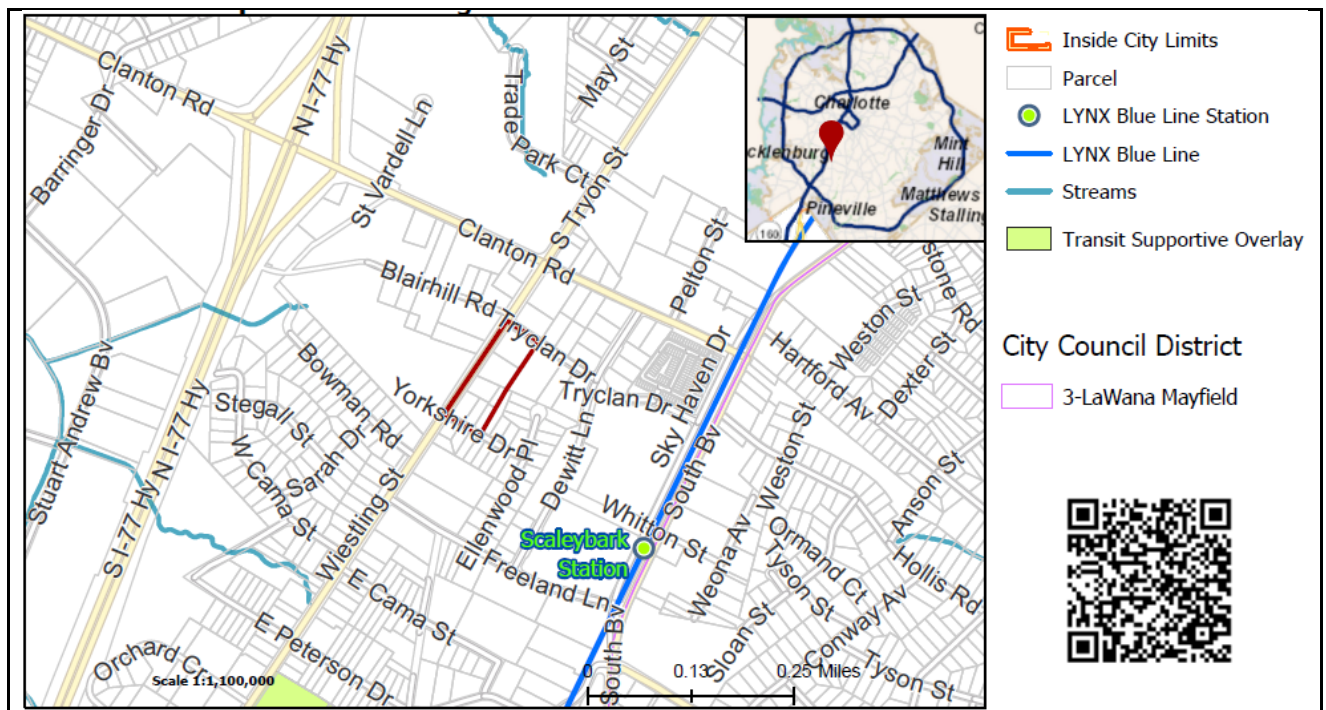


**REQUEST**

Current Zoning: R-5 (single family), B-1 (neighborhood business), I-1 (light industrial), and I-2 (general industrial)  
Proposed Zoning: TOD-M(CD) (transit oriented development – mixed-use, conditional)

**LOCATION**

Approximately 3.17 acres located on the west side of South Tryon Street, north of Yorkshire Drive, and south of Clanton Road.  
(Council District 3 - Mayfield)



**SUMMARY OF PETITION**

The petition proposes to rezone 3.17 acres to allow all uses in the TOD-M (transit oriented development – mixed-use) district.

**PROPERTY OWNER**

Presson Properties, LLC

**PETITIONER**

Boulevard Real Estate Advisors, LLC

**AGENT/REPRESENTATIVE**

John Carmichael, Robinson Bradshaw & Hinson, LLP

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 7

**STAFF**

**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The proposed land use for the parcels fronting South Tryon Street and the first parcel fronting Yorkshire Drive are consistent with the *Scaleybank Transit Station Area Plan* recommendation for transit supportive development - mixed.

The two parcels, located in the southeast quadrant of the subject site, are inconsistent with the *Scaleybank Transit Station Area Plan* recommendation for residential uses at up to five dwelling units per acre.

