

**REQUEST**

Current Zoning: B-2 (general business), I-1 (industrial)  
Proposed Zoning: TOD-CC (transit-oriented development, community center)

**LOCATION**

Approximately 4.18 acres located south of N. Tryon Street at its intersection with E. 36<sup>th</sup> Street in the NoDa community.



**SUMMARY OF PETITION**

The petition proposes to rezone a jointly-owned two-parcel assemblage from a general business district to a conventional, transit-oriented development district that would permit the site to be redeveloped with any singular use or a mixture of transit-supported uses permitted either by-right or under prescribed conditions.

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

NODA Project 2, LLC; NODA Project 3 LLC  
AHI 3100 LLC  
Collin Brown/Brittany Lins, Alexander Ricks, LLC  
Meeting is not required.

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with *North Tryon Area Plan's* (2010) recommendation for office/retail and park/greenway uses for the site.

Rationale for Recommendation

- The site meets the applicability requirements of the TOD-CC district as the site is less than a half mile walking distance from the Blue Line's 36<sup>th</sup> Street Station.
- Requesting TOD zoning in this location realizes one of the listed land use goals by capitalizing on the location's proximity to the Blue Line.
- The petition's request for TOD will likely, once constructed, address many of the *North Tryon Area Plan's* other goals regarding transportation and community design.

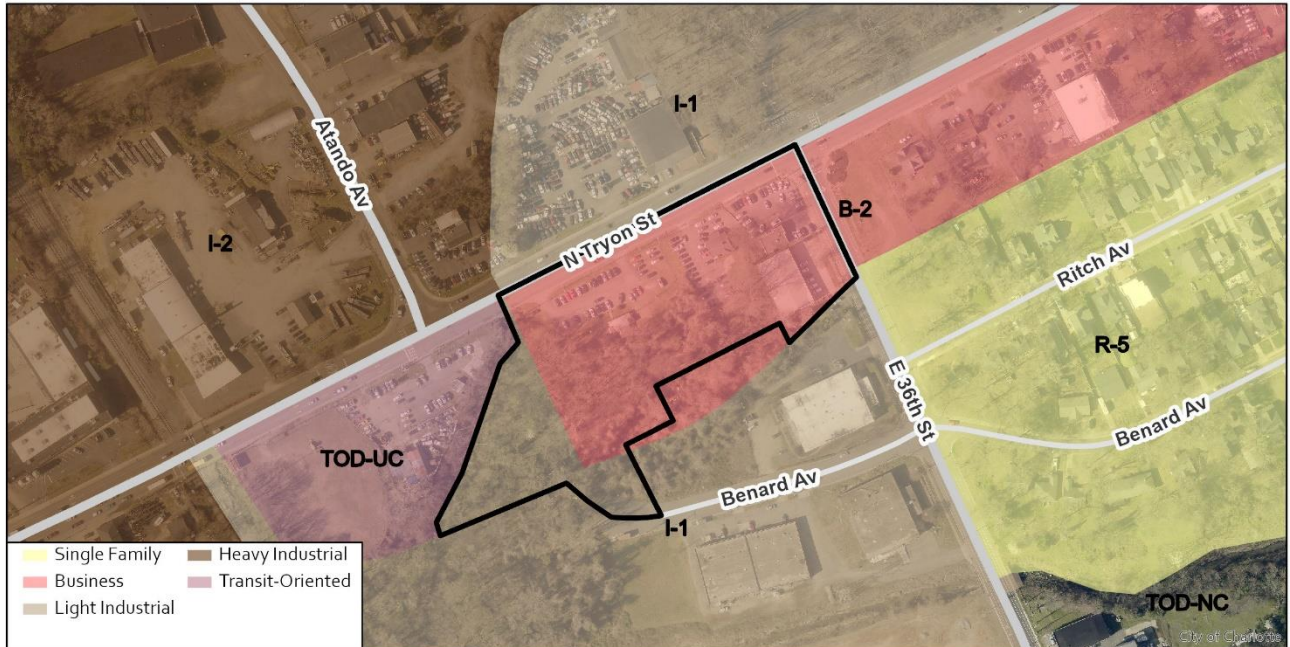
The approval of this petition will revise the adopted future land use as specified by the *North Tryon Area Plan* from office/retail and park/greenway uses to transit-oriented development for the site.

### PLANNING STAFF REVIEW

- **Proposed Request Details**

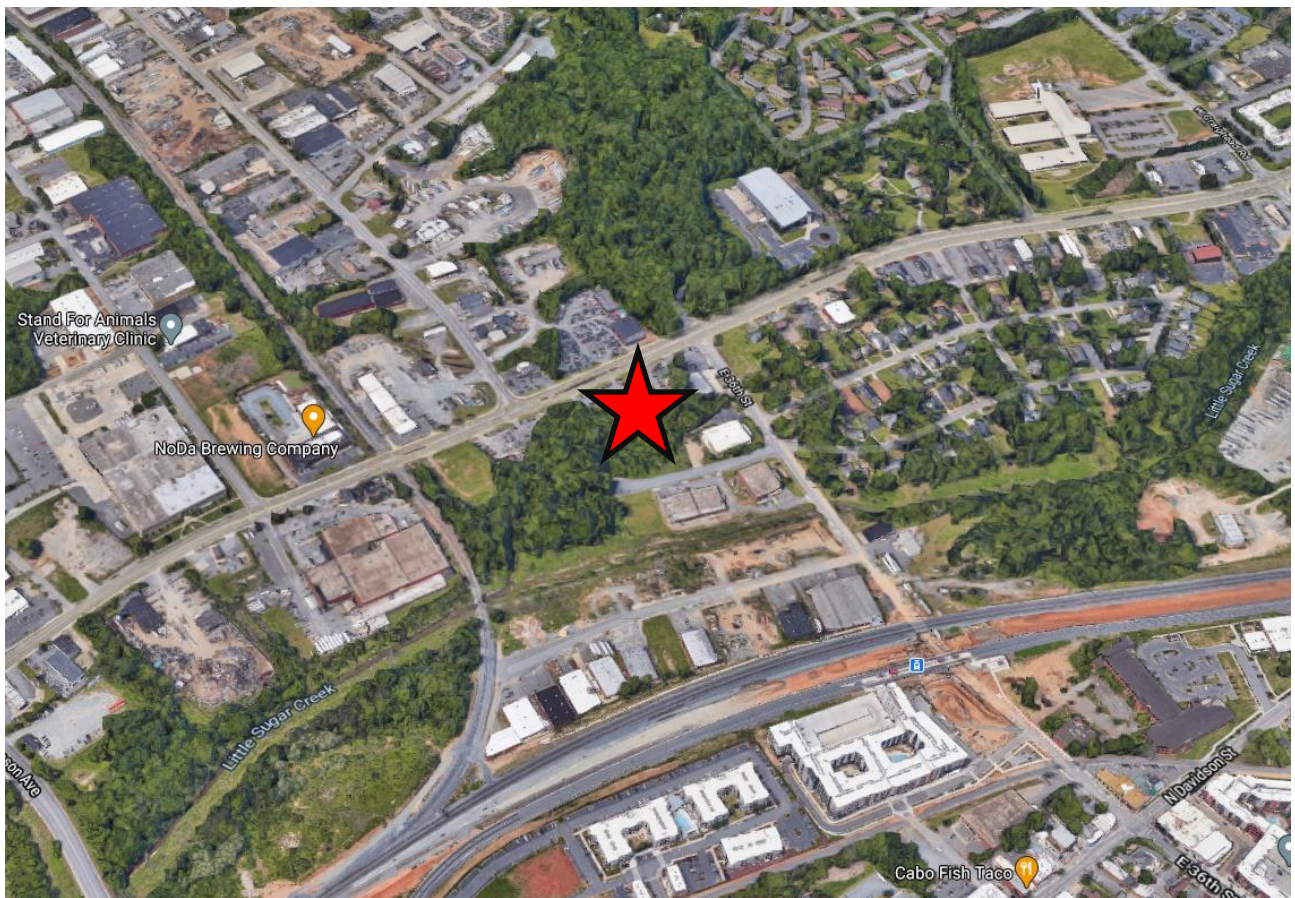
This is a conventional rezoning petition with no associated site plan.

- **Existing Zoning and Land Use**



The majority of this parcel was rezoned from industrial to business in 1993 (1993-105A), a petition that rezoned numerous parcels along this area of N. Tryon Street. The TOD-UC parcel to the west of this petition was rezoned in 2019 (2019-171) and remains undeveloped. The site is generally surrounded by industrial zoning, however the surrounding uses include used car lots, industrial uses, open space, and single-family detached residential to the east.





General location of site denoted by red star.



Streetview looking south from N. Tryon Street. The petitions approximate frontage is outlined in pink. N. Tryon Street's intersection with E. 36<sup>th</sup> Street is just to the left of this image and is included in this rezoning petition.





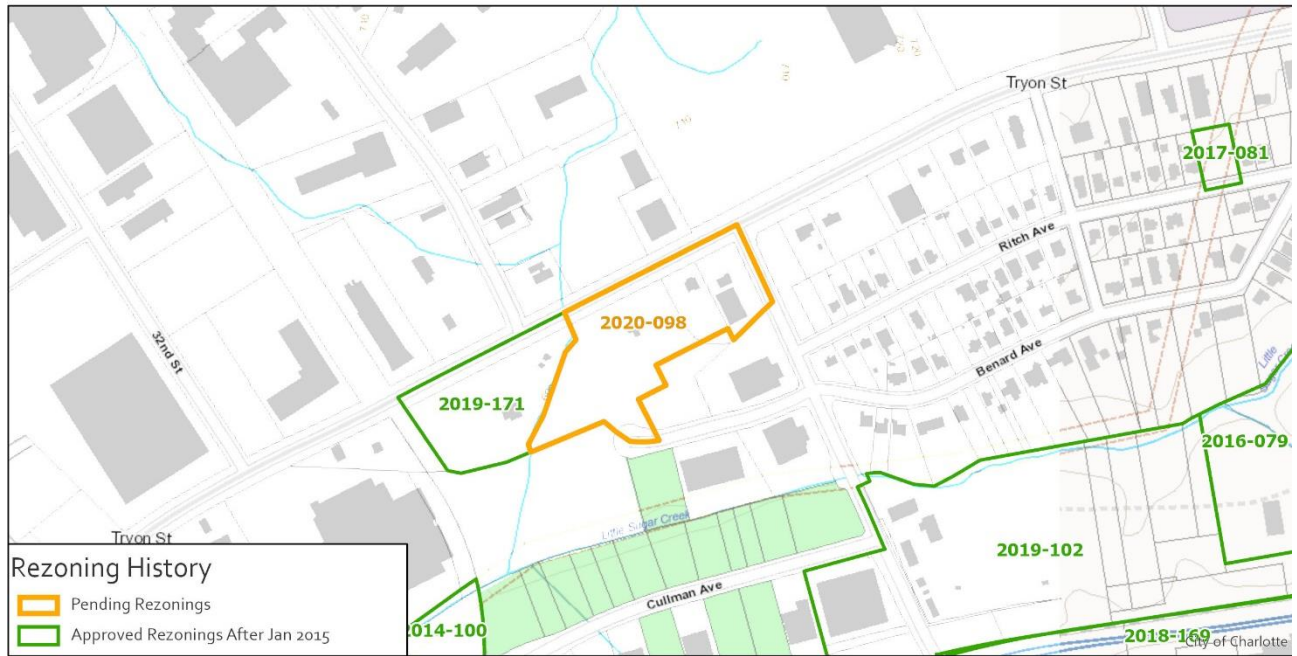
Looking north from the site along N. Tryon. The immediate area is surrounded by many used car dealerships.



View of the property's frontage along Benard Avenue, a dead end street that historically served light industrial-type uses. Amelie's new location is located just outside the frame to the right.

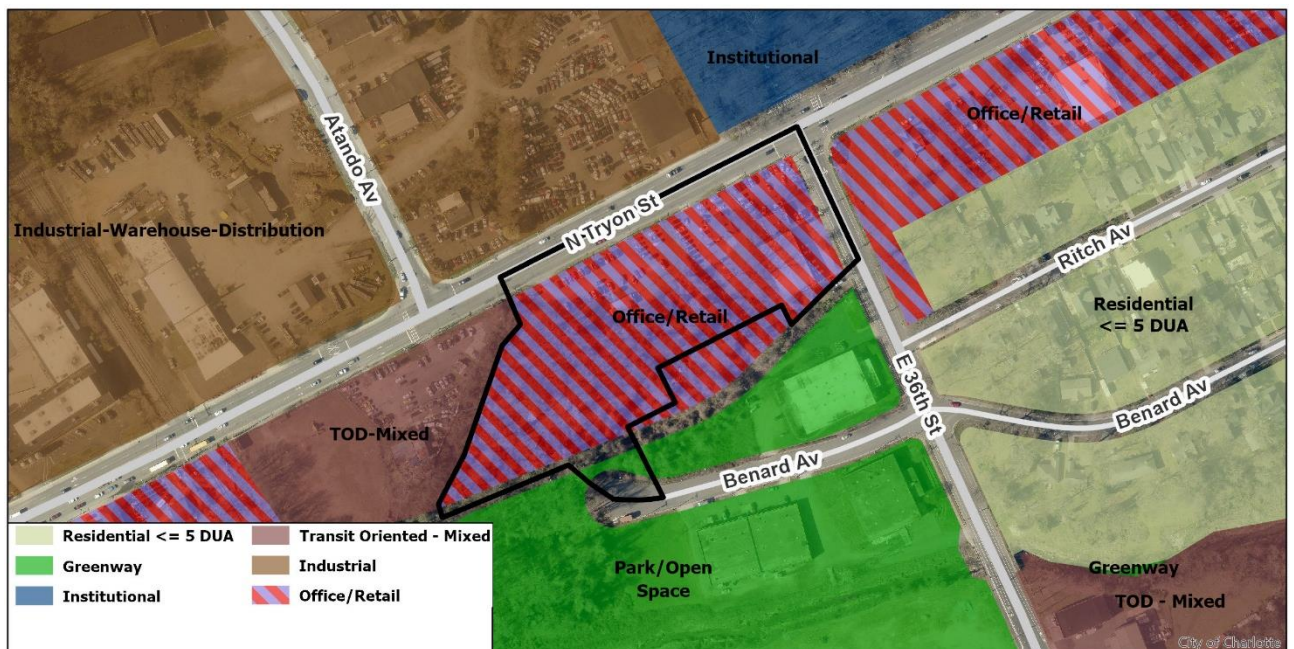
- **Rezoning History in Area**





Petition Number	Summary of Petition	Status
2019-171	Rezoning of 2.55 acres from heavy industrial to TOD-UC.	Approved
2019-102	City-wide rezoning of multiple parcels to appropriate transit-oriented districts along the city's Blue Line.	Approved
2018-169	City-sponsored text amendment to modify TOD requirements.	Approved
2017-081	Rezoning of .38 acres from single family residential to general business conditional.	Approved
2016-079	Request to rezone former industrial land to TOD-M(CD).	Approved
2015-009	Request to rezone 6.9 acres of former industrial land to MUDD-O.	Approved
2014-100	Request to rezone 15.50 acres from urban residential to TOD-M.	Approved

#### • Public Plans and Policies



The North Tryon Area Plan (2010) recommends office/retail and park/greenway uses for the site.

- **TRANSPORTATION SUMMARY**

- The site is located on a major thoroughfare.
- **Active Projects:**
  - CIP Project
    - North Tryon Street to 36<sup>th</sup> Street Streetscape Project.
- **Transportation Considerations**
  - No outstanding issues.
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 0 trips per day (based on vacant land use).
    - Entitlement: 3865 trips per day (based on 52,000 SF B-2 uses).
  - Proposed Zoning: Too many uses to determine

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

- **Charlotte Area Transit System:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via a 12-inch water distribution main located N. Tryon Street. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 15-inch gravity sewer main located along the center of the rezoning boundary. 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:** No outstanding issues.
  - **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Urban Forestry:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

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

**Planner:** Will Linville (704) 336-4090