

REQUEST

Current Zoning: CG (General Commercial) & I-1(CD) (Light Industrial, Conditional)
Proposed Zoning: MUDD (CD) (Mixed Use Development District, Conditional)

LOCATION

Approximately 10.82 acres located at the southeast intersection of South Tryon Street and Nations Ford Road, south of West Woodlawn Road, and west of Interstate 77.



SUMMARY OF PETITION

The petition proposes to redevelop the site with a multi-family residential community with up to **317** ~~350~~ units, **20,000** ~~5,000~~ sqft of non-residential space, (**8,000** sqft devoted to retail, personal service, and EDEE uses) and **29** live/work units along the ground floor facing S. Tryon Street.

PROPERTY OWNER

Ken-Ray Properties, LLC; D. MacRay Elliott; Calvin Kenley, Jr.; CTG Properties, LLC; Kenley Family Properties, LLC f/k/a Kenley Family Partnership; and Calvin Kenley, Jr., Virginia Kenley McKnight and Teresa Kenley Keaton

PETITIONER

Greystar Development East, 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: 29

STAFF RECOMMENDATION

Staff does not recommend approval of this petition in its current form.

Plan Consistency

The petition is **inconsistent** with the 2040 Policy Map recommendation for Commercial place type.

Rationale for Recommendation

- The goal of the Commercial place type is to provide places for the sale of goods and services in locations readily accessible by automobile along major streets and near interchanges.

- The site is located adjacent to the intersection of Nations Ford Rd and S. Tryon St. close to the interchanges of E. Woodlawn and I-77 and S. Tryon and I-77.
- The site is developed with commercial uses consistent with the *Policy Map* recommendation. The rezoning would remove a significant area recommended for Commercial places in the area.
- This Place Type is characterized by low-rise retail structures with a walkable, landscaped public realm that balances automobile, bicycle, and pedestrian design elements providing a safe and comfortable environment to reach transit stops, jobs, or nearby destinations.
- There is not safe mobility access for pedestrians across S. Tryon St./Woodlawn Road and the I-77 interchanges.
- The proposed 20,000 ~~5,000~~ sqft of non-residential use, including 8,000 sqft of which is commercial on the 10.5 acre site does not provide the commercial opportunities envisioned by the *Policy Map*.
- The petition could facilitate the following 2040 *Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 7: Integrated Natural & Built Environments

The approval of this petition will revise the recommended place type as specified by the 2040 *Policy Map*, from Commercial Place Type to Neighborhood 2 Place Type for the site.

