

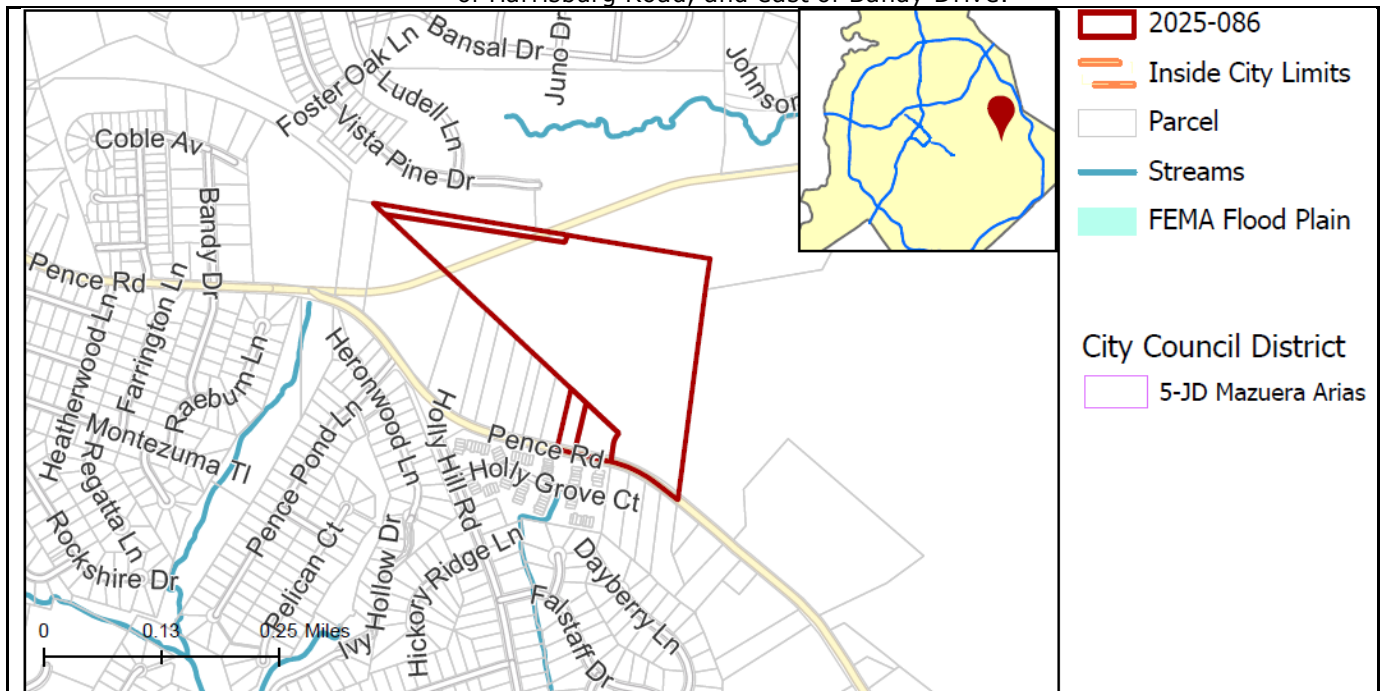
REQUEST

Current Zoning: ML-1 (Manufacturing & Logistics 1), N1-A (Neighborhood 1-A), I-1(CD) Light Industrial, Conditional), B-2(CD) (General Business, Conditional)
Proposed Zoning: ML-2(CD) (Manufacturing & Logistics 2, Conditional)

LOCATION

Address: 7719 Pence Road, Charlotte, NC 28215

Approximately 31.17 acres located on the north side of Pence Road, west of Harrisburg Road, and east of Bandy Drive.



SUMMARY OF PETITION

The petition proposes to allow 150,000 gross floor area of warehousing, warehouse distribution, manufacturing, rail freight terminal, office, and other uses permitted in the ML-2 zoning district on a vacant, wooded site in east Charlotte.

PROPERTY OWNER

Pence Road Development LLC

PETITIONER

Pence Road Development LLC

AGENT/REPRESENTATIVE

Collin Brown & Brittany Lins, Alexander Ricks PLLC

COMMUNITY MEETING

The community meeting was held on September 8, 2025 and 0 people from the community attended.