Rationale for Recommendation

- The subject site is within a ½-mile walk of the Scaleybark Transit Station on the LYNX Blue Line, and the proposed transit oriented development is consistent with the adopted plan for most of the subject site.
- The proposal allows a site previously used for industrial/office uses to convert to transit supportive land uses.
- The inconsistent parcels incorporated into the site would have to comply with the maximum building height and buffer requirements adjacent to the continuing single family residential as required by the TOD zoning standards.
- The proposed plan maintains a 30-foot setback along Yorkshire Drive similar to the existing single family homes.

The approval of this petition will revise the adopted future land use for the two parcels located in the southeast quadrant of the subject site as specified by the *Scaleybark Transit Station Area Plan* from residential at up to five units per area to transit oriented development - mixed.

**PLANNING STAFF REVIEW**

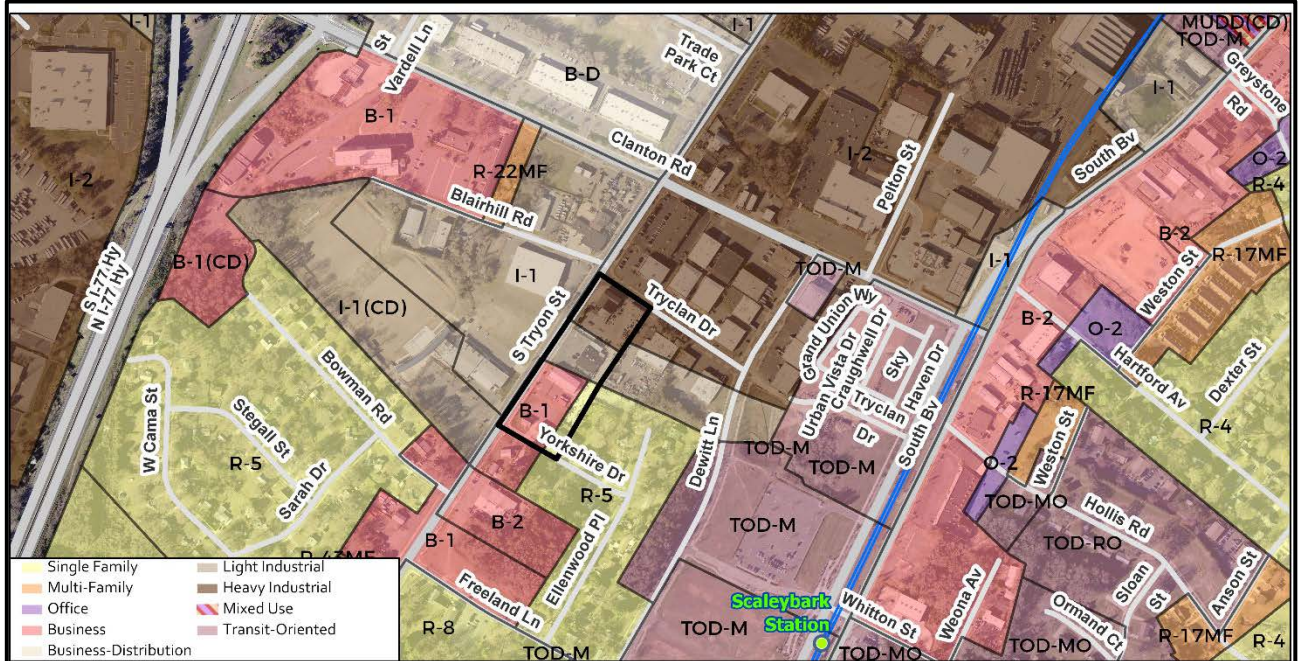
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allow all uses in the TOD-M district.
- Eight-foot planting strip, eight-foot sidewalk, and eight-foot planting area along South Tryon Street.
- Eight-foot planting strip and six-foot sidewalk, with a 30-foot setback along Yorkshire Drive.
- Eight-foot planting strip and six-foot sidewalk along Tryclan Drive.
- 12-foot class 'C' buffer along the eastern property line that abuts residential zoning.
- Construction activity and entrance will be limited to South Tryon Street.
- Construction activities on site will only be allowed between 7:00 AM and 9:00 PM.
- Site will provide a Ground Floor height – 8-foot minimum for single-family attached, a minimum of 12' floor to floor for multi-family residential (including leasing/amenity space), and 14' floor to floor for other uses.
- Architectural Standards for the proposed structures includes the following:
  - Buildings 150 feet in length or longer: Facades shall be divided into shorter segments by means of façade modulation or mass separation. Such modulation or mass separation must occur at intervals of no more than 60 feet.
  - Ground floor activation through the use of windows, doors, porches, stoops, and open space.
  - Activation along a minimum 66 percent of the façade along South Tryon Street and 50 percent along Yorkshire and Tryclan Drive.
  - Upper floors of any proposed parking structure will be screened.



