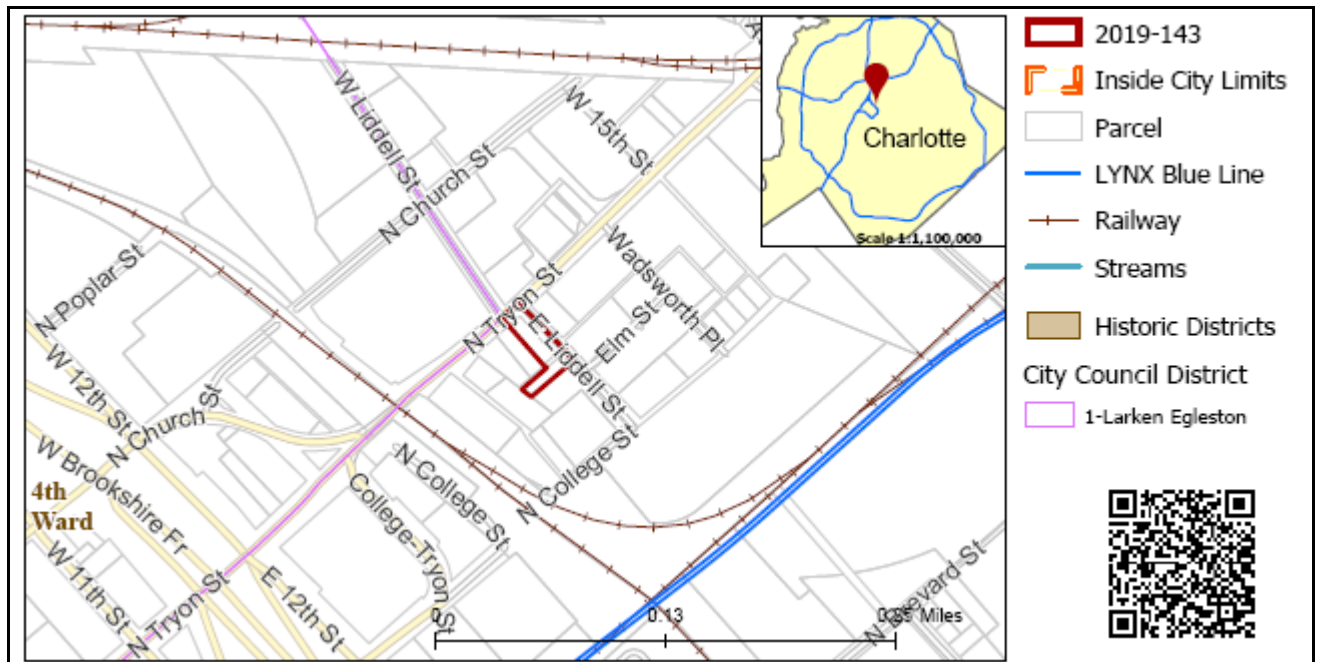


**REQUEST**

Current Zoning: I-2 (industrial)  
Proposed Zoning: MUDD-O (mixed-use development, optional)

**LOCATION**

Approximately 0.33 acres located at the southern intersection of N. Tryon Street and Liddell Street, .2 miles northeast of the Brookshire Freeway (I-277).



**SUMMARY OF PETITION**

The petition proposes to adaptively reuse a two-story structure with frontage along N. Tryon Street to allow the building to be used as offices and a restaurant or any other non-residential uses permitted by-right in the MUDD zoning district.

**PROPERTY OWNER**

Tara Ellerbe

**PETITIONER**

Tara Ellerbe, Elite

**AGENT/REPRESENTATIVE**

Mellissa Oliver, Land Design

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 5

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and site and building design.

Plan Consistency

The petition is **inconsistent** with the *North Tryon Area Plan* (2010) recommendation for office/industrial-warehouse-distribution uses for the site.

Rationale for Recommendation

- The petition allows for the adaptive reuse of a vacant, 95-year old structure, supporting the *North Tryon Area Plan's* vision of "improving the area's physical condition, functional utility, economic viability, and appearance..."

- The petition may act as a springboard for future N. Tryon Street corridor improvements and development/redevelopment projects in close proximity of uptown, improving a traditionally industrial area with unattractive streetscapes and boarded up, deteriorating buildings.
- The petition supports the Plan's land use goals of "encouraging commercial revitalization to serve the needs of residents and businesses" as well as "stabilizing business and industrial uses through redevelopment and renovation..."

The approval of this petition will revise the adopted future land use as specified by the *North Tryon Area Plan*, from office/industrial/warehouse/distribution to office/retail for the site.

#### PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Adaptive reuse of existing, 2-story structure, including utilization of rooftop for non-residential uses as permitted by right in the MUDD zoning district.
- Optional provision that would allow for parking and maneuvering within the required setbacks.
- Access and parking to structure provided from existing and improved curb cut along E. Liddell Street.

