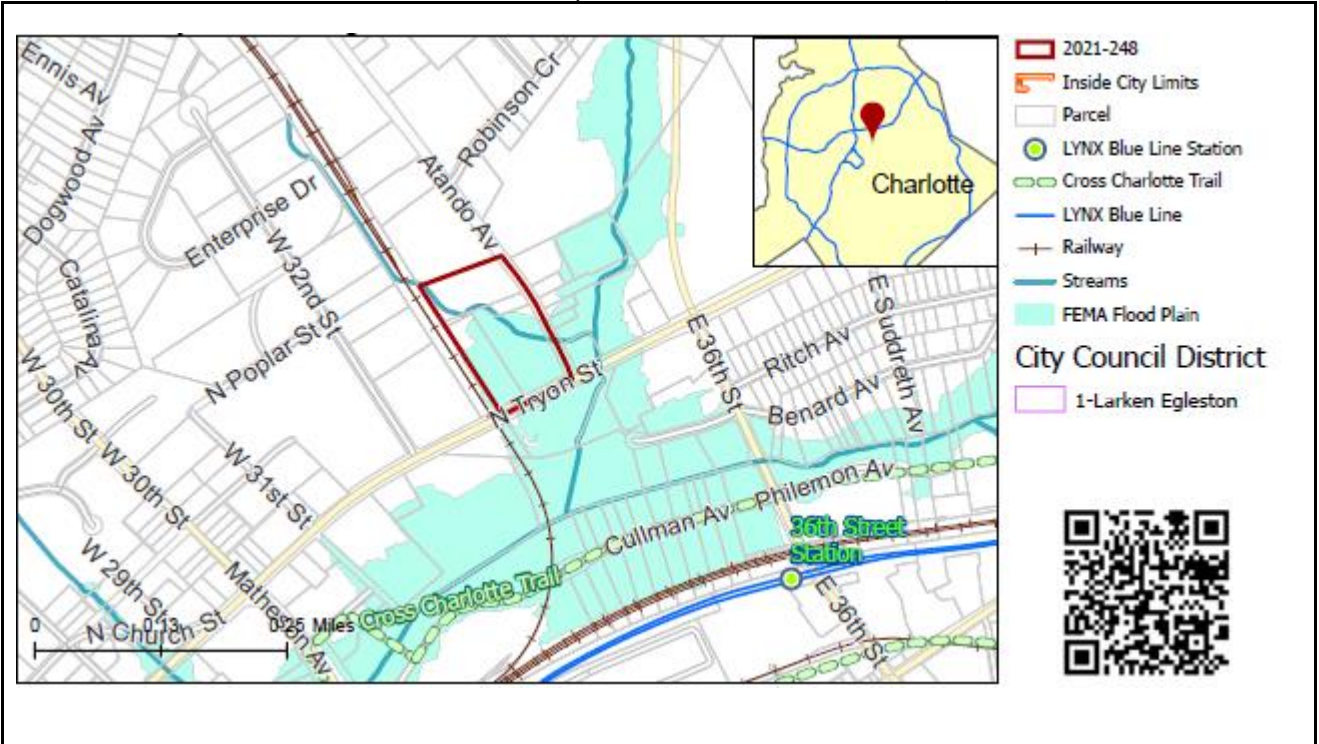


REQUEST

Current Zoning: I-2 (general industrial)
Proposed Zoning: MUDD-CD (mixed-use development, conditional)

LOCATION

Approximately 7.02 acres located at the northwest intersection of North Tryon Street and Atando Avenue, east of West 32nd Street.



SUMMARY OF PETITION

The petition proposes a residential community of up to 410 multi-family dwelling units with a density of 58.4 dwelling units per acre.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

Gallimore & Eller, LLC
Embrey Development Company
Bridget Grant, Moore & Van Allen, PLLC

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 3

STAFF
RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the 2040 Policy Map place type recommendation of Manufacturing & Logistics at this site.

