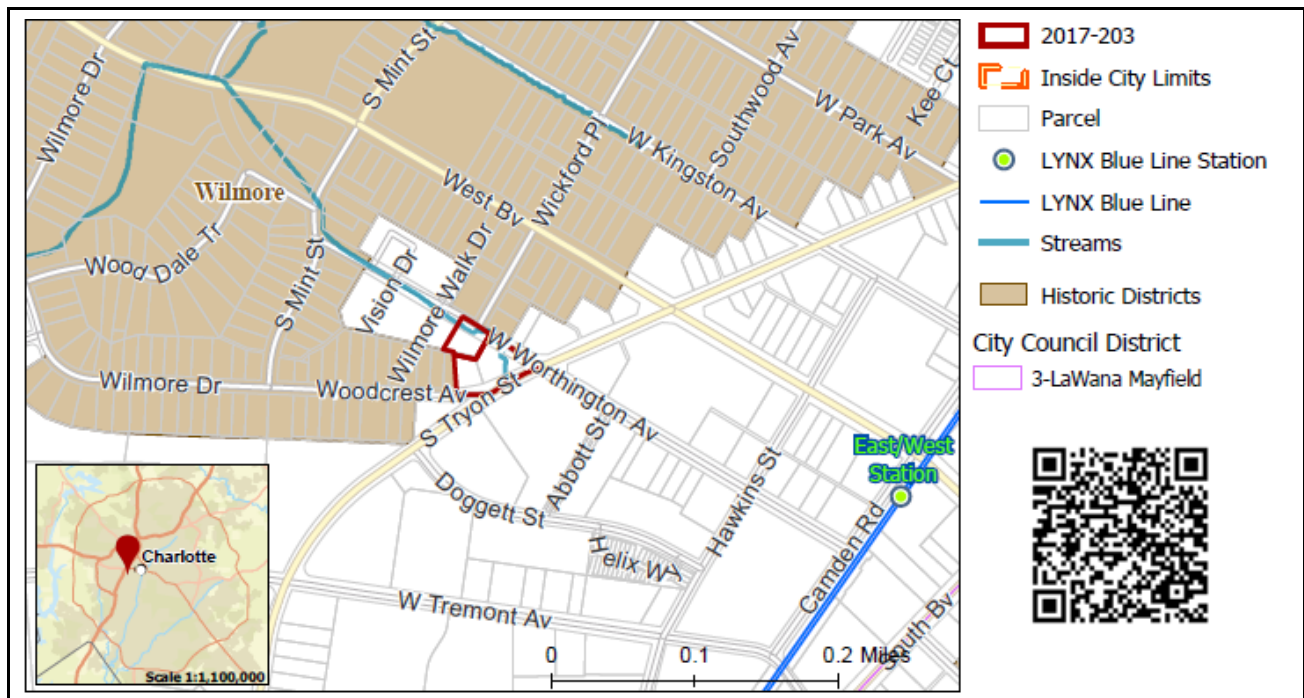


**REQUEST**

Current Zoning: R-8 (single family) and B-1 (neighborhood business)  
 Proposed Zoning: TOD-RO (transit oriented development - residential, optional)

**LOCATION**

Approximately 0.75 acres located at the intersection of South Tryon Street and West Worthington Avenue, south of West Boulevard.  
 (Council District 3 - Mayfield)



**SUMMARY OF PETITION**

The petition proposes to allow the redevelopment of two existing buildings and a vacant lot for 45 residential units and 3,500 square feet of non-residential uses. The site is located on the edge of the Wilmore neighborhood and is within ½ mile walk of the East/West Boulevard Transit Station on the LYNX Blue Line.

**PROPERTY OWNER**

South Tryon Ventures, LLC & TAG Ventures, LLC

**PETITIONER**

South End West Syndicate, LLC

**AGENT/REPRESENTATIVE**

Bridget Grant and Jeff Brown, Moore & Van Allen, PLLC

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
 Number of people attending the Community Meeting: 8

**STAFF  
 RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The portion of the petition closest to South Tryon Street and proposed for residential over parking or active ground floor uses is consistent with the *South End Transit Station Area Plan* land use recommendation for residential transit supportive uses. *South End Vision Plan* also recommends transit supportive uses for the subject properties frontage along South Tryon Street

In addition, the remaining portion of the site which faces Worthington Avenue is consistent with the residential land use recommendation from the *Central District Plan*. However, the proposed density of 60 units per acre is inconsistent with the *Central District Plan* recommendation for 25 units per acre.

