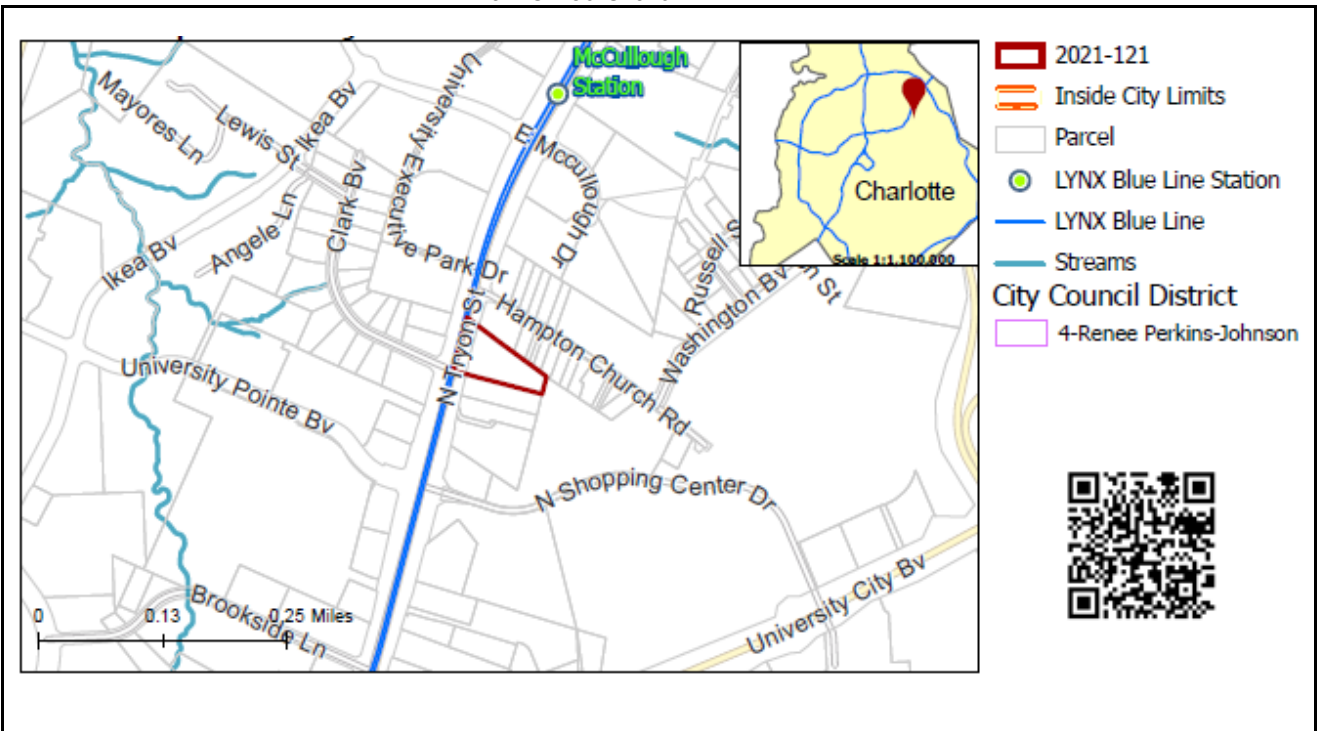


**REQUEST**

Current Zoning: B-2 (general business)  
Proposed Zoning: TOD-CC (transit-oriented development-community center)

**LOCATION**

Approximately 1.69 acres located on the east side of North Tryon Street, north of University City Boulevard, and west of East W.T. Harris Boulevard.



**SUMMARY OF PETITION**

The petition proposes to allow all uses permitted by right and under prescribed conditions and all accessory uses allowed in the TOD-CC (transit-oriented development-community center) zoning district.

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

Sam's Commercial Properties, LLC  
Anthony Fox  
Anthony Fox, Parker Poe, LLP  
Meeting is not required.

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *University City Area Plan – Blue Line Extension (2015)* recommendation of Office/Retail use.

Rationale for Recommendation

- The site is less than a ½ mile walking distance from the McCullough transit station, which will provide appropriate transportation service for the project.
- While the land use is consistent with the use designated in the area plan, the petition overall supports the area plan's goal of accommodating higher intensity uses that support the various transportation systems throughout the corridor.

- As written, TOD-CC may be applied to parcels within a 1/2-mile walking distance of an existing rapid transit station.
- Use of conventional TOD zoning districts applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary.

The approval of this petition will revise the adopted future land use as specified by the *University City Area Plan – Blue Line Extension (2015)*, from Office/Retail to Transit Oriented Development for the site.