The community meeting report notes that two community members subsequently reached out to the petitioner and the petitioner engaged with those community members.

The full meeting report is available online.

STAFF RECOMMENDATION

Staff does not recommend approval of this petition.

Plan Consistency

The petition is **consistent** with the 2040 Policy Map recommendation for the Manufacturing & Logistics Place Type.

Rationale for Recommendation

- The petition requests to expand industrial uses on a property that abuts residential and recreational uses. The property is adjacent to single family residential to the north and a Mecklenburg County owned golf course to the east.
- The majority of the site is currently zoned ML-1, allowing for a variety of light industrial uses. Staff does not support expanding the permitted uses to include those allowed in the ML-2 district, and more specifically, a rail freight terminal. Such a use may be incompatible and impactful to the adjacent Neighborhood 1 and Parks and Preserves Places, and more information is needed on mitigation measures for noise and air pollution as applicable.
- The request to expand industrial uses adjacent to residential uses is in conflict with the *2040 Comprehensive Plan's* goals for environmental justice.
- The petition proposes to reserve right-of-way for the future Pence Road realignment project.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 8: Diverse & Resilient Economic Opportunity may be facilitated by creating a rail freight terminal that would allow for the transfer of goods between railcars and trucks.

PLANNING STAFF REVIEW

• **Background and Zoning District Summary**

• **Existing Zoning:**

- ML-1: This district is intended to accommodate a range of warehouse/distribution and light industrial uses, including a variety of light manufacturing and assembly. Limited commercial uses are allowed in the district, and it is generally located in areas readily accessible by arterials and interstates, as well as freight rail.
- N1-A: This district allows for single family, duplex, triplex, and quadraplexes in some situations, as well as a limited number of other uses on lots that are 10,000 square feet or greater.
- I-1(CD): This is the legacy zoning ordinance version of ML-1. This district is intended to accommodate a range of warehouse/distribution and light industrial uses, including a variety of light manufacturing and assembly. Limited commercial uses are allowed in the district, and it is generally located in areas readily accessible by arterials and interstates, as well as freight rail. Rezoning 1999-093 established I-1(CD) zoning allowing for all uses permitted in the I-1 district with the exception of gas stations, convenience stores, car sales, and restaurant with a drive-through.
- B-2(CD): This is the legacy zoning ordinance version of CG (General Commercial). This district allows for general commercial uses along intersections and arterial streets while prioritizing automobile access. Rezoning 1984-038 established B-2(CD) zoning limiting use of the site to a nursery/greenhouse/landscape business.

• **Proposed Zoning:**

- ML-2: This district is intended to accommodate industrial uses, including those uses that may be hazardous or noxious. Such uses may have significant external impacts and may include large areas of outdoor storage or operation. The ML-2 Zoning District is generally located in areas readily accessible by arterials and interstates, as well as freight rail.
- Conditional (CD): This petition includes a site plan and proposes site-specific commitments that further restricts the use of the site.

