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<b>REQUEST</b>	Current Zoning: CC, commercial center Proposed Zoning: CC SPA, commercial center, site plan amendment
<b>LOCATION</b>	Approximately 7.55 acres located on the west side of Johnston Road between North Community House Road and Porterfield Road.
<b>SUMMARY OF PETITION</b>	The petition proposes a site plan amendment to allow up to 8,000 square feet of uses permitted in the CC district, in addition to the 120-room hotel that is already allowed on the site.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is consistent with the <i>South District Plan</i> as amended by previous rezonings.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	NRI Communities/Charlotte, LLC NRI Communities/Charlotte, LLC Jeff Brown and Keith MacVean, King and Spaulding LLP
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report will be available online when received.

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#### **PLANNING STAFF REVIEW**

- **Background**
  - The subject property was part of the 172-acre Toringdon Development rezoning approved in 1999 (rezoning petition 1999-88). This previously approved rezoning allowed for 675,000 square feet of office, 115,000 square feet of retail, 1,056 multi-family units, and a 120-room hotel (substitutable with 85,000 square feet of office uses).
  - Subsequent petitions 2002-006 and 2007-103 approved CC site plan amendments for 78.8 acres of the larger 172-acre site. However, neither rezoning affected the uses allowed on the subject property.
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

  - Maximum of 8,000 square feet of uses permitted in the CC district excluding restaurants with accessory drive-through service and gasoline convenience facilities in a one-story building limited to 18 feet in height.
  - A 120-room hotel limited to five stories in height.
  - Parking prohibited between the building and Johnston Road.
  - Exterior building materials consist of brick, stucco, and/or a combination of those and other masonry materials.
  - Buildings will be architecturally compatible with those in the existing center by use of similar building materials, architectural styles and treatments. Elevation of one-story building shall be reviewed by the Planning Department prior to the issuance of a building permit.
  - A minimum 40-foot wide greenway path easement will be conveyed to the Department of Park and Recreation.
  - Internal sidewalk connections to the existing development and proposed greenway trail.
  - Detached lights limited to 20 feet in height.
- **Existing Zoning and Land Use**
  - The subject property is currently vacant. Properties north and west of Johnston Road are developed with commercial uses along Johnston Road in CC zoning, separated by a greenway from single family dwellings in R-12(CD) to the rear. Properties south and east of Johnston Road are developed with commercial and institutional uses in in CC, MX-2 and R-3 zoning, and a single family neighborhood in R-9(CD) zoning.
- **Rezoning History in Area**
  - Petition 2008-136 approved a CC site plan amendment on a 3.35 acre portion of a previously approved commercial center located on the west side of Johnston Road between North Community House Road and Toringdon Way to allow a 42,000 square foot fitness center.

- **Public Plans and Policies**

- The *South District Plan* (1993), as modified by previous rezonings, recommends a mixture of residential, office, retail and institutional uses.
  - The petition is consistent with the *South District Plan*.
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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
  - **Charlotte Department of Neighborhood & Business Services:** No issues.
  - **Transportation:** No issues.
    - **Vehicle Trip Generation:**  
Current Zoning: 700 trips per day.  
Proposed Zoning: 2,000 trips per day.
    - **Connectivity:** No issues.
  - **Charlotte Fire Department:** No issues.
  - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** Greenway easement should be provided up to the property line abutting property already owned by Park and Recreation, which would allow more width for the trail to be constructed along the steeper slope. All greenway easements should be a minimum of 60 feet in width.
  - **Urban Forestry:** 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*.
  - Protects and restores environmentally sensitive areas by providing a 40 to 60-foot wide greenway easement to allow Mecklenburg County Park and Recreation Department to construct the greenway trail.

**OUTSTANDING ISSUES**

- The petitioner should:
    1. Show and label widths of the existing sidewalk and planting strip along Johnston Road.
    2. Reflect sidewalk and planting strip to the northern property boundary along Johnston Road.
    3. Delete Sheet RZ-2 and carry over applicable notes to Sheet RZ-1.
    4. Address Park and Recreation comments.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- 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
- Urban Forestry Review

**Planner:** Sonja Sanders (704) 336-8327