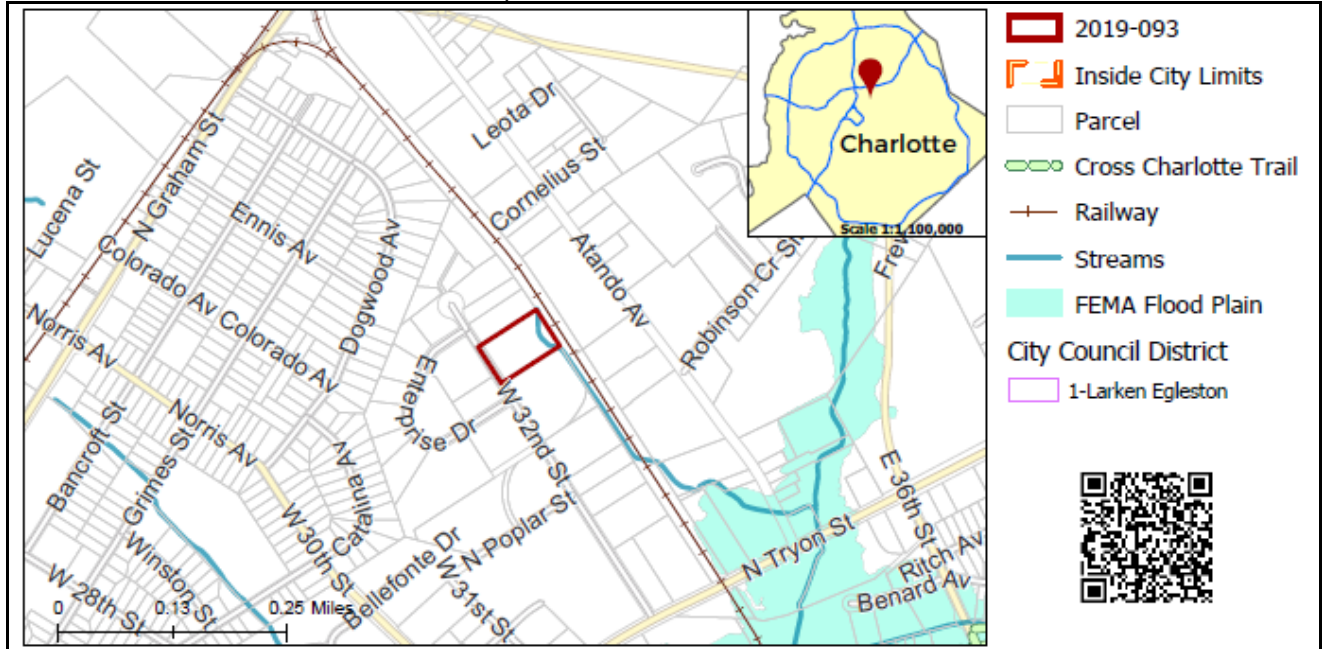


**REQUEST**

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

**LOCATION**

Approximately 2.12 acres located on West 32nd Street, off North Tryon Street.



**SUMMARY OF PETITION**

The petition proposes any use or combination of non-residential uses and accessory uses as permitted in the MUDD zoning.

**PROPERTY OWNER**

406 W. 32<sup>nd</sup>, LLC

**PETITIONER**

406 W. 32<sup>nd</sup>, LLC

**AGENT/REPRESENTATIVE**

Russell W. Fergusson

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 2

**STAFF  
RECOMMENDATION**

Staff does not recommend approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *North Tryon Area Plan* recommendation for industrial/warehouse/distribution uses.

Rationale for Recommendation

- The *North Tryon Area Plan* states that industrial/warehouse/distribution uses in this area should be retained.
- This area is dominated by industrial uses and an active Norfolk Southern rail line. The focus of this area is to preserve the industrial warehouse uses near Atando Avenue. Industrial/warehouse/distribution uses are viable uses that contribute to the employment base.
- The proposed retail, office and eating, drinking and entertainment uses with outdoor athletic fields and courts could be incompatible with the surrounding active industrial uses and zoning.
- Approval of this petition could negatively impact the surrounding industrial area with increased traffic and redevelopment pressure.

The approval of this petition will revise the adopted future land use as specified by the *North Tryon Area Plan*, from industrial/warehouse/distribution uses to office/retail uses for the site.

