REQUEST
Current Zoning: MUDD-O, mixed use development district, optional
Proposed Zoning: MUDD-O SPA, mixed use development district, optional, site plan amendment

LOCATION
Approximately 2.80 acres located on the north side of West 4th Street Extension at the intersection of Johnson and Wales Way and West 4th Street Extension.

SUMMARY OF PETITION
The petition proposes to rezone 2.80 acres to allow an increase in height to 55 feet in “area one” and allow a six-foot encroachment into the landscape buffer from the previous approved site plan. The plan also proposes a reduction in office, retail square footage and elimination of 250 hotel component from the original approved plan.

PROPERTY OWNER
Gateway West-FCA, LLC

PETITIONER
Gateway West-FCA, LLC

AGENT/REPRESENTATIVE
Keith MacVean

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

STATEMENT OF CONSISTENCY
This petition is found to be consistent with the Charlotte Center City 2020 Vision Plan and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Zoutewelle seconded by Commissioner Firestone).

ZONING COMMITTEE ACTION
The Zoning Committee voted unanimously to recommend APPROVAL of this petition.

VOTE
Motion/Second: Zoutewelle/Allen
Yea's: Allen, Dodson, Firestone, Rosenburgh, and Zoutewelle
Nay's: None
Absent: Griffith and Phipps
Recused: None

ZONING COMMITTEE DISCUSSION
Staff reviewed the petition and noted that there were no outstanding issues. The request is consistent with the Center City 2020 Vision Plan. The Committee did not have any questions.

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 rezoned under petition 2008-086.
  - The approved plan allowed for an optional request for a 180-foot height limit in “area three”.
  - The site plan allowed for the development of: 380 residential units; 60,000 square feet of retail/restaurant; and 200,000 square feet of office, and a 250-room hotel.
  - 20-foot landscape buffer that did not allow any encroachments. Maximum height of 50 feet for “area one”.
- Proposed Request Details
  - The site plan accompanying this petition contains the following provisions:
    - Maximum height of 55 for “area one”.
    - 300 multi-family dwelling units and 10,000 square feet of retail, office and restaurant.
    - Building elevations have been provided.
    - Six-foot encroachment into the 20-foot landscape buffer for balconies.
    - 15-foot encroachment for utilities in the 20-foot landscape buffer located in “utility area A”.
    - Concrete waiting pad for a transit stop along West 4th Street.
• Architectural standards for percentages of masonry building material required on each side.
• Optional request to allow a maximum height of 180 feet in “area three”.

• **Public Plans and Policies**
  • The *Center City 2020 Vision Plan* (2011) recommends office, retail, and residential for the subject property.
  • This request is consistent with the *Center City 2020 Vision Plan*.

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

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**DEPARTMENT COMMENTS** (see full department reports online)

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

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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 site meets minimum ordinance standards.

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**OUTSTANDING ISSUES**

• No issues.

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**Attachments Online at** [www.rezoning.org](http://www.rezoning.org)

• Application
• Pre-Hearing Staff Analysis
• Site Plan
• Community Meeting Report
• Charlotte Area Transit System Review
• Charlotte Department of Solid Waste Services Review
• Transportation Review
• Charlotte-Mecklenburg Schools Review
• Charlotte-Mecklenburg Storm Water Services Review
• Urban Forestry Review

**Planner:** Solomon Fortune  (704) 336-8326