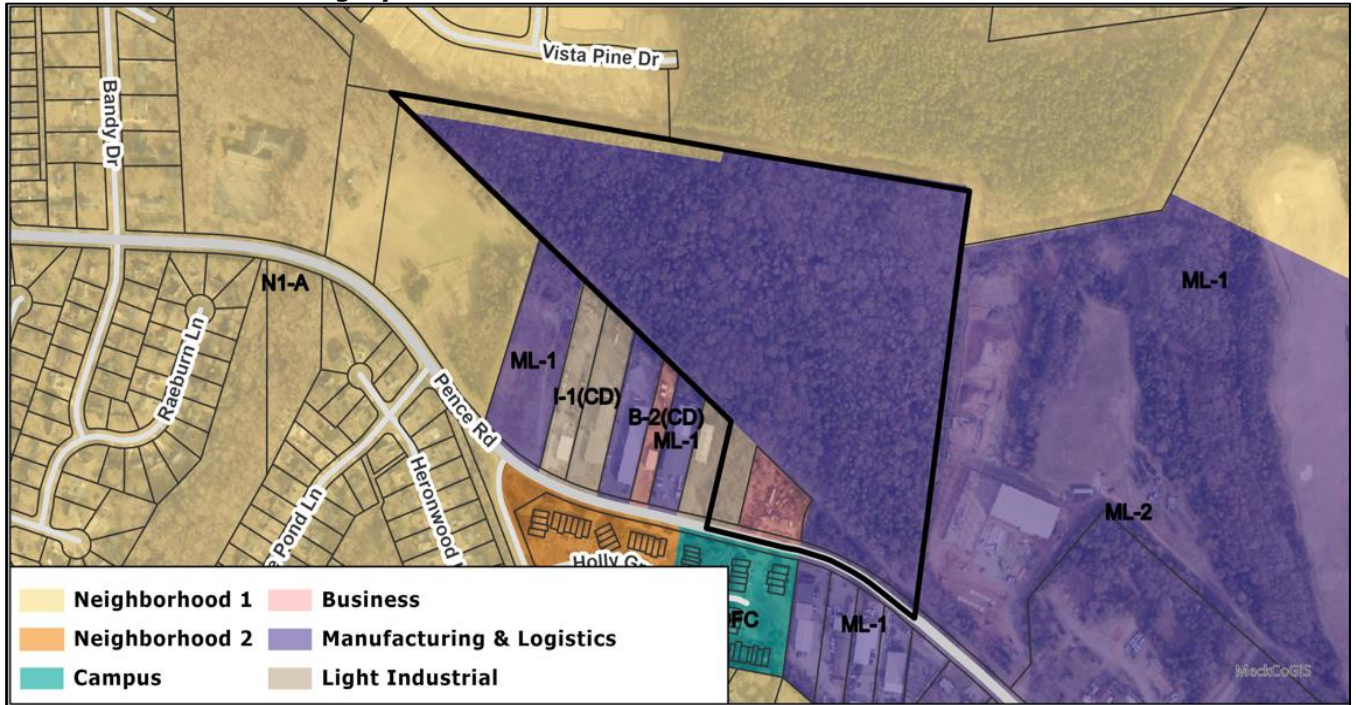
• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows for 150,000 square feet of gross floor area of warehousing, warehouse distribution, manufacturing, rail freight terminal, office, and other uses permitted in the ML-2 zoning district.
- Prohibits the following uses: adult use, animal crematoriums, vehicle repair facility major, vehicle repair facility minor, correctional facilities, crematory facilities, dry cleaning and laundry establishments, heliports and helistops, shooting range, indoor, cemeteries, quarries, raceway and dragstrips, stadiums and arenas of no more than 5,000 seats.
- Illustrates rail spurs into the site surrounding a building/loading/parking envelope.
- Locates a truck scale and scale house towards the southern property boundary, on the opposite side of the existing ACWR rail line from Pence Road.
- Provides a 100' Class A landscape yard with berm along the northern and northwestern property boundaries where adjacent to N1 zoning.

- Provides a 50' Class C landscape yard along the western property boundary where adjacent to ML-1 and I-1(CD) zoning.
- Provides a 25' Class B landscape yard along the southern property boundary and Pence Road where across from residential uses.
- Reserves right-of-way in the northwestern corner of the site for the future Pence Road realignment.
- Commits to implementing a 5' bike lane with 3' buffer along the site's Pence Road frontage.
- Commits to implementing an 8' planting strip and 6' sidewalk along the site's Pence Road frontage.

• **Site Context and Imagery**



- The majority of the site is zoned ML-1 with small portions zoned N1-A, I-1(CD), and B-2(CD). The site is surrounded by a mix of uses including N1-A to the west and north, ML-2 to the east, and a mix of commercial and industrial zonings to the south.



The site, marked by a red star, is surrounded by a mix of uses including residential to the north, recreational to the east, and commercial and industrial to the south and west.



Streetview of the site as seen from Pence Road.



Streetview is not available for properties to the north and east of the site, which is marked by a red star. A neighborhood of single family residential is under construction to the north while Charles T Myers Golf Course is located to the east of the site.