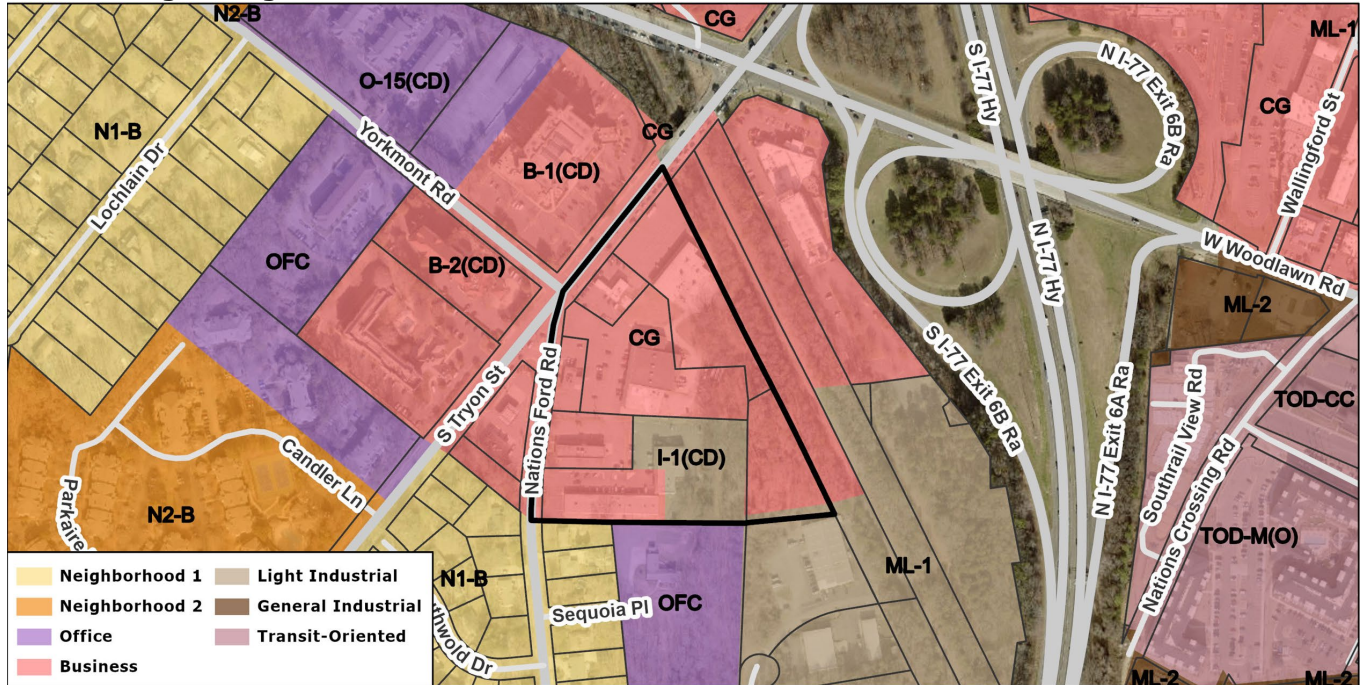
PLANNING STAFF REVIEW

• Proposed Request Details

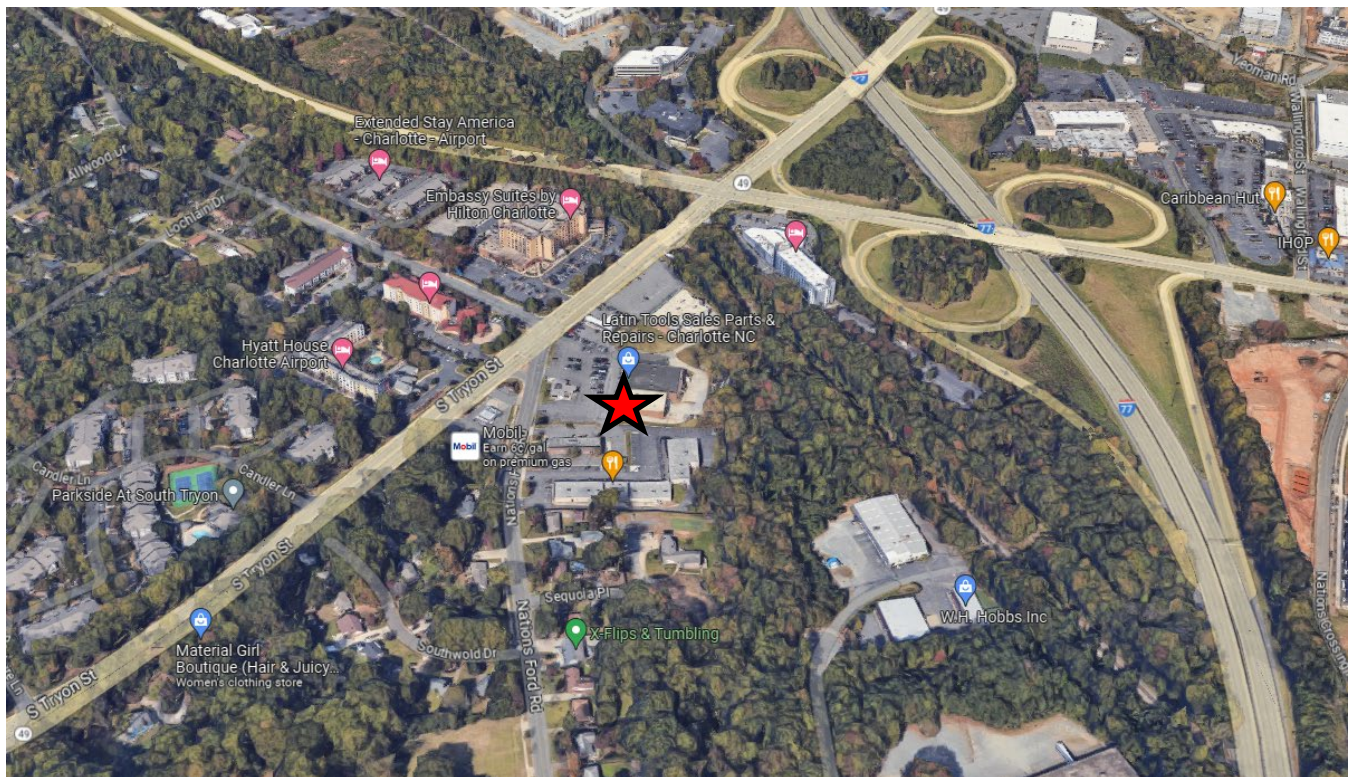
The site plan accompanying this petition contains the following provisions:

