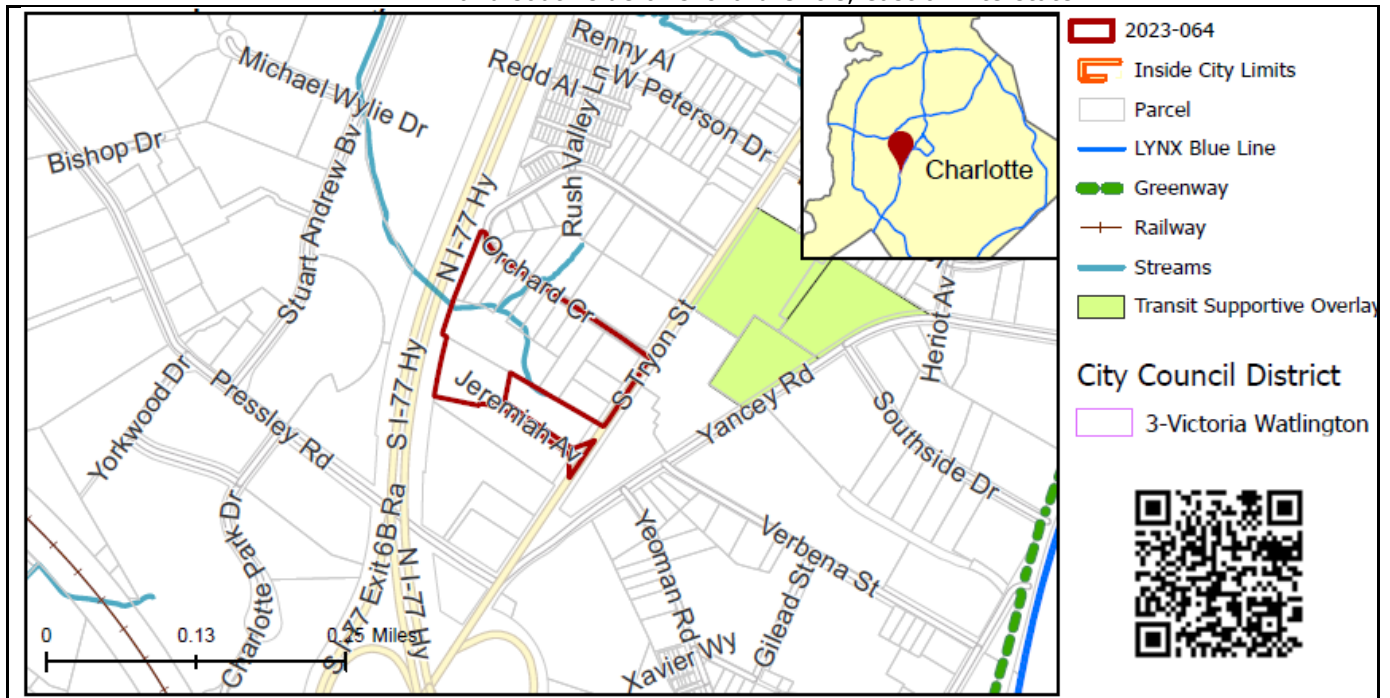


**REQUEST**

Current Zoning: N1-D (neighborhood 1-D), CG (general commercial), and I-1(CD) (light industrial, conditional)  
Proposed Zoning: TOD-NC (transit-oriented development-neighborhood center)

**LOCATION**

Approximately 9.072 acres located on the west side of South Tryon Street and south side of Orchard Circle, east of Interstate 77.



**SUMMARY OF PETITION**

The petition proposes to allow all uses in the TOD-NC zoning district on acreage developed with residential homes, an office, and vacant land.

**PROPERTY OWNER**

KAG LLC

**PETITIONER**

Southend Walk, LLC

**AGENT/REPRESENTATIVE**

Collin Brown and Brittany Lins – Alexander Ricks PLLC

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 2

**STAFF RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the 2040 Policy Map recommendation for Neighborhood 1, Commercial, Innovation Mixed-Use, and Manufacturing Logistics Place Types.

Rationale for Recommendation

- The site is within a 1-mile walk of the Scaleybark Station.
- The TOD-NC district may be applied to parcels within a 1-mile walking distance of an existing rapid transit station or within a 1-mile walking distance of an adopted Metropolitan Transit Commission (MTC) alignment station location.

