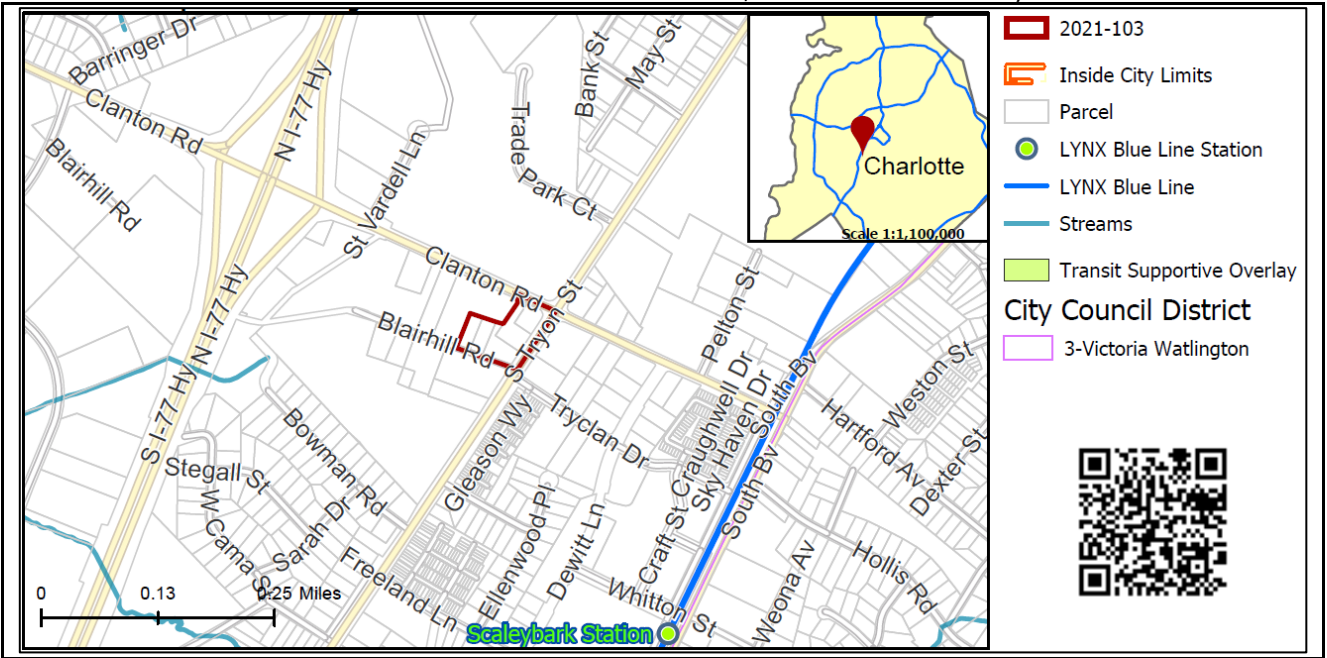


**REQUEST**

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

**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 with a maximum height limitation of 225 feet on parcels currently developed for commercial auto uses.

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

Gerard W. Kressner  
 Providence Group Capital, LLC  
 Keith MacVean  
 Meeting is not required.

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

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

Rationale for Recommendation

- The subject site is within a ½-mile walk of the Scalesby Station.
- The TOD-UC district may be applied to parcels within a ½-mile walking distance of an existing rapid transit station, or within ½ mile walking distance of an adopted Metropolitan Transit Commission (MTC) alignment station location.
- The site will be limited to a maximum building height of 225 feet and will be required to opt into bonus provisions for any buildings exceeding 130 feet in height per TOD-UC standards.

- The site is located at the intersection two major thoroughfares, South Tryon Street and Clanton Road which is an area with many parcels zoned under various TOD districts.
- The proposal allows the site to be redeveloped with a transit supportive project.
- The use of conventional TOD-UC zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary.
- TOD standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.