Rationale for Recommendation

- While the petition is inconsistent with the Manufacturing & Logistics recommendation in the *Charlotte Future 2040 Policy Map*, the petition is aligned with the growing multifamily residential uses in the area and along the North Tryon Street corridor.
- The request provides appropriate and compatible uses to the growing mixed use and transit-oriented development along this corridor.

- The site is located within a ½ mile to a transit station, providing future residents with access to transit.
- The petition commits to installing an 8-foot sidewalk and 8-foot planting strip, as well as the proposal of a buffered bike lane (subject to NCDOT approval) along North Tryon Street.
- Due to the changing nature of industrial development, older, more urban industrial sites, such as this one, are unlikely to redevelop or maintain the industrial land uses.
- The proposal of multifamily residential land uses is more compatible with the existing, established neighborhoods.

The approval of this petition will revise the recommended Place Type as specified by the *2040 Policy Map*, from Manufacturing & Logistics to Community Activity Center for this site.

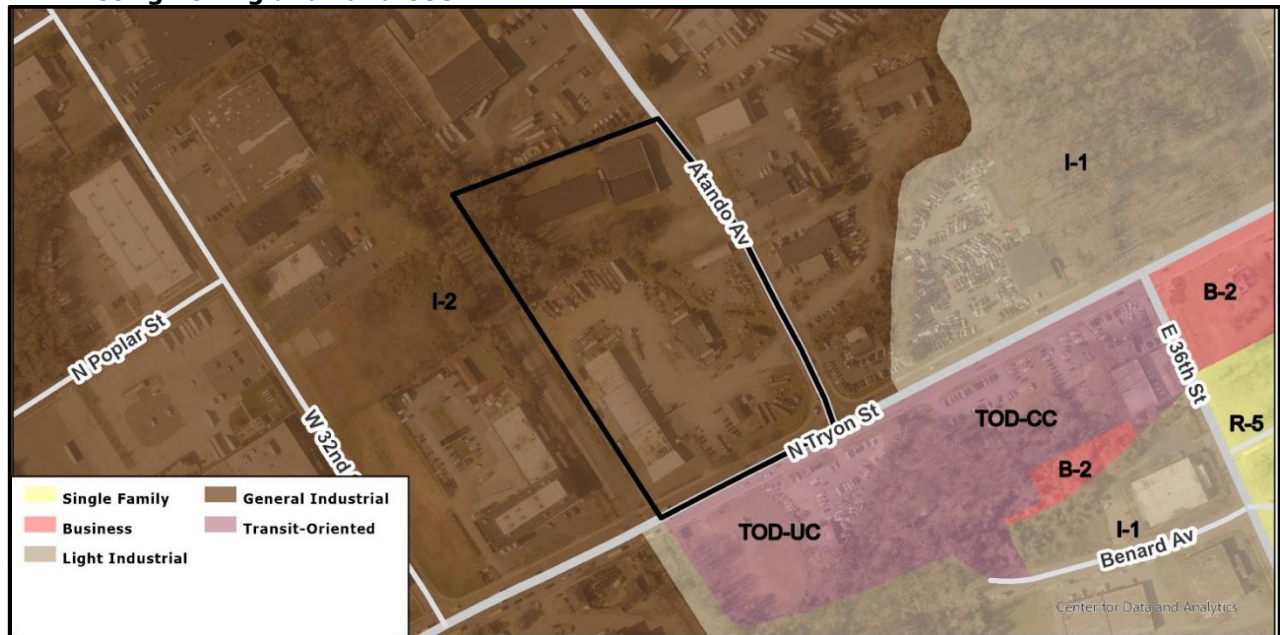
PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows up to 410 multi-family dwelling units in one building.
- Limits maximum building height to 90-feet.
- Provides access to the site via Atando Avenue.
- Provides a buffered bike lane along North Tryon Street.
- Provides an 8-foot planting strip and an 8-foot sidewalk along the site's frontages.
- Dedicates a 30-foot right-of-way from the center line of Atando Avenue and dedicates a 40-foot right-of-way from the centerline of North Tryon Street.
- Architectural Details:
 - Development of the site shall adhere to the TOD-CC section 15.2E for building articulation.
 - Buildings shall be placed to present a front or side façade to all network streets.
 - Long pitched or flat roof lines shall avoid continuous expanses without variation by including changes in height and/or roof form to include gables, hips, dormers, or parapets.
 - Ventilation grates located at the first-floor level in the building façade must be decorative.

