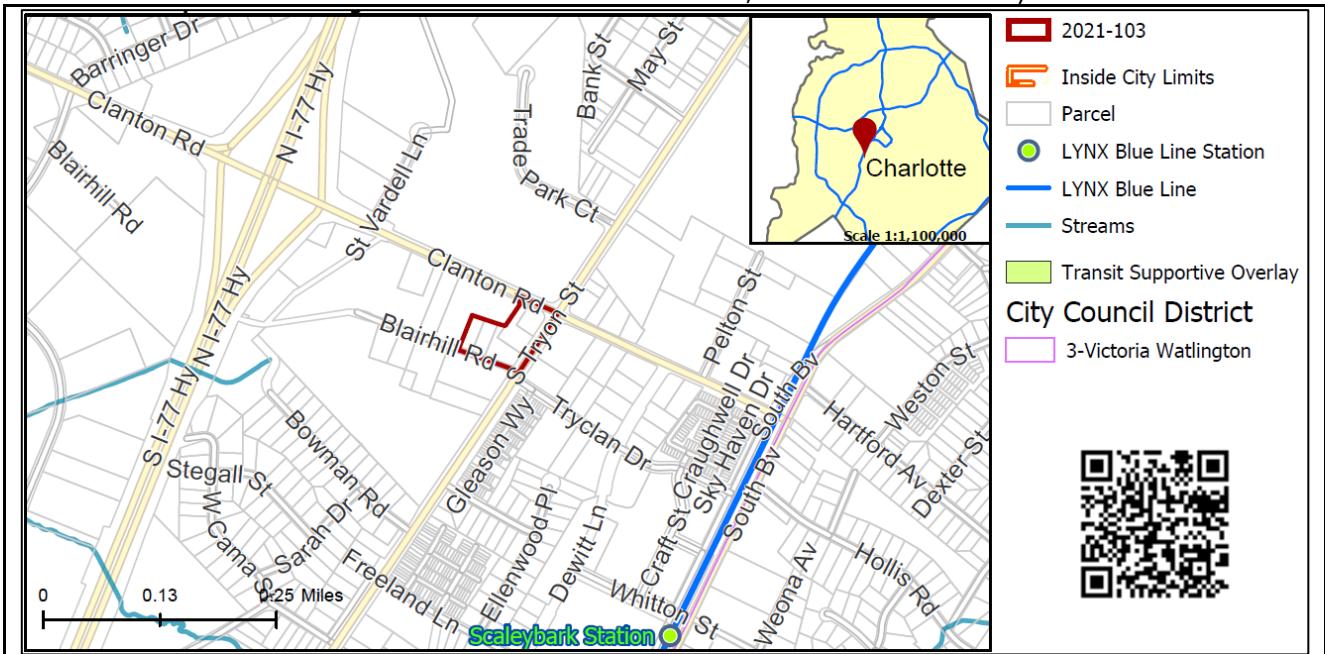


**REQUEST**

Current Zoning: I-1 (light industrial)  
Proposed Zoning: TOD-UC (transit oriented development - urban center)

**LOCATION**

Approximately 2.25 acres located on the north side of Blairhill Road, south of Clanton Road, and west of South Tryon Street.



**SUMMARY OF PETITION**

The petition proposes to allow all uses in the TOD-UC (transit oriented development - urban center) zoning district on parcels currently developed for commercial auto uses.

**PROPERTY OWNER**

Gerard W. Kressner

**PETITIONER**

Providence Group Capital, LLC

**AGENT/REPRESENTATIVE**

Keith MacVean

**COMMUNITY MEETING**

Meeting is not required.

**STAFF**

**RECOMMENDATION**

Staff does not recommend approval of this petition in its current form. Staff would support a petition requesting a rezoning to the TOD-CC district.

Plan Consistency

The petition is **inconsistent** with the *Scaleybank Transit Station Area Plan* (2008) recommendation of office and industrial-warehouse-distribution uses for this site.

Rationale for Recommendation

- The application of the TOD-UC zoning district is reserved for areas of high intensity, and the subject site and surrounding context is of moderate intensity.
- The use of TOD-UC and the max height of allowing up to 300' through the bonus provisions allowed under the district would create an incongruent and harsh transition into the surrounding land uses.

- The subject site is in an area with adjacent zoning districts including TOD-TR, TOD-CC, and business – distributive, with the nearest TOD-UC zoning district being located directly on South Boulevard among denser development and just over a quarter-mile walk to Scaleybark Station.
- The use of other TOD zoning districts on the site would be a better fit for the area and still allow for a number of uses. Rezoning to TOD-CC in particular would still allow for a maximum height of up to 130 feet with the bonus provisions.
- The rezoning request is inconsistent with the proposed land use for this area.

