

REQUEST	Current Zoning: R-17MF(CD), multi-family residential, conditional Proposed Zoning: CC, commercial center
LOCATION	Approximately 22.0 acres located on the south side of the intersection of Steele Creek Road and Walker Branch Drive.
SUMMARY OF PETITION	The petition proposes a 155,000 square foot shopping center adjacent to the existing RiverGate Shopping Center to include a mix of nonresidential uses.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Steele Creek 1997 Limited Partnership Steele Creek 1997 Limited Partnership Jeff Brown and Keith MacVean, King and Spalding, LLP
COMMUNITY MEETING STATEMENT OF CONSISTENCY	Meeting is required and has been held. Report available online. This petition is found to be consistent with the Steele Creek Area Plan and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Allen seconded by Commissioner Zoutewelle).

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. Increased the height of the screen wall shown on Cross-Section D on Sheet RZ-2 and indicated the minimum height to be 2 to 2.5 feet high. 2. Provided a note under "Streetscape and Landscaping" on Sheet RZ-3 that walls and/or plantings will be used to screen the loading dock/service areas from the open space/plaza areas. 3. Modified Note 2e on Sheet RZ-3 as follows: "...the drive-through window and its associated drive lane may be located between the building and Steele Creek Road or between the building and Private Street B. In such event, the Petitioner will provide a low wall (1.5 to 2 to 2.5 feet high) and low accent planting...". 4. Modified Note 2g on Sheet RZ-3 to commit to all building edges identified on the site plan. 5. Removed the last sentence within Note 6g on Sheet RZ-3 which read: "In areas where the multi-use trail is more than five (5) feet below the grade of the service area the trees and shrubs may be omitted". 6. Modified Note 8b on Sheet RZ-3 to indicate the petitioner will initiate the procedure to convey land for greenway prior to the issuance of the certificate of occupancy for the first building located adjacent to the 100-foot SWIM buffer. 7. Addressed the following CDOT issues. <ol style="list-style-type: none"> 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:	Allen/Dodson
	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 2011-082 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 155,000 square feet of all uses permitted within the CC zoning district excluding residential dwellings, hotels, motels, and movie theaters.
- Minimum of one medical or general office building.
- Limit of one use with an accessory drive through window.
- "Building Edges" identified at certain intersections to indicate where building footprints must be located.
- Building height limited to four stories.
- Building materials, colors, and architectural style to be similar to the existing RiverGate Shopping Center. Building materials will be a combination of brick, stone, simulated stone, precast stone, precast concrete, synthetic stone, stucco, EFIS or wood.
- Two internal private streets. One street with 10-foot planting strips and six-foot sidewalks on both sides of the street. The other street containing one side of on-street parking, an eight-foot planting strip and six-foot sidewalk and the other side with a 12-foot wide pedestrian zone which includes a sidewalk with trees in planters or tree pits.
- A 35-foot landscaped setback along Steele Creek Road and a 14-foot setback along Walker Branch Road.
- An eight-foot planting strip and six-foot sidewalk along Steele Creek Road and the existing streetscape along Walker Branch Road of an eight-foot planting strip and six-foot sidewalk to remain.
- Dedication of the 100-foot SWIM buffer along Hoover Creek to Mecklenburg County Parks and Recreation.
- Two plaza/open space areas improved with seating areas and landscaping.
- An 8-foot wide asphalt multi-use trail, within the greenway, extending from the Steele Creek Road sidewalk to the two internal plaza/open space areas.
- Full cut-off lighting fixtures limited to 30 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.

- 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.
 - 25 non-exclusive parking spaces for CATS transit customers.
 - **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. Buildings should make use of the greenways and open space amenities, and front Walker Branch Drive and Steele Creek Road.
 - The *Lower Steele Creek Mixed-Use Development Center Special Project Plan (1992)* recommends multi-family for 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.
 - **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 issues.
-

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 also allocating 25 non-exclusive parking spaces for CATS transit customers.

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
- Mecklenburg County Parks and Recreation Review

Planner: Shad Spencer (704) 353-1132