• Existing Zoning and Land Use



The surrounding land uses include auto repair shops, a brewery, auto sales, commercial and industrial uses.



The subject property is denoted with a red star.



The property to the west along north Tryon Street is developed with NoDa brewing Company.



The property to the east along Atando Avenue is developed with an auto repair use.

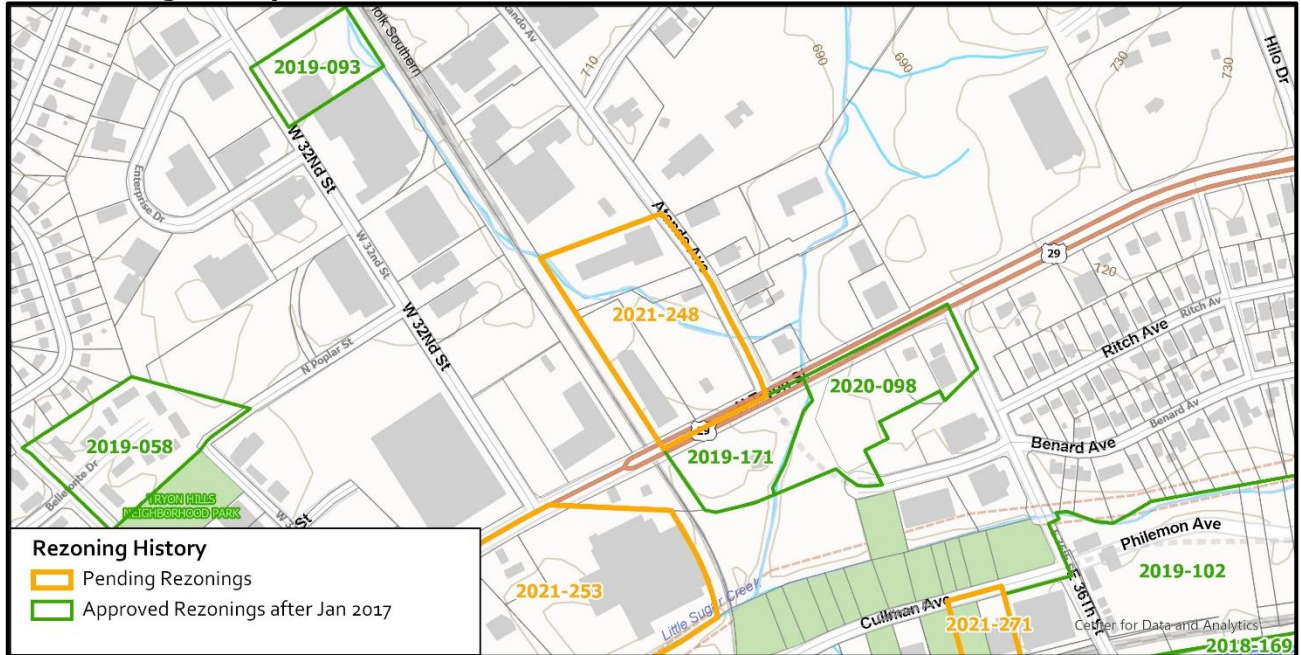


The property to the north along Atando Avenue is developed with a contractor's office.