The approval of this petition will revise the adopted future land use as specified by the *Scaleybark Transit Station Area Plan* (2008), from office and industrial-warehouse-distribution uses to transit oriented development for the site.

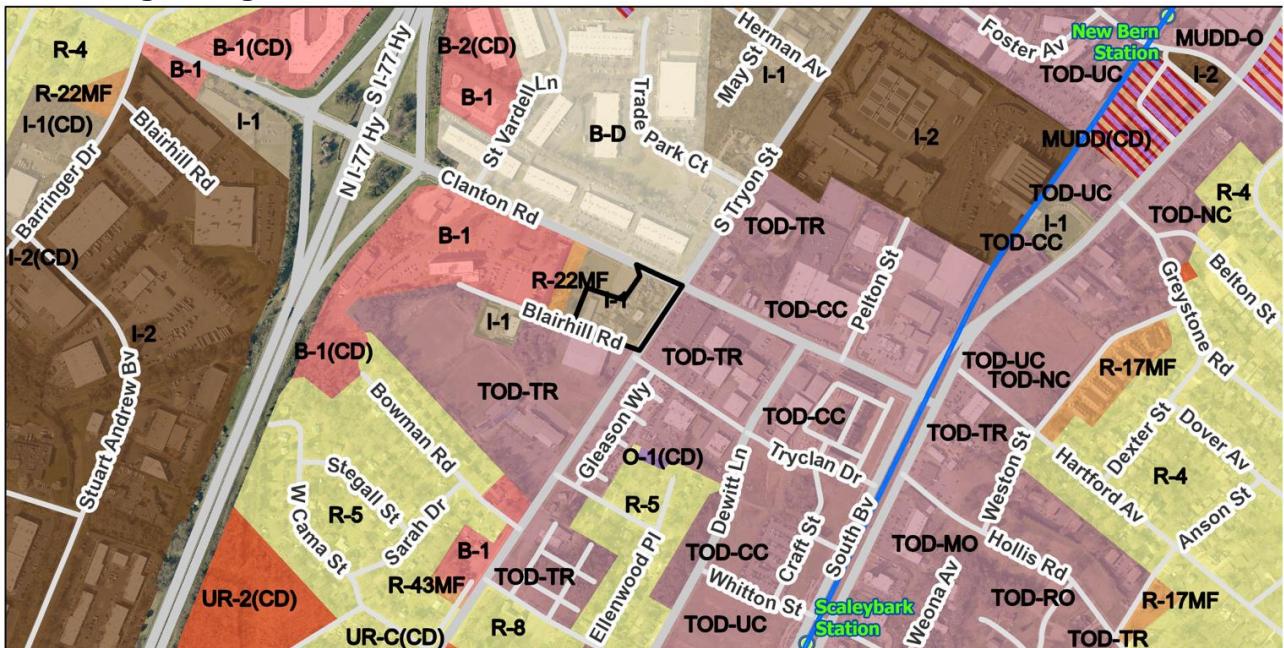
## PLANNING STAFF REVIEW

### • Proposed Request Details

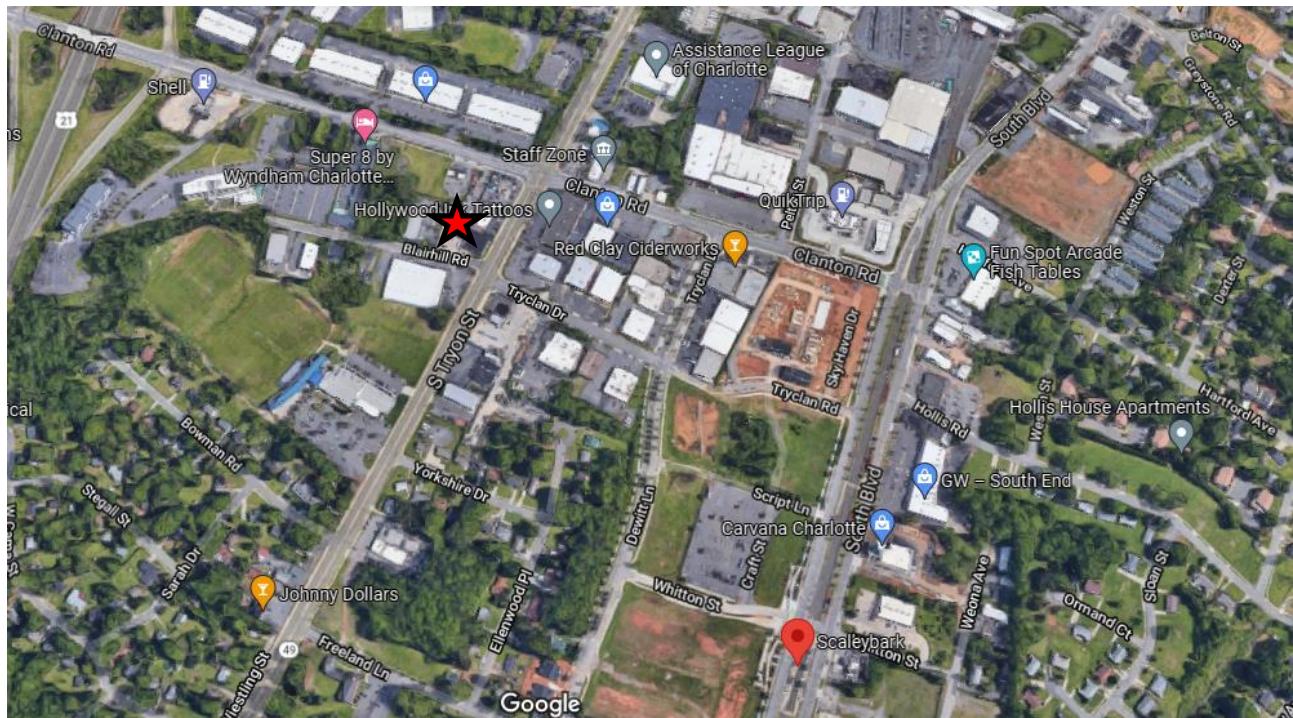
This is a conventional rezoning petition with no associated site plan.

- Allows all uses in the TOD-UC (transit oriented development – urban center) zoning district.

### • Existing Zoning and Land Use



The subject site, currently zoned I-1, is adjacent to I-1, TOD-CC, TOD-TR, and B-D zoning districts. It