Rationale for Recommendation

- The subject site is within a 1/2 mile walk of the East/West Boulevard Transit Station on the LYNX Blue Line and at the edge of the Wilmore neighborhood, and the proposed development is transit oriented which is consistent with the adopted plan for the majority of the property.
- Although the portion of the property included in the *Central District Plan* (located along Worthington Avenue) is inconsistent with the planned density, a moderate density townhome development to the west along Worthington Avenue has been rezoned and developed since the adoption of the plan.
- The proposed development will provide a height and scale transition from the more intense and taller development closer to the transit station and the abutting moderate density development.
- The proposal will enhance the pedestrian environment by including ground floor uses at the corner of South Tryon Street and Worthington Street and usable open space on South Tryon Street at Woodcrest Avenue.
- The site and architectural commitments are designed to ensure the development will complement the Wilmore neighborhood.

**PLANNING STAFF REVIEW**

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

Land Use

- Allows the development of a single building with structured parking for 45 residential units and 3,500 square feet of non-residential uses, at a density of 60 dwellings per acre.
- Commits to all non-residential use being located on the ground floor.
- Prohibits adult-establishments, gasoline service stations, and car washes.

Site and Building Design

- Provides a 16-foot setback from the future back-of-curb along South Tryon Street instead of the 16 feet required by the ordinance and includes a 13-foot planting strip and eight-foot sidewalk as an interim condition.
- Provides a 20-foot setback along Worthington Avenue which includes an eight-foot planting strip, six-foot sidewalk and possible on street parking.
- Commits that all facades will have an overall total of 66 percent of brick below the roof line.
- Vinyl will not be an allowed building material except for soffits, windows, and handrails.
- Building materials may include the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding, stucco, EIFS, decorative metal panels, decorative block and/ or wood.
- Proposed windows will have slight insets to avoid monolithic facades.
- Facades over 50 feet in length shall be divided into shorter segments by means of façade modulation, repeating window patterns, change in materials, canopies or awnings, varying roof lines, and/or other architectural treatments.
- Facades fronting streets shall include a combination of windows and operable doors for a minimum of 60 percent of each frontage elevation, with transparent glass between two feet and 10 feet.
- The building will not have expanses of blank walls greater than twenty feet.
- The ground floor will have a minimum clearance of 15 feet from finished grade.
- Ground floor of parking structure will be screened through the use of decorated screens so that interior lighting and cars are not visible from the adjacent residential uses and all public streets.
- Building will have a minimum step back above the fourth story of seventy feet from the face of the building along the common boundary with the multi-family development along Worthington Avenue to the west of the subject property.
- A ten-foot step back will be provided above the fourth story from the face of the building along Worthington Avenue.
- The ground floor will be taller and architecturally different from the upper floors along the public street network.
- Facades over 50 feet in length shall be divided into shorter segments of façade modulation, repeating window patterns, change in materials, canopies, awnings, varying roof lines and or other architectural treatments.
- Transition zone with an average depth four feet between the building face and back of sidewalk

along West Worthington Avenue. This area includes enhanced landscaping, stairs, stoops, architectural features or similar and such features may encroach into this transition zone.

- Buildings will be placed so as to present a front or side façade to all streets.
- Facades fronting streets shall include a combination of windows and operable doors for a minimum of 60 percent of each elevations transparent glass between 2 feet and 10 feet. On the first floor except of the ground floor parking area.
- No balconies will be allowed along parcel 11907C96.

#### Transportation

- Dedication of right-of-way along South Tryon Street.
- Commits to contribute funds to Charlotte Department of Transportation for a future pedestrian crossing at West Worthington Avenue or Doggett Street.
- Possible Four-way stop at the intersection of Worthington Avenue and the proposed driveway entrance.