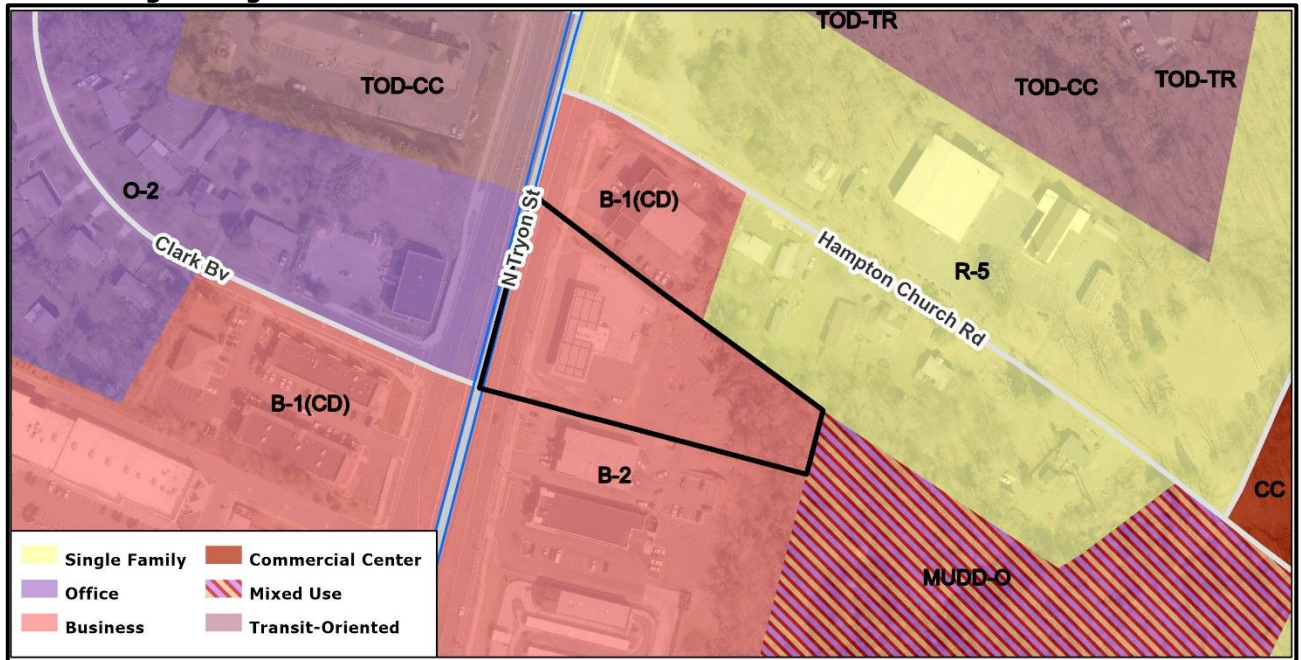
### PLANNING STAFF REVIEW

- **Proposed Request Details**

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

- Allows all uses permitted by right and under prescribed conditions and all accessory uses allowed in the TOD-CC (transit-oriented development-community center) zoning district.

- **Existing Zoning and Land Use**



The surrounding land uses include retail, medical office, hotel, office, EDEE's, and residential uses.





The subject property denoted by red star.



The property to the north along North Tryon Street is developed with a retail use.



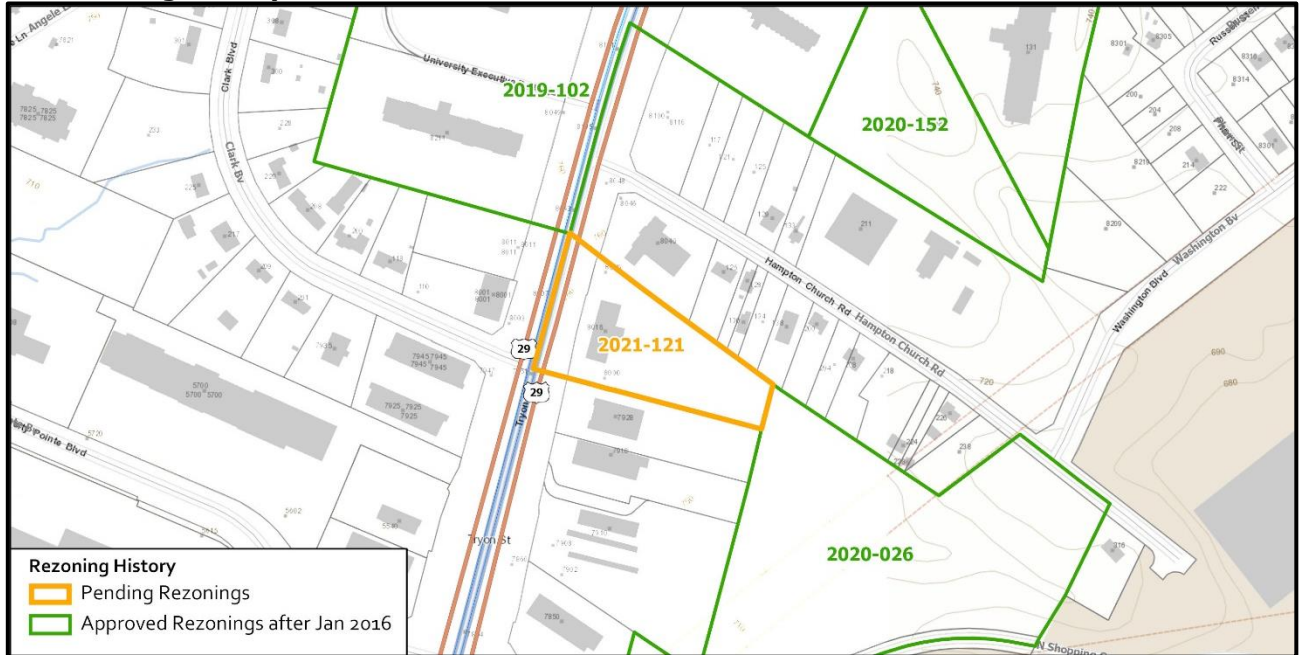


The property to the south along North Tryon Street is developed with retail auto care uses.