is located 0.44-miles from the Scaleybark Station, whereas the closest TOD-UC-zoned parcels to the subject site are approximately a quarter-mile or less to the Scaleybark Station.



- The site (red star above) is in an area with retail, warehouse/distribution, office, industrial, mixed-use residential, and single family residential uses. The nearest light rail station to the subject site, Scaleybark Station, is shown on the bottom right-hand side of the above map and marked with a red pin.



- North of the site are warehouse and retail uses.



- East of the site are retail uses.

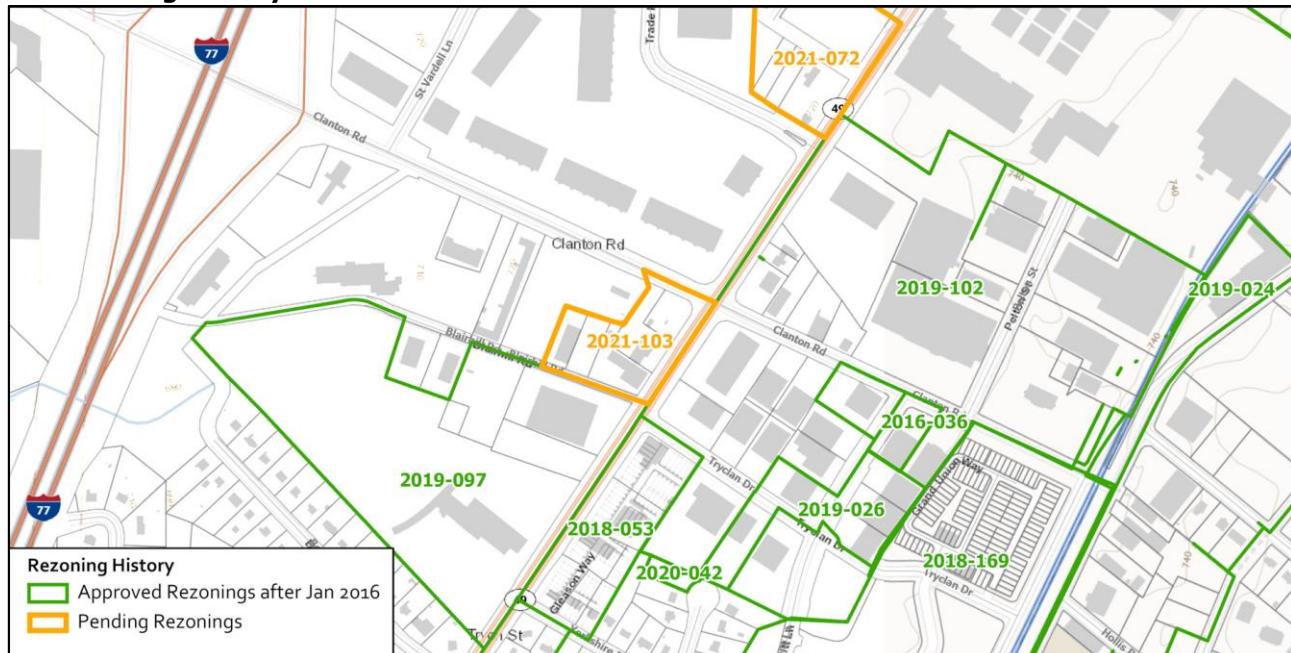


- South of the site are retail and industrial uses.