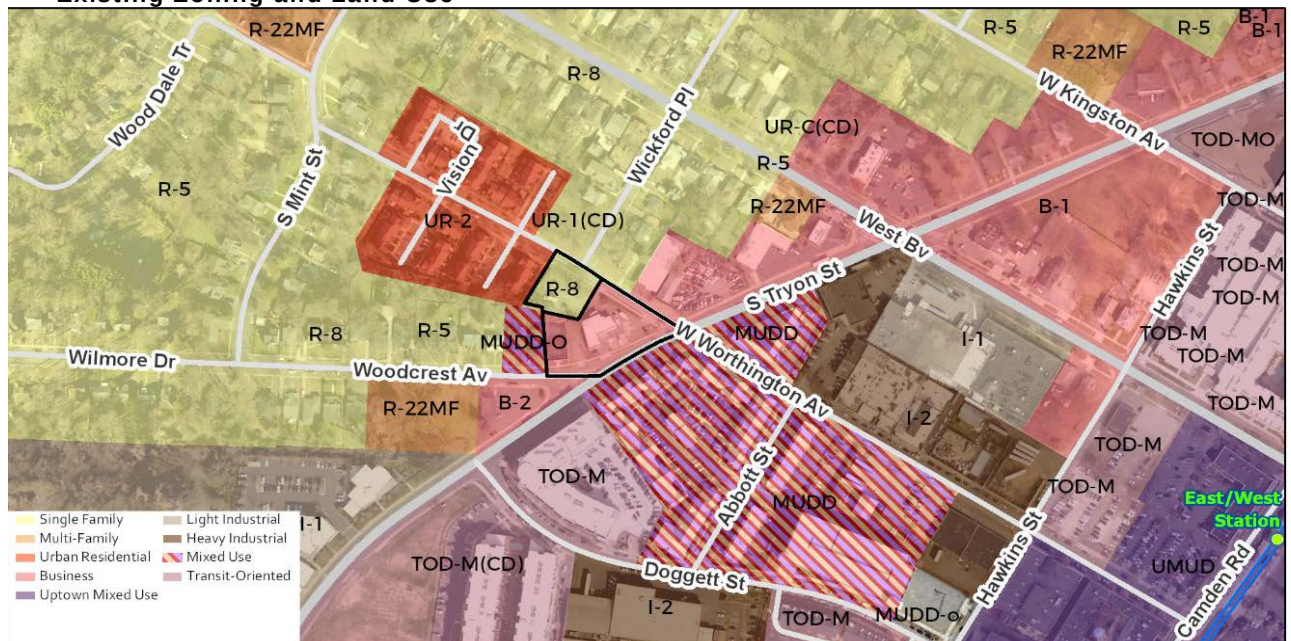
#### Amenities

- 2,500 square foot minimum open space with amenities along South Tryon Street.
- 10-foot landscape area adjacent to Wilmore Walk development.
- Balconies will not be permitted along the façade adjacent to the multi-family development along Worthington Avenue to the west of the subject property.
- Provide an open architectural feature at the intersection of Worthington Avenue and South Tryon Street.

#### Optional Provisions

- To not require surface and structured parking areas, outdoor dining areas and loading dock areas (open or enclosed) to be counted as part of the allowed gross floor area as defined by the ordinance.
- To allow a building height of five stories and 53 feet, instead of the 44 feet allowed by-right under the district.
- To allow area with ground floor structured parking to front West Worthington Avenue, instead of the requirement that parking deck along the ground floor shall be screened with active uses at least 50% of the linear street level frontage.
- To allow balconies to encroach up to four feet in the setback on South Tryon Street provided there is a minimum clearance of 15 feet from finished grade, instead of the requirement that does not allow balconies to encroach into the required setback.

#### • Existing Zoning and Land Use



- The subject property is developed with a church and auto repair shop.
- The surrounding properties are developed with residential, commercial and warehouse structures.



The subject properties are developed with a church and auto repair shop.



The property across South Tryon Street is developed with office uses.



Properties to the west along Woodcrest Avenue are single family homes located within the Wilmore neighborhood and the Wilmore Historic District. (The subject property is represented by the red star.)

