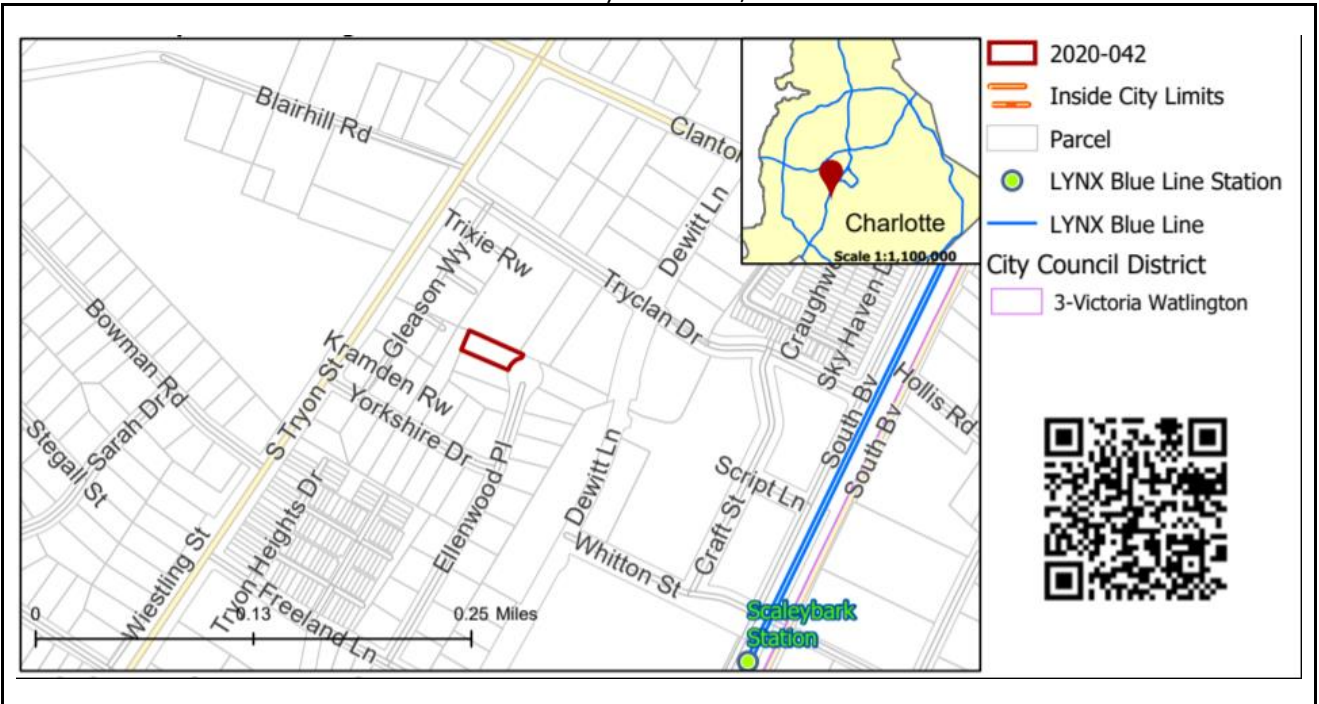


REQUEST

Current Zoning: R-5 (single family residential)
Proposed Zoning: O-1(CD) (office, conditional)

LOCATION

Approximately 0.236 acres located east of South Tryon Street, south of Tryclan Drive, and west of Dewitt Lane.



SUMMARY OF PETITION

The petition proposes to allow off-street surface parking on a parcel used for parking and storage of materials by the adjacent business operators.

PROPERTY OWNER

Preston Properties, LLC; SCP Property Holdings, LLC; and Revocable Trust of Melinda Ann Presson

PETITIONER

Chris Branch/Boulevard Real Estate Advisors, LLC

AGENT/REPRESENTATIVE

John Carmichael/Robinson Bradshaw

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 4

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and site and building design.

Plan Consistency

The petition is **inconsistent** with the the *Scaleybark Transit Station Area Plan* recommendation of residential up to 5 units per acre with the following note: "Similarly, the single family properties on Ellenwood Place and Yorkshire Drive are recommended for residential at 4 du/a. However, if all property owners agree and the land is consolidated, redevelopment for TOD-Mixed would be appropriate. If redevelopment occurs, street connections to Dewitt Lane and Tryclan should be provided."

Rationale for Recommendation

- The parcel is located at the end of the street and will serve as an interim buffer between TOD zoning and single family residential uses.
- The project will be required to buffer all property lines abutting residential uses and/or zoning per ordinance.
- The proposed rezoning plan has included language restricting use of the proposed vehicular access point to and from Ellenwood Place.
- The proposed rezoning plan incorporates possible amenities on the parcel, prohibiting dwelling units or habitable structures.

The approval of this petition will revise the adopted future land use as specified by the *Scaleybark Transit Station Area Plan*, from current recommended residential up to 5 units per acre to the new recommended office use for the site.

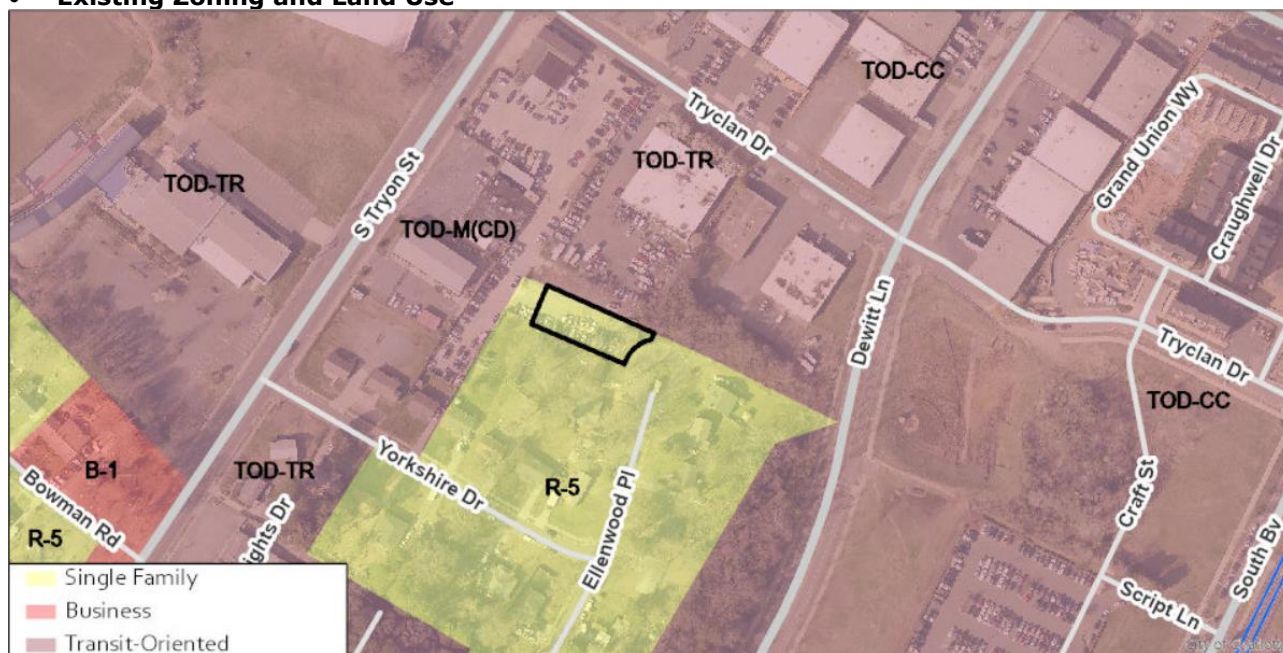
PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Off-street surface parking that will be utilized as accessory off-street parking for improvements and uses located on adjacent parcels.
- Amenities (such as a swimming pool and house; a dog walk area; a park or open space area; seating, pergolas and shade screens; and similar uses) and structures related to any such amenities, which amenities shall serve and be accessory to improvements and uses located on adjacent parcels; provided, however that amenities shall not include dwelling units or habitable structures.
- Uses and any structures constructed on the site shall not be located in any buffers or setbacks required by the ordinance.
- No buildings or structures shall be located in the storm drainage easements more particularly depicted on the rezoning plan. Notwithstanding the foregoing, off-street surface parking and vehicular access will be allowed in the storm drainage easements more particularly depicted on the rezoning plan.
- Use of vehicular access point to and from Ellenwood Place shall be restricted to emergency vehicles and to service and delivery vehicles. Service and delivery vehicles may only utilize the Ellenwood Place access point between the hours of 7:00 a.m. and 7:00 p.m. The petitioner shall post in a conspicuous location a sign stating that the use of the Ellenwood Place access point is limited to emergency vehicles and to service and delivery vehicles.

- **Existing Zoning and Land Use**



The subject site has been used for parking and storage of materials by the adjacent business operators. The site is surrounded by single family residential homes, office/warehouse/distribution uses, and retail on acreage in R-5, B-1, and TOD zoning districts.



The subject site has been used for parking and storage of materials by the adjacent business operators.



South are single family homes.



Along Trylan Drive are office/warehouse/distribution uses.



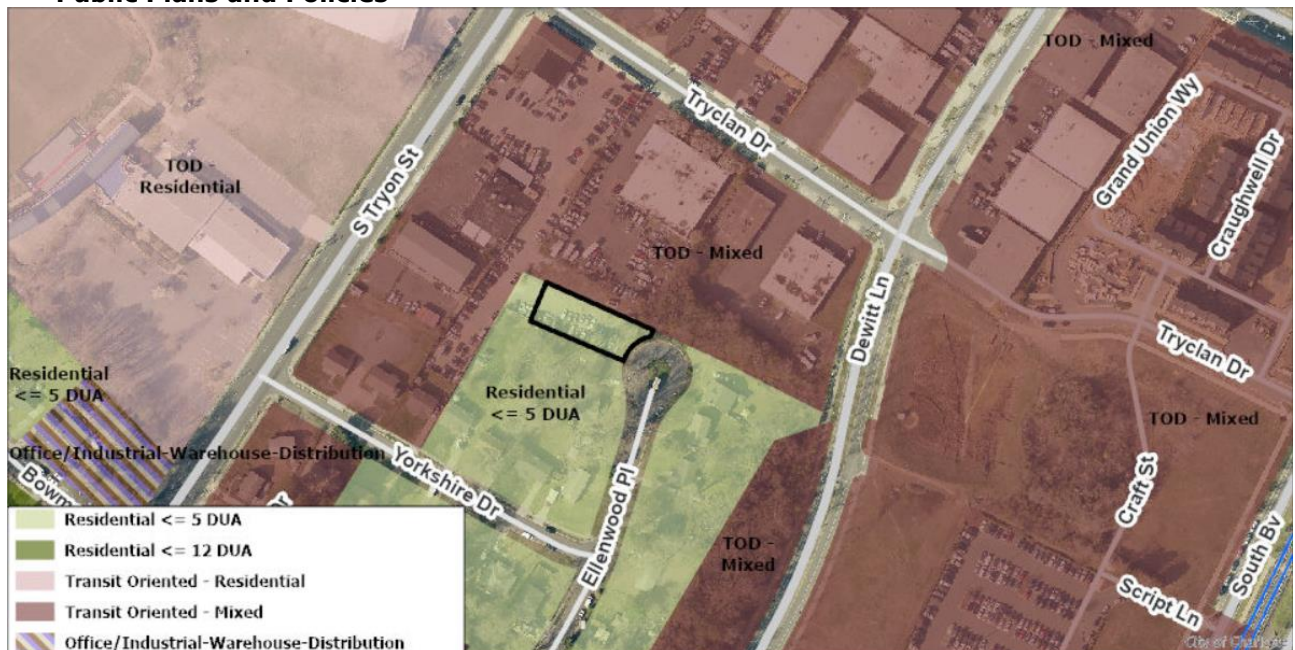
Along South Tryon Street are retail, office, office/warehouse/distribution uses.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-102	Rezoned 1,771.18 acres under a range of zoning districts to TOD-UC, TOD-NC, TOD-CC or TOD-TR	Approved
2019-097	Rezoned 17.02 acres to TOD-TR.	Approved
2019-026	Rezoned 3.0 acres to TOD-CC and TOD-TR.	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 0.83 acres to TOD-M(O) to allow the reuse of existing 30,000 square foot building with a possible outdoor expansion area.	Withdrawn
2016-036	Rezoned 0.45 acres to TOD-M.	Approved

- Public Plans and Policies**



- The *Scaleybark Transit Station Area Plan* recommends residential up to 5 units per acre with the following Note. 15: "Similarly, the single family properties on Ellenwood Place and Yorkshire Drive are recommended for residential at 4 du. However, if all property owners agree and the land is consolidated, redevelopment for TOD-Mixed would be appropriate. If redevelopment occurs, street connections to Dewitt Lane and Tryclan should be provided."
- **TRANSPORTATION SUMMARY**
 - The site is within ¼ mile of Scaleybark Transit Station. There is existing curb and gutter on Ellenwood Place, but no sidewalk. CDOT will work with the petitioner during the permitting to upgrade the streetscape in accordance with city ordinances and to develop a street network that accommodates the surrounding TOD and residential zoning districts. CDOT has one outstanding item that involves the addition of a conditional note requesting turning movements will be provided for the access drive on Ellenwood Place.
 - **Active Projects:**
 - There are no active projects in the immediate vicinity.
 - **Transportation Considerations**
 - See Outstanding Issues, Note 6
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: vacant
 - Entitlement: 9 trips per day (based on 1 single family dwelling).
 - Proposed Zoning: 28 trips per day (based on 2,400 square feet office; revised site plan 10/9/2020)

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** See advisory comments at www.rezoning.org
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Water service is accessible for this rezoning boundary. 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 Scaleybark 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. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 2-inch water distribution main located along Ellenwood Road. See advisory comments at www.rezoning.org
- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.
 - **Erosion Control:** No comments submitted.
 - **Land Development:** See Outstanding Issues, Notes 2-3
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry:** 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.

OUTSTANDING ISSUES

Site and Building Design

1. Add a note stating that parking on the subject rezoning site will not be used to exceed the maximum parking requirement on the adjacent TOD parcel. If so, the spaces on the subject rezoning site will be considered a zoning violation.
2. Show building and development envelope.
3. Per Transportation Note 3.B. petitioner will need to provide gate access or another ideal for this location.
4. Modify Buffers and Screening Note 4.C. to state "Uses on the site shall be screened to the extent and as required by the ordinance."

5. Ensure the setback is similar to that of the other residences along Ellenwood Place.

Transportation

6. Add a conditional note requesting turning movements will be provided for the access drive on Ellenwood Place.

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

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