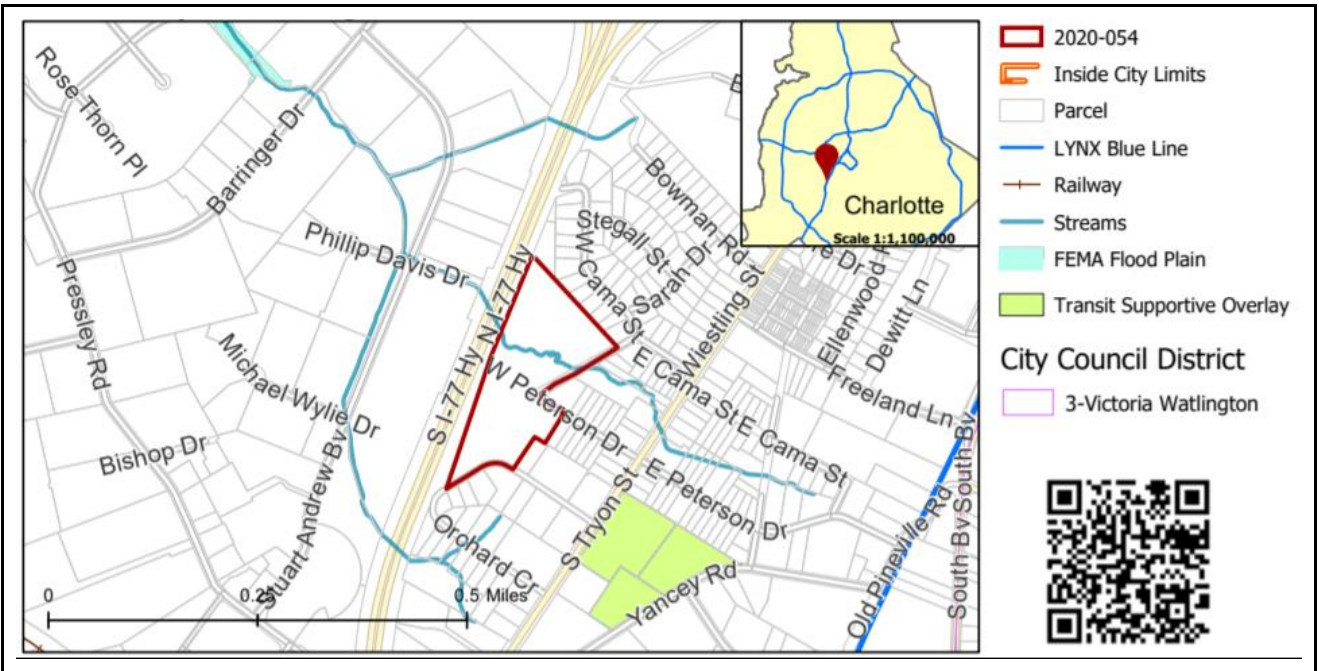


**REQUEST**

Current Zoning: R-8 (single family residential)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

**LOCATION**

Approximately 13.27 acres located on the east side of Interstate 77, west of Tryon Street and South of Clanton Road.



**SUMMARY OF PETITION**

The petition proposes to construct a 94-unit townhouse community on a parcel of land on the east side of Interstate 77 and north of Orchard Circle.

**PROPERTY OWNER**

Southend Walk LLC

**PETITIONER**

Tripointe Homes

**AGENT/REPRESENTATIVE**

Collin Brown and Brittany Lins

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 9

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Scaleybark Transit Station Area Plan* for residential uses up to 8 dwelling units per acre.

Rationale for Recommendation

- The request is consistent with the adopted plan's recommended density.
- The project provides buffers along all property lines abutting single family homes, and along the property line adjacent I-77.
- A pedestrian network will be provided internal to the site.
- The development provides architectural standards addressing expanses of blank walls, building materials, and corner/end unit articulation.

