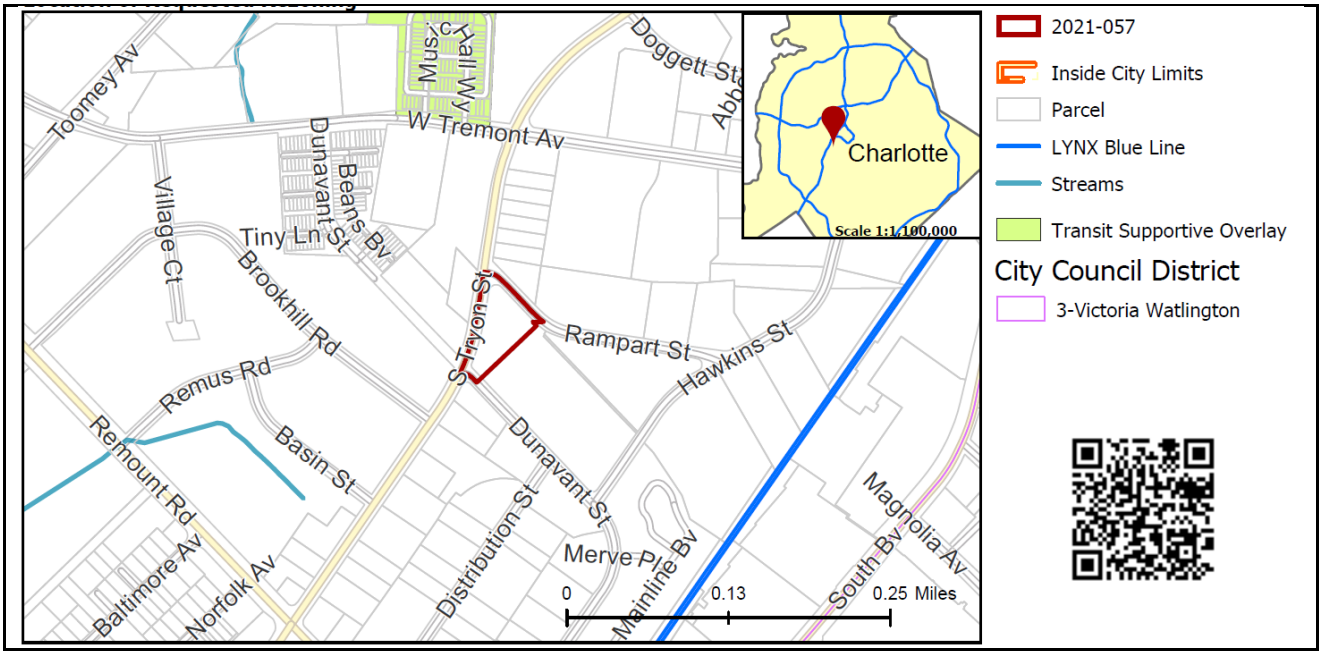
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2021-057
Final Staff Analysis
September 20, 2021

REQUEST	Current Zoning: TOD-NC (transit oriented development – neighborhood center) Proposed Zoning: TOD-UC (transit oriented development – urban center)
LOCATION	Approximately 1.13 acres located at the southern intersection of South Tryon Street, Rampart Street, and Dunavant Street, west of South Boulevard.



