

<b>REQUEST</b>	Current Zoning: O-1 (office) Proposed Zoning: MUDD-O (mixed use development, optional)
<b>LOCATION</b>	Approximately 0.82 acres located on the east side of Johnston Road between Pineville-Matthews Road and Walsh Boulevard. (Council District 6 - Smith)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow the redevelopment of a parcel north of NC Highway 51 for a climate controlled storage facility with ground floor office and leasable space.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Joon M. & Lenora Nam The Berry Company, LLC Tony Berry
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1.
<b>STATEMENT OF CONSISTENCY</b>	<ul style="list-style-type: none"> <li>• The Zoning Committee found this petition to be inconsistent with the <i>South 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>South District Plan</i> recommends office uses for the site.</li> </ul> </li> <li>• However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> <li>• The subject site fronts Johnston Road with a large, multi-story parking garage on the property adjacent and to the rear of the site; and</li> <li>• The proposed use is compatible with the surrounding uses both from a land use and design perspective; and</li> <li>• The proposed multi-level storage building will be designed to resemble an office building and will help screen the view of the exposed parking deck behind it; and</li> <li>• The ground floor active uses and 4,000-square foot urban open space will provide an active streetscape along Johnston Road; and</li> <li>• The request enhances the pedestrian environment by removing back-of-curb sidewalk and replacing it with an eight-foot sidewalk and eight-foot planting strip;</li> </ul> </li> </ul> <p>By a 5-1 vote of the Zoning Committee (motion by Labovitz seconded by Majeed).</p>

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 5-1 to recommend <b>APPROVAL</b> of this petition with the following modification:</p> <p><u>Site and Building Design</u></p> <ol style="list-style-type: none"> <li>1. Amended the Development Data Table to change the maximum building height to read "Up to 65 feet."</li> <li>2. Ensured that parking provided accounts for 4,000 square feet of leasable space at a rate of 1 space per 600 square feet.</li> <li>3. Amended the elevations to meet Zoning Ordinance Sections 9.8503(e) (i) and (ii) related to percentage of glass and expanses of blank walls.</li> <li>4. Added a black and white graphic illustrating street frontage glazing area for compliance with MUDD standards.</li> </ol> <p><u>Transportation</u></p> <ol style="list-style-type: none"> <li>5. Provided a new waiting pad for the existing bus stop on Johnston Road according to CATS standard detail 60.01B.</li> <li>6. Revised the site plan to show right-of-way dedication two feet behind the back of sidewalk or at the back of sidewalk where</li> </ol>
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	<p>the building is located at the back of the walkway.</p> <p><u>Requested Technical Revisions</u></p> <ol style="list-style-type: none"> <li>7. Labeled the building setback on the site plan.</li> <li>8. Changed the requested zoning from MUDD (CD) to MUDD-O, and submitted an amended application not requesting five-year vested rights.</li> <li>9. Amended the Proposed Uses in the "Development Data Table" and Note 2 under "Permitted Uses" to include the proposed self-storage use, office associated with the storage facility and the uses allowed in the leasable space, which are retail, office, and eating/drinking/entertainment establishments.</li> <li>10. Deleted "Maximum Development" from the "Development Data Table" and amended Note 3 for "Maximum Development" to reflect a minimum of 4,000 square feet of retail, eating/drinking/ entertainment establishments, and/or office not related to the storage facility; 1,000 square feet maximum for the office associated with the storage facility; and 100,000 maximum for the storage facility for a total of 105,000 square feet.</li> <li>11. Deleted parking from the "Development Data Table" and deleted Note 8 related to parking because the minimum Zoning Ordinance standard will be used.</li> <li>12. Amended "Optional Provision" Note 9 to specify a minimum percentage of 50% active space to be provided along the front elevation due to end conditions of the building on the first level due to the drive aisles that serve the under-building parking.</li> <li>13. Deleted the black/white elevation and moved the building material labels to the renderings on Sheet RZ-2.</li> </ol>
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**VOTE**

Motion/Second: Spencer / Watkins  
 Yeas: Labovitz, Lathrop, Majeed, Spencer, and Watkins  
 Nays: Wiggins  
 Absent: Eschert  
 Recused: None

**ZONING COMMITTEE DISCUSSION**

Staff provided a summary of the petition and noted the changes since the hearing. The petition is inconsistent with the adopted area plan recommendation, but staff feels the petition is appropriate and recommended approval.

A Commission member stated they were opposed because there are other storage facilities in the area and the site could be used for something else. Another Commissioner asked if there was any opposition. Staff responded there was no opposition.

**MINORITY OPINION**

The neighborhood already has too many self-storage facilities and the proposal is inconsistent with the adopted plan.

**STAFF OPINION**

Staff agrees with the recommendation of the majority of the Zoning Committee.

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

**PLANNING STAFF REVIEW**

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows a 100,000-square foot storage facility, 1,000-square foot office and 4,000 square feet of leasable space for a total 105,000-square foot building.
- Limits the height to 65 feet.
- Provides 4,000 square feet of urban open space between the building and Walsh Boulevard.
- Proposes a minimum 24-foot setback from the future back of curb with a planting strip and eight-foot sidewalk along Johnston Road and provides an eight-foot planting strip and sidewalk along Walsh Boulevard.
- Access is provided from Johnston Road via two driveways as depicted on the site plan.

- Provides conceptual building elevations and specifies building materials as a combination of brick, stucco, synthetic stucco, decorative metal panel and glass.
- Requests the following optional provisions:
  - Allow wall signage up to 200 square feet or 10% of street facing elevation whichever is less.
  - Allow a minimum of 50% active space along the ground floor, front elevation because of the drive aisles that serve the under-building parking.
- **Public Plans and Policies**
  - The *South District Plan* (1993) recommends office use, with specific language for the NC Highway 51 Corridor concerning traffic congestion: "In general, rezonings for low intensity multi-family and office development should be approved instead of retail development, which will generate significantly more trips than the other uses..."
- **TRANSPORTATION CONSIDERATIONS**
  - This site is located in a Mixed Use Activity Center at the unsignalized intersection of a major thoroughfare and a local street. The current site plan replaces existing, narrow back of curb sidewalk with wider, buffered sidewalk.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Uses: 180 trips per day (based on 5,490-square foot fitness club).
      - Entitlements: 200 trips per day (based on 8,200 square feet of office use).
    - Proposed Zoning: 1,130 trips per day (based on 1,000-square foot office, 4,000-square foot retail use and 100,000-square foot storage facility).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** 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.
- **Charlotte Water:** In relation to the parcel under review, Charlotte Water has water system availability for the rezoning boundary via existing eight-inch water distribution mains located along Johnston Road and Walsh Boulevard. Charlotte Water has sewer system availability for the rezoning boundary via existing eight-inch gravity sewer mains located along Johnston Road and Walsh Boulevard.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** 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
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte Fire Department 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
  - Transportation Review