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**

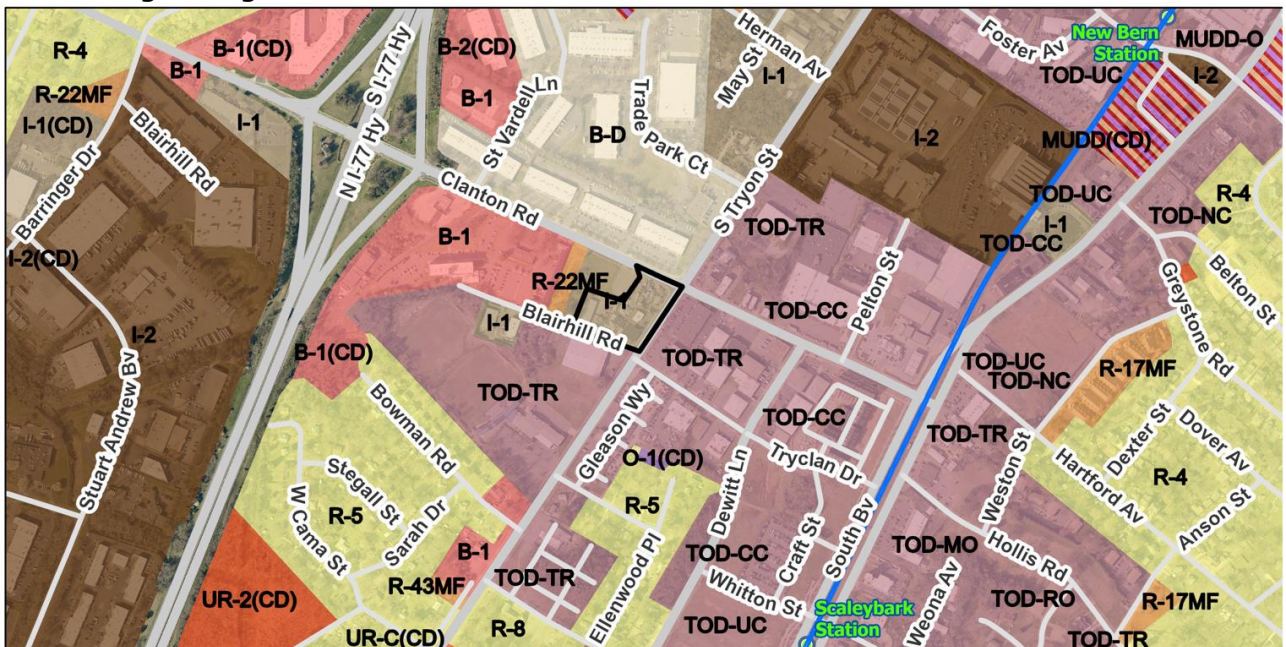
• **Background**

- On October 18, 2021, City Council held a public hearing for petition 2021-103 for a conventional request to rezone the subject site to TOD-UC. On November 2, 2021, the petitioner requested a one-month deferral of the Zoning Committee Recommendation. At the December 1, 2021 Work Session, the Zoning Committee recommended approval of the request with a 5-1 vote. On December 17, 2021, the petitioner requested a one month deferral of the City Council decision on the item. The petitioner requested sequential deferrals to allow time to convert to a conditional petition.
- On February 8, 2022, the petitioner submitted an amended application converting the request from TOD-UC to TOD-UC(CD), with a condition pertaining to maximum height limitations. A new public hearing date for the amended request was set for March 21, 2022.