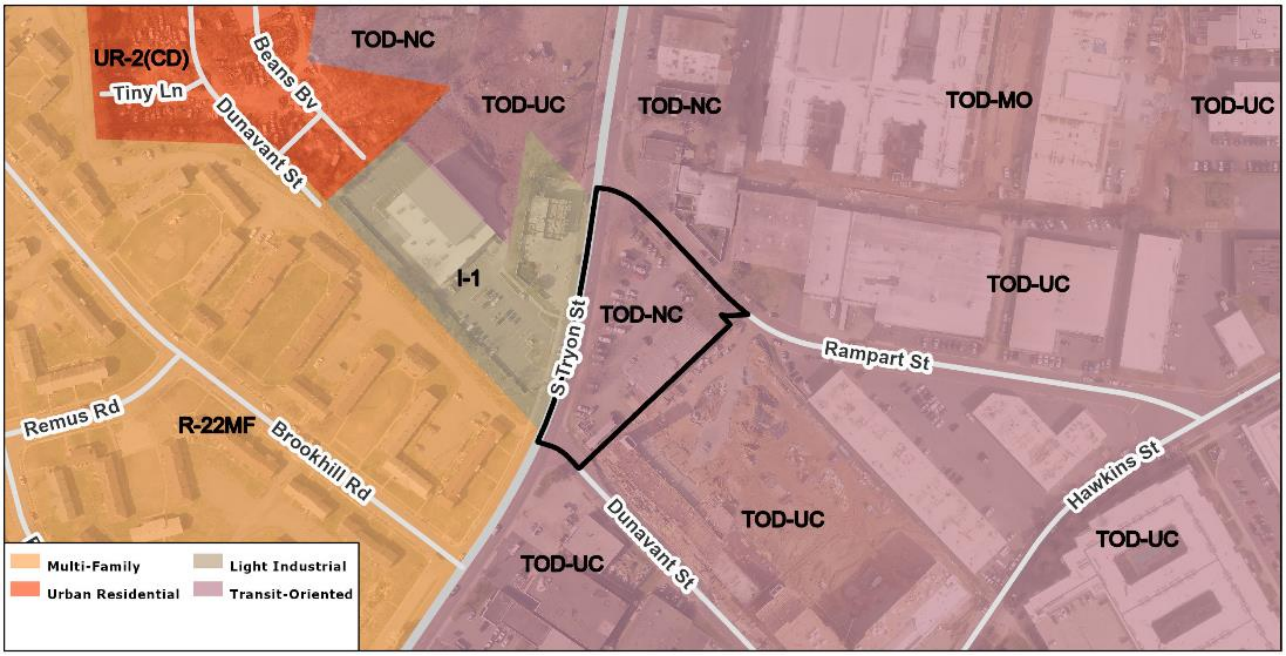
SUMMARY OF PETITION	The petition proposes to allow all uses in the TOD-UC (transit oriented development – urban center) zoning district on a parcel developed with a building for auto-repair commercial uses along South Tryon Street.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	FHN 2217 South Tryon, LLC Providence Group Capital, LLC Keith MacVean, Moore & Van Allen
COMMUNITY MEETING	Meeting is not required.

STAFF RECOMMENDATION	Staff recommends approval of this petition. <u>Plan Consistency</u> The petition is **consistent** with the *New Bern Station Area Plan* (2008) recommendation for transit-mixed use. <u>Rationale for Recommendation</u> • The site is within a ½-mile walk of the proposed Rampart Station. • The TOD-UC district may be applied to parcels within a ½-mile walking distance of an existing rapid transit station, or within ½ mile walking distance of an adopted Metropolitan Transit Commission (MTC) alignment station location. • The proposal allows a site that was previously used for auto-repair commercial uses to be redeveloped with a transit supportive project.

- The parcels were rezoned from I-2 to TOD-NC as part of petition 2019-102.
- The use of conventional TOD-UC zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary.
- TOD standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  This is a conventional rezoning petition with no associated site plan.
  - Allows all uses in the TOD-UC (transit oriented development – urban center) zoning district.
- **Existing Zoning and Land Use**



- The parcel was rezoned in 2019 to TOD-NC as part of 1,771.18 acres rezoned from a range of zoning districts to TOD-UC, TOD-NC, TOD-CC, or TOD-TR.

- The site (red star above) is in an area with a number of uses including retail, multi-family residential, warehouse/distribution, and office uses.

