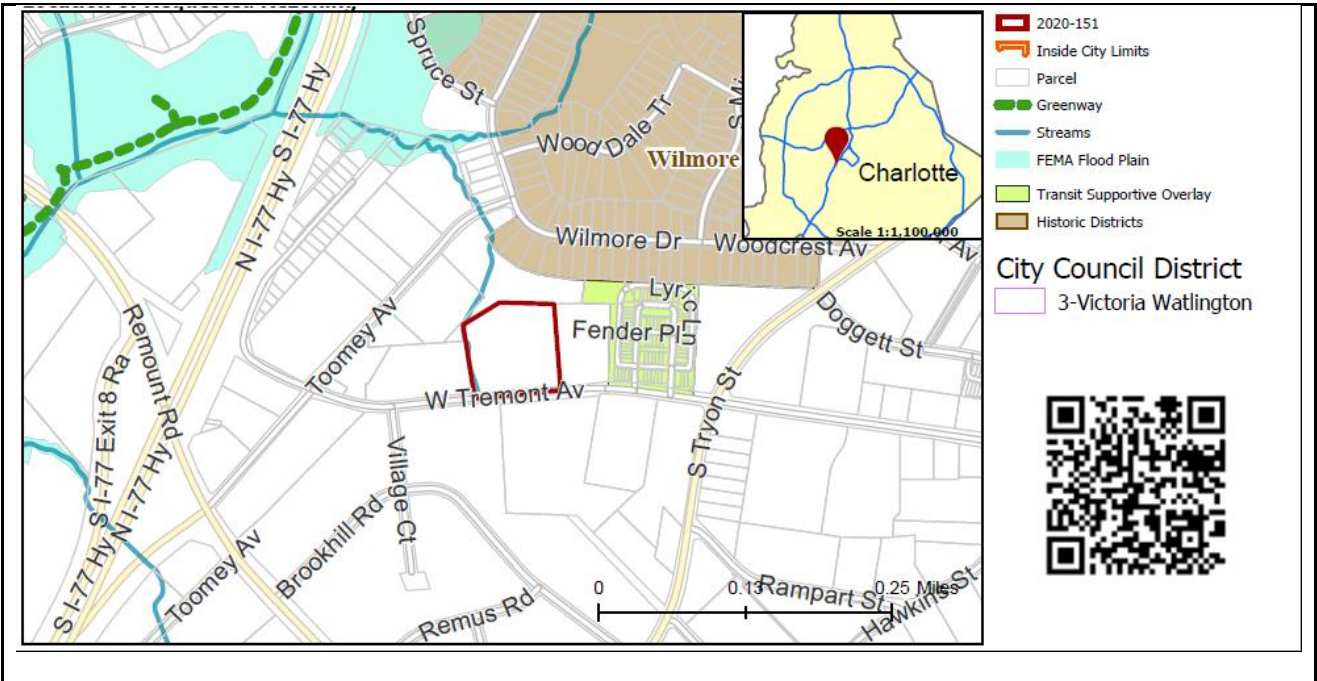


**REQUEST**

Current Zoning: I-1 (light industrial)  
Proposed Zoning: MUDD-O (mixed use development, optional)

**LOCATION**

Approximately 3.455 acres located along the north side of West Tremont Avenue, west of Tryon Street, and south of Woodcrest Avenue.



**SUMMARY OF PETITION**

The petition proposes to allow up to 300 residential units and up to 5,000 square feet of non-residential uses on a vacant parcel located between Interstate 77 and South Tryon Street.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**

SC7 LLC  
Range Water Real Estate  
Dujuana Keys, Moore & Van Allen

**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.

Plan Consistency

The petition is **consistent** with the *New Bern Transit Station Area Plan* recommended residential land use, but **inconsistent** with the recommended density of up to 22 units per acre.

Rationale for Recommendation

- The project site abuts a townhome project under construction to the east and is directly north of a parcel recently rezoned to accommodate townhomes.
- The project is an infill development that will contribute to a mix of housing types.
- The proposed site plan will enhance the connectivity and walkability of the emerging mixed-use neighborhood.