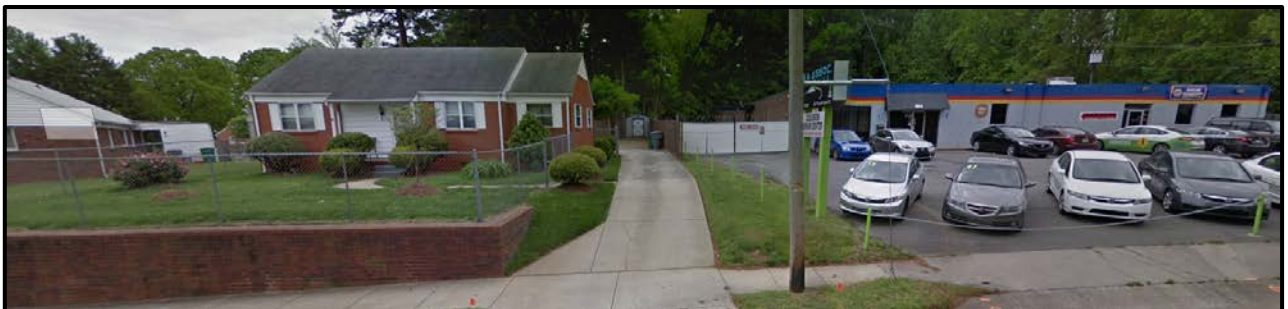
- Existing Zoning and Land Use



The subject properties are developed with a mix of warehouse, commercial, office and industrial uses.

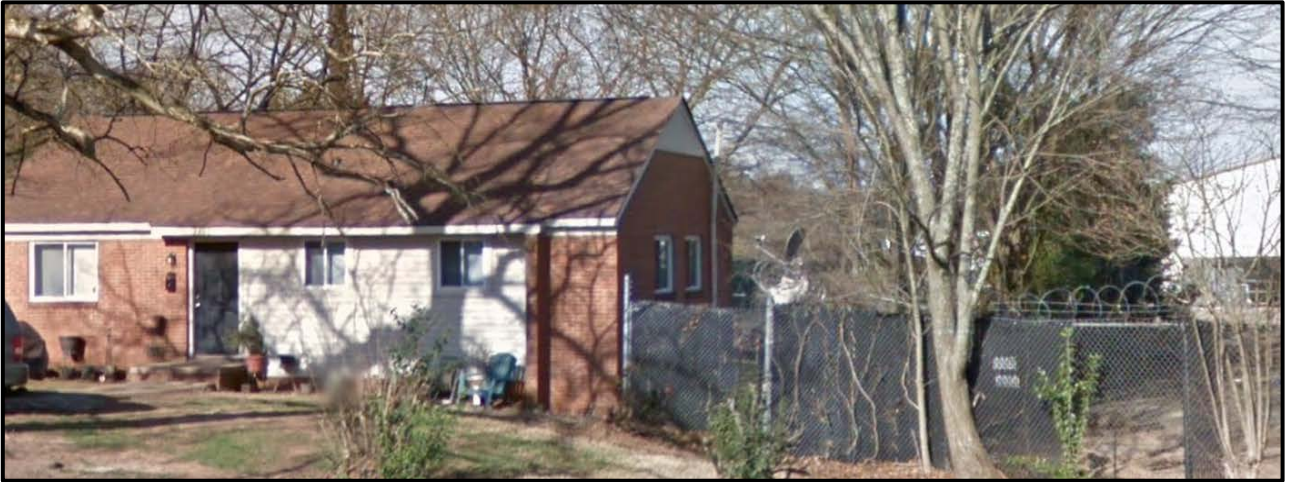


The properties to the north along South Tryon Street are developed with a mix of retail uses.



Properties to the south along South Tryon are developed with a single family neighborhood and a car lot.