- The project proposes transportation improvements along Orchard Circle.
- The proposed project yields fewer vehicular trips than development allowed under the existing zoning.
- The proposed project provides multiple points of ingress/egress to the site and creates an interconnected network of public streets and private alleyways.

## PLANNING STAFF REVIEW

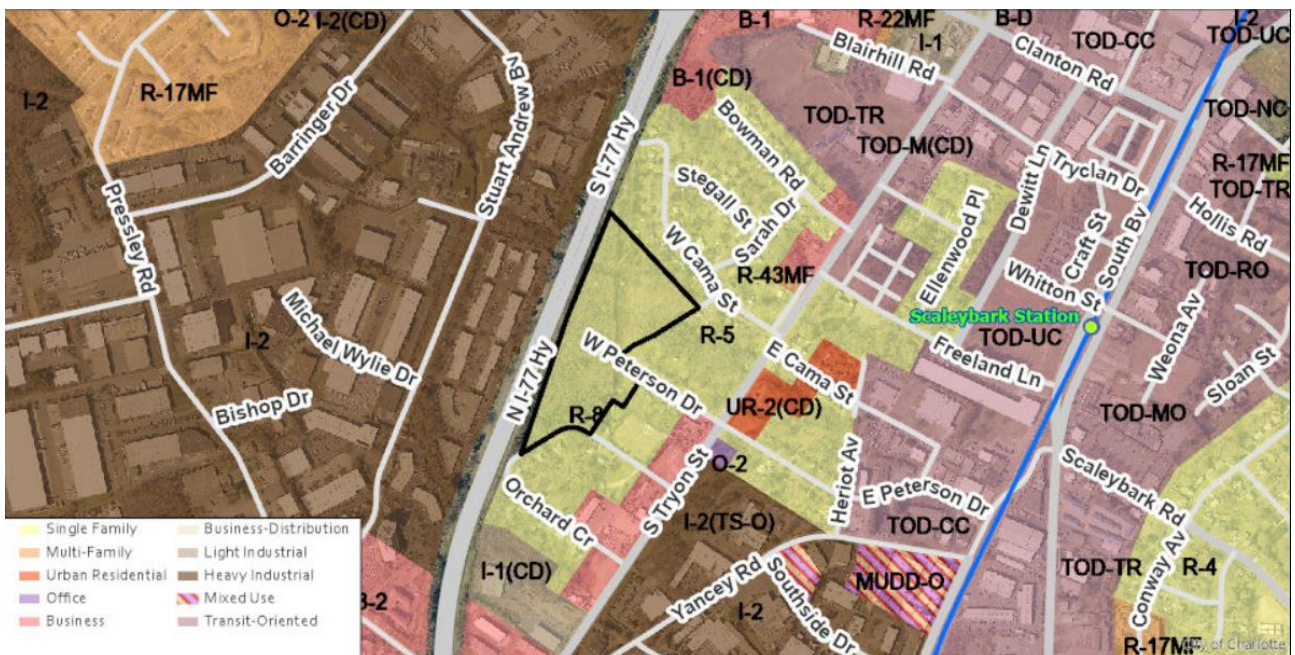
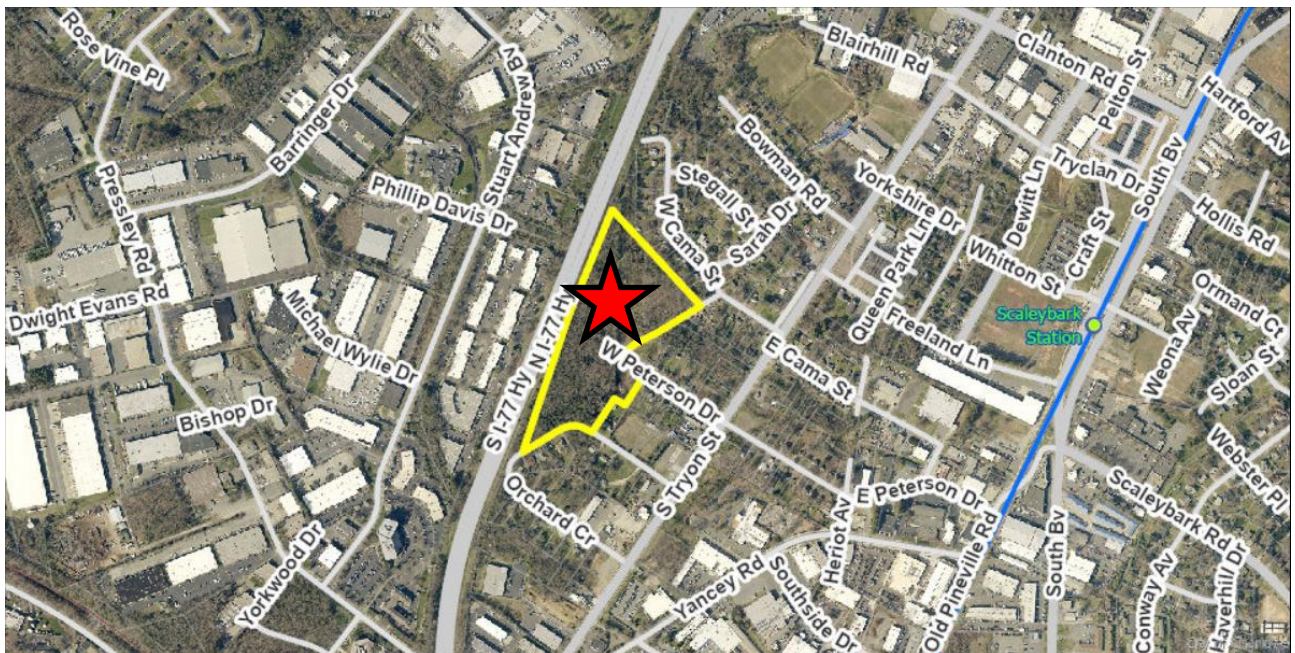
### • **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Up to 94 single family attached (townhome) units at a density of 7.08 dwelling units per acre.
- Maximum building height of 48 feet.
- Provides a 50-foot Class C buffer along property lines abutting properties zoned R-5 and R-8 (may be reduced by 25% with a fence along portions).
- Proposes a 10-foot wide buffer along the west property line.
- Illustrates common open space areas throughout the site.
- Identifies 35-foot stream buffer crossing the site.
- Identifies location of an existing 128-foot wide Duke Power transmission line traversing the site.
- Establishes an area reserved for future dumpster and recycling enclosure, to be screened per ordinance requirements.
- Proposes to post 25 miles per hour (MPH) speed limit MUTCD signs on new proposed public streets on the site.
- Commits to the following transportation improvements:
  - Proposes access via Orchard Circle, W. Peterson Drive, and Sarah Drive.
  - Creates an internal network of public streets, private alleyways, and sidewalk system.
  - Improves Orchard Circle to a "Local Residential Medium" public road standard.
  - Dedicates right-of-way 28 feet from centerline along Orchard Circle.
  - Illustrates a proposed left turn lane and a proposed right turn lane on Orchard Circle.
  - Identifies right-of-way to be abandoned within the site.
  - Proposes a 6-foot planting strip and 8-foot sidewalk along Orchard Circle and along Sarah Drive.
- Commits to the following architectural standards:
  - Uses a combination of the following building materials: brick, brick veneer, natural stone (or its synthetic equivalent), stucco, cementitious siding, fiber cement (hardiplank) and/or other approved materials.
  - Notes vinyl may only be used handrails, windows, soffits, doors, garage doors, railings, or trim. Prohibits concrete masonry units not architecturally finished.
  - Proposes application of architectural details to corner/end units fronting public streets to limit maximum blank wall expanse to 20 feet on each level of the unit.
  - Allows installation of rooftop terraces.



- Existing Zoning and Land Use



- The site is currently vacant and surrounded by single family neighborhoods, retail, and office/warehouse/distribution uses.
- The site is part of approximately 24.55 acres rezoned from R-22MF to R-8 via petition 2010-004.





