

REQUEST

Current Zoning: ML-2 (manufacturing and logistics, 2)
Proposed Zoning: TOD-NC(CD) (transit oriented development, neighborhood center, conditional)

LOCATION

Approximately 4.54 acres located in the southwest quadrant of the intersection of Wilkinson Boulevard and Remount Road, north of Parker Drive.



SUMMARY OF PETITION

The petition proposes to allow all uses in the TOD-NC district on lots that are currently vacant. The conditions of the plan reserve right-of-way for the future LYNX Silver Line.

PROPERTY OWNER

SBBH Wilkinson, LLC and E.C. Griffith Company

PETITIONER

Tribek Properties

AGENT/REPRESENTATIVE

John Carmichael, Robinson, Bradshaw & Hinson, P.A.

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 0

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of requested technical revisions.

Plan Consistency

The petition is **consistent** with the 2040 Policy Map recommendation for Community Activity Center.

Rationale for Recommendation

- The site is within a ¼-miled walk of the adopted Remount Station along the proposed LYNX Silver Line.
- The TOD-NC district may be applied to parcels within a 1-mile walking distance of an existing rapid transit station or within a 1-mile walking distance of an adopted Metropolitan Transit Commission (MTC) alignment station location.

- This site would be traversed by the proposed current alignment of the LYNX Silver Line. Considering this future infrastructure that would impact the site, this petition proceeded as a conditional rezoning to include notes regarding light rail right-of-way reservation by the petitioner for future acquisition by the City. These conditions in the rezoning ensure that the petitioner is working in collaboration with Charlotte Area Transit System (CATS) to accommodate a critical transportation project.
- The site will adhere to all TOD-NC standards and regulations to create the desired form and intensity of transit supportive development. Such standards and requirements include streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.
- This rezoning would bring the site under a zoning district that is complimentary to the Silver Line and consistent with the recommendation for the Community Activity Center Place Type.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
 - 1: 10 Minute Neighborhoods
 - 4: Trail & Transit Oriented Development
 - 5: Safe & Equitable Mobility
 - 6: Healthy, Safe & Active Communities