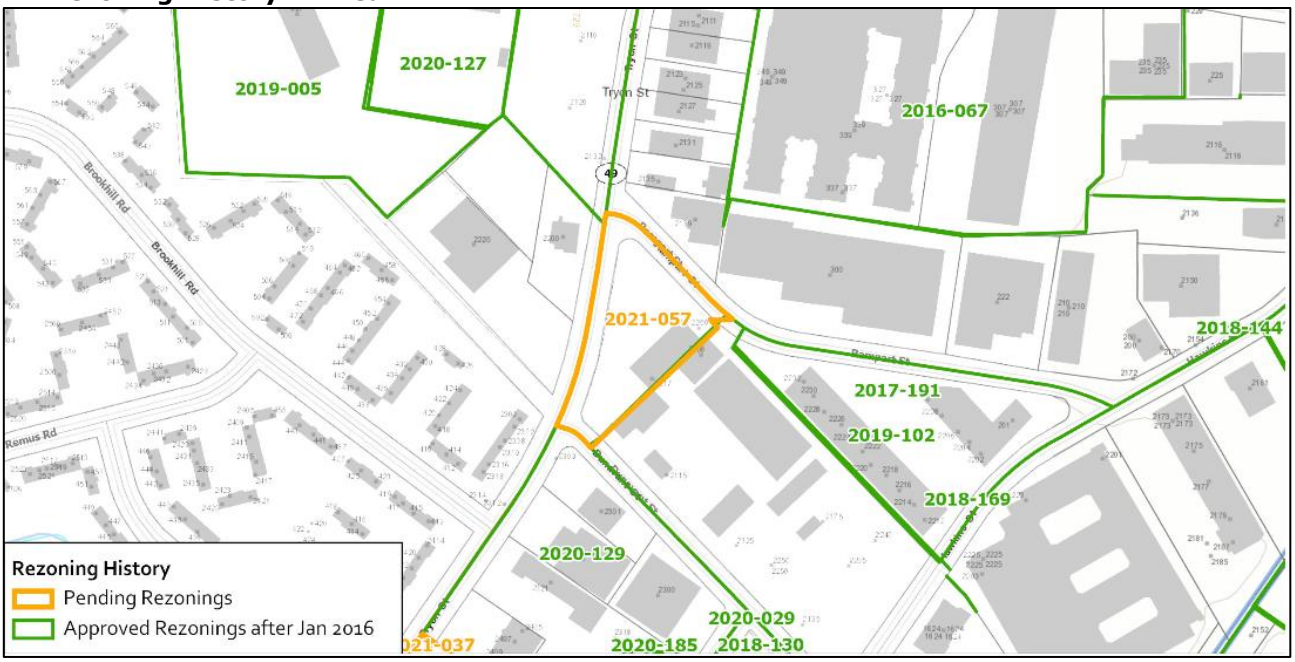
- North of the site are retail uses

- West of the site is a gas station and warehouse uses.

- South of the site are office uses.