The subject property is vacant.



East are single family homes.



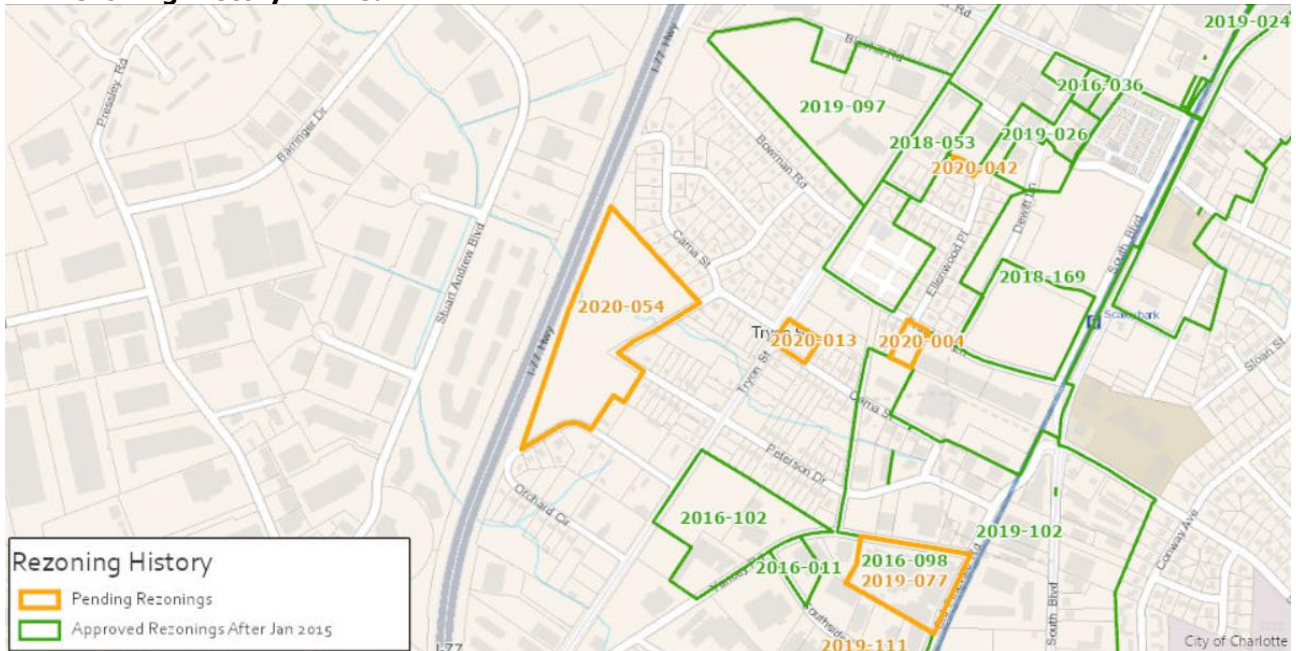
Along Orchard Drive are single family homes.





Along Tryon Street are a mix of residential and non-residential uses.