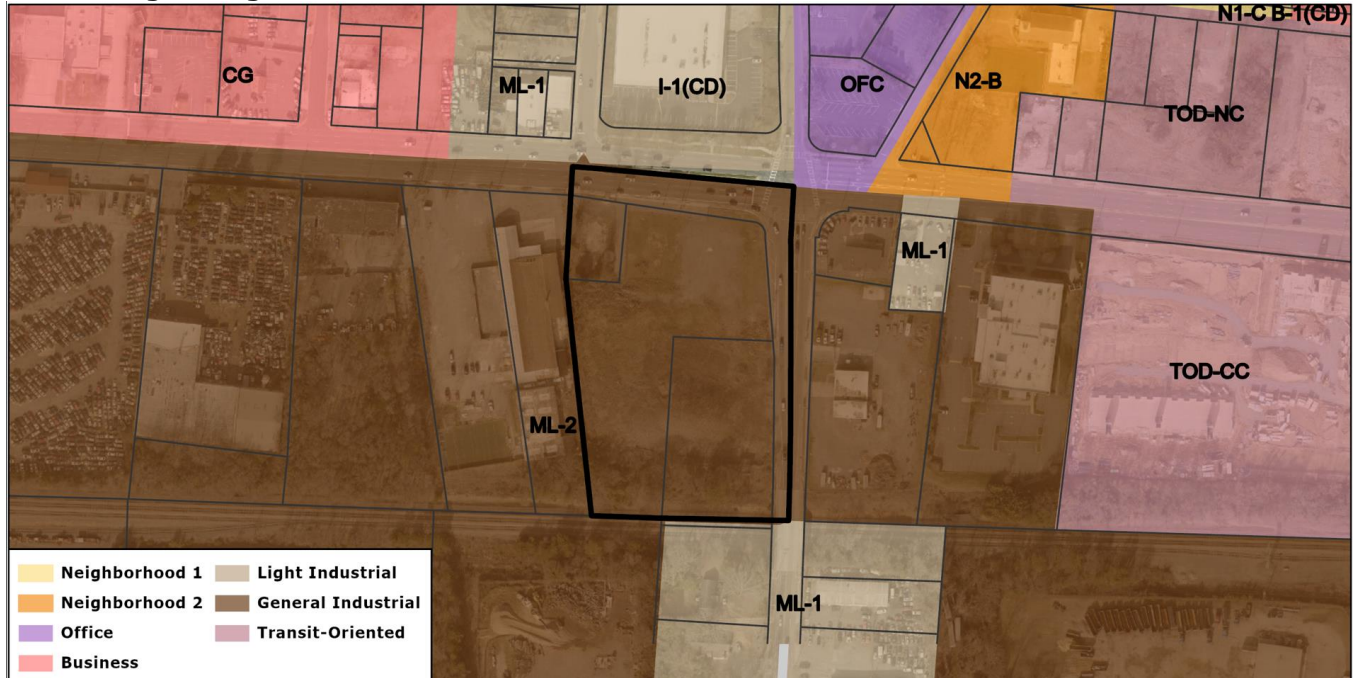
PLANNING STAFF REVIEW

• Proposed Request Details

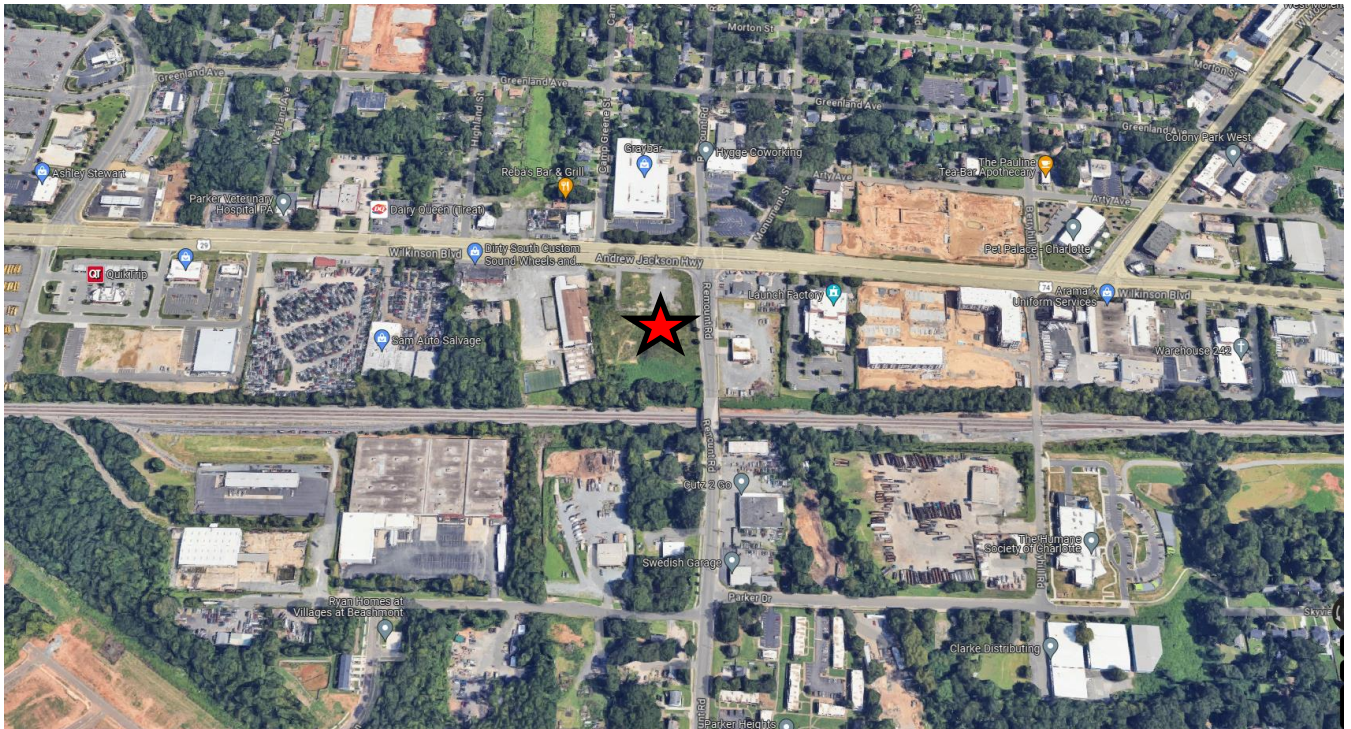
The site plan accompanying this petition contains the following provisions:

- Allows all uses permitted by-right and under prescribed conditions in the TOD-NC district.
- Commits to reserve (but not dedicate) light rail right-of-way for future acquisition by the City or CATS as shown on the site plan.
- The reservation area will have a horizontal and vertical component. The width of the reservation area shall be determined by CATS during the land development process; however, the maximum width shall be 130' as depicted on the site plan provided that the below conditions are met during the land development process. Notwithstanding anything contained herein to the contrary, the width of the Reservation Area shall be reduced during the land development process to an amount less than 100 feet as determined by CATS provided that the conditions set out in sections 3.A.(1) and 3.A.(2) are satisfied.
 - Petitioner and CATS shall enter into subsequent agreements during the land development process to govern the integration of infrastructure, construction, operations, access and maintenance for the CATS transit system. Petitioner shall be required to meet all standards proposed by CATS for integration with the transit system pursuant to the agreements. In the event that Petitioner and CATS cannot agree upon mutually satisfactory integration requirements, paragraph 3.B. below shall apply.
 - During the land development process, CATS will review proposed plans for the Site and determine the amount by which the width of the Reservation Area will be reduced below 100 feet. Approved plans must meet the standards set by CATS.
- The width of the Reservation Area may exceed 100' up to a maximum of 130' if standards provided by CATS are not met.
- After the funding of the Station the petitioner shall grant and convey a public access easement to CATS and accommodate an ADA compliant public access.
- The petitioner commits to resolve any utility conflicts to accommodate transit infrastructure.
- The petitioner shall maintain the reservation of the Reservation Area in perpetuity or until the City acquires the Reservation Area or the MTC rescinds the transit station location.
- The petitioner may construct, install, and maintain vertical improvements within the reservation area upon approval of CATS and any other applicable agencies.
- The Station platform level of the building façade that fronts the station shall meet the transparency and blank wall requirements of the TOD-NC district at the time that the Station platform is completed.
- The following may occur within the reservation area: a passenger service rail line and station, grading and the installation and maintenance of pavement, driveways, sidewalks, surface parking areas for bicycles or scooters, and landscaping. The reservation area may not include buildings or other vertical structures, utility lines not servicing rail vehicles, storm water detention facilities, or wi-fi telecommunication and other similar antennas.

- Existing Zoning



- The site is currently zoned ML-2 and is in an area with ML-2, ML-1, TOD-CC, TOD-NC, OFC, CG, and N2-B zoning.



- The subject site is denoted with a red star and is in an area with industrial, commercial, residential, and office uses as well as a number of vacant lots.



- North of the site is an electric supply store office and warehousing facility.



- East of the site are various office, commercial, and industrial uses.

