

REQUEST Current Zoning: CC, commercial center and R-17MF(CD), multi-family residential, conditional
Proposed Zoning: CC SPA, commercial center, site plan amendment and CC, commercial center

LOCATION Approximately 11.0 acres located on the southwest corner of the intersection of South Tryon Street and Steele Creek Road.

SUMMARY OF PETITION The petition proposes a 100,000 square foot development that would be occupied with predominantly office uses along with support retail uses.

PROPERTY OWNER Steele Creek 1997 Limited Partnership
PETITIONER Steele Creek 1997 Limited Partnership
AGENT/REPRESENTATIVE Jeff Brown and Keith MacVean, King and Spalding, LLP

COMMUNITY MEETING Meeting is required and has been held. Report available online.

STATEMENT OF CONSISTENCY This petition is found to be consistent with the Steele Creek Area Plan and reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Zoutewelle seconded by Commissioner Allen).

ZONING COMMITTEE ACTION The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition with the following modifications:

1. Modified Note 2d on Sheet RZ-3 pertaining to "Building Edge" to commit to both building edges within building/parking envelopes C and D.
2. Provided sidewalk connections out to the abutting public/private streets to facilitate a better sidewalk network.
3. Addressed the following CDOT issues.
 - a. The petitioner complied with the Traffic Impact Study's (TIS) mitigation proposal
 - b. The revised TIS addressed NC 49/NC 160 traffic impacts caused by the proposed development by restriping the existing dedicated NB/SB NC 160 right-turn lanes to thru/right turn lanes.
 - c. The NC 160 continuous raised median CDOT issue was addressed with a revision to the conditional notes, received Monday, February 27, 2012.

VOTE

Motion/Second:	Zoutewelle/Firestone
Yeas:	Allen, Dodson, Firestone, Phipps, Rosenburgh and Zoutewelle
Nays:	None
Absent:	Griffith
Recused:	None

ZONING COMMITTEE DISCUSSION Planning staff presented the petition to the Committee and indicated all outstanding issues had been addressed.

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**• Background**

The subject site was part of a larger 525 acre rezoning approved in 1992 (rezoning petition 1992-014c) that included all four quadrants of the South Tryon Street and Steele Creek Road intersection. The portion of the previous rezoning that included this site and the property included in rezoning petition 2011-083 allowed for 70,850 square feet of office space and 495 multi-family units. The majority of the remaining balance of the 1992 petition has been modified through various rezoning petitions since the original rezoning approval.

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Maximum of 100,000 square feet of all uses permitted within the CC zoning district excluding residential dwellings and some commercial uses.
- Limit of one single story building devoted to restaurant, retail and personal service uses which shall not exceed 20,000 square feet. Other restaurant, retail and personal service uses will be allowed but limited to the ground floor of buildings that contain a minimum of 8,000 square feet of office related uses.
- Limit of one financial institution with accessory drive through windows. No other uses will be allowed with accessory drive through windows.
- "Building Edges" identified at certain intersections to indicate where building footprints must be located.
- Building height limited to four stories.
- Building materials will be a combination of brick, stone, simulated stone, precast stone, precast concrete, synthetic stone, stucco, EFIS or wood.
- A 50-foot landscaped setback along South Tryon Street, a 35-foot landscaped setback along Steele Creek Road, and a 14-foot setback along both Old Steele Creek Road and the proposed internal public street.
- A proposed internal public street connecting Walker Branch Drive with Steelescroft Parkway, a private street running east/west along the northern portion of the site, and a private drive running north/south connecting these two internal streets.
- An eight-foot planting strip and six-foot sidewalk will be provided along the site's frontage on South Tryon Street, Steele Creek Road, Old Steele Creek Road, and along both side of the proposed internal public street and the private street located along the northern portion of the site.
- Open space areas equaling 15 percent of the site will be provided.
- Full cut-off lighting fixtures limited to 20 feet in height, excluding lower decorative lighting.
- No "wall pak" type lighting shall be allowed. Wall mounted decorative lighting fixtures such as sconces are permitted.
- Two concrete CATS passenger shelter pads will be installed along Old Steele Creek Road.
- Preferred parking spaces for "clean commuters" (i.e. carpool, vanpool, hybrid vehicles, or electric vehicles) will be provided at an amount equal to five percent of the total number of required parking spaces.

• Public Plans and Policies

- The recently adopted *Steele Creek Area Plan* recommends a mix of land uses including residential, office and/or retail for this parcel. Two or any combination of these land uses is appropriate per the draft plan recommendation. Horizontally integrated land uses should be interconnected so the buildings function collectively with common pedestrian connections and open space.
- The *Lower Steele Creek Mixed-Use Development Center Special Project Plan (1992)* recommends office development for the northern portion of this site, and multi-family for the southern portion of this site.
- The petition is consistent with *Steele Creek Area Plan* land use recommendation for a mix of land uses. While there is no residential component included in this petition, there are a number of multi-family residential developments located within the RiverGate Mixed Use Activity Center. The community design recommendations of the draft plan will be achieved once the outstanding issue regarding internal sidewalks are addressed.

- **Staff Recommendation (Updated)**
 - Staff agrees with the recommendation of the Zoning Committee.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Charlotte Department of Solid Waste Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** No issues.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
-

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*.
 - Facilitates the use of alternative modes of transportation by providing preferred parking spaces for “clean commuters” (i.e. carpool, vanpool, hybrid vehicles, or electric vehicles) and provides for two concrete CATS passenger shelter pads.
-

OUTSTANDING ISSUES

- No issues.
-

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 Solid Waste Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

Planner: Shad Spencer (704) 353-1132