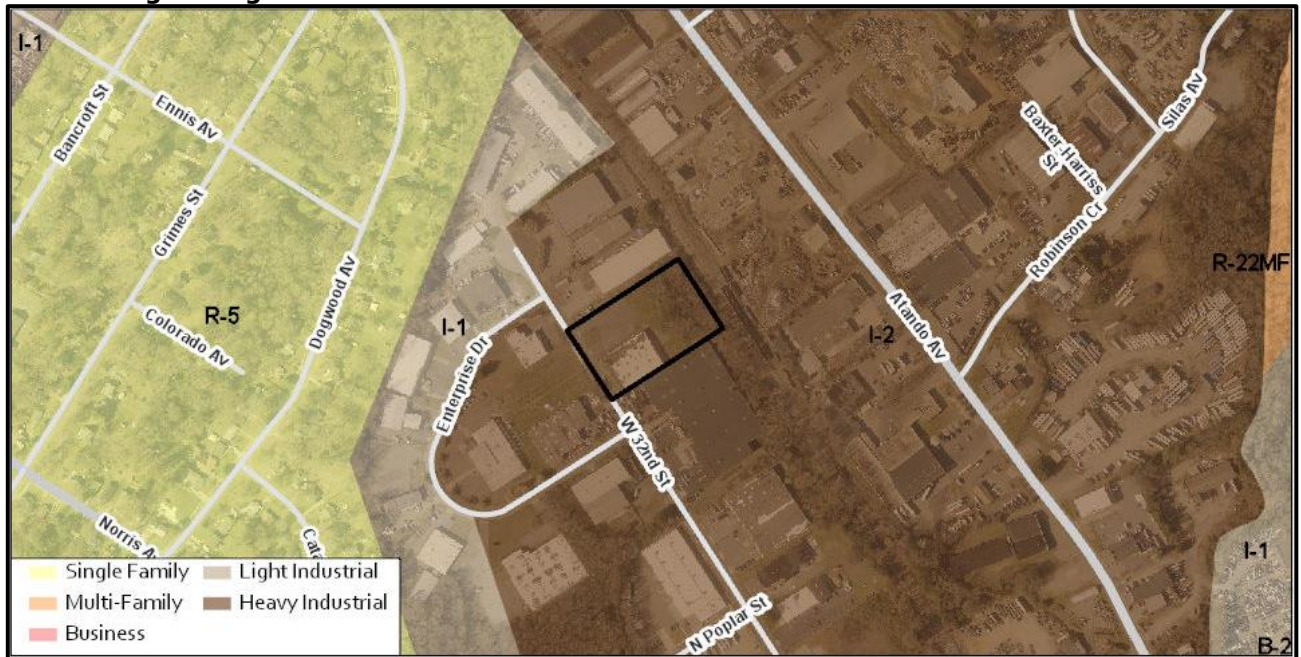
### PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- The petition proposes any use or combination of non-residential uses and accessory uses allowed in the MUDD district.
- Provides a six-foot sidewalk and an eight-foot planting strip along West 32<sup>nd</sup> Street.
- Commits to a 50-foot building height limit.
- Existing building to remain and the combined square footage of the building and the areas used as outdoor sports will not exceed 65,000 square feet.
- **Optional provisions include:**
  - Limit parking to 50 spaces, and be exempt from parking screening requirements.
  - Parking to be allowed past building façade

- **Existing Zoning and Land Use**



The subject property is zoned I-2 with a warehouse use. The surrounding land uses are industrial, warehouse, and distribution uses.





The subject property, denoted by the red star is developed as a warehouse



The property to the north along West 32<sup>nd</sup> Street is developed with a warehouse use.





The property to the south along West 32<sup>nd</sup> Street is developed with a warehouse/industrial use.