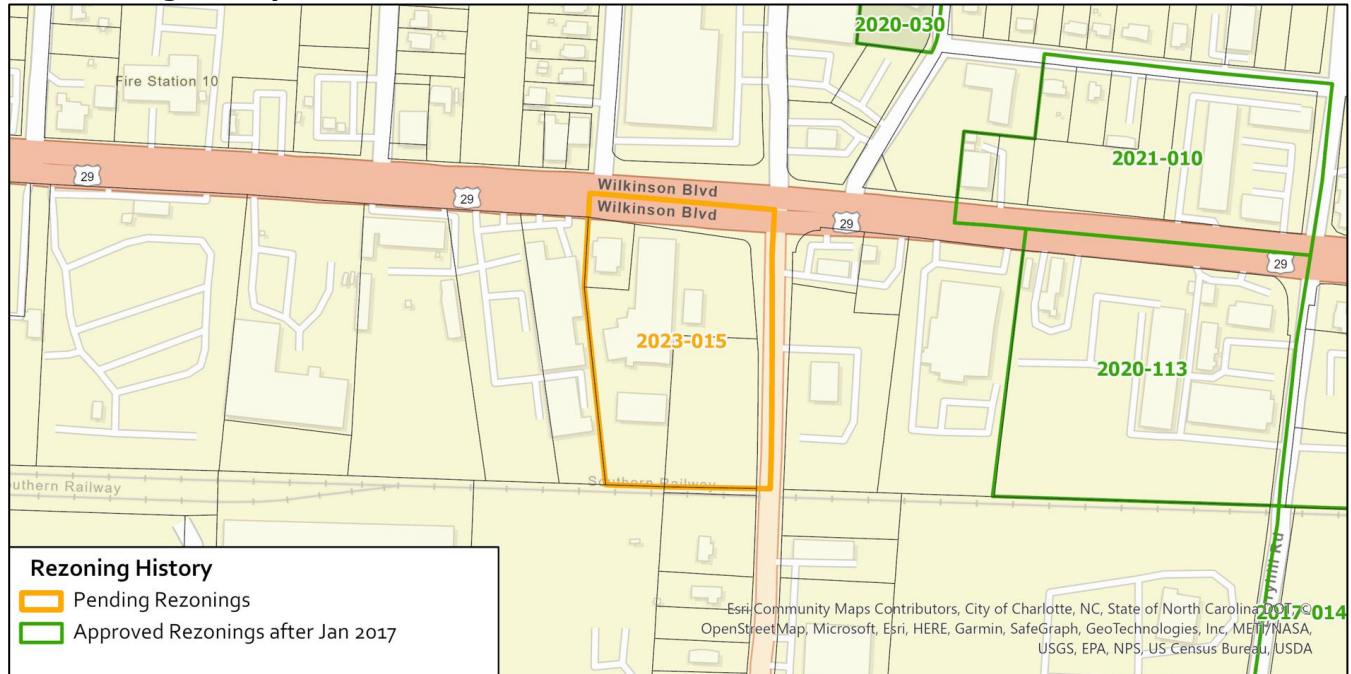


- The rezoning area is bound to its south by a railroad.



- West of the site are industrial uses and a recreation facility.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-030	Rezoned 1.46 acres from R-5 to MUDD-O.	Approved
2020-113	Rezoned 6.95 acres from I-2 to TOD-CC.	Approved
2021-010	Rezoned 4.9 acres from B-1 to TOD-NC.	Approved

- Public Plans and Policies**



- The 2040 Policy Map (2022) calls for Community Activity Center.

- **TRANSPORTATION SUMMARY**

- The site is located at the intersection of Wilkinson Boulevard, a State-maintained commercial throughfare, and Remount Road, a City-maintained minor throughfare. All CDOT comments have been addressed.
- **Active Projects:**
 - Stone Restoration
 - Commercial project to renovate an existing building with minor site work. The project is located at 2601 Wilkinson Boulevard.
 - Project is currently under review.
 - Allora Ashley Park South
 - Subdivision project of multifamily units. The project is located adjacent to Greenland Avenue, west of Weyland Avenue.
 - Project is currently under review.
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (the site is vacant).
 - Entitlement: 355 trips per day (4.545 acres of manufacturing and logistics uses).
 - Proposed Zoning: Too many uses to determine trip generation.

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** See technical revisions, Notes 11, 12, and 13.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** The TOD-NC district allows a variety of uses; therefore, the impact on local schools cannot be determined.
 - Charles H Parker Academic Center at 89%
 - Sedgefield Middle at 68%
 - Harding University at 129%
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Wilkinson Blvd. Charlotte Water has accessible sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Wilkinson Blvd. See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.
- **Stormwater Services Land Development Engineering:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

1. ~~Revise the conditional notes to include a note stating, "Petitioner will coordinate with CDOT during permitting for determination of need for TIS based on ordinance requirements and proposed land uses and density."~~ **Addressed**
2. ~~Revise the site plan to dimension and label the right of way from the road centerline.~~ **Addressed**
3. ~~Modify the width of the reservation area from 85' to 130'.~~ **Addressed**
4. ~~Add a conditional note committing to public access from the reservation area to Wilkinson Boulevard and Remount Road that is ADA compliant.~~ **Addressed**
5. ~~Agree to resolve utility conflicts to accommodate public transit infrastructure.~~ **Addressed**
6. ~~Replace note H of section 3 (Reservation of CATS Right of Way) with language from 32.3G of the UDO.~~ **Addressed**
7. ~~Replace note A of section 3 (Reservation of CATS Right of Way) with language provided by CATS.~~ **Addressed**

8. ~~Replace note C of section 3 (Reservation of CATS Right of Way) with language provided by CATS.~~ **Addressed**
9. ~~Per the CATS request, commit to installing active uses at the transit station level.~~ **Addressed**

REQUESTED TECHNICAL REVISIONSTransportation

10. ~~In Note F of section 3 (Reservation of CATS Right of Way) modify the language to note, "...but excluding automobiles and trucks authorized by the City..."~~ **Addressed**

REQUESTED TECHNICAL REVISIONS AFTER PUBLIC HEARINGTransportation

11. Revise the wording in (b.) in section 3 – Reservation of CATS Right of Way to read, "...public transit infrastructure in compliance..."
12. Revise the wording in (C.) in section 3 – Reservation of CATS Right of Way to read, "...the actual loading and dimensions may be modified..."
13. Revise the wording in (A.) in section 3 – Reservation of CATS Right of Way to read, "...to be incorporated into the building provided that the desirable clearance between..."

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org

Planner: Holly Cramer (704) 353-1902