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| <b>REQUEST</b>  | Current Zoning: B-D(CD) (distributive business, conditional) and CC (commercial center)<br>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.<br>(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>STAFF RECOMMENDATION</b>                                   | Staff recommends approval of this petition upon resolution of outstanding issues. This petition is inconsistent with the <i>Northeast District Plan</i> as amended by the previous petition. However staff feels the petition is appropriate for the following reasons: <ul style="list-style-type: none"><li>• The uses proposed are already allowed on the site, only in a different configuration.</li><li>• The proposed location of the storage facility allows the office and retail uses to be focused near Berkley Place Drive, the private streets and the existing office and retail uses.</li></ul> |
| <b>PROPERTY OWNER<br/>PETITIONER<br/>AGENT/REPRESENTATIVE</b> | Meck-Pinnacle LLC<br>J.R. Davis, LLC<br>Walter Fields  |
| <b>COMMUNITY MEETING</b>                                      | Meeting is required and has been held. Report available online.<br>Number of people attending the Community Meeting: 8   |

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#### **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.
  - Reserves the right to apply for a variance for the requirement that buildings are connected via sidewalks to the public street.
  - 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.
- **Existing Zoning and Land Use**
  - The subject property is currently undeveloped.
  - Properties to the north are zoned R-3 (single family residential) and R-43MF (multi-family residential) and developed with single family uses. Property to the east and south is zoned CC (commercial center) and developed with non-residential and institutional uses. Property to the west is zoned R-12MF (CD) (multi-family residential, conditional) and developed with multi-family residential.
- **Rezoning History in Area**
  - Recent rezonings approved in the area include:
    - Petition 2014-065, north of the site, rezoned property located on the east side of Interstate 85 along John Adams Road near the intersection of Galloway Road and John Adams Road from RE-3 (research) to RE-3 SPA (research, site plan amendment) to allow a banquet hall facility and existing communications tower.
- **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.
    - **Vehicle Trip Generation:**  
Current Zoning: 325 trips per day.  
Proposed Zoning: Trip generation not available.
    - **Connectivity:** No issues.
  - **Charlotte Fire Department:** No comments received.
  - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
  - **Charlotte-Mecklenburg Storm Water Services:** Provide the following note under the heading Environmental Features: "The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance."
  - **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.

**OUTSTANDING ISSUES**

- The petitioner should:
    1. Address the Charlotte-Mecklenburg Storm Water Services issue.
    2. Remove the note under streetscapes and landscaping as self-storage facilities are exempt from the sidewalk connection requirements.
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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:** John Kinley (704) 336-8311