- **Existing Zoning and Land Use**



There have been no rezonings of this site. The subject property is situated northeast of uptown, outside of but in close proximity to Brookshire Freeway. Surrounding land uses and zoning are predominantly industrial, with some recent rezonings occurring in the subject property's periphery to more urban, mixed-use, and transit-oriented zoning districts.



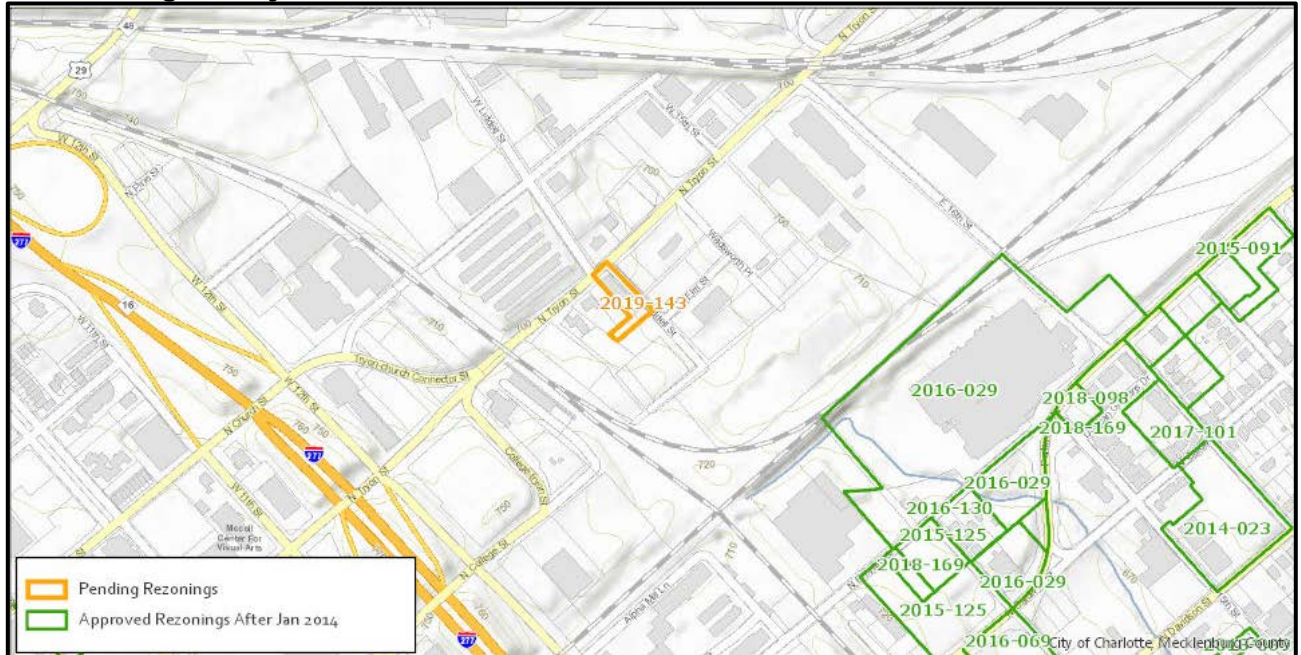


General location of subject property denoted by red star.



View from N. Tryon street looking southeast. Structure to be rehabilitated is located on the left. Charlotte skyline visible to the right.