- Rezoning History in Area**

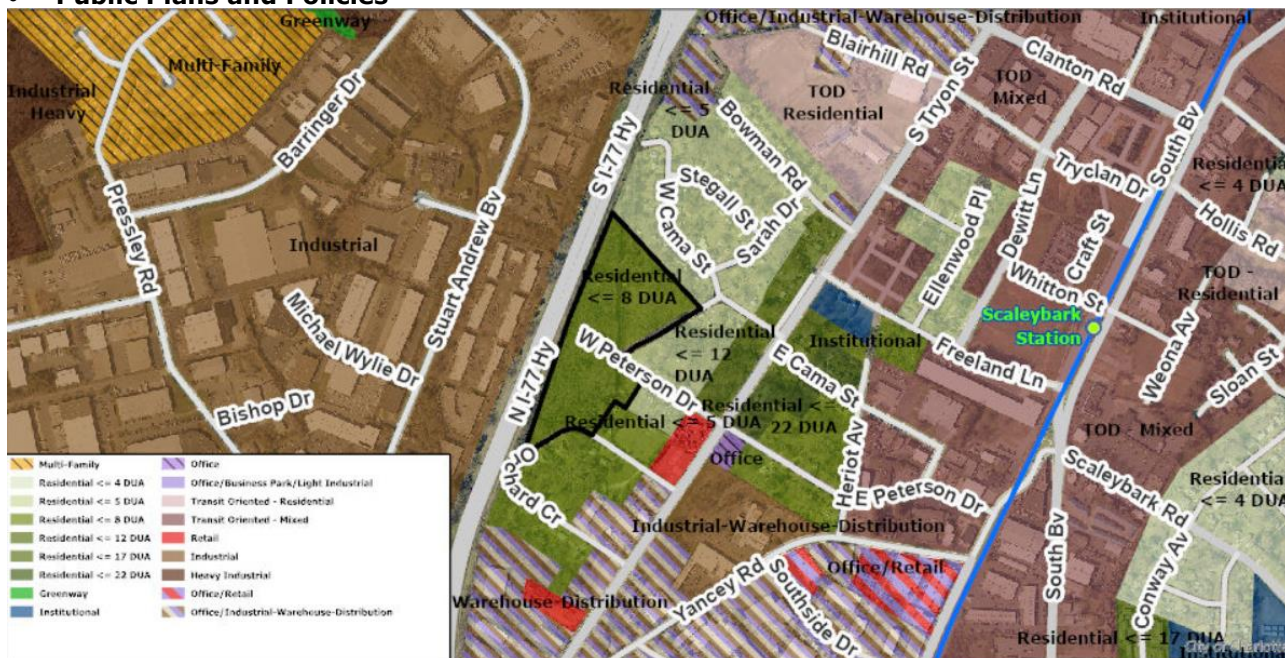


Petition Number	Summary of Petition	Status
2020-042	Rezone 0.236 acres from R-5 to TOD-TR.	Pending
2020-013	Rezone 0.613 acres from R-8 to UR-2(CD) to allow all uses in the UR-2 district.	Pending
2020-004	Rezone 0.76 acres from R-8 to TOD-TR.	Pending
2019-111	Rezone 2.229 acres from I-2 to TOD-TR.	Pending
2019-097	Rezone 17.02 acres from I-1 and I-1(CD) to TOD-TR.	Approved
2019-026	Rezone 3.0 acres from I-1 and I-2 to TOD-CC and TOD-TR.	Approved
2019-024	Rezone 1.74 acres from I-1 and I-2 to TOD-CC	Approved
2019-084	Rezone 0.18 acres from R-4 to UR-1(CD) to allow 1 duplex or 1 two-unit townhome.	Approved
2018-169	Amendment to the Zoning Ordinance to replace 3 existing transit-oriented development districts with 4 new transit oriented development districts and regulations. These 4 new districts are the first phase of the City's Unified Development Ordinance (UDO).	Approved



2018-053	Rezone 3.17 acres from R-5, B-1, I-1, and I-2 to TOD-M(CD) to allow all uses in the TOD-M.	Approved
2016-011	Rezone 1.73 acres from I-2 to MUDD-O to reuse an existing building for all uses in MUDD.	Approved
2016-102	Rezone 9.52 acres from I-2 to I-2 TS-O to allow the expansion of the existing uses associated with the Olde Mecklenburg Brewery.	Approved
2016-036	Rezone 0.45 acres from I-2 to TOD-M to allow all transit supportive uses per conventional TOD-M.	Approved