- Immediately adjacent to the site are a number of parcels zoned TOD-NC, representing an ongoing shift in this area to more transit-supportive redevelopment projects.
- Though the rezoning site is inconsistent with the recommended place types, the parcels are adjacent to areas under the Neighborhood Center and Community Activity Center Place Types on two sides and the area is near the major transit corridors in lower South End.
- The use of conventional TOD-NC 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.
- The site is served by the number 16 CATS local bus along South Tryon Street.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 1: 10 Minute Neighborhoods
  - 4: Trail & Transit Oriented Development
  - 5: Safe & Equitable Mobility
  - 6: Healthy, Safe & Active Communities

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from current Neighborhood 1, Commercial, Innovation Mixed-Use, and Manufacturing Logistics Place Types to the Neighborhood Center Place Type for the site.

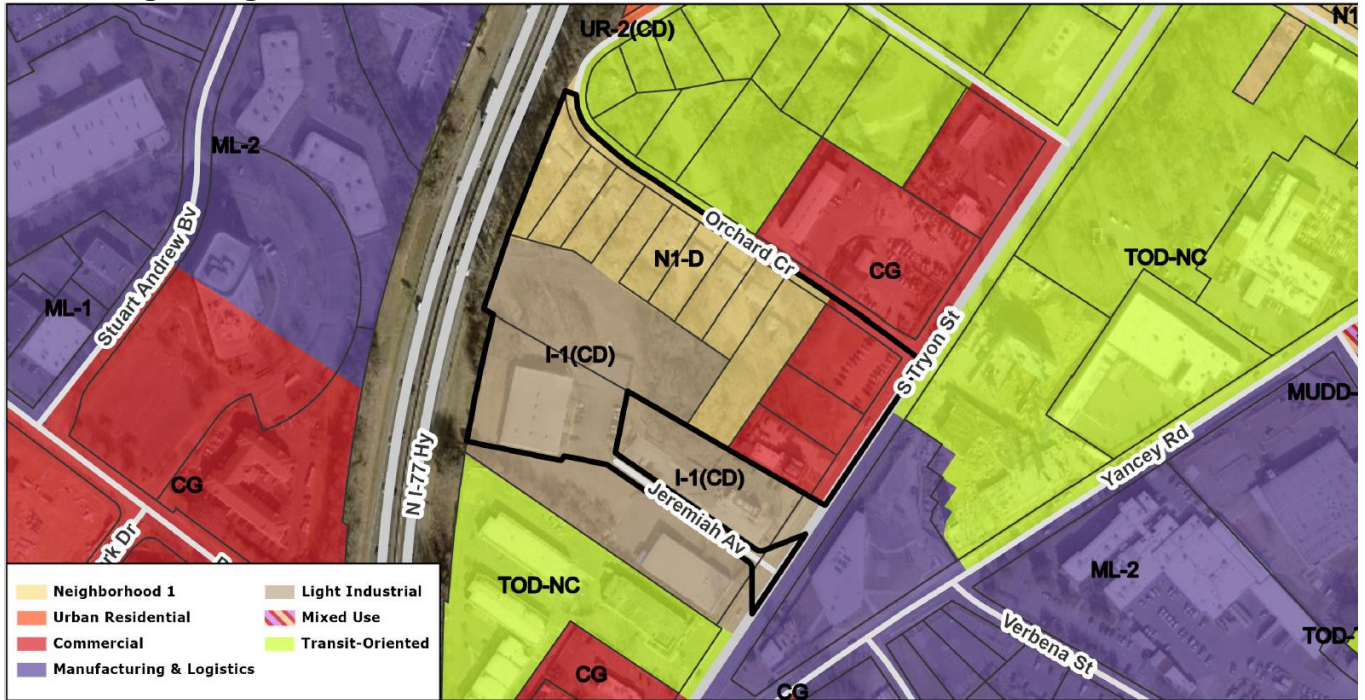
#### **PLANNING STAFF REVIEW**

- **Proposed Request Details**

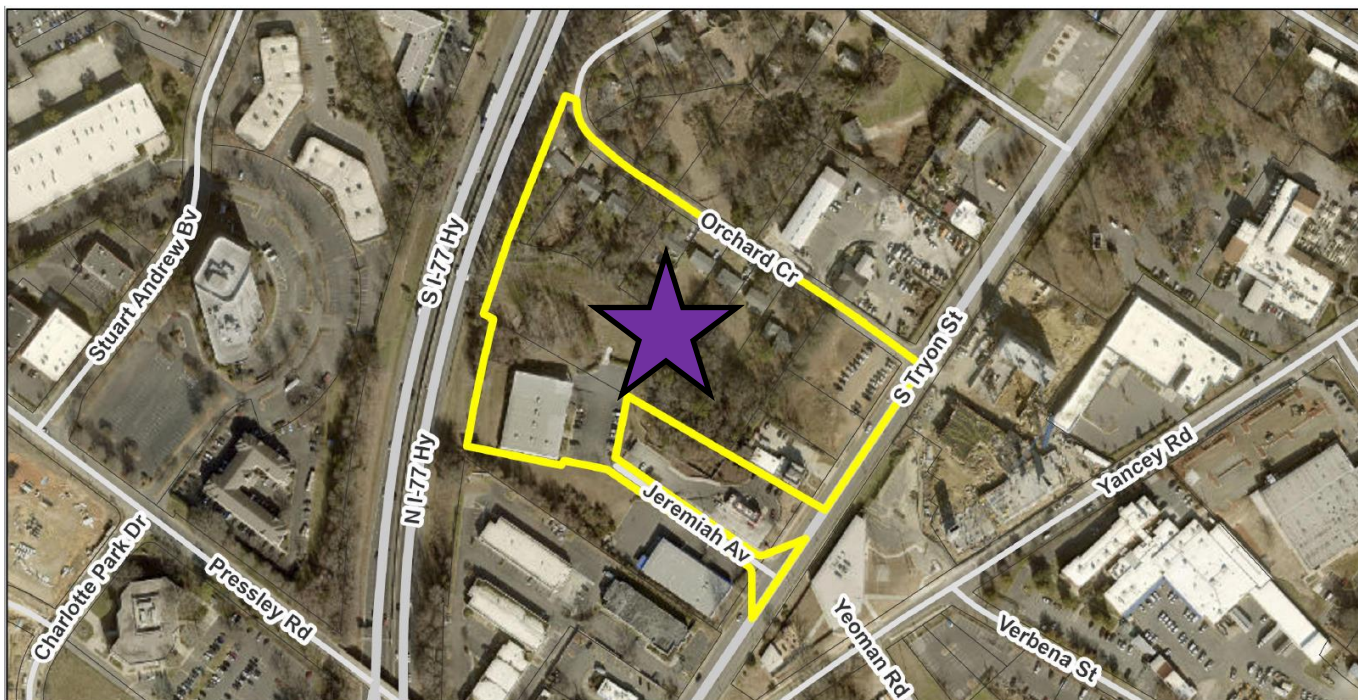
This is a conventional rezoning petition with no associated site plan to allow all uses by right and under prescribed conditions in the TOD-NC (transit-oriented development, neighborhood center). The TOD-NC Transit Neighborhood Center Zoning District is intended for use in existing or future transit station areas and near streetcar stops as a transition from a higher intensity TOD-UC Zoning District to adjacent existing neighborhoods, or where the rehabilitation and reuse of existing structures is important to preserving the character of established neighborhoods.



• Existing Zoning



The rezoning site is developed with a commercial building, office building, residential homes and vacant land and surrounded by a mix of office, commercial, warehouse distribution, a variety of housing types, and vacant land on parcels in different zoning districts.



The rezoning site (denoted by purple star) is surrounded by a mix of residential and nonresidential uses.





A portion of the rezoning site is developed with an office building.



A portion of the rezoning site along Orchard Circle is developed with residential homes.



A portion of the site along S. Tryon Street is developed with an office building and vacant land.





North of the site are vacant land and commercial uses (above and below pics).



North of the site are residential uses.





East, across South Tryon Street, are a mix of residential and nonresidential uses.



South and along S. Tryon Street are commercial and warehouse/distribution uses.

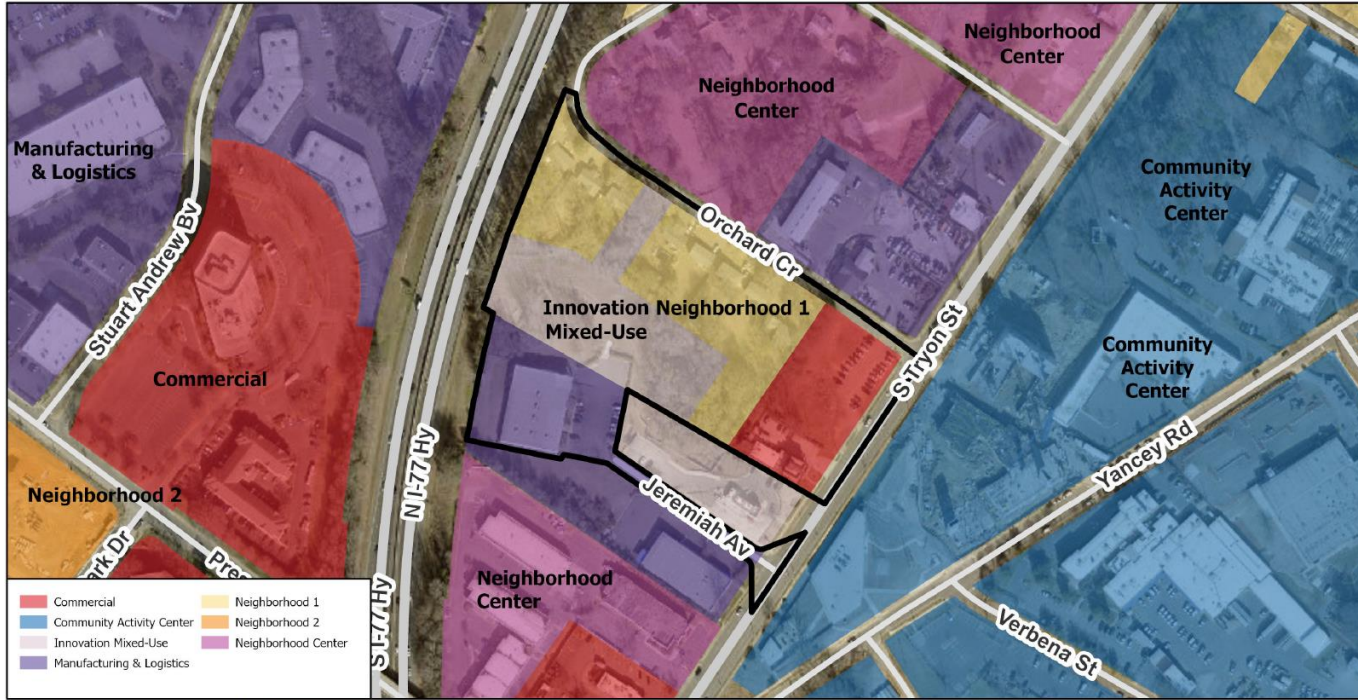
• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2022-179	Rezoned 5.65 acres from B-2 to MUDD(CD).	Approved
2022-097	Rezoned 3.24 acres from I-1(TS-O) to TOD-NC.	Approved
2022-019	Rezoned 3.74 acres from B-2 to TOD-NC.	Approved
2022-001	Rezoned 2.99 acres from I-2(TS-O) and R-8 to TOD-NC.	Approved
2021-225	Rezoned 5.81 acres from R-8 to TOD-NC.	Approved
2021-217	Rezoned 3.513 acres from R-8 and B-2 to TOD-NC.	Approved
2021-076	Rezoned 5.74 acres from R-8, O-2, and I-2(TS-O) to TOD-NC.	Approved
2021-067	Rezoned 3.45 acres from I-2 to TOD-NC.	Approved
2020-054	Rezoned 0.75 acres from TOD-MO to TOD-UC.	Approved



• **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Neighborhood 1, Commercial, Innovation Mixed-Use, and Manufacturing Logistics Place Types.

• **TRANSPORTATION SUMMARY**

The site is adjacent to South Tryon Street, a State-maintained major arterial, north of Yancy Road, a City-maintained major collector. A Comprehensive Transportation Review (CTR) is not necessary for the complete review of this petition due to the conventional rezoning. A CTR will be required during permitting if the site generates site trips over ordinance thresholds. The site will be subject to transportation improvements in accordance with the UDO 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 this place type and zoning district.

• **Active Projects:**

- OMB Multi-family
  - Commercial urban transit-oriented development constructing multifamily units located at 4225 S Tryon Street.
  - Currently in progress
- Broadstone Yancy
  - Commercial project constructing multifamily units located at 4200 S Tryon Street.
  - Project currently in review
- LoSo Apartments
  - Commercial urban transit-oriented development constructing multifamily units located at 135 Orchard Circle.
  - Currently in progress

• **Transportation Considerations**

- No outstanding issues.

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 70 ft trips per day (based on 19,396 sq ft warehousing).

Entitlement: 125 trips per day (based on 54,300 sq ft warehouse).

Proposed Zoning: too many uses to determine (based on proposed TOD-NC).

**DEPARTMENT COMMENTS**

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Fire Department:** No outstanding issues.



- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
  - **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along S. Tryon Street. The proposed rezoning is located in an area that Charlotte Water has determined to have limited sanitary sewer system capacity. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Erosion Control:** 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.
  - **Stormwater Services Land Development Engineering:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry / City Arborist:** No outstanding issues.
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**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**  
**Planner:** Claire Lyte-Graham (704) 336-3782