- Allows up to 317 ~~350~~ multifamily dwelling units and 1 building, at 20,000 sqft ~~5000 sqft~~, for non-residential use.
- Non-residential uses allowed include: restaurants, educational uses, indoor recreation, professional business and general office, retail sales, personal service and studios. 8,000 sqft of the non-residential building shall be devoted to retail, personal service and EDEE uses.
- Specifies that 29 live/work units shall be provided along S. Tryon Street.
- Provides a minimum 4,000 sqft of park/farmers market that includes space for community art, trees or other shading devices, hardscape/landscape, seating elements with a pedestrian connection from the parking area to the space.
- Prohibits accessory drive through lanes and windows.
- Maximum building height of 50 ft., minimum floor height of 10 ft, 6 inches.
- Depicts gated entries in the parking areas for the multi-family buildings.
- Vehicular access from a right-in/right-out driveway on S. Tryon St., and a full movement intersection on Nations Ford Rd from a new public street extending along the southern edge of the site.
- Constructs a right turn lane on S. Tryon St. at the site driveway.
- Removes existing curb cuts and establishes a continuous curb and gutter along the site frontage.
- Restripes Nations Ford Rd. at new public street to provide a full width left turn lane to the new street.
- Constructs CATS bus pad on Nations Ford Rd, near the intersection with N. Tryon St.
- Constructs an 8 ft planting strip and 12 ft multi-use path along S. Tryon St. and a 8 ft planting strip and 8 ft sidewalk along Nations Ford Rd.
- Provides architectural standards for the multi-family buildings to be constructed including allowed exterior building materials, building orientation, standards for buildings over 120 feet in length, limitations on expanses of blank walls, roof design and screening of service equipment and facilities.

- **Existing Zoning**



- The site is currently zoned CG and I-1(CD). There is a mixture of zoning in the area with manufacturing and logistics to the southeast, N1 and N2 type residential to the southwest, commercial and office to the northwest and northeast.



The site, indicated by the red star above, is located in an area with a mix of hotels, office and residential uses. There is gas station/convenience store across Nations Ford Rd. Other commercial uses are north along N. Tryon and east along E. Woodlawn Rd. across I-77.