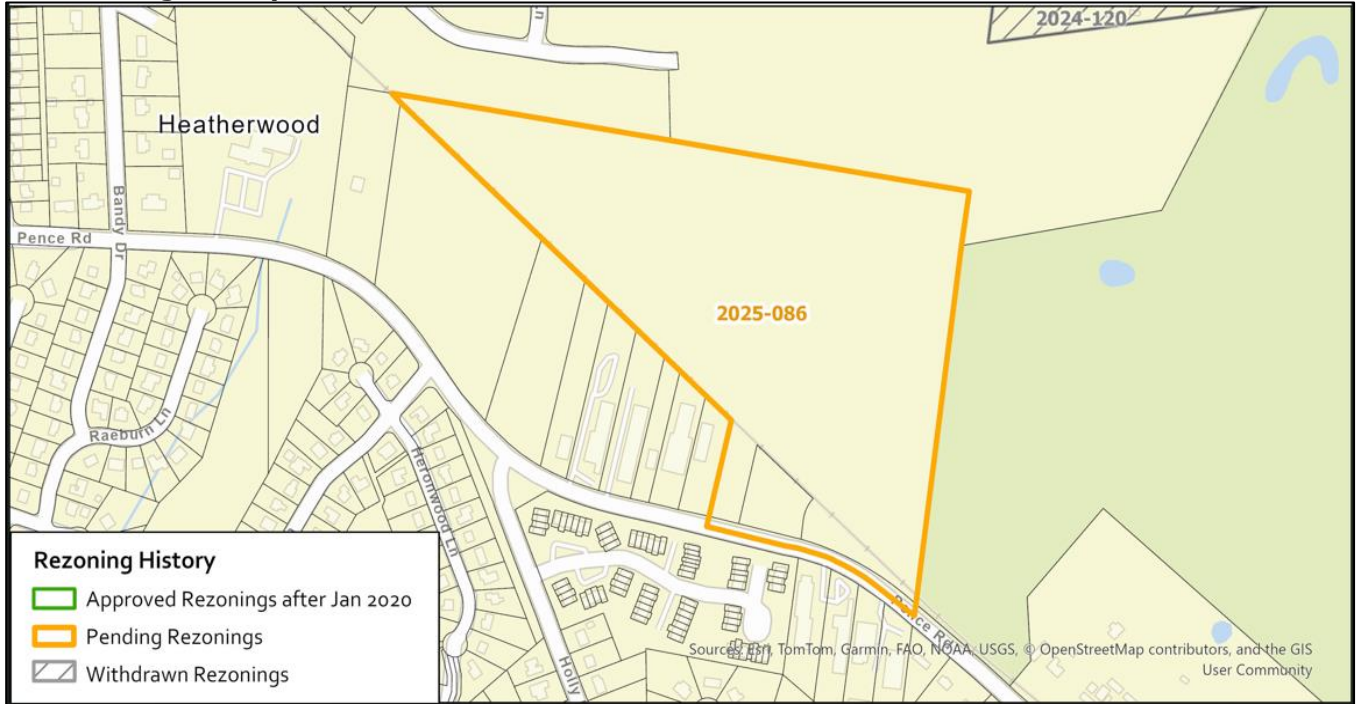


Streetview of townhome-style dwellings to the south of the site across Pence Road.



