

<b>REQUEST</b>	Current Zoning: B-D(CD) (distributive business, conditional) and CC (commercial center) Proposed Zoning: CC (commercial center) and B-D(CD) (distributive business, conditional)
<b>LOCATION</b>	Approximately 18.03 acres located on the north side of Berkeley Place Drive between Pinnacle Drive and Revenna Lane. (Council District 4 - Phipps)
<b>SUMMARY OF PETITION</b>	The petition proposes exchanging existing development rights and zoning for a 130,000-square foot self-storage facility with the development rights and zoning for a 258,000-square foot retail/office component, both of which were included in rezoning Petition 2008-087.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Meck-Pinnacle LLC J.R. Davis, LLC Walter Fields
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 8
<b>STATEMENT OF CONSISTENCY</b>	This petition is found to be inconsistent with the <i>Northeast District Plan</i> , based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> <li>• The <i>Northeast District Plan</i> recommends office, retail, and industrial/warehouse/distribution for Parcel 1 and office/retail for Parcel 2.</li> </ul> <p>However, 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:</p> <ul style="list-style-type: none"> <li>• The proposed uses are currently allowed on the site in a different configuration; and</li> <li>• It allows the office/retail uses to be near Berkeley Place Drive and other office and retail uses;</li> </ul> <p>By a 6-0 vote of the Zoning Committee (motion by Commissioner Nelson seconded by Commissioner Ryan).</p>

<b>ZONING COMMITTEE ACTION</b>	The Zoning Committee voted 6-0 to recommend <b>APPROVAL</b> of this petition with the following modifications: <ol style="list-style-type: none"> <li>1. Removed the note under streetscapes and landscaping as self-storage facilities are exempt from the sidewalk connection requirements.</li> <li>2. Amended the notes under Architectural Standards to describe building materials, and to add that blank walls exceeding 20 feet in length will be screened from adjoining properties or avoided through articulation.</li> <li>3. Added a note under Architectural Standards that reserves the right to alter the arrangement of buildings on the site which may reduce the number of buildings but in no circumstances shall the front building be replaced with a smaller building. Such rearrangements will be administratively reviewed by the planning staff.</li> <li>4. Added a building elevation for the front of the storage facility.</li> <li>5. Changed the word "approve" to "review" on the note related to future administrative approvals.</li> </ol>
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<b>VOTE</b>	Motion/Second: Ryan/Nelson Yeas: Dodson, Eschert, Nelson, Lathrop, Ryan, and Sullivan Nays: None Absent: Labovitz Recused: None
<b>ZONING COMMITTEE DISCUSSION</b>	The planning staff provided a summary of the petition. Staff noted that the petition is inconsistent with the <i>Northeast District Plan</i> . There was no further discussion of this petition.
<b>STAFF OPINION</b>	Staff agrees with the recommendation of the Zoning Committee.

**FINAL STAFF ANALYSIS**  
(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

• **Background**

- Petition 1999-67(c) rezoned approximately 116.7 acres, including the subject property, to R-12MF (multi-family residential) and CC (commercial center) to allow 75,000 square feet of retail uses and 225,000 square feet of office uses, with 915 multi-family residential units.
- Petition 2002-127 rezoned 33 acres, including the subject property, to CC (commercial center) and CC SPA (commercial center, site plan amendment) to allow the expansion of the maximum office square footage from 225,000 to 255,000 square feet.
- Petition 2008-087 rezoned 27.2 acres, including the subject property, to B-D (CD) (business distributive, conditional) and CC (commercial center) to allow for 58,000 square feet of retail, 200,000 square feet of office and a 130,000-square foot climate controlled self-storage facility.

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Exchanges a portion of the zoning and permitted land uses between the northern portion of the site and the southern portion. The existing approved plan from 2008 allows a 130,000-square foot climate controlled self-storage facility in the 2.81 acre southern portion currently zoned B-D(CD) (business distributive, conditional) and office/retail uses in the 6.41 acre northern portion currently zoned CC (commercial center).
- Changes the self-storage facility from a single climate controlled building to a facility with both climate controlled and unconditioned space.
- Provides access via a private drive in the Pinnacle Point development from Berkley Place Drive.
- Specifies that architectural compatibility of buildings within the development shall be assured by an architectural review committee with jurisdiction over the acceptable materials and details.
- Provides a building elevation of the front of the storage building.
- Describes building materials, and notes that blank walls exceeding 20 feet in length will be screened from adjoining properties or avoided through articulation.
- Allows the alteration of the arrangement of the buildings on the site which may reduce the number of buildings but in no circumstances shall the front building be replaced with a smaller building. Such rearrangements will be administratively reviewed by planning staff.
- Commits to providing documentation during construction permitting phase confirming storm water easements and that the pond has been designed and constructed to manage storm water runoff for all parcels served in the development.
- Limits the height of detached lighting to 20 feet.
- Commits to submitting an administrative amendment that will adjust the site plan for Petition 2008-087 to account for the existing development of the property and adjust the development rights based on this rezoning. The administrative amendment will be filed and ready for approval pending the approval of this rezoning.
- Provides a 56.25-foot Class "B" buffer reduced with a fence or berm along the northern edge of the site adjacent to single family zoning.
- Stipulates that the area to be rezoned from B-D (CD) (business distributive, conditional) to CC (commercial center) will be subject to the development standards approved with 2008-087.

• **Public Plans and Policies**

- The *Northeast District Plan* (1996), as amended by Petition 2008-087, recommends retail, office and industrial/warehouse/distribution uses for the southern portion of the site and office and

retail uses for the northern portion.

- The petition is inconsistent with the *Northeast District Plan*.
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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 issues.
  - **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](http://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:** John Kinley (704) 336-8311