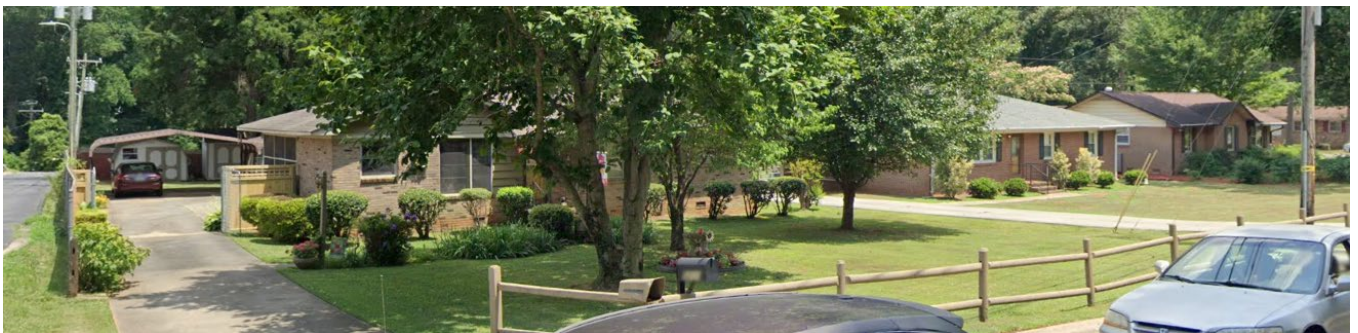
The site is developed with non-residential commercial uses including automobile sales, auto mobile rental, dancing club, restaurants, retail, religious institution and personal service uses.



North of the site across S. Tryon St. are several hotels.



To the east, between the site and I-77 is a railroad corridor and a hotel.

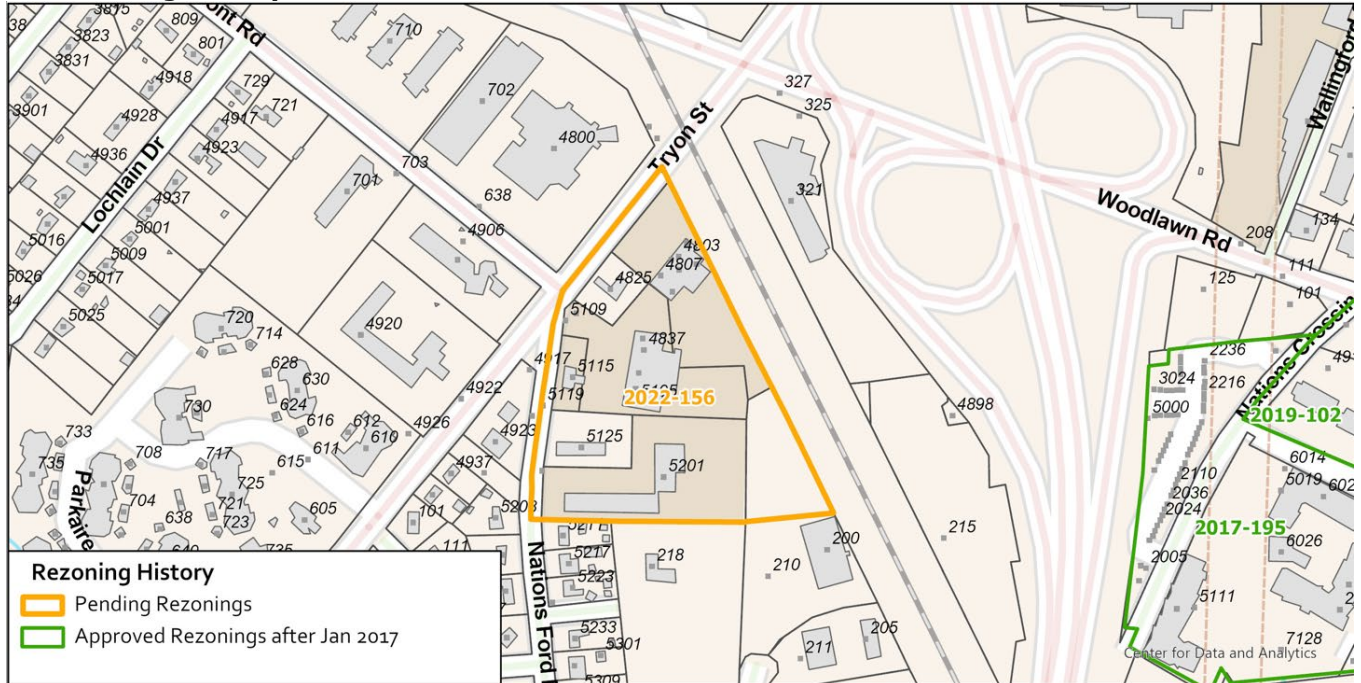


South of the site are single family homes fronting Nations Ford Rd. and Sequoia Pl.