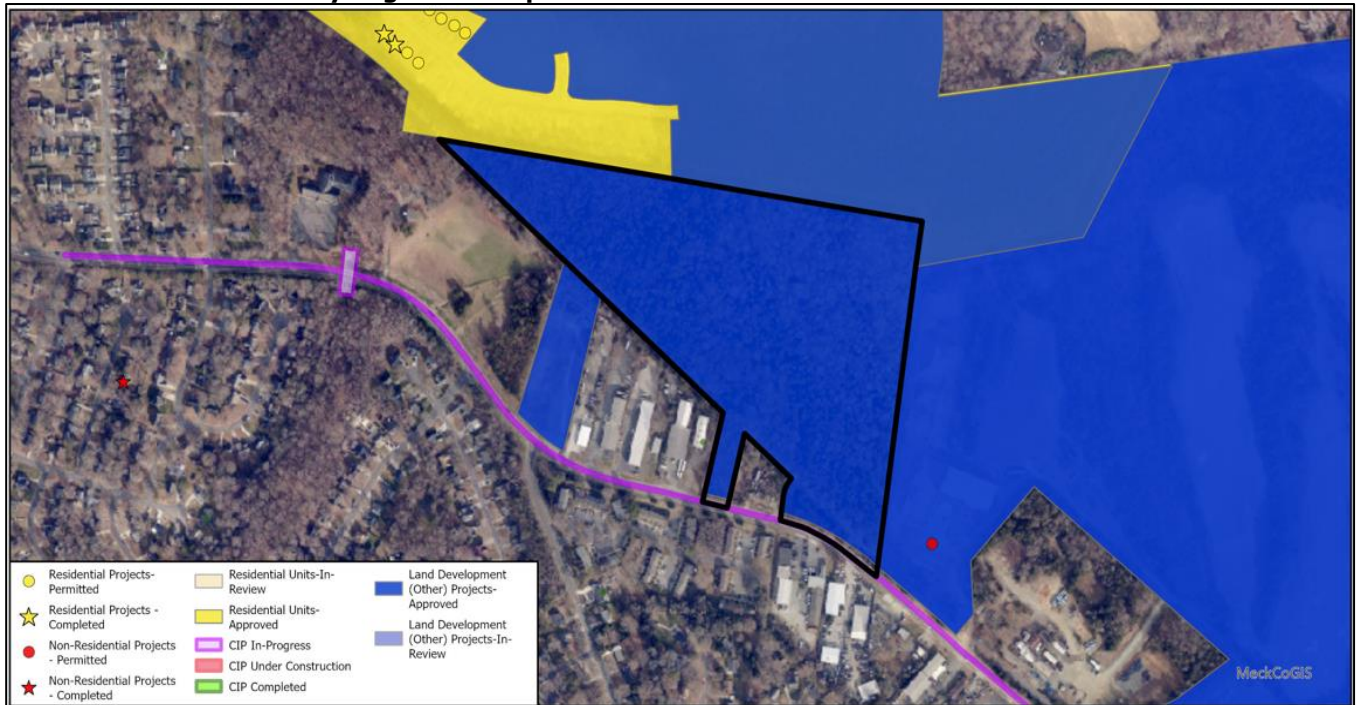
Streetview of industrial and commercial uses to the west of the site along Pence Road.

• **Rezoning History in Area**



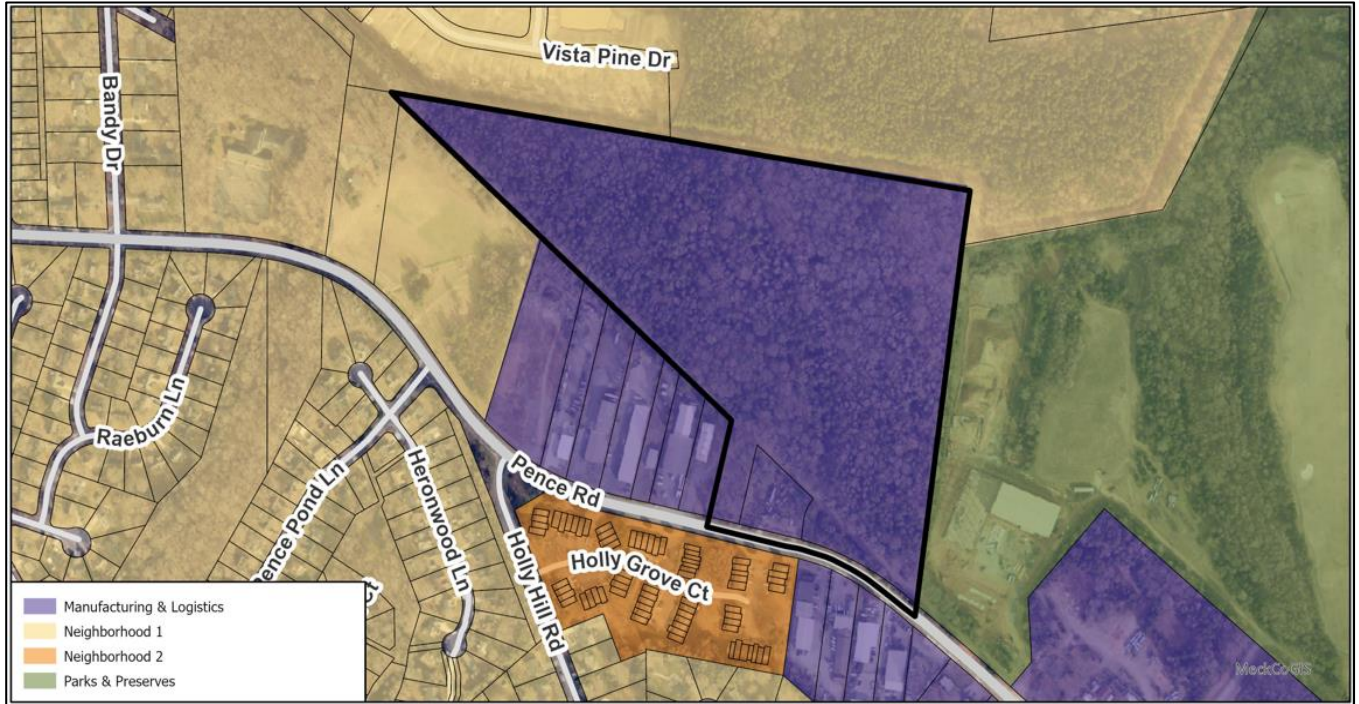
There have been no rezonings in the past 5 years around the subject site.