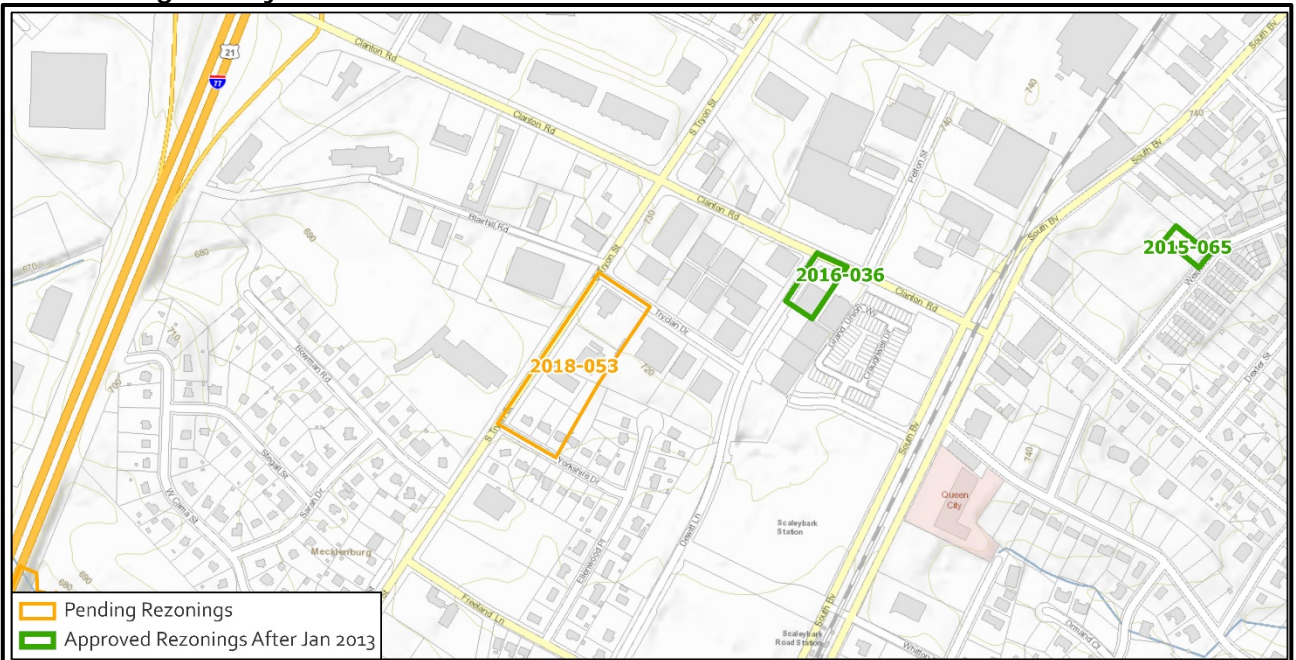


Properties to the east along Ellenwood Place are developed with a single family neighborhood and a warehouse use.



Properties to the west along South Tryon Street are developed with commercial and warehouse uses.

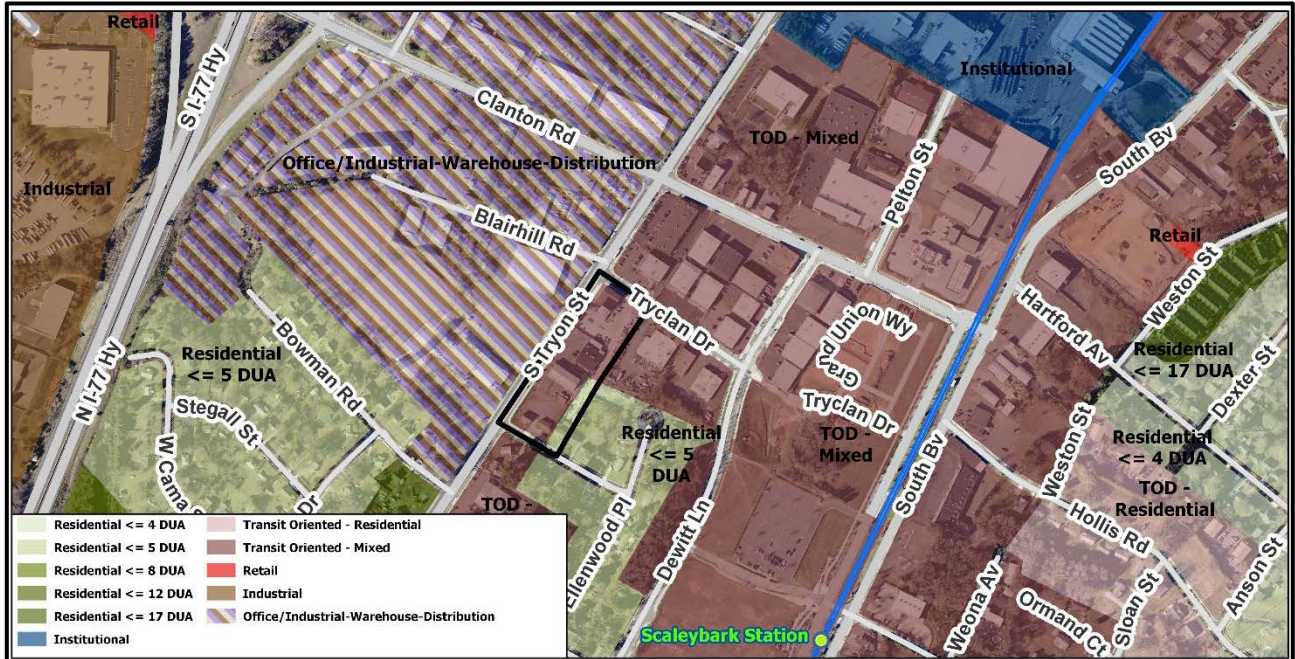
- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2016-036	Rezoned 0.45 acres to TOD-M (transit oriented development – mixed-use) for all uses allowed in the district.	Approved
2015-065	Rezoned 0.28 acres to B-2 (general business) for all uses in the district.	Approved



