

REQUEST	Current Zoning: R-17MF, multi-family residential Proposed Zoning: NS, neighborhood services and MUDD-O, mixed use development district, optional
LOCATION	Approximately 20 acres located on the east side of Monroe Road between Idlewild Road and Conference Drive.
SUMMARY OF PETITION	The petition proposes a mixed use development consisting of up to 275 multi-family residential units and up to 54,000 square feet of office, retail, and restaurant uses.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Goode Development Corporation & Goode Properties Goode Development Corporation & Goode Properties Walter Fields
COMMUNITY MEETING STATEMENT OF CONSISTENCY	Meeting is required and has been held. Report available online. This petition, with the exception of Block 1, is found to be consistent, with the <i>Independence Boulevard Area Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Walker seconded by Commissioner Phipps).

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted unanimously to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Land Use <ol style="list-style-type: none"> a. Reduced the maximum number of drive-through service windows allowed from six to four. b. Deleted statement under Blocks 2, 3, and 6 that the limit on the number of accessory drive-through service windows will not be applicable to businesses in multi-tenant buildings. c. Amended Notes under Blocks 3, 4, 5, and 6 to replace "associated" uses with "accessory" uses in reference to multi-family. d. Limited automotive service station and/or convenience store to Block 1. e. This request was removed by staff: Limit drive through service windows as accessory to a financial institution, dry cleaner or bank in Block 5 and Block 6. f. Amended the Development Data Table to delete reference to nonresidential uses. g. This request was removed by staff: Add a note clarifying whether the 4,000 square foot multi-tenant building allowed in Block 2 or 6 is included in the 15,000 square foot maximum for additional non-residential." h. Deleted duplicate reference to limit on accessory drive-through service windows in Block 5. i. Eliminated the term "restaurant type uses" used in Block 1 notes. j. Maximum nonresidential square footage is listed as 54,000 square feet. 2. Community Design <ol style="list-style-type: none"> a. Added note that buildings will have direct frontage and useable entrances along Monroe Road.
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- b. Added note that accessory drive-through windows shall not be located on the side of the building that directly fronts Monroe Road or any public or private street that intersects with Monroe Road.
- c. Indicated that parking/driveways will be located on no more than two sides of any open space.
- d. Relabeled "Typical Common Open Space" detail as "Block Park".
- e. Provided a minimum landscaping width in front of the knee wall.
- f. Deleted Notes B and C under Architectural Standards.
- g. Deleted Note G under Architectural Standards.
- h. Amended Note J under Architectural Standards to delete "to the greatest extent practicable".
- i. Amended Note A under Architectural Standards to remove inclusion of a member of the Planning Staff in the Architectural Control Committee. Staff originally requested the addition of this note; however, the staff review required by the conditional plan for NS zoning and staff review required by the ordinance for MUDD are sufficient.
- j. Amended Note J under Architectural Standards as follows: "Individual site layouts and building elevations for the NS portion of the site will be reviewed and approved by the Planning Department for compliance with the provisions of this plan as part of the normal site plan/building permit review process and in accordance with the review schedules of that process.
- k. Deleted "At least 50% of" from the beginning of Note H under Architectural Standards.
- l. Amended Note J to add Conference Drive.
- m. Provided specific building envelopes for the blocks proposed to be rezoned to NS.
- n. Provided a note indicating that no parking or vehicular circulation will be allowed between buildings and public right-of-way for Block 2.
- o. Provided a note requiring a minimum of 65 percent building frontage along Monroe Road for Blocks 2, 3, 4 and 6, a minimum 65 percent along Conference Drive in Block 5, and a minimum 50 percent along Conference Drive along Block 6.
- p. Amended note under Architectural Standards to delete the reference to the City of Charlotte property.
- q. Modified note under Parks, Greenways and Open Space to state that block park areas may be expanded to provide for on-site open space so long as the minimum dimension of the expanded Block Park extends at least 15 feet behind the edge of the sidewalk. Additional plantings consistent with the standards of the Tree Ordinance will be installed as part of any expanded Block Park.

3. Mobility

- a. Provided commitment to provide 6-foot sidewalk and 8-foot planting strip along Monroe Road.
- b. Added optional request to allow maneuvering between the building and Conference Drive in Block 6.
- c. CATS comments:
 - 1) This request was removed by CATS: Add note that existing CATS bus stops, waiting pads, and shelters will be preserved along Monroe Road or will be restored by the petitioner if impacted by the proposed construction.

- d. CDOT comments:
 - 1) This request was removed by CDOT: Monroe Road should be widened and designed as an "Avenue Street" per the Charlotte Land Development Standards Manual. This entails that the roadway be designed with lower target speeds to better service pedestrians, bicyclists, and vehicles. The redesigned street should also include street trees, strategically spaced raised medians to restrict vehicle access where necessary, and pedestrian refuge areas, and should not include a continuous two-way left turn lane. Fifty feet of right-of-way from the centerline will be required.
 - 2) This request was removed by CDOT: Convey right-of-way in fee simple title for Conference Drive and Idlewild Road.
 - 3) Added the following note: "The Petitioner will be responsible for the implementation costs for a possible future traffic signal to be installed at the intersection of Monroe Road and Knickerbocker Drive, including signal design costs, r/w and/or easements on the west side of Monroe Road near Knickerbocker Drive, accessible ramps and crosswalks on all four corners, and interconnect conduct/cable or other acceptable technology between Idlewild Road and Conference Drive. CDOT will provide the petitioner 90 days notice if and when traffic signal funds are needed to commence the signal design. Should CDOT not receive funding for this improvement holds will be placed on building permits and certificates of occupancy. The installation date for this possible traffic signal will be determined by CDOT and NCDOT."
 - 4) Added the following note: "The exact design of the improvements to Monroe Road will be determined through a cooperative process that will involve the Petitioner, CDOT, and NCDOT that will occur after the petition is approved."
- 4. General
 - a. Amended optional provision to clarify that parking is allowed between the building and the setback of the future street parallel to Monroe Road.
 - b. Corrected spelling of Knickerbocker Drive in Block 3 section.
 - c. Added phasing requirements that tie new development to the demolition of existing multi-family housing.
 - d. Showed possible location of dumpster and recycling areas.
 - e. Labeled possible location of storm water detention areas.