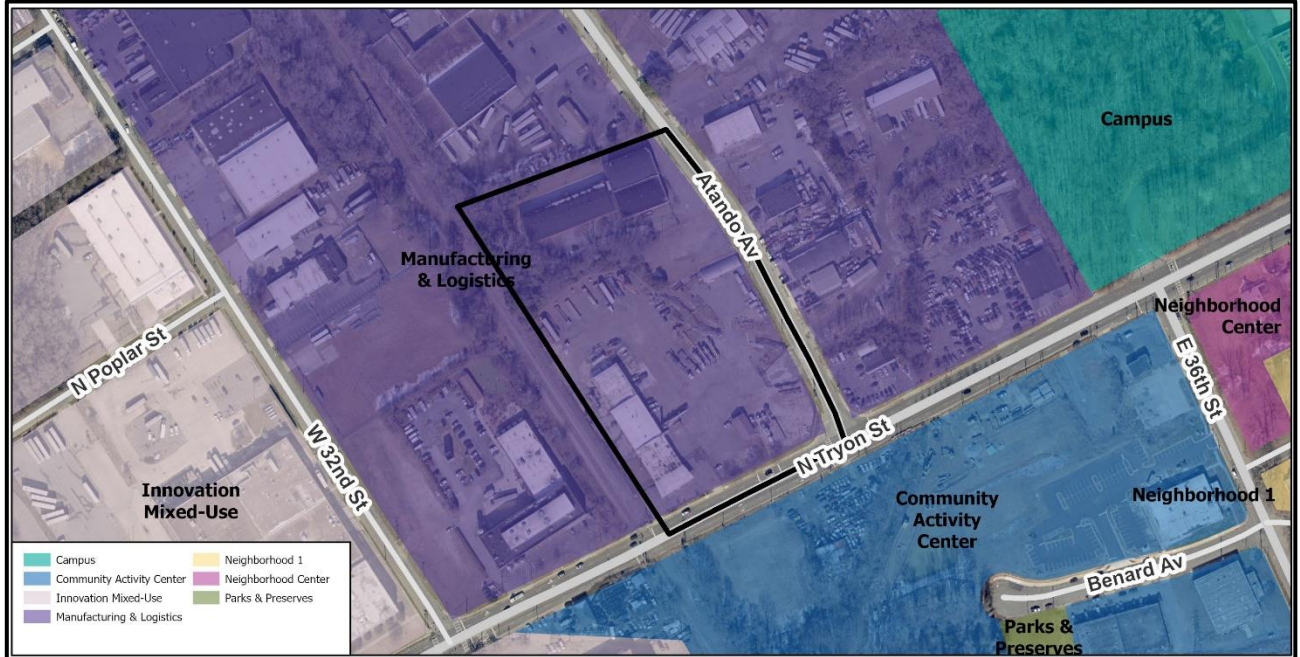
The property to the south across North Tryon Street is developed with an auto repair use.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2018-169	Amendment to the Zoning Ordinance to replace three existing transit-oriented development districts with four new transit-oriented development districts and regulations.	Approved
2019-058	Rezoned 4.27 acres to allow up to 140 multi-family dwelling units in a single building.	Approved
2019-093	Rezoned 2.12 acres to allow any use or combination of non-residential uses and accessory uses as permitted in the MUDD zoning.	Approved
2019-102	City-wide rezoning of parcels to align with recent TOD ordinance adoption.	Approved
2019-171	Rezoned 2.55 acres to allow any use or mixture of uses permitted by-right or with prescribed conditions within the TOD-UC district.	Approved
2020-098	Rezoned 4.18 acres to allow any singular use or a mixture of transit-supported uses permitted either by-right or under prescribed conditions.	Approved
2021-253	Proposes to rezone 15.58 acres to allow all uses in the TOD-NC, transit-oriented development – neighborhood center.	Pending
2021-271	Proposes to rezone 1.3 acres to allow all uses in the TOD-UC, transit-oriented development – urban center.	Pending

- **Public Plans and Policies**



The 2040 Policy Map recommends the Manufacturing & Logistics place type at this site.