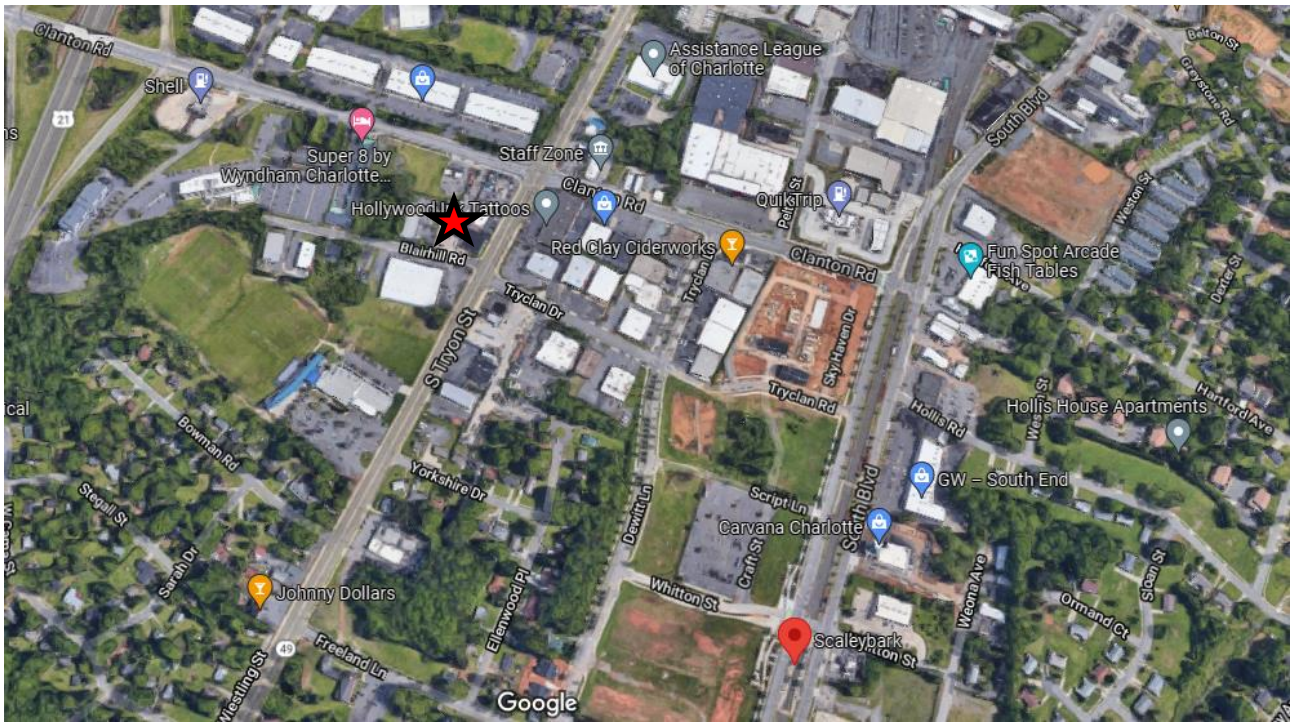
• **Proposed Request Details**

- Allows all uses permitted by right and under prescribed conditions, together with accessory uses, as allowed in the TOD-UC zoning district.
- Limits the maximum building height for any building constructed on the site to 225 feet. Building height will be measured as described in the ordinance.

• **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 and is in an area with retail, warehouse/distribution, office, industrial, and residential uses.



- The subject site is denoted with a red star.



- 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.

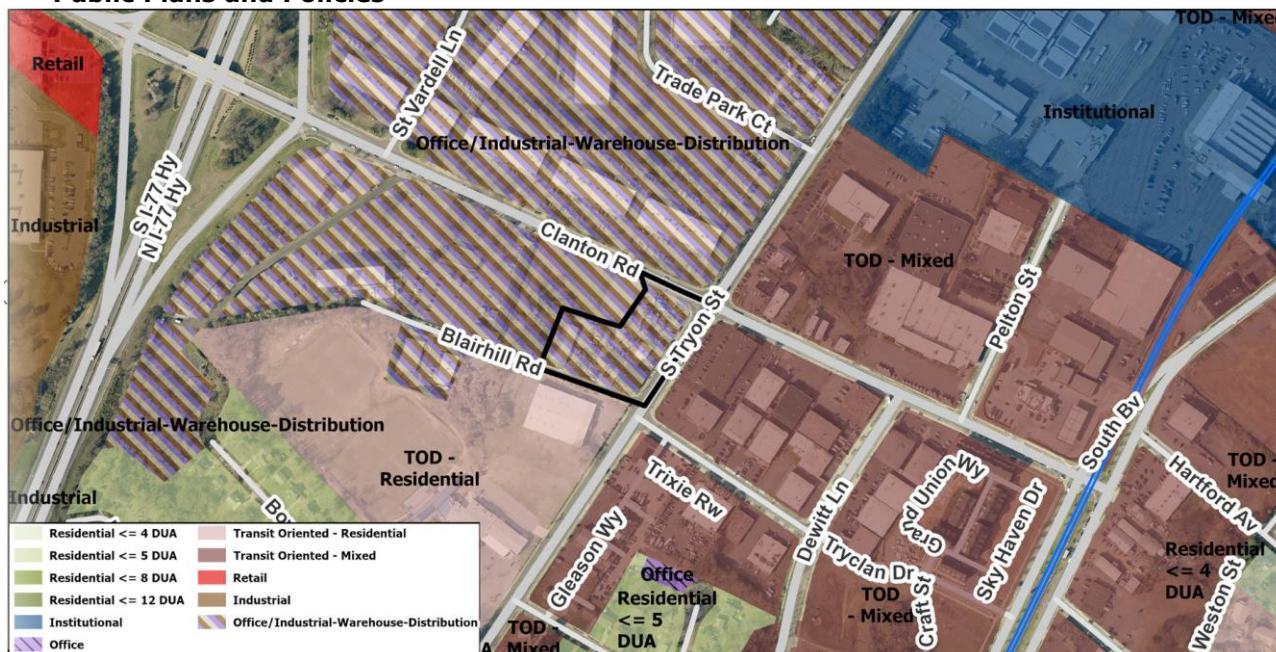
• **Rezoning History in Area**



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	Approved

	development districts and regulations. The amendment resulted in 3 existing conventional districts translating to the new TOD-CC +.	
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.	Approved

• **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.
- 

**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>	<p>N/A</p>
	<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>	<p>N/A</p>
	<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>	<p>N/A</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>N/A</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>N/A</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>N/A</p>