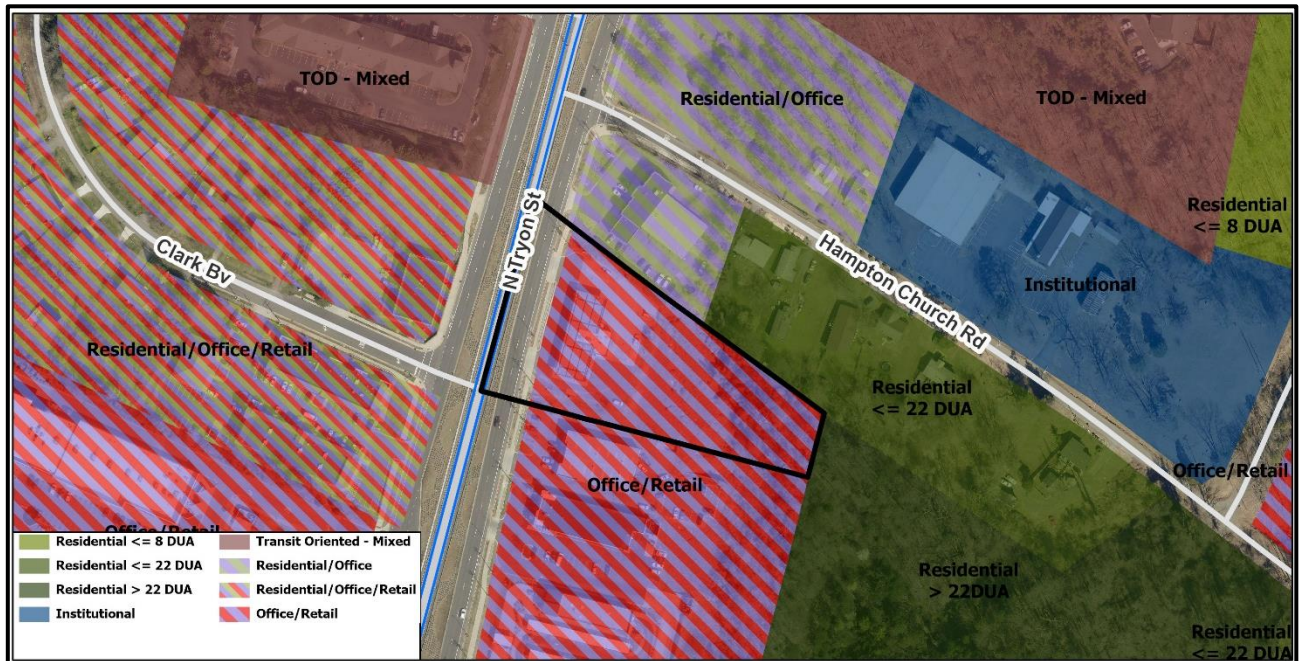
The property to the west across the Blue Line tracks on North Tryon Street is developed with medical office uses.

### • Rezoning History in Area



Petition Number	Summary of Petition	Status
2019-102	Realignment rezoning to transit-oriented zoning districts.	Approved
2020-026	Rezoned 7.53 acres to allow up to 200 multi-family units.	Approved
2020-152	Rezoned 3.0 acres to allow all uses in the TOD-CC zoning district.	Approved

### • Public Plans and Policies



The University City Area Plan – Blue Line Extension (2015) calls for Office/Retail uses.



- **TRANSPORTATION SUMMARY**

- The site is located near the intersection of North Tryon Street, a State-maintained major thoroughfare and Clark Boulevard, a City-maintained local street. This site is requesting a TOD-CC 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:**
  - None
- **Transportation Considerations**
  - No outstanding issues.
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 1,170 trips per day (based on small gas station).
    - Entitlement: 2,370 trips per day (based on 25,380 square-feet of retail uses).
  - 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 Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **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 24-inch water distribution main located along N Tryon Street. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along N Tryon Street. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **City Arborist:** No outstanding issues.
- **Erosion Control:** No outstanding issues.
- **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.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry:** No outstanding issues.

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




**Planner:** Michael Russell (704) 353-0225




## Goals Relevant to Rezoning Determinations

### Rezoning Petition # 2021-121

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
	<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.	✓
	<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.	N/A
	<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.	N/A
	<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><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>N/A</b></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>N/A</b></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>	<p><b>N/A</b></p>
	<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>	<p><b>N/A</b></p>
	<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>	<p><b>N/A</b></p>
	<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>	<p><b>N/A</b></p>