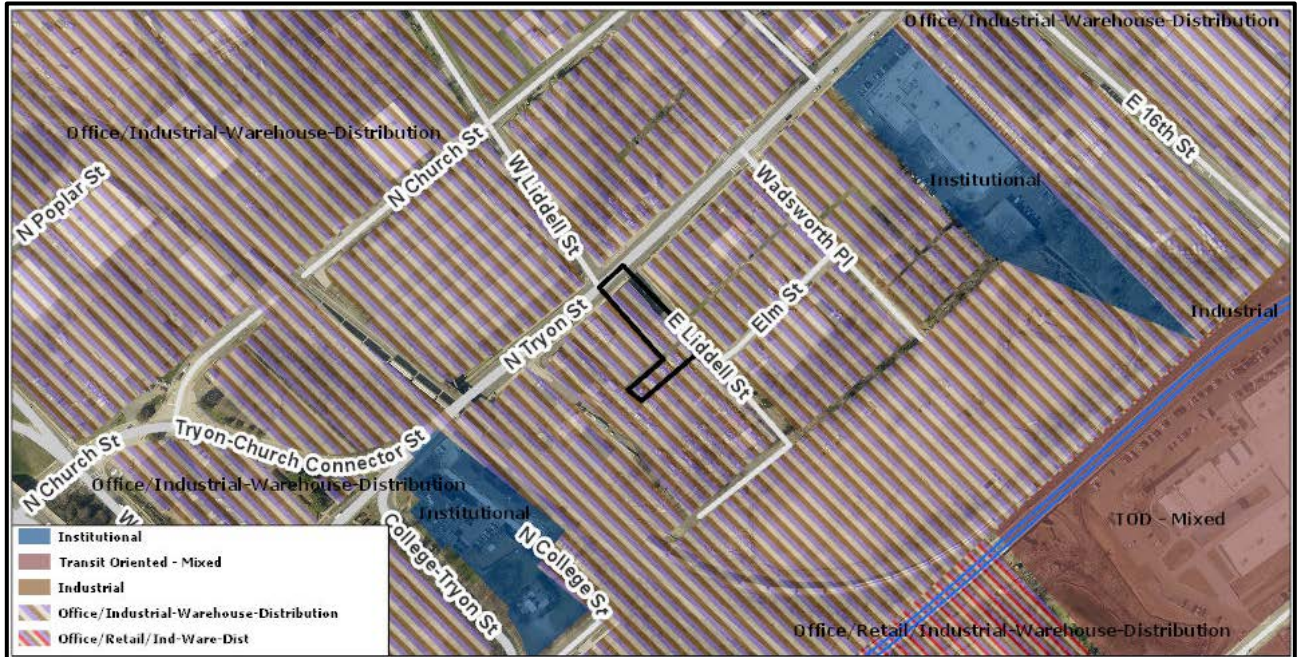
- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2018-169	Request by City of Charlotte to rezone to TOD-CC from TOD-M district.	Approved
2018-098	Proposal to rezone site from R-8 to TOD-M to allow all uses permitted within the district.	Approved
2017-101	Proposal to redevelop site to allow up to 59 for sale single family attached dwelling units as a density of 29.49 units per acre.	Approved
2016-130	Petition to rezone existing single family site to allow all uses in the TOD-M zoning district.	Approved
2016-069	Petition to allow transit-supportive uses.	Approved
2016-029	Petition to adaptively reuse existing mill building in Optimist Park neighborhood (Optimist Hall).	Approved
2015-125	Petition to allow all uses permitted in TOD-M district.	Approved
2015-091	Petition to allow for infill development of multi-family residential units at a density of 50.5 DUA.	Approved
2014-023	SPA from 2006-097 to allow a for-rent option and reduce total units provided to 120.	Approved



- **Public Plans and Policies**



- The *North Tryon Area Plan* (2010) recommends office and/or industrial uses for the site. The plan includes additional language noting that a limited amount of pedestrian-oriented and community retail in the vicinity of N. Tryon Street and 16<sup>th</sup> Street would also be appropriate.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located at the intersection of a major thoroughfare and a local road. The petitioner should revise the site plan to meet City ordinance requirements that improve walkability and meet current Charlotte WALKS Policy adopted by Council. In addition, the petitioner should construct the curb and gutter at the requested location to provide adequate infrastructure to meet current and future transportation needs. The petitioner should address the remaining outstanding items listed at the end of this report.
  - See Outstanding Issues, Notes 1-3.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 0 trips per day (based on vacant structure).
      - Entitlement: 50 trips per day (based on 4,950 SF of warehouse uses).
    - Proposed Zoning: 770 trips per day (based on office and restaurant uses).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Department of Housing and Neighborhood Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **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:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Water service is accessible for this rezoning boundary via an existing 6-inch water distribution main located along E. Liddell Street. The proposed rezoning is located in an area that Charlotte Water has determined to have limited sanitary sewer system capacity. Sanitary sewer service will be dependent on the completion of a public infrastructure project—Charlotte Water's North Tryon Improvements Project. It is recommended that the applicant contact the Charlotte Water New Services for further information and to discuss options regarding sanitary sewer system capacity. See advisory comments at [www.rezoning.org](http://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](http://www.rezoning.org)
  - **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Urban Forestry:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **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 outstanding issues.

## **OUTSTANDING ISSUES**

### Transportation

1. The proposed zoning district has a setback measured from back of the existing or proposed curbline. The site plan should show the curb and gutter labeled and dimensioned from the centerline of each road.
  - a. South Tryon Street: Location of future back of curb and gutter is 29.5 feet from centerline.
  - b. East Liddell Street: Location of future back of curb and gutter is 12.5 feet from centerline.
2. The proposed rezoning requires a streetscape of 8-foot planting strip and 6-foot sidewalk along Tryon Street and East Liddell Street frontages. However, the building is proposed to stay which will not allow the full streetscape to be implemented. The petitioner should revise the site plan and conditional notes to show the full streetscape where achievable and the alternative streetscape along the building frontage.
3. Clarify in notes that full streetscape will be provided where building is not conflicting.

### Site and Building Design

4. Add provision in "Streetscape, Landscaping, Open Space and Screening" that notes compliance with parking screening requirements.
5. Clarify in Note 2a, Permitted Uses, Development Area Limitations, that any expansion or new construction of the site will comply with all MUDD regulations – "any new structures within the site will follow MUDD setback requirements".

## **REQUESTED TECHNICAL REVISIONS**

### Site and Building Design

6. Create conditional notes subsection called "Optional Provisions" on site plan dedicated to all optional provisions requested. As of latest submission, optional provisions are scattered throughout the notes.
7. Label all streets on site plan.
8. Remove note 6a.
9. Remove note 5a – not an architectural standard.

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

**Planner:** William Linville (704) 336-4090