- **TRANSPORTATION SUMMARY**

- This petition is located adjacent to North Tryon Street, a State-maintained major thoroughfare, and Atando Avenue, a City-maintained minor thoroughfare. A Transportation Technical Memo is necessary for the complete review of this petition due to the site being located along a high-injury network. The Tech Memo was approved by CDOT on 6/8/2022. The petitioner has committed to installing a left turn lane at the proposed site drive on Atando Avenue as recommended in the Tech Memo. CDOT has also coordinated with the petitioner to provide sidewalk facilities along Atando Avenue in addition to sidewalk and bike facilities along North Tryon Street in accordance with the Council-Adopted Charlotte BIKES and Charlotte WALKS policies. All outstanding CDOT comments have been addressed for this petition.

- **Active Projects:**

- North Tryon Street to 36th Street Streetscape Project
 - The project will provide improved access to the 36th Street transit station from both North Tryon Street and North Davidson Street. The project concept includes intersection improvements that will enhance safety such as high-visibility crosswalks, reduced crossing distances, pedestrian signals, ADA ramps, and pedestrian refuges. In addition, the project proposes upgraded street and sidewalk improvements along 36th Street between North Tryon Street and North Davidson Street.
 - Utility relocation for the project is underway, and construction expected to begin in 2022.

- **Transportation Considerations**

- ~~See Outstanding Issues, Notes 1-4~~ Addressed

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 75 trips per day (based on 18,385 square-feet of warehouse use).

Entitlement: 355 trips per day (based on 194,278 square-feet of industrial use).

Proposed Zoning: 1,910 trips per day (based on 410 multi-family units).

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 comments submitted.

- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 0 students, while the development allowed under the proposed zoning may produce 76 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 76 students.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Highland Renaissance Academy Elementary from 74% to 80%.
 - Martin Luther King, JR. Middle from 101% to 103%.
 - Garinger High from 115% to 116%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along North Tryon Street. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along North Tryon Street. See advisory comments at www.rezoning.org
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

1. ~~Per TFM recommended improvements, the site plan should be revised to provide a left turn lane on Atando Avenue with a 75-foot minimum of storage at the site access. Dimension and callout the required left turn lane.~~ Addressed
2. ~~Revise site plan to show the existing opposing driveways along Atando Avenue. The proposed site driveways on Atando Avenue must conform to the spacing requirements outlined in the CDOT Driveway Regulations Manual and must be appropriately located to reduce turning movement conflicts with the existing driveways.~~ Addressed
3. ~~Revise site plan and conditional notes to provide a 100-ft right turn lane on North Tryon Street at the proposed right-in / right-out access per coordination with NCDOT.~~ Addressed
4. Clarify if the existing driveway on North Tryon Street will be removed or remain. If the driveway will remain, a right turn lane will be required for the driveway access unless documentation is provided from the NCDOT District Engineer that the right turn lane is no longer required. Addressed
5. ~~Site plan and conditional note(s) revisions are needed to commit to construct buffered bike lane facilities on North Tryon Street and Atando Avenue per City Charlotte BIKES Policy.~~ Addressed

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org





Planner: Michael Russell (704) 353-0225








Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-248

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
	Goal 1: 10- Minute Neighborhoods 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.	✓
	Goal 2: Neighborhood Diversity & Inclusion 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
	Goal 3: Housing Access for All 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
	Goal 4: Trail & Transit Oriented Development (2-TOD) 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>Goal 5: Safe & Equitable Mobility</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>Goal 6: Healthy, Safe & Active Communities</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>Goal 7: Integrated Natural & Built Environments</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>Goal 8: Diverse & Resilient Economic Opportunity</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>Goal 9: Retain Our Identity & Charm</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>Goal 10: Fiscally Responsible</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>