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<b>REQUEST</b>	Proposed Zoning: CC SPA, commercial center, site plan amendment
<b>LOCATION</b>	Approximately 37.3 acres at the intersection of Johnston Road and Toringdon Way surrounded on the south side by Interstate 485.
<b>CENTER, CORRIDOR OR WEDGE</b>	Center
<b>SUMMARY OF PETITION</b>	This proposal would internally relocate approximately 240 previously approved multi-family residential units, decrease the approved retail space by 52,000 square feet, increase office space by 38,000 square feet, and add a 120-room hotel.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition. This petition is consistent with the <i>South District Plan</i> .
<b>Property Owner</b>	Lichtin Toringdon I, LLC
<b>Petitioner Agent/Representative</b>	Lichtin Corporation (attn: Jeff Smith) Jeff Brown and Keith MacVean King & Spalding LLP
<b>Community Meeting</b>	Meeting is required and has been held. Report available online.

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#### **PLANNING STAFF REVIEW**

- **Background**

The subject property was part of a larger rezoning in 1999 that incorporated 172 acres on the east and west corners of the intersection of Johnston Road and Interstate 485. The rezoning from R-3 to CC by Petition 1999-88 allowed a mixed use development with office, retail, hotel and residential uses.

Since the construction of Johnston Road, three (3) subsequent rezoning petitions amended the site plan for the 1999 petition for approximately 37.3 acres at the northwest corner of the intersection of Johnston Road and Interstate 485.

The most recent site plan amendment, Petition 2008-040, allows the following development:

- 685,000 square feet office
- 64,000 square feet retail
- 260 residential units

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Relocation of 240 multi-family residential units, with a four-story maximum height, to the corner of North Community House Road and Toringdon Way (private street). 17 townhomes with garages remain along North Community House Road just north of I-485.
- A new 120-room hotel located to the rear of the townhomes.
- An additional 40,000 square feet of office space located behind the hotel in an office building containing a total of 94,000 square feet. This results in a total of 725,000 square feet of office.
- The 64,000 square feet of retail will be reduced to 11,500 square feet.
- Parking requirements that are partially met by an approved shared parking plan and bonuses for extra bicycle parking. The shared parking provides a minimum of one parking space per multi-family unit at all hours.
- A new CATS bus pad and 50 non-exclusive parking spaces along Johnston Road.
- The rezoned area to comply with PCCO regulations.

- **Existing Zoning and Land Use**

The subject property is zoned commercial center (CC) and is occupied by an office complex with a small amount of accessory retail. To the north is a neighborhood shopping center also zoned CC. Undeveloped land zoned R-3 is found to the east, with I-485 to the south. Across Johnston Road to the west is an apartment complex and shopping center zoned CC.

- **Rezoning History in Area**

Recent rezonings in the area include:

- A CC site plan amendment for a fitness center was approved for the shopping center across Johnston Road in 2008.
- A rezoning to MX-2 was approved north of North Community House Road in 2006.

- **Public Plans and Policies**

- *The South District Plan* (1993) as amended by petition 2008-040 recommends retail, office, and residential uses for this site.
  - This petition is consistent with the *South District Plan*.
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**PUBLIC INFRASTRUCTURE** (see full department reports online)

- **Vehicle Trip Generation:**

Current Zoning: 10,000 trips per day.

Proposed Zoning: 9,000 trips per day.

- **CDOT:** No issues.
  - **Charlotte Fire Department:** No issues.
  - **CATS:** No issues.
  - **Connectivity:** No issues.
  - **Neighborhood & Business Services:** No issues.
  - **Schools:** The proposed development would generate 57 students. There is no net change in number of students generated from the site plan amendment.
  - **Park and Recreation:** No comments received.
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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Storm Water:** No issues.
  - **LUESA:**
  - **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies*.
    - Facilitates the use of alternative modes of transportation by providing a CATS bus pad and 50 non-exclusive parking spaces.
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**OUTSTANDING ISSUES**

- No issues.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- CATS Review
- CDOT Review
- CFD Review
- CMS Review
- Community Meeting Report
- LUESA Review
- Neighborhood & Business Services Review
- Site Plan
- Storm Water Review

**Planner:** Tom Drake (704) 336-8312