- The request limits the building height to 75 feet. The site is located within 1 mile of the East/West Boulevard Transit Station along the LYNX Blue Line. TOD-NC is permitted within 1 mile of the station and allows a building height up to 75 feet.
- The parcels surrounding this site are being redeveloped from former industrial and vacant sites into a mixed-use area with office, residential and retail uses.
- The development commits to streetscape improvements and on street parking.

The approval of this petition will revise the adopted future land use as specified by the *New Bern Transit Station Area Plan* from residential up to 22 dwelling units to acre to residential greater than 22 dwelling units per acre.

## PLANNING STAFF REVIEW

### • Proposed Request Details

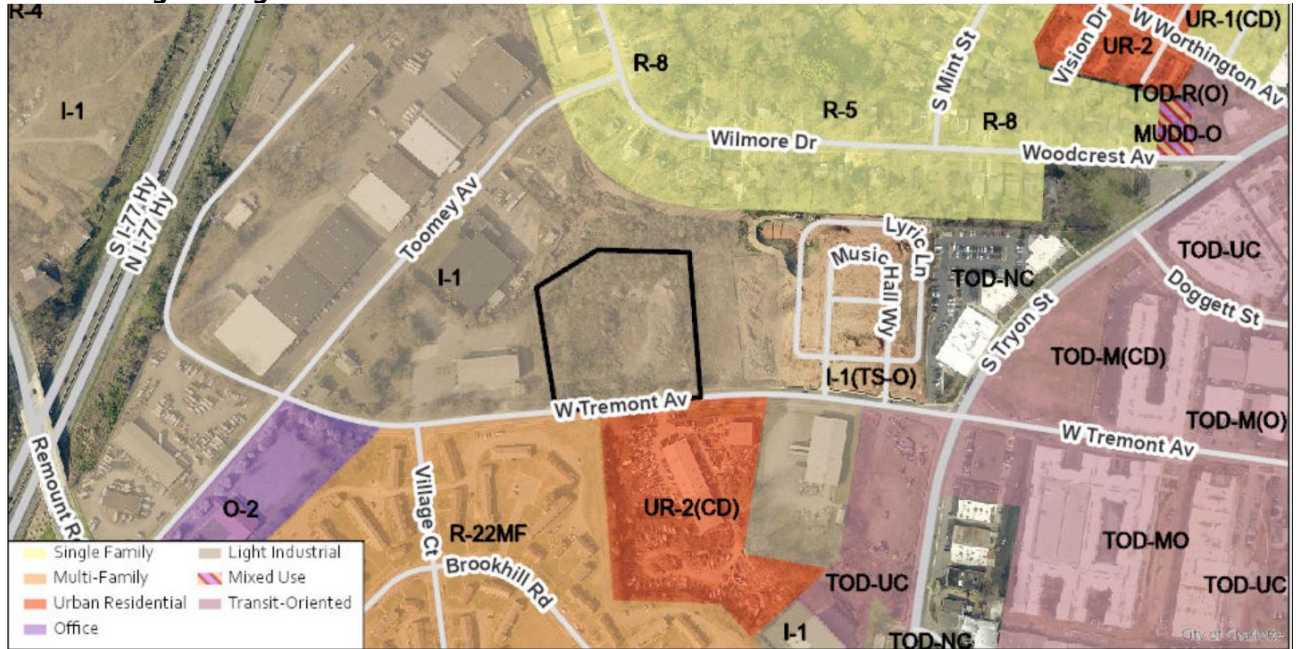
The site plan accompanying this petition contains the following provisions:

- Up to 300 residential dwelling units (86.70 units per acre) and up to 5,000 square feet of gross floor area of non-residential uses as allowed by right, and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district.
- Limits building height to 75 feet.
- Notes Mobile Food Vending and Outdoor Fresh Produce Stands are also allowed uses per ordinance.
- A minimum of 2,500 square feet of non-residential square footage other than accessory amenity areas for the residential community) as allowed by the MUDD zoning district will be constructed on the ground floor of the proposed building. The proposed non-residential area will be oriented toward and have frontage on W. Tremont Avenue.
- Notes that open space area will contain a minimum of 10,000 square feet. Events, mobile food vending and outdoor fresh produce stands may be placed/occur in the open space area.
- On-site amenities for the residents of the residential community may include but are not limited to: clubhouse area, business center, fitness area, swimming pool, dog park, and an improved open space area.
- Proposes a 22-foot building setback as measured from proposed back of curb along W. Tremont Avenue (the proposed back of curb will be located to allow recessed on-street parking).
- Requests the following optional provision:
  - Allow ~~accessory~~ parking and maneuvering to be located along one side of the internal entry drive and between the proposed building and W. Tremont Avenue as generally depicted on the Rezoning Plan.
- Proposes the following transportation improvements:
  - Proposes access to the site from W. Tremont Avenue as shown on the site plan.
  - Dedicates and conveys 36.5 feet of right-of-way from the center line of W. Tremont Avenue.
  - Proposes an 8-foot amenity zone with an 8-foot sidewalk along the site's frontage.
  - Proposes on-street parking along W. Tremont Avenue.
- Proposes the following design guidelines:
  - Proposes building materials to be used on the principal buildings will be a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood, defined as the "Preferred Building Materials", Notes vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings, concrete masonry units not architecturally finished will not be allowed. The railings utilized on balconies and patios must be metal railings.
  - Proposed building will be designed and constructed so that each building elevation(s) that abut/face an existing or proposed public street will have at least 20% masonry materials exclusive of windows, doors and roofs.
  - Buildings shall be placed to present a front or side façade to all network required streets (public or private).
  - Buildings shall front a minimum of 40% of the total network required street frontage on the site.
  - Breaks up massing through use of recesses, projections, and architectural details. Modulational shall be a minimum of 10 feet wide and project or recess a minimum of 6 feet extending through the building.
  - Notes the maximum contiguous area without windows or doors on any floor shall not exceed 20 feet in length.



- Residential building entrances shall be at or slightly above grade and shall be highly visible and architecturally treated as prominent pedestrian entrances.
- The exposed portions of multi-level parking decks shall provide screening so that interior cars are not visible from the public street on which the parking deck has frontage. The screening along a public street will be primarily accomplished using architectural louvers or decorative screens on all levels.
- The exposed portions of the multi-level parking decks shall provide screening so that interior cars are not visible to the adjoining existing single-family residential uses.

• **Existing Zoning and Land Use**



- The site is currently vacant and surrounded by a mix of industrial, residential, retail uses on parcels in various zoning districts.



The site is currently vacant.





North is a single family residential neighborhood.



An automotive repair shop is located to the south, across West Tremont Avenue.