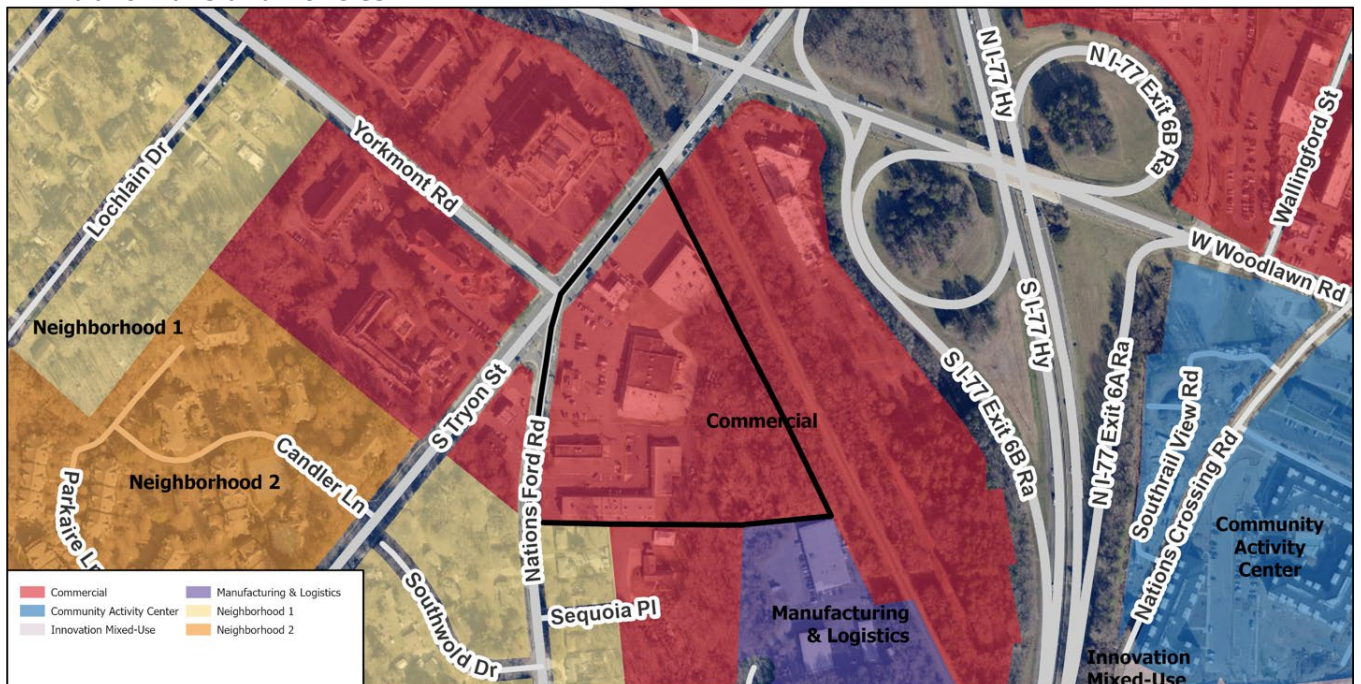
West of the site is a gas station/ convenience store between Nations Ford Rd. and S. Tryon St. Single family homes front Nations Ford Rd. behind the gas station. An additional hotel is on the west side of S. Tryon St.

- Rezoning History in Area**



| Petition Number | Summary of Petition | Status |
|-----------------|--|----------|
| 2017-195 | 19.78 acres east of the site at Nations Crossing from I-2 to TOD-M(O) to allow transit oriented development. | Approved |
| 2019-102 | A large number of parcels along the Lynx Blue Line to align zoning with TOD recommendations. | Approved |

- Public Plans and Policies**



- The 2040 Policy Map (2022) recommends Commercial place type for the site.

- **TRANSPORTATION SUMMARY**

- The petition is located on the east side of South Tryon Street, a State-maintained major throughfare south of West Woodlawn Road, a State-maintained major throughfare. A Traffic Impact Study (TIS) is not required for this site due to the site generating less than 2,500 daily trips. CDOT has coordinated with the petitioner to provide a signalized pedestrian crossing across the Nations Ford Road approach. All outstanding CDOT comments have been addressed.

- **Active Projects:**

- Tryon Street at Nations Ford Road and Yorkmont Road Pedestrian Safety Improvements
 - Install crosswalks, pedestrian crossing signals, ramps and other items needed to allow pedestrians to safely cross this street.
 - Anticipated completion early 2023
- Norfolk/Southern Railroad Bridge Replacement
 - TIP #B-5984
 - Design phase
 - Maybe implemented as a standalone project or be incorporated into I-5718 project.
- I-77 Widening/Managed Lanes (I-277/US 74 (Belk Freeway) Interchange to South Carolina State Line)
 - TIP# I-5718A
 - Right-of-way – 2029 (with current funding and project delivery assumptions)

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 4305 trips per day (based on 62,687 sqft retail, 1,485 sqft general office, 1,878 sqft of warehouse).

Entitlement: 5045 trips per day (based on 99,350 sqft of retail, 29,800 sqft warehouse).

Proposed Zoning: 2,540 trips per day (based on 317 multi-family dwellings and 20,000 sqft retail).

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** See advisory comments at www.rezoning.org
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 65 students, while development allowed with the proposed zoning may produce 115 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is 50 students.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Pinewood Elementary from 100% to 109%
 - Alexander Graham Middle from 108% to 109%
 - Harding University from 129% to 131%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Nations Ford Road, an existing 8-inch water distribution main in South Tryon Street, and an existing 24-inch water transmission main in South Tryon Street. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located Nations Ford Road and an existing 8-inch gravity sewer main located within parcels 169-04-230, 169-04-229, and 169-04-225. See advisory comments at www.rezoning.org
- **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 outstanding issues.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Urban Forestry / City Arborist:** No outstanding issues.

OUTSTANDING ISSUESLand Use

1. The site is recommended for Commercial place type. The proposed ~~20,000~~ 5,000-square foot of non-residential uses is not sufficient to meet the intent of the Commercial place type. **Staff requests a commitment on the timing of construction for the 20,000 SF of commercial, and a more direct commitment of ground floor commercial uses in buildings facing S. Tryon St.**

Site and Building Design

2. ~~Show any existing or proposed pedestrian crossings across Nations Ford Road and South Tryon Street and label accordingly.~~ **Addressed**
3. ~~Amend architectural standards to address treatment of facades facing public streets for example including vertical masonry recesses and prominent columns.~~ **Addressed**
4. ~~Amend architectural note 4.C(1) by removing the option for other materials approved by the planning director.~~ **Addressed**
5. ~~Amend the site plan to provide locations for the sale of goods and services along major streets near interchanges.~~ **Addressed**

Transportation

6. ~~Provide dimensions for the ROW and back of curb for Road A.~~ **Addressed**
7. ~~Shift bike ramp to precede the pedestrian crossing, extend the MUP to new ramp location.~~ **Addressed**
8. ~~CDOT requests the petitioner provide a signalized ped crossing at Nations Ford Rd. at the existing traffic signal to aide safe pedestrian circulation at the intersection which does not currently have any pedestrian accommodations. There is a City CIP project installing 2 additional crossings at this location but because no sidewalk existed at the development site the project did not provide a crossing.~~ **Addressed**
9. ~~Install ramps, crosswalk, and pedestrian signals to cross Nations Ford Road. CDOT CIP project is planning on installing cold joints in the pork chop island for a 12' ramp to cross Nations Ford. Due to the curb line moving to accommodate the buffered bike lane, the CIP project cannot install the ramps.~~ **Addressed**

REQUESTED TECHNICAL REVISIONS

10. **Create a second sheet for the conditional notes and clarify the note order/numbering.**
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Additional information (department memos, site plans, maps etc.) online at www.rezoning.org

Planner: John Kinley (704) 336-8311