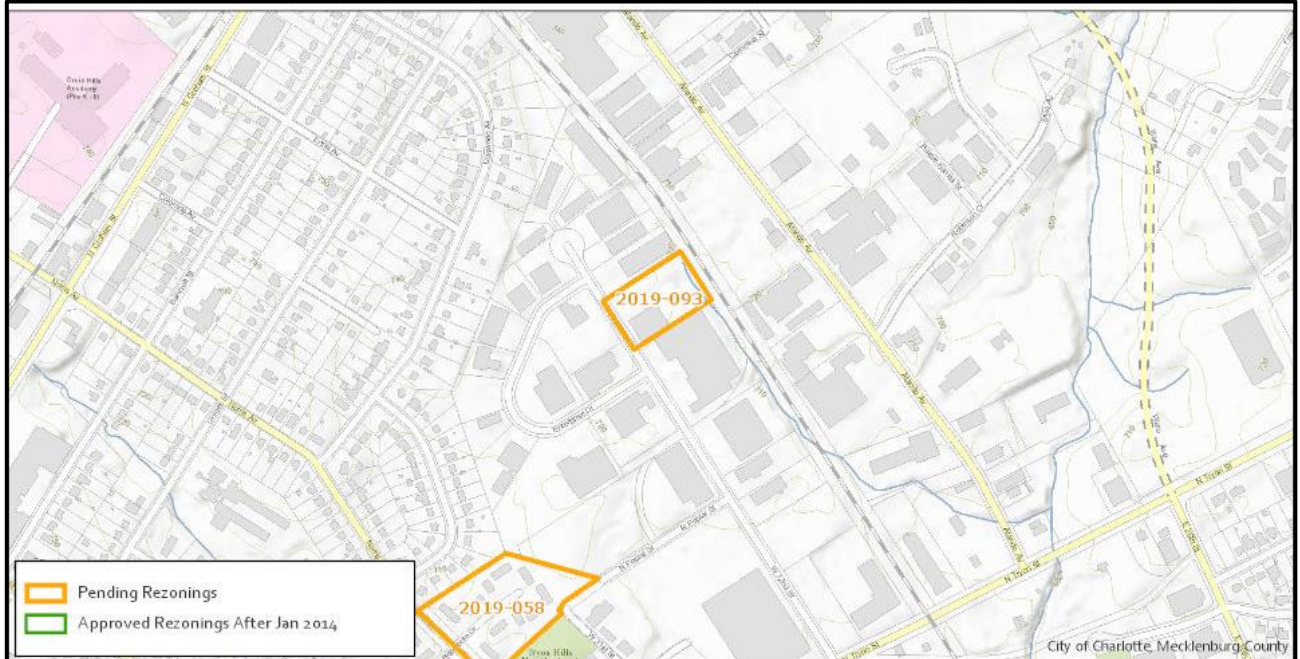
The property to the west along West 32<sup>nd</sup> Street is developed with an automotive/industrial use.



The property to the east along Atando Avenue is developed with industrial uses.



- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-058	Rezoned 4.27 acres to allow up to 140 multi-family dwelling units in a single building.	Approved

- Public Plans and Policies**



- The *North Tryon Area Plan* (2010) recommends this site for industrial/warehouse/distribution uses.
- **TRANSPORTATION CONSIDERATIONS**
- The petitioner is requesting on-street parking to meet required parking for the proposed project (Conditional Note 5c). In regard to Conditional Notes 3a and 3d, this request is being reviewed as part of curb lane management as related to on-street parking in this immediate area. Due to this petition was submitted as a conditional rezoning request and future trip generation is undetermined, CDOT encourages the petitioner to update the proposed site plans to address the Outstanding Issues below. If during the permit review the site generates more than 2500 daily trips, a traffic impact study will be required of the site. See Outstanding Issues, Notes 2-4 Addressed

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 70 trips per day (based on 17,340 square feet of warehouse uses).

Entitlement: 100 trips per day (based on 31,950 square feet of warehouse uses).

Proposed Zoning: Too many uses to determine for MUDD-O zoning district.

**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 comments submitted.
- **Charlotte Fire Department:** No outstanding issues. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along West 32nd Street. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along West 32nd Street. See advisory comments at [www.rezoning.org](http://www.rezoning.org).
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** See Outstanding Issues, Note 5. Addressed
  - **Storm Water Services:** See Outstanding Issues, Note 6. Addressed
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**

Land Use

1. The petition is inconsistent with the North Tryon Area Plan recommendation for industrial/warehouse/distribution uses.

Transportation

2. The petitioner should revise the site plan to remove conditional note 5.c. CDOT is currently okay with on-street parking in this location but cannot commit to permanently allowing on-street parking in case there are future concerns or safety issues that may cause for on-street parking restrictions. Addressed
3. The petitioner should revise the site plan to show the loading and delivery that occurs within the site. Addressed
4. The petitioner should revise the site plan to remove the ramps and crosswalk on the driveway. The driveway type will be determined during permitting and may not require ramps. Addressed

Environment

5. Please revise stream buffer labels/widths to delineate potential 30-foot and 35-foot PCSO stream buffers. Please delete Note 9b. Addressed
6. Revise site plan to include notes on storm water quality treatment and volume and peak control from Stormwater. Please see memo at [www.rezoning.org](http://www.rezoning.org). Addressed

Site and Building Design

7. Remove request from optional provisions "Wall sign up to 200 square feet or 15% of the wall area, whichever is less". The new sign ordinance will be in effect. Addressed
8. Provide alternative screening to parking area screening, not an exemption from the ordinance. Addressed

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

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