• **Infrastructure and By-Right Development**



- This map depicts infrastructure projects, rezonings, and projects occurring by-right in the vicinity of the subject rezoning. By-right development is development that without exception complies with all standards of the zoning district in which the development is taking place. A project occurring by-right denotes that the development is allowed on the property and needs only to show that the development will meet the ordinance standards).
- More information on the specific projects in this area can be found using [Development Near Me](#)

• **Public Plans and Policies**



- The *2040 Policy Map* recommends the Manufacturing & Logistics Place Type. The proposed rezoning is in alignment with the adopted Manufacturing & Logistics Place Type.
 - Manufacturing and Logistics places are employment areas that provide a range of job types, services, and wage levels in sectors such as production, manufacturing, research, distribution, and logistics.

• **INFRASTRUCTURE COMMENTS**

• **Charlotte Department of Transportation**

- The site is located adjacent to Pence Road, a City-maintained minor arterial, east of Bandy Drive, a City-maintained local street. A Traffic Impact Study (TIS) is not required for the site due to the development generating site trips under ordinance thresholds and not meeting additional TIS triggers. Site plan and/or conditional note revisions are needed to commit to the dedication of ROW for the Pence Road Relocation per Charlotte Streets Map in accordance with the UDO. All outstanding CDOT comments have been addressed.
- **Active Projects:**
 - N/A
- **Transportation Considerations:**
 - No outstanding issues.
- **Vehicle Trip Generation:**
 - Current:
 - Existing Use: 0 trips per day (based on vacant land).
 - Existing Zoning Entitlements: 512 trips per day (based on 300,000 SF of industrial uses).
 - Proposed Zoning: 275 trips per day (based on 150,000 SF of warehouse and distribution center).

• **Storm Water Services**

- The petitioner provided notes regarding development within any SWIM or water quality buffers as requested and standard provisions committing to comply with Stormwater Articles 23 through 28 in the UDO.
- **Considerations:**
 - No outstanding issues.

- **Charlotte Water**
 - Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water distribution main along Pence Rd.
 - Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Pence Rd
 - **Considerations:**
 - See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools**
 - Nonresidential petitions do not impact the number of students generated.
- **Charlotte Area Transit System**
 - **Considerations:**
 - No comments submitted.

CITY DEPARTMENT COMMENTS

- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **Erosion Control:** No comments submitted.
- **Long Range Planning:** See advisory comments at www.rezoning.org
- **Urban Forestry:** No outstanding issues.

MECKLENBURG COUNTY COMMENTS

- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Park and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING

Site and Building Design

1. ~~List the width and location of all landscape yards under the Buffers section of conditional notes.~~ **ADDRESSED**
2. ~~Reconcile conflicting notes regarding the width of planting strip and sidewalk in the site plan and conditional notes.~~ **ADDRESSED**
3. ~~Clarify the dimensions of the berm, is it complying with UDO Article 20.11.B?~~ **ADDRESSED**

Transportation

4. ~~Revise proposed Pence Road right of way line type to indicate that right of way is not existing but is to be reserved for the future street.~~ **ADDRESSED**

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org

Planner: Joe Mangum (704) 353-1908