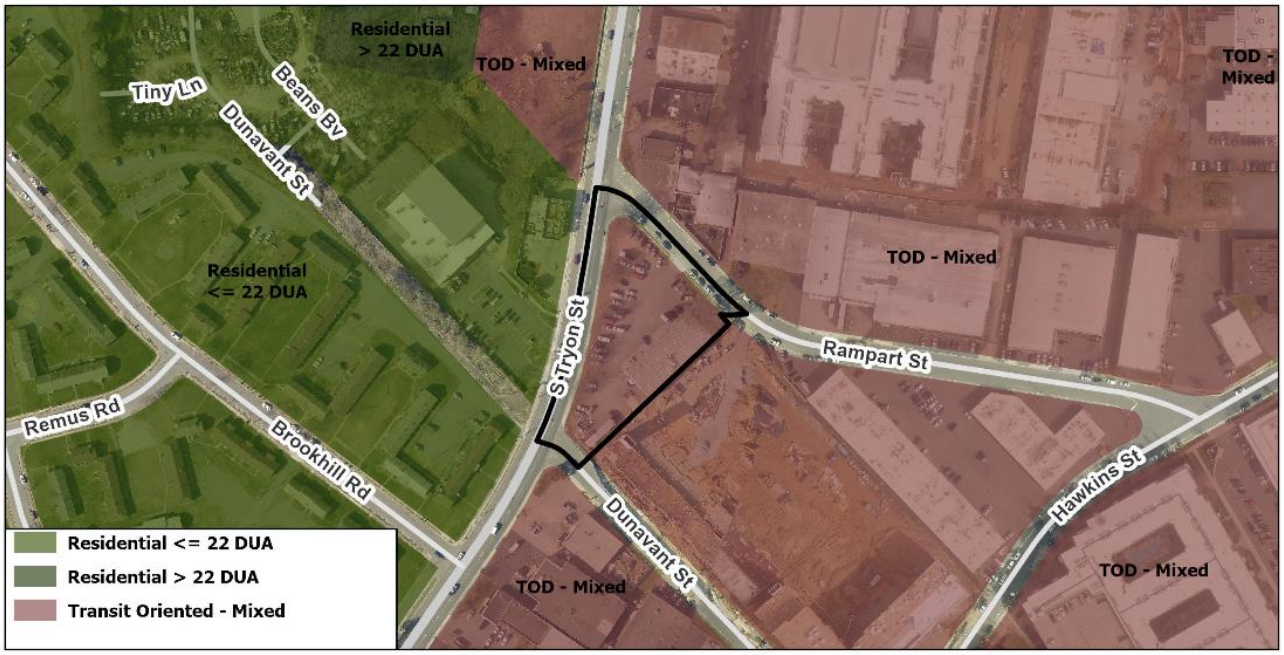
- East of the site is a multi-family residential development.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-037	Rezoning 0.76 acres from TOD-NC to TOD-UC.	Approved
2020-185	Rezoned 0.808 acres from TOD-NC to TOD-UC.	Approved
2020-129	Rezoned 3.264 acres from TOD-NC to TOD-UC.	Approved
2020-127	Rezoned 2.60 acres from I-1 to TOD-NC.	Approved
2020-029	Rezoned 1 acre from TOD-M(O) to TOD-NC.	Approved
2019-102	Rezoned 1,771.18 acres under a range of zoning districts to TOD-UC, TOD-NC, TOD-CC, or TOD-TR.	Approved
2019-005	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. The amendment resulted in 3 existing conventional districts translating to the new TOD-CC +.	Approved
2018-144	Rezoned 2.21 acres from MUDD-O to TOD-M(O)	Approved
2018-130	Rezoned 0.97 acres from I-2 to TOD-M(O).	Approved
2017-191	Rezoned 2.44 acres from I-2 to TOD-M.	Approved
2016-067	Rezoned 8.36 acres from I-2 to TOD-M(O).	Approved

- **Public Plans and Policies**



- The *New Bern Station Area Plan* (2008) recommends transit oriented mixed use for this site.

- **TRANSPORTATION SUMMARY**
  - The site is located adjacent to South Tryon Street, a State-maintained major thoroughfare, Dunavant Street, a City-maintained local street, and Rampant Street, a City-maintained local street. This site is within a half mile of the proposed Rampart Street Station and a new pedestrian beacon will be installed at Tryon and Dunavant St. northeast of the site. The site is requesting a TOD-UC zoning and will be subject to transportation improvements in accordance with the TOD Ordinance and the adopted CDOT Streets Map. CDOT will work with the petitioner during the permitting process to pursue all options to provide additional forms of connectivity that reflect the types of development associated with the TOD-zoned areas.
- **Active Projects:**
  - Pedestrian Hybrid Beacon at Tryon and Dunavant
- **Transportation Considerations**
  - No outstanding issues.
- **Vehicle Trip Generation:**

  Current Zoning:

  Existing Use: 60 trips per day (based on tax record).

  Entitlement: Too many uses to determine (TOD-NC).

  Proposed Zoning: Too many uses to determine (TOD-UC).

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:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** No comments submitted.
- **City Arborist:** No comments submitted.
- **Erosion Control:** 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.
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Storm Water Services:** No comments submitted.
- **Urban Forestry:** No comments submitted.

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

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