

REQUEST	Current Zoning: O-1(CD) (office, conditional) Proposed Zoning: BD(CD) (distributive business, conditional)
LOCATION	Approximately 3.58 acres located on the east side of South Tryon Street across from Wright's Ferry Road. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes the construction of up to 100,000 square feet of climate controlled storage space on a vacant parcel south of the RiverGate area.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Rees G. and Retha Russell, Jr K&H Development, Inc. Jeff Brown, Keith MacVean and Bridget Dixon, Moore & Van Allen, PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 3
STATEMENT OF CONSISTENCY	<ul style="list-style-type: none"> • The Zoning Committee found this petition to be inconsistent with the <i>Steele Creek Area Plan</i>, as amended by petition 2016-039, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> • The petition is inconsistent with the <i>Steele Creek Area Plan</i> recommendation for office. • 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"> • The subject property is located on South Tryon Street, between a religious institution and Carolinas Medical Center; and • While the proposed indoor climate controlled storage facility is not consistent with the office land use recommended by the plan as amended by petition 2016-039, the use is compatible with the abutting hospital and religious institution; and • The petitioner is adhering to a number of community design policy recommendations from the <i>Steele Creek Area Plan</i> which are intended to promote quality non-residential development. These include: <ul style="list-style-type: none"> • Designing transparent openings; • Establishing entrances with pedestrian interest; • Varying horizontal and vertical plane of elevations; and • Breaking down the mass of the building; <p>By a 4-1 vote of the Zoning Committee (motion by Spencer seconded by Majeed).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 4-1 to recommend APPROVAL of this petition with the following modifications:</p> <p><u>Transportation</u></p> <ol style="list-style-type: none"> 1. The petitioner has revised the site plan to show the front of proposed sidewalk at 61 feet from the centerline of the existing road and sidewalk utility easement two feet behind back of sidewalk. 2. The petitioner has revised the site plan to show the possible access to the adjacent property to the west. <p><u>Environment</u></p> <ol style="list-style-type: none"> 3. Site plan now shows "targeted tree save area". Site plan provides notes stating intent to comply with Tree Ordinance, and that tree save area will be calculated based on the gross acreage (acreage before additional right-of-way is dedicated).
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	<p>4. Petitioner has added a note stating intent to submit, as part of the land development process for the site, a tree survey for all trees that are two (2) inches or larger located in the rights-of-way of South Tryon Street. In addition, the survey will include all trees that are eight (8) inches or larger in the setback of South Tryon Street.</p> <p>5. The petitioner committed to dedicate and convey the 35-foot SWIM Buffer to Mecklenburg County for future greenway use.</p> <p>REQUESTED TECHNICAL REVISIONS</p> <p>6. The proposed "Class B" buffer is shown as 30.75 in width with a fence.</p>
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VOTE

Motion/Second: Spencer / Majeed
 Yeas: Labovitz, Majeed, Spencer, and Watkins
 Nays: Wiggins
 Absent: Eschert
 Recused: Lathrop

ZONING COMMITTEE DISCUSSION

Staff presented this item to the Committee and noted the petitioner had addressed all outstanding issues and that the petition is inconsistent with the *Steele Creek Area Plan*, as amended by rezoning petition 2016-039.

A Commissioner commented that there seems to be quite a few self-storage facilities in the area, and that the current O-1(CD) (office, conditional) zoning is appropriate.

A Committee member inquired if staff was aware of a parking agreement between the petitioner and the abutting religious institution in order to accommodate spillover parking. Staff responded no information had been provided by the petitioner regarding an agreement, but that the rezoning site meets the parking requirement for the proposed use, and the agreement will be a private matter. There was no further discussