CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2020-013
Post Hearing Staff Analysis
December 2, 2020

REQUEST	Current Zoning: R-8 (single family residential) Proposed Zoning: UR-C(CD) (urban residential commercial, conditional)
LOCATION	Approximately 0.613 acres located on the eastern side of the intersection of South Tryon Street and Cama Street, and south of Freeland Lane.



SUMMARY OF PETITION	The petition proposes to allow non-residential and residential uses in the UR-C zoning district with limitation on a site currently developed with 2 single family homes.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Carl W. Gregory, Jr.; Donna G. Ward; Alan B. Griffin Boulevard Real Estate Advisors, LLC John Carmichael (Robinson Bradshaw)
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the (Second) Community Meeting: 0

STAFF RECOMMENDATION	Staff recommends approval of this petition. Plan Consistency The petition is **inconsistent** with the *Scaleybark Transit Station Area Plan* recommendation for residential uses up to 12 dwelling units per acre. Rationale for Recommendation 1. The majority of the site is within ½ mile walk of the Scaleybark Station on the LYNX Blue Line. 2. The project will allow for infill that will provide transit supportive uses within close proximity to a station area and TOD zoning designations.

3. The project provides architectural and design standards that commit to building materials, building orientation, and the pedestrian environment.
4. The development will improve the streetscape treatment along East Cama Street and South Tryon Street.

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 uses up to 12 dwelling units per acre to new recommended office/retail/residential over 17 units per acre for the site.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Allows a maximum of 18 single family attached dwelling units in the event that single family attached dwelling units are developed on the site (approximately 11.034 dwelling units per acre).
  - Allows a maximum of 50 multi-family dwelling units in the event multi-family dwelling units are developed on the site (approximately 30.65 dwelling units per acre).
  - Allows a maximum of 50,000 square feet of gross floor area devoted to non-residential uses in the event non-residential uses are developed on the site.
  - Limit uses to non-residential uses permitted in the B-1 zoning district, except that drive-in windows, automotive sales, service or repair and fuel sales will not be permitted on the site.
  - Prohibits the following uses allowed under prescribed conditions in the UR-C zoning district: shelters; active adult retirement communities; beneficial fill sites; buildings for dramatic, musical, or cultural activities with less than 1,000 seats and stadiums and coliseums with less than 5,000 seats; childcare centers; childcare centers in a residence; donation drop-off facility; family childcare homes; land clearing and inert debris landfills (LCID); off-site; off-street parking as a separate use; outdoor fresh produce stands; and mobile produce market; bicycle-sharing station; religious institutions; single room occupancy (SRO) residences.
  - Notes building height of residential and non-residential buildings will be per ordinance. Specifies the maximum height of any building on the site (or portion of building) located within 20 feet of the eastern boundary line of the site will be 50 feet.
  - Notes no structures may be placed in the existing storm drainage easement located on the site. Petitioner reserves the right to pursue the termination and abandonment of the storm drainage easement.
  - <u>Proposes the following transportation improvements:</u>
    - Proposes vehicular access from East Cama Street.
    - Proposes internal sidewalks and pedestrian connections on the site.
    - Dedicates and conveys portions of the site immediately adjacent to East Cama Street and South Tryon Street.
    - Installs and constructs 2 curb ramps on the northeast corner of the intersection of South Tryon Street and East Cama Street (adjacent to the site). The locations of the curb ramps shall be determined during the permitting process.
    - Commits to an ADA compliant bus waiting pad along the site's frontage on South Tryon Street, with exact location to be determined during permitting.
  - <u>Proposes the following architectural standards: single family attached dwelling units</u>
    - Allows rooftop terrace.
    - Proposes following materials or a combination: brick veneer or similar masonry products, stone, manufactured stone, stucco and cementitious siding.
    - Prohibits vinyl, EIFS or Masonite as an exterior building material. Allows use of vinyl on windows, doors, garage doors, soffits, trim and railings. Allows aluminum to be used on trim and garage doors.
    - Proposes each unit fronting a public street will be rear loaded.
    - Notes each unit will have a usable front porch or a front stoop.
    - Notes all corner/end units facing a public or private street will have a porch that wraps a portion of the front and side of the unit or provide blank wall provisions limiting the maximum blank wall expanse to 10 feet on all building levels.
    - Limits the number of individual units in a building to 5.
  - <u>Proposes the following architectural standards: multi-family residential building:</u>

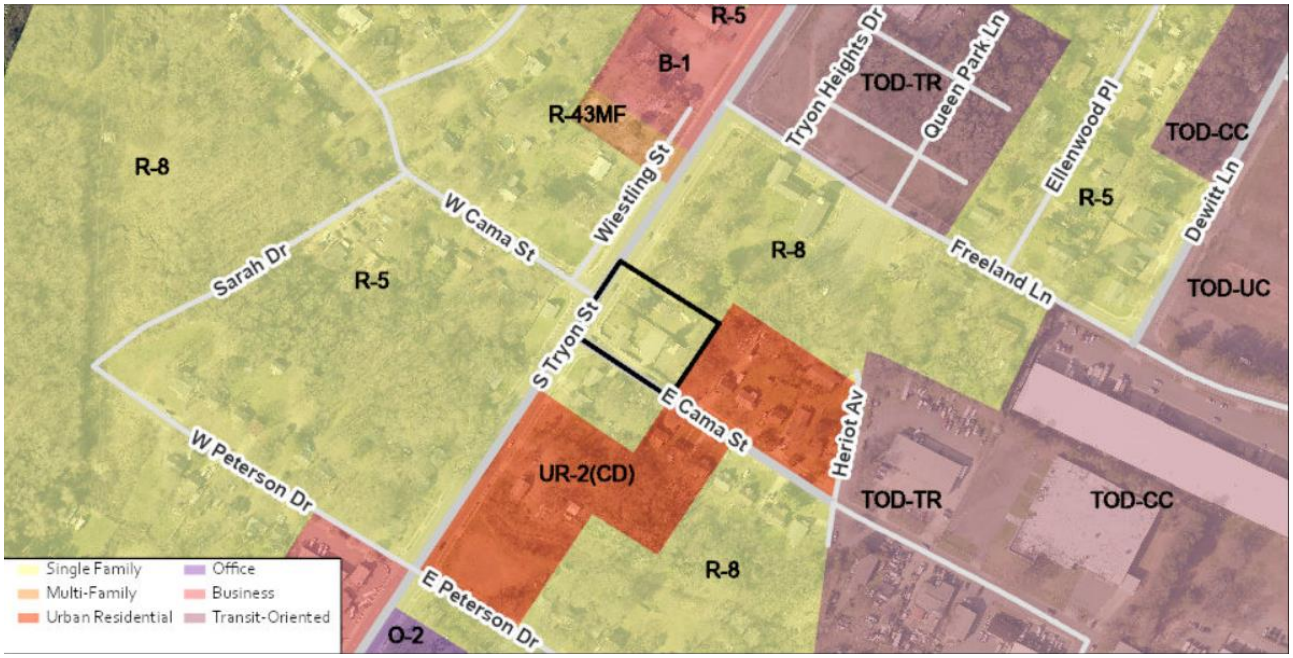
- All principal and accessory buildings abutting a network required public or private street shall comprise a minimum of 30% of that building's entire façade facing such network using brick, natural stone or synthetic equivalent, cementitious siding, stucco or other approved material.
- Prohibits vinyl siding, hand rails, windows, doors or door trim; concrete masonry units not architecturally finished.
- Places buildings so present a front or side façade to all network required public or private streets.
- Requires buildings to front a minimum of 40% of the total network required street frontage of the site.
- Prohibits placement of parking lots between any building and any network required public or private street.
- Addresses building massing and height via modulations; vertical bays or articulation; recognizable architectural base; limiting expanses of blank walls.

- <u>Proposes the following architectural standards: non-residential uses</u>
  - Buildings will be placed to present a front or side façade to all streets.
  - Notes facades fronting streets will include a combination of windows and operable doors for a minimum of 60% of each frontage elevation with transparent glass between 2 feet and 10 feet on the first floor. Up to 20% of this requirement may be comprised of display windows.
  - Notes the facades of the first/ground floor of the buildings along streets will incorporate a minimum of 30% masonry materials such as brick or stone.
  - Prohibits building elevations from having expanses of blank walls greater than 20 feet in all directions.
  - Designs building elevations by utilizing architectural features such as banding, projections and recesses, columns, pilasters, change in materials or colors, awnings.
  - Notes multi-story buildings will have a minimum of 20% transparency on all upper stories.

- **Existing Zoning and Land Use**



The rezoning site is denoted by the red star.



- The rezoning site is developed with single family detached homes, and surrounded by single family residential homes, religious institution, retail uses, and office/warehouse/distribution activities in various zoning districts.



The site is developed with single family homes with frontage on South Tryon Street.



West, across South Tryon Street, are single family homes.



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

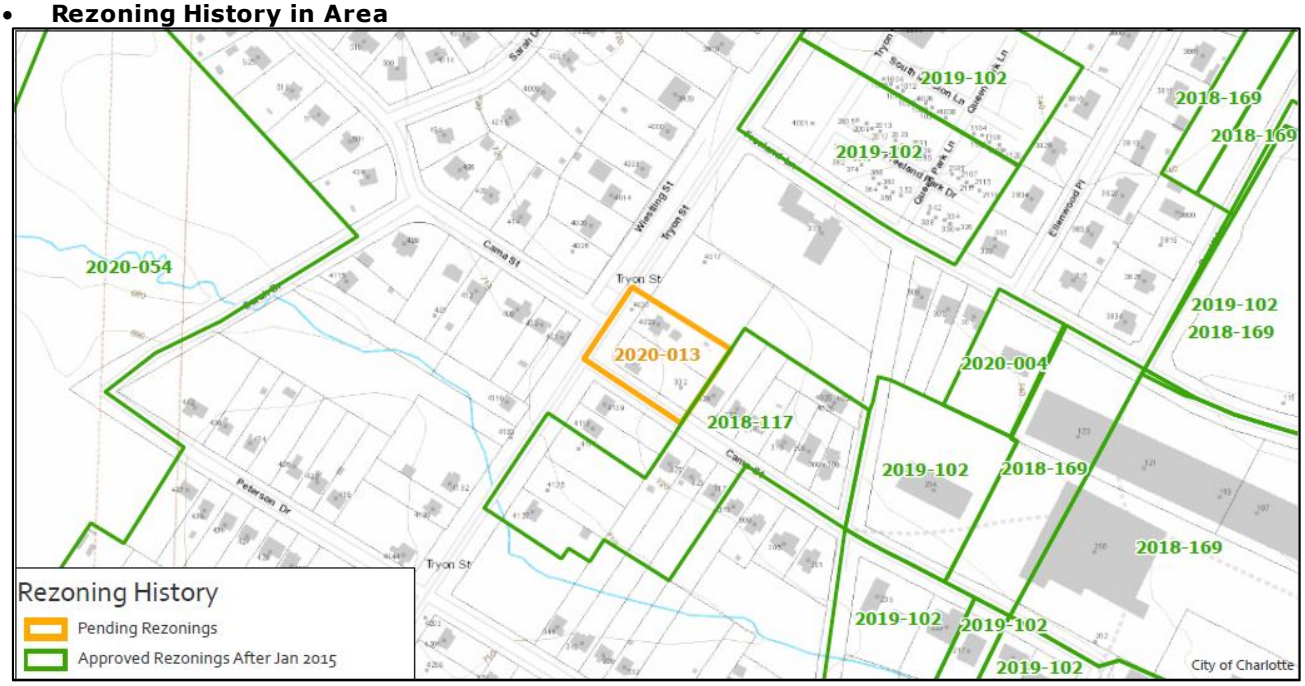


North is a religious institution.



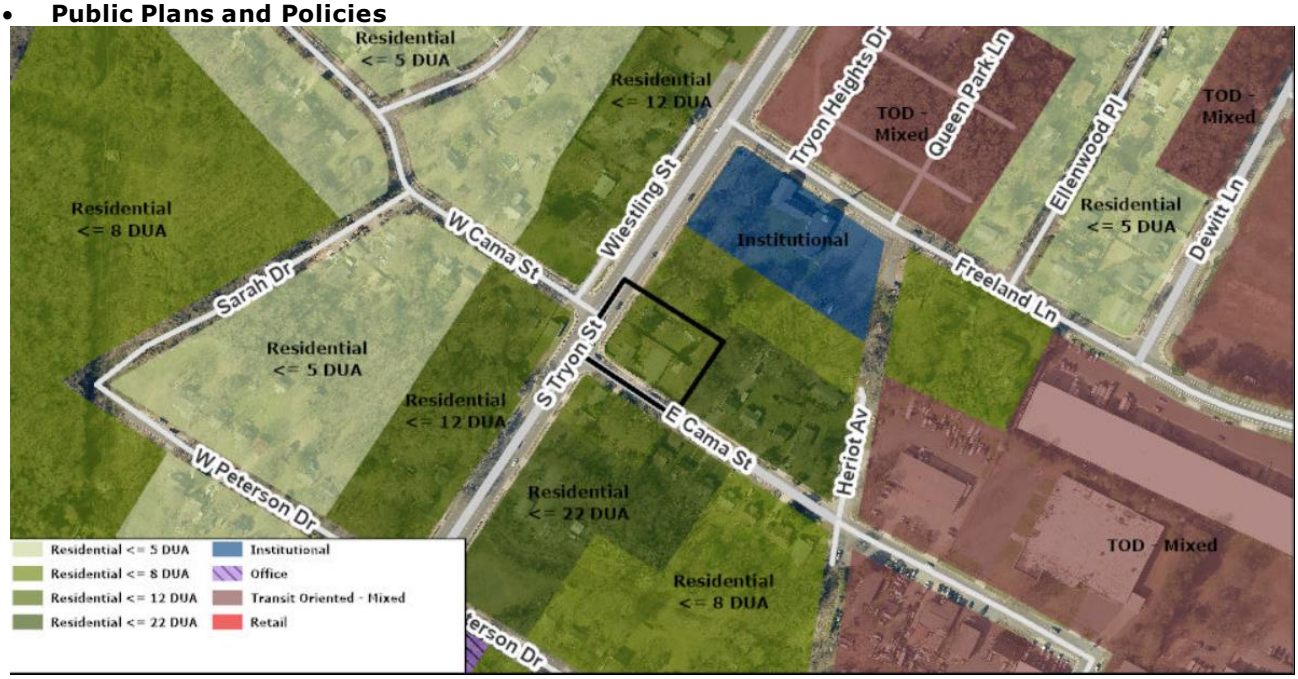
East are residential homes.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-004	Rezoned 0.76 acres to TOD-TR.	Approved
2019-077	MUDD-O site plan amendment to allow up to 334,000 square feet of permitted uses in the MUDD.	Pending
2019-026	Rezoned 3.0 acres to TOD-CC and TOD-TR.	Approved
2019-024	Rezoned 1.74 acres to TOD-CC.	Approved
2018-169	TOD text amendment - translated zoning of properties conventionally zoned TOD (transit oriented development) (TOD-M, TOD-R, TOD-E) to TOD-CC.	Approved
2018-117	Rezoned 4.02 acres from R-8 to UR-2(CD) to allow up to 86 single family attached homes.	Approved
2018-053	Rezoned 3.169 acres to TOD-M(CD).	Approved
2016-102	Rezoned 9.52 acres to I-2 (TS-O) to allow the expansion of the existing uses associated with the Olde Mecklenburg Brewery.	Approved
2016-098	Rezoned 5.1 acres to MUDD-O to allow the reuse of 3 existing industrial warehouse buildings with a total of 74,877 square feet near for all uses allowed in the MUDD district.	Approved
2016-036	Rezoned 0.45 acres to TOD-M.	Approved
2016-011	Rezoned 1.18 acres to MUDD-O to reuse a warehouse for uses in MUDD.	Approved

- **Public Plans and Policies**



  - The *Scaleybark Transit Station Area Plan* recommends residential uses up to 12 dwelling units per acre.

- **TRANSPORTATION SUMMARY**
  - The site is located on South Tryon Street and Cama Street, a State-maintained major thoroughfare and a City-maintained minor thoroughfare road, respectively. The proposed site plan includes a requested Urban Residential zoning, within the Scaleyback Transit Station Area Plan. The subject property is approximately ½ mile from the Scaleybark Light Rail Station. As a part of this development, an 8-foot planting strip and 8-foot sidewalk will be constructed along the site's frontage of Cama Street and S. Tryon St., in accordance with the City's ordinances and WALKS policy. All CDOT comments have been addressed.
  - **Active Projects:**
    - There are no active projects in the immediate area.
  - **Transportation Considerations**
    - ~~See Outstanding Issues, Notes 1-6.~~ Addressed
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 20 trips per day (based on 2 dwellings).
    Entitlement: 40 trips per day (based on 4 dwellings).
    Proposed Zoning: 275 trips per day (based on 50 multifamily residential units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** ~~See Outstanding Issues, Note 7.~~ Addressed
- **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:** The development allowed under the existing zoning could generate 3 students, while the development allowed under the proposed zoning may produce 9 students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is 6.
  - The proposed development is 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) from 64% to 65%
    - Sedgefield Middle from 73% to 74%
    - Myers Park High remains at 125%
  - See advisory comments at www.rezoning.org

- **Charlotte Water:** 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 6-inch water distribution main located along East Cama Street and an 8-inch along South Tryon Street. See advisory comments at www.rezoning.org

- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** This property drains to Irwin Creek, which is an impaired/degraded stream, and may contribute to downstream flooding. See advisory comments at www.rezoning.org.
  - **Urban Forestry:** No outstanding issues.

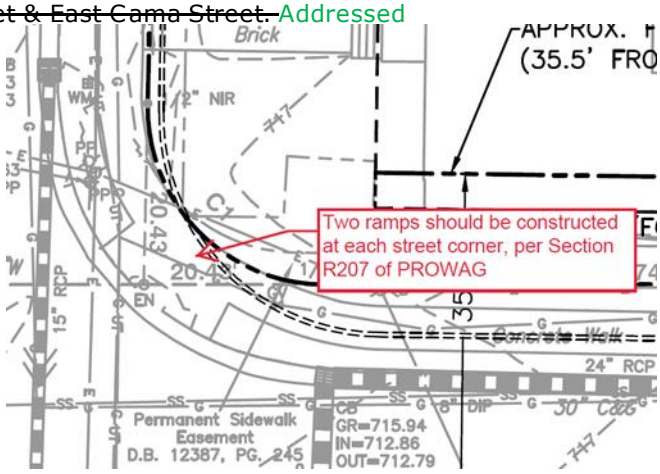
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org

- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

1. ~~East Cama Street: The future location of curb and gutter is 21.5 feet from road centerline, per the council adopted CDOT Streets Map. 20.5 feet is shown, please show 21.5 feet. Label and dimension the curb and gutter from the centerline for each road.~~ Rescinded
2. ~~Revise the site plan and conditional note(s) to commit to construct an 8 foot planting strip and 8 foot sidewalk, per the Scaleybark Transit Station Area Plan, with respect to the future curbline, along both South Tryon Street and East Cama Street. The Scaleybark Transit Station Area Plan remains as the reference for the streetscape requirements for this proposed rezoning.~~ Rescinded
3. ~~Revise the site plan and conditional note(s) to provide two curb ramps at the intersection of South Tryon Street & East Cama Street.~~ Addressed



4. ~~Revise the site plan and conditional note of Section (C.Transportation.1.) to provide one access off of East Cama Street, via a CLDSM standard detail 1025.E – Type II Modified Driveway. NCDOT will not permit access off South Tryon Street.~~ **~~Updated Comment:~~** ~~Driveway type should be included in the site plan and conditional notes.~~ Rescinded
5. ~~Revise the site plan to show/propose a location for trash receptacles/pick up.~~ Addressed
6. ~~For street and pedestrian lighting recommendations, please coordination with Anthony Mendez (CDOT).~~ ~~https://charlottenc.gov/Transportation/Programs/Pages/StreetLighting.aspx~~ Advisory
7. ~~Commit to constructing an ADA compliant bus waiting pad per Land Development Standard 60.01B in the same general location as the existing stop. The final location of the pad will be coordinated with the developer through the permitting process.~~ Addressed

Site and Building Design

8. ~~There is a storm drainage easement on Sheet 1 that should also be shown on Sheet 2. Confirm no structures should be placed in this area.~~ Addressed
9. ~~Petitioner should confirm setback along East Cama Street (ref. Scaleybark Station Area Plan).~~ Rescinded

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

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