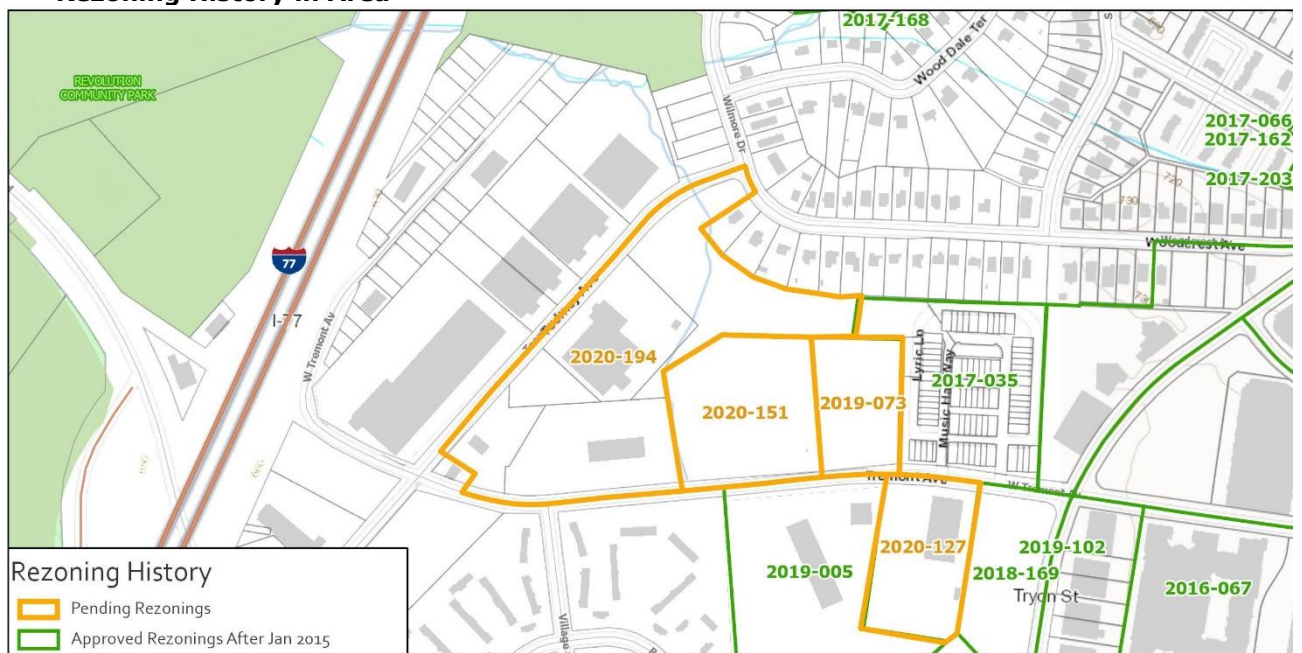
East are townhomes, apartments, office and retail uses.





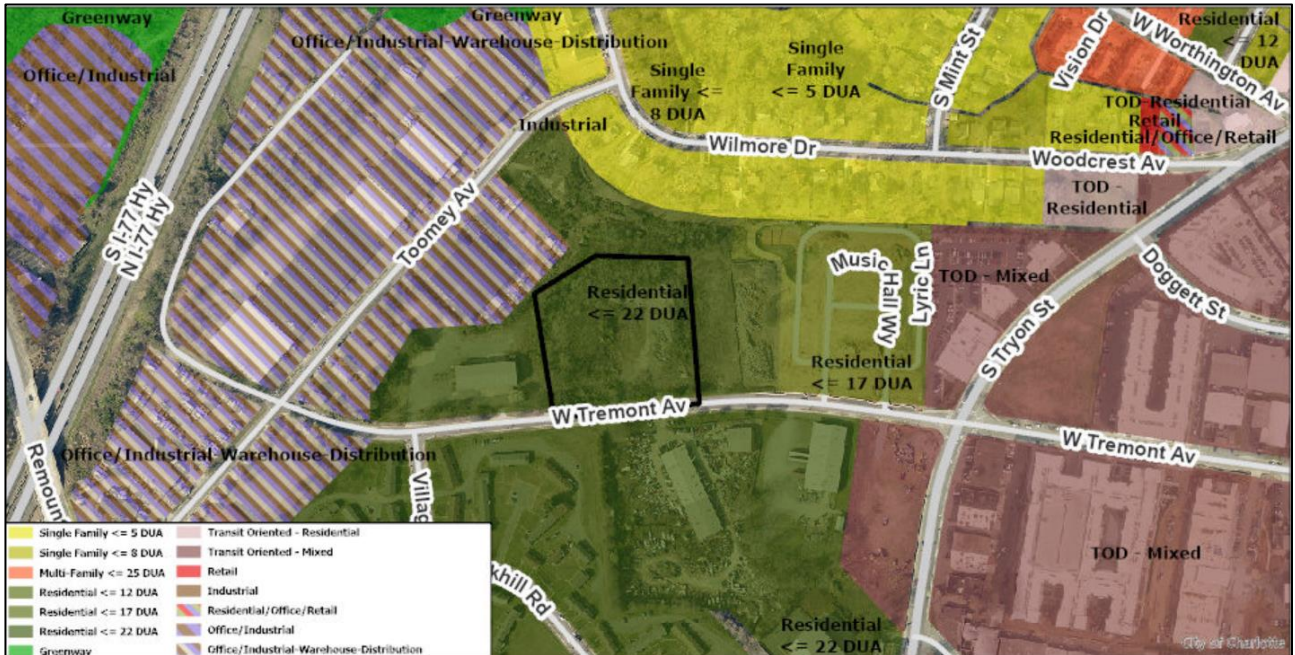
West are warehouse/distribution uses.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-194	Rezone 8.69 acres from I-1 and R-5 to MUDD-O	Pending
2020-127	Rezone 2.60 acres from I-1 to TOD-NC.	Pending
2019-102	Rezoned 1,771.18 acres under a range of zoning districts to TOD-UC, TOD-NC, TOD-CC or TOD-TR.	Approved
2019-073	Rezone 1,91 acres from I-1 to MUDD(CD).	Pending
2019-005	Rezoned 5.58 acres from I-2(CD) to UR-2(CD).	Approved
2018-169	Amendment to zoning ordinance to replace 3 existing transit oriented development districts with 4 new transit oriented development districts and regulations.	Approved
2017-203	Rezoned 0.75 acres from B-1 and R-8 to TOD-R(O).	Approved
2017-035	Rezoned 4.39 acres from I-1 to I-1 TS-O.	Approved
2016-067	Rezoned 8.36 acres from I-2 to TOD-M(O).	Approved