- **Public Plans and Policies**



- The *Scaleybark Transit Station Area Plan* (2008) recommends transit supportive development mixed for parcels fronting South Tryon Street and one parcel fronting Yorkshire Drive. The plan recommends residential uses at up to five dwelling units per acre for the two parcels located in the southeast quadrant of the subject site.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located on South Tryon Street near the Scaleybark Transit Station. The site plan and notes should locate the curb and gutter location at the revised future location. CDOT continues to request the petitioner provide an East-West street connection within the site to provide street network within the area.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 1,250 trips per day (based on 12,060 square feet of warehouse, 6,660 square feet of retail, 2,100 square feet of office, and one dwelling unit).
      - Entitlement: 1,740 trips per day (based on 21,050 square feet of warehouse, 11,200 square feet of retail, and two dwelling units).
    - Proposed Zoning: Too many uses to determine.

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

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via existing six-inch distribution mains located along Tryclan Drive and Yorkshire Drive and an existing two-inch distribution main located along Tryon 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 Sanitary Sewer Replacement from Fieldcrest Road to Barringer Drive Project. 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 mid-2019.

- **Engineering and Property Management:**
  - **Arborist:** No outstanding issues.
  - **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:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

## OUTSTANDING ISSUES

### Site and Building Design

1. ~~Modify height limits on plan to start the height increase from the required 20-foot rear yard.~~ Addressed, height will be as allowed per the Ordinance.
2. ~~Modify height limits to read "height will be measured per the Ordinance."~~ Addressed
3. ~~Remove note "D" under Architectural Standards that porches and stoops may extend up to five feet into the required setback.~~ Addressed
4. ~~Remove note "E" under Architectural Standards that there will be no requirement for public streets as this is controlled by the subdivision ordinance.~~ Addressed
5. ~~Add a note that the upper floors of any proposed parking structure will be screened.~~ Addressed
6. ~~Add a note that the site will provide a minimum of 6,860 square feet of common open space.~~ Staff has rescinded this request.
7. ~~Add a note that the site will provide a Ground Floor height — a minimum of 12' floor to floor for residential (including leasing/amenity space), 16' floor to floor for other uses.~~ Addressed

### Environment

8. ~~Submit a tree survey for all trees two inches in diameter at breast height (DBH) or larger located in the public right-of-way. In addition, tree survey may be completed by landscape architect, surveyor, or other land development professional.~~ Addressed

### Transportation

9. ~~Revise the site plan and conditional notes to show commitment to the construction of an east-west street through the site creating the network to connect to existing Ellenwood Place, Dewitt Lane and the future road connection to the Scaleybark Station Development.~~ Staff has rescinded this request.

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## Attachments Online at [www.rezoning.org](http://www.rezoning.org)

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Housing and Neighborhood Services Review
  - Charlotte Fire Department Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - City Arborist
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

**Planner:** Solomon Fortune (704) 336-8326