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| <b>REQUEST</b>  | Current Zoning: UR-3(CD) (urban residential, conditional)<br>Proposed Zoning: TOD-M(CD) (transit oriented development – mixed-use, conditional)   |
| <b>LOCATION</b>   | Approximately 15.50 acres located on the southeast corner at the intersection of West 30 <sup>th</sup> Street and Chick Godley Road.<br>(Council District 1 - Kinsey)                       |
| <b>SUMMARY OF PETITION</b>                                    | The petition proposes to rezone approximately 15.50 acres to allow all uses in the TOD-M (transit oriented development – mixed-use) district.   |
| <b>STAFF RECOMMENDATION</b>                                   | Staff recommends approval of this petition upon resolution of outstanding issues. This petition is consistent with the <i>Blue Line Extension Station Area Plan – 36th Street Station</i> . |
| <b>PROPERTY OWNER<br/>PETITIONER<br/>AGENT/REPRESENTATIVE</b> | First Industrial B & L, LLC<br>Flywheel Group, LLC<br>Tony Kuhn – Flywheel Group, LLC   |
| <b>COMMUNITY MEETING</b>                                      | Meeting is required and has been held. Report available online.<br>Number of people attending the Community Meeting: 4  |

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#### **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 21<sup>st</sup> 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 hold a new public hearing. 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.
- Nonresidential development must comply with the TOD-M (transit oriented development - mixed-use) standards.
- 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.

- **Existing Zoning and Land Use**

- The site is currently vacant and generally surrounded by residential, commercial, and industrial development on properties zoned I-1 (light industrial), I-2 (general industrial), and MUDD (CD) (mixed use development, conditional).

- **Rezoning History in Area**

- There have been numerous rezonings in the area to support the LYNX Blue Line Extension. The property located immediately to the south of the subject site was rezoned in 2007 to allow up to 340 multi-family residential units at a density of 33.1 dwelling units per acre. This project is currently under construction. The majority of recent rezonings in the area have occurred to the south along North Davidson Street to allow a mix of office, retail, and residential development.

- **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.
    - **Vehicle Trip Generation:**  
Current Zoning: 2,600 trips per day.  
Proposed Zoning: A wide range of trip generation is possible.
  - **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*.
  - Preserves and/or restores environmentally sensitive area by dedication eight acres of floodway to Mecklenburg County for the proposed greenway.

**OUTSTANDING ISSUES**

- The petitioner should:
    1. Modify Note 9 to read "Greenway Dedication to Mecklenburg County will be completed prior to TOD-M review and approval."
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Locator Map
- 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