- West of the site is a fire station and motel.

- **Rezoning History in Area**



- There have been no recent rezonings of the site.

Petition Number	Summary of Petition	Status
2016-036	Rezoned 0.45 acres from I-2 to TOD-M.	Approved
2018-053	Rezoned 3.169 acres from I-2, I-1, B-1, and R-5 to TOD-M.	Approved

2018-169	Amendment to zoning ordinance to replace 3 existing transit oriented development districts with 4 new transit oriented development districts and regulations. The amendment resulted in 3 existing conventional districts translating to the new TOD-CC +.	Approved
2019-024	Rezoned 1.74 acres from I-1 and I-2 to TOD-CC.	Approved
2019-026	Rezoned 3 acres from I-1 and I-2 to TOD-CC and TOD-TR.	Approved
2019-097	Rezoned 17.02 acres from I-1 and I-1(CD) to TOD-TR.	Approved
2019-102	Rezoned 1,7771.18 acres under a range of zoning districts to TOD-UC, TOD-NC, TOD-CC, or TOD-TR.	Approved
2020-042	Rezoned 0.236 acres from R-5 to O-1(CD).	Approved
2021-072	Rezoning 2.92 acres from I-1 to TOD-CC.	Pending

- Public Plans and Policies**



- The Scaleybark Transit Station Area Plan (2008) recommends office and industrial-warehouse-distribution uses for this site.

- TRANSPORTATION SUMMARY**

- The site is located adjacent to Clanton Road, a City-maintained major thoroughfare, Blairhill Road, a City-maintained local street, and South Tryon Street, a State-maintained major thoroughfare. This site is requesting a TOD-UC zoning and will be subject to transportation improvements in accordance with the TOD Ordinance and the adopted CDOT Streets Map. CDOT will work with the petitioner during the permitting process to pursue all options to provide additional forms of connectivity that reflect the types of development associated in the TOD-zoned areas.

- Active Projects:**

- There are no active projects near this site.

- Transportation Considerations**

- No outstanding issues.

- Vehicle Trip Generation:**

Current Zoning:

Existing Use: 310 trips per day (6,250 square feet of warehouse uses and 9,428 square feet of used automobile sales).

Entitlement: 85 trips per day (22,500 square feet of warehouse uses).

Proposed Zoning: Too many uses to determine the trip generation.

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

- Charlotte Area Transit System:** No comments submitted.
- Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- Charlotte Department of Solid Waste Services:** No comments submitted.

- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **City Arborist:** No comments submitted.
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Storm Water Services:** No comments submitted.
- **Urban Forestry:** No comments submitted.

**OUTSTANDING ISSUES**Land Use

1. The proposed rezoning to the high-intensity zoning district TOD-UC is not appropriate for this area which is of moderate intensity. Staff would support a proposed rezoning of TOD-CC which still allows for a number of uses and a maximum height of 130 feet. The application of other TOD zoning districts at this site would create a better transition into the surrounding land uses than the requested zoning of TOD-UC.

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

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

## Goals Relevant to Rezoning Determinations

### Rezoning Petition # 2021-103

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	<p><b>Goal 1: 10- Minute Neighborhoods</b>  All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.</p>	
	<p><b>Goal 2: Neighborhood Diversity &amp; Inclusion</b>  Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.</p>	<b>N/A</b>
	<p><b>Goal 3: Housing Access for All</b>  Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.</p>	<b>N/A</b>
	<p><b>Goal 4: Trail &amp; Transit Oriented Development (2-TOD)</b>  Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.</p>	

	<p><b>Goal 5: Safe &amp; Equitable Mobility</b></p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	
	<p><b>Goal 6: Healthy, Safe &amp; Active Communities</b></p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	
	<p><b>Goal 7: Integrated Natural &amp; Built Environments</b></p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	N/A
	<p><b>Goal 8: Diverse &amp; Resilient Economic Opportunity</b></p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	N/A
	<p><b>Goal 9: Retain Our Identity &amp; Charm</b></p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	N/A
	<p><b>Goal 10: Fiscally Responsible</b></p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	N/A