

REQUEST	Current Zoning: UR-3(CD) (urban residential, conditional) Proposed Zoning: TOD-M(CD) (transit oriented development – mixed-use, conditional)
LOCATION	Approximately 15.50 acres located on the southeast corner at the intersection of West 30 th Street and Chick Godley Road. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to rezone approximately 15.50 acres to allow all uses in the TOD-M (transit oriented development – mixed-use) district.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	First Industrial B & L, LLC Flywheel Group, LLC Tony Kuhn – Flywheel Group, LLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 4
STATEMENT OF CONSISTENCY	<p>This petition is found to be consistent with the <i>Blue Line Extension Station Area Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The plan recommends transit supportive uses for the subject property. <p>Therefore, this petition is found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because the proposed request:</p> <ul style="list-style-type: none"> • Allows all uses in the TOD-M (transit oriented development – mixed-use district; and • Portions of the property are within ½ mile of the 36th Street Station; <p>By a 6-0 vote of the Zoning Committee (motion by Commissioner Nelson seconded by Commissioner Sullivan).</p>
ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modification:</p> <ol style="list-style-type: none"> 1. Modify Note 9 to read, “Greenway Dedication to Mecklenburg County will be completed prior to TOD-M review and approval.”
VOTE	<p>Motion/Second: Ryan/Nelson Yeas: Dodson, Eschert, Labovitz, Nelson, Ryan, and Sullivan Nays: None Absent: Walker Recused: None</p>
ZONING COMMITTEE DISCUSSION	Staff presented this item and stated that all the outstanding issues had been addressed. Staff reviewed the modifications to the site plan since the public hearing. One commissioner asked if building elevations were provided with the petition, and staff stated that they had not been provided. Other commissioners stated that they felt comfortable approving the petition with no elevations since the proposed zoning district is TOD-M (transit oriented development – mixed-use) and this district includes design standards. There was no further discussion of the petition.
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**

- A public hearing was held for this petition on November 17, 2014. During the public hearing, several concerns were raised by the public and City Council about the conventional request in regards to the proposal, sponsorship of the petition, greenway dedication for the Cross-Charlotte Trail and the lack of a site plan. City Council voted to continue the public hearing until their January 21st meeting so staff could provide more information and a presentation to City Council about the current Transit Orientated District sponsorship policy and possibly allow the petitioner to convert to a conditional rezoning. The Zoning Committee, at its January 28, 2015 meeting, recommended that the petition be converted to a conditional request and that a new public hearing be held. The City Council voted to hold a new hearing on the conditional request on April 20, 2015. At that meeting, the petitioner requested a deferral of the public hearing to May 18, 2015. Ultimately, the public hearing was deferred from May 18, 2015 to June 15, 2015 due to the Community Meeting Report being submitted one business day late.
- In 2008, the subject property was rezoned via Petition 2008-82 from I-2 (general industrial) to UR-3(CD) (urban residential, conditional) for the development of 327 townhomes and flats with an option to add up to 44,000 square feet of ground floor office and retail. The overall density for the project was 20.45 units per acre.

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Development of any transit supportive use permitted within the TOD-M (transit oriented development - mixed-use) zoning district.
 - Delineation of portions of the site, which are “useable” and not encumbered by SWIM buffers, floodplain, or rights-of-ways (street, rail and utilities).
 - Proposed vehicular connections to Chick Godley Road, Cullman Avenue, and Matheson Avenue.
 - Proposed right-of-way improvements to Chick Godley Road to improve the site access.
 - Proposed pedestrian circulation internal to the site that includes an eight-foot planting strip and eight-foot sidewalk.
 - Dedication of 6.11 acres to Mecklenburg County for greenway purposes.
 - Exterior finishes of buildings will be composed of a combination of brick, stone, precast concrete or similar masonry products and/or cementitious siding, stucco, metal panels, and decorative block or wood. Vinyl as a building material may only be used on windows, soffits, and handrails/railings.
 - Parking deck facades located along the transit corridor will not be designed as solid walls without architectural character and will be visually coordinated and complementary to other buildings constructed on the site.
- Public Plans and Policies**
- The *Blue Line Extension Station Area Plan – 36th Street Station* (2013) recommends transit supportive land uses for these parcels. A portion of the rezoning site is within 1/2 mile walk of the 36th Street Station on the LYNX Blue Line Extension.
 - This petition is consistent with the *Blue Line Extension Station Area Plans – 36th Street Station*.
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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.
- **Transportation:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** No comments received.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.

- **Charlotte Water:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **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*.
 - This site meets minimum ordinance standards.
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OUTSTANDING ISSUES

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

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

Planner: Solomon Fortune (704) 336-8326