- **Public Plans and Policies**



- The *New Bern Transit Station Area Plan* (2008) recommends residential up to 22 dwelling units per acre.
- **TRANSPORTATION SUMMARY**
  - The site is located on Tremont Avenue, a City-maintained local road, just west of Tryon Street. This site is surrounded by TOD-zoned parcels and the petitioner will provide a streetscape and on-street parking that conforms with the surrounding TOD-zoned areas. In accordance with the City's Ordinances and the WALKS and BIKES Policies, this site will provide a 16-foot pedestrian zone in the form of an 8-foot sidewalk and 8-foot amenity zone. CDOT has no outstanding items with this petition.
  - **Active Projects:**
    - 510 West Tremont - RZP-2019-073
      - Rezoning to MUDD (CD) with proposed retail and multi-family residential uses.
    - South Tryon Street Corridor Implementation CIP Project
      - Construction of bicycle and pedestrian facilities along South Tryon Street.
  - **Transportation Considerations**
    - ~~See Outstanding Issues, Note 1.~~ Addressed
  - **Vehicle Trip Generation:**
    - Current Zoning:
    - Existing Use: Vacant
    - Entitlement: 100 trips per day (based on 34,600 square feet of warehouse).
    - Proposed Zoning: 2,420 trips per day (based on 300 apartments, 5,000 square feet of retail).

**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:** In an effort to increase the supply of Affordable Housing units in the City of Charlotte, developers are encouraged to assist in providing homes at diverse price points to meet increased housing demand.
- **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 development allowed under the existing zoning could generate 0 students, while the development allowed under the proposed zoning could generate 55 students. Therefore, the net increase allowed under the proposed zoning is 55 students.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Barringer Elementary from 92% to 96%
    - Sedgefield Middle from 73% to 75%
    - Harding University High from 132% to 133%.



- See advisory comments at [www.rezoning.org](http://www.rezoning.org).
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along W Tremont Ave. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along W Tremont Ave. 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 2. Addressed
  - **Storm Water Services:** 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)
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

## OUTSTANDING ISSUES

### Transportation

1. ~~A site plan specifying that all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued is needed. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~ Addressed

### Site and Building Design

2. ~~Clearly show and label proposed optional request on site plan. Please clarify what is accessory parking.~~ Addressed
3. ~~For maximum building height please remove the number of stories.~~ Addressed
4. ~~Label the building setback on West Tremont Avenue (from back of existing or proposed back of curb).~~ Addressed
5. ~~The site plan labels a 16-foot pedestrian zone along West Tremont Avenue and the development notes specify an 8-foot amenity zone and an 8-foot sidewalk. Adopted plan calls for an 8-foot pedestrian zone and 8-foot planting strip. Please ensure improvements are correctly labeled on the site plan. Ensure development notes match what is shown.~~ Addressed

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

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