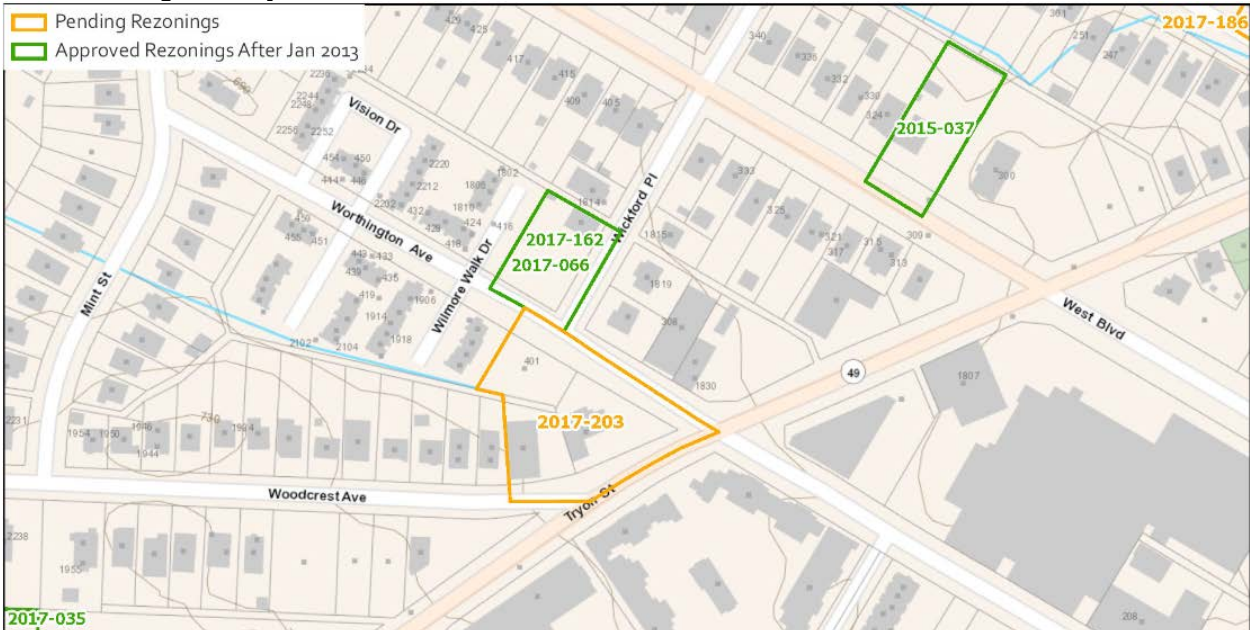


Properties to the north across Worthington Avenue are developed with warehouse uses and single family. The single family homes are located within the Wilmore Historic District.



The multi-family development Wilmore Walk is west of the subject property on West Worthington Avenue.

#### • Rezoning History in Area



| Petition Number | Summary of Petition                                                                                                                                                                                          | Status   |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 2017-186        | Request to rezone 0.87 acres to UR-2(CD), HD (urban residential, conditional, historic district overlay), five-year vested rights to develop 17 residential units.                                           | Pending  |
| 2017-162        | Rezoned 0.35 to UR-1(CD) HD SPA (urban residential, conditional, historic district overlay, site plan amendment) to allow the development of four single-family homes.                                       | Approved |
| 2017-035        | Rezoned 4.39 acres to I-1 TS-O, (light industrial, transit supportive overlay, optional) with 5-year vested rights to allow the development of 74 residential units.                                         | Approved |
| 2016-048        | Rezoned 0.29 acres to TOD-M (transit oriented development – mixed-use) to allow all uses in the district.                                                                                                    | Approved |
| 2015-037        | Rezoned 0.46 acres to UR-C(CD) (HD-O) (urban residential – commercial, conditional, historic district overlay) to allow the development of 4 residential units and 5,948 square feet of general office uses. | Approved |

## • Public Plans and Policies



- The *South End Transit Station Area Plan* (2005) recommends residential transit supportive development for a portion of the subject site fronting along South Tryon Street. The plan recommends that new development protect the residential character of the surrounding Wilmore and Dilworth neighborhoods.
- The draft *South End Vision Plan* (2018) recommends transit supportive uses for the subject properties frontage along South Tryon Street.
- The *Central District Plan* (1993) recommends residential up to twenty five units per acre for a portion of the site along West Worthington Avenue across from Wickford Place.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located on a major thoroughfare, South Tryon Street, at an unsignalized intersection with local streets. The current site plan commits to improvements to the intersection of Woodcrest Avenue and South Tryon Street and dedication of right-of-way for the future cross section of South Tryon Street as envisioned in the South Tryon Corridor Study.
  - **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 730 trips per day (based on 3,100 square feet of retail and 4,250 square feet of institutional use).

Entitlement: 980 trips per day (based on 1 dwelling unit and 5,400 square feet of retail).

Proposed Zoning: 1,090 trips per day (based on 45 dwelling units and 3,500 square feet of retail).

## 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 Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 6 students, while the development allowed under the proposed zoning will produce 20 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 14 students.
  - The proposed development is projected to maintain the school utilization over existing conditions (without mobile classroom units) as follows:
    - Barringer Academic at 103%;
    - Sedgefield Middle School at 93%; and
    - Harding University High at 135%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via existing six-inch water distribution mains located along Worthington Avenue and

Woodcrest Avenue, and existing eight-inch distribution main along Tryon Street. A Capacity Assurance application has been received and is currently under review. Correspondence will be maintained with the applicant.

- **Engineering and Property Management:**

- **Arborist:** Trees cannot be removed from or planted in the right-of-way of all City of Charlotte maintained streets. Contact the City Arborist's office to discuss trees species to be planted in the right-of-way on a City of Charlotte maintained street; species must be approved before planting.
- **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 proposed setback to 16 feet from the future back-of-curb along South Tryon Street.~~ Addressed
  2. ~~Modify and clarify note 6. V under General Design guidelines to read "multi-story buildings will have a minimum of 20 percent transparency on all upper floors".~~ Addressed.
  3. ~~Modify right-of-way dedication to 48 feet from centerline along South Tryon Street.~~ Addressed.
- 

#### **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 Department of Solid Waste Services Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Schools 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