tryon Street. See advisory comments at [www.rezoning.org](http://www.rezoning.org).
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org) regarding air quality and ground water services.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

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

**Planner:** Claire Lyte-Graham (704) 336-3782