### • Public Plans and Policies

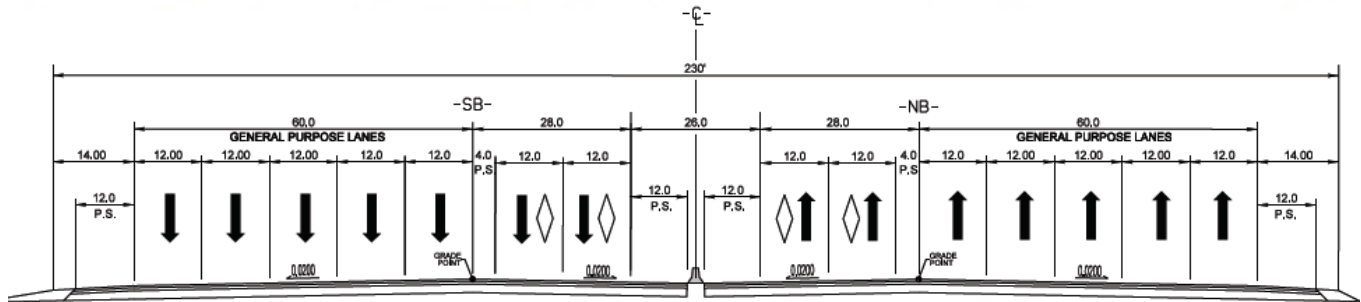


- The *Scaleybark Area Plan* (2008) recommends residential up to 8 dwelling units per acre.

### • TRANSPORTATION CONSIDERATIONS

- The site is located on I-77 (state-maintained) and existing local roads (city-maintained). The petitioner should commit to installing 6' sidewalks and an 8' planting strip throughout the property and the property's frontage in accordance with city standards. The petitioner should commit to additional connectivity, both vehicular and pedestrian, at W. Peterson Drive, Sarah Drive, and Orchard Circle.
- Active Projects Near the Site:
  - I-77 Managed Lanes (TIP# I-5718A)
    - Widen existing freeway to ten lanes by constructing four managed lanes (two in each direction) – and rebuild the I-277 (Belk Frwy) interchange.
    - ROW in 2025 and Construction in 2029 (*Subject to change due to NCDOT funding issues*)
    - 2016 feasibility study (TIP #FS-0810A) shows additional ROW needed:





I-77 TYPICAL SECTION

See Outstanding Issues, Notes 1-2. Addressed

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on vacant land).

Entitlement: 1,000 trips per day (based on 106 single family homes).

Proposed Zoning: ~~700~~ 670 trips per day (based on ~~96~~ 94 townhomes).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** There is an estimated need for approximately 24,000 affordable housing units in the City of Charlotte. To increase the supply, developers are encouraged to assist in providing homes at diverse price points to meet increased housing demand.
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org).
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 57 students, while the development allowed under the proposed zoning will add an additional 7 students.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Dilworth (Sedgefield) Campus K-2 remains at 66%
    - Dilworth (Latta) Campus 3-5 remains at 64%
    - Sedgefield Middle remains at 73%
    - Myers Park High remains at 132%.
  - See advisory comments at [www.rezoning.org](http://www.rezoning.org).
- **Charlotte Water:** This project was identified to support current and future customers, and any proposed sanitary sewer flow shall be coordinated to discharge after completion of said project. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along West Peterson Drive.

The proposed rezoning is located in an area that Charlotte Water has determined to have limited sanitary sewer system capacity. Sanitary sewer service will be dependent on the completion of a public infrastructure project—Charlotte Water's Scaleybank Project. This project was identified to support current and future customers, and any proposed sanitary sewer flow shall be coordinated to discharge after completion of said project.

- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues. See advisory comments at [www.rezoning.org](http://www.rezoning.org).
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org) relating to air quality and ground water services.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**

Transportation

1. ~~The site plan abandonment call out should be revised to "Potential Abandonment". Refer to conditional note (Section III.6).~~ Addressed
2. ~~CDOT requests right of way or a permanent sidewalk easement should be set at 2' behind back of sidewalk where feasible.~~ Addressed

Site and Building Design

3. ~~Add a note limiting the number of units in a building to 6.~~ Addressed
- 

**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Claire Lyte-Graham (704) 336-3782