VOTE

Motion/Second:	Dodson/Walker
Yeas:	Dodson, Fallon, Firestone, Lipton, Phipps, Rosenburgh, and Walker
Nays:	None
Absent:	None
Recused:	None

**ZONING COMMITTEE
DISCUSSION**

Staff reviewed the petition noting that all of the outstanding issues had been addressed. One Committee member asked why Block 1 is not considered consistent with the adopted plan. Staff responded that Block 1 contains the proposed automotive service station, which is a major auto-oriented use. Another Committee member questioned whether Block 1 was totally inconsistent. A Committee member expressed concern about supporting a proposal that deviates from a recently adopted area plan. Staff explained that the staff's recommendation in support of the petition is reflective of amendments that addressed land use, urban design, and site layout issues, while taking into consideration market realities.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW**• Proposed Request Details**

- The site plan accompanying this petition contains the following provisions:
 - Maximum 54,000 square feet of nonresidential uses.
 - Allowance of all uses permitted in the NS and MUDD districts, with the exception of the following prohibited uses: hotels and nightclubs/bars/lounges.
 - Up to four accessory drive-through service windows, with the following limits: no more than two restaurants, no more than two financial institutions, and no more than one pharmacy.
 - One automotive service station with or without convenience store.
 - Uses permitted in freestanding or multi-tenant buildings.
 - Non-residential floor area located on upper stories within mixed use buildings will not be counted toward the nonresidential floor area limit.
 - Crosswalks that are marked and raised where a pedestrian pathway or sidewalk would cross a drive aisle within an individual site.
 - Public and private streets, which will remain open to traffic at all times unless closed for emergency or publically sanctioned/required purposes.
 - Overlapping cross-access rights for all retail parking areas within the site.
 - Four-sided architecture.
 - Maximum height of 60 feet or four stories, whichever is less.
 - Standards regarding building design and development.
 - Building materials for elevations that orient to or are visible from the street shall be brick, stone, EIFS or stucco, decorative metal panes, and cementitious or wood board. Vinyl siding will not be used as a primary exterior building material.
 - Building elevations representing multi-family residential buildings and single-story multi-tenant non-residential.
 - Building walls that front on public streets will have no more than 20 linear feet of blank wall.
 - A recessed pedestrian open space area per block along Monroe Road.
 - Freestanding lights limited to 30 feet in height.
- Optional Provisions include:
 - Permit drive-through service windows as accessory to retail, financial institutions, and/or restaurants.
 - Allow parking between buildings and a future street that may be built on an abutting property.
 - Allow maneuvering between the building and the street in Block 1.

- Block 1
 - Retail, office, convenience store, automotive service station, and/or restaurant type uses.
 - Individual sites or a building with multiple uses.
 - Up to two accessory drive-through service windows.
 - Block 2
 - Retail, office, convenience store or restaurant uses.
 - Individual sites or a building with multiple uses.
 - At least one multi-tenant building of at least 4,000 square feet may be developed for a combination of retail and/or office uses.
 - Up to two accessory drive-through service windows for freestanding businesses
 - Minimum 65 percent of the building frontage along Monroe Road composed of building walls, building architectural elements, and/or extensions of building walls or other architectural elements or building façade extensions.
 - Block 3
 - Multi-family residential and accessory uses, retail, office and restaurant uses.
 - Up to one freestanding accessory drive-through service window.
 - Drive through service window for a restaurant not permitted.
 - Individual building sites or a building with multiple uses.
 - Any retail, office, or restaurant uses proposed on an individual site may only be located on a portion of Block 3 that adjoins the extension of Knickerbocker Drive.
 - Block 4
 - Multi-family residential and accessory uses.
 - Block 5
 - Multi-family residential and accessory uses, retail, office and restaurant uses.
 - Individual sites or a building with multiple uses.
 - Up to one accessory drive-through service window.
 - Block 6
 - Multi-family residential and accessory uses, retail, office, and restaurant uses.
 - Individual sites or a building with multiple uses.
 - At least one multi-tenant building of at least 4,000 square feet may be developed for a combination of retail and/or office uses.
 - Up to one accessory drive-through service window for a freestanding business.
 - However, this limit does not apply to businesses in multi-tenant buildings.
 - Drive through service window for a restaurant not permitted.
 - **Public Plans and Policies**
 - The Independence Boulevard Area Plan recommends a development node with a pedestrian-friendly mixture of retail, office and residential land uses.
 - The petition, with the exception of Block 1, is consistent with the *Independence Boulevard Area Plan*.
 - **Staff Recommendation (Updated)**
 - Staff recommends approval of this petition as modified.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Department of Transportation:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The proposed development would generate 99 students. The net change in number of students generated from existing zoning to the proposed zoning is zero.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.

- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This rezoning proposes redevelopment of an existing multi-family complex.
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OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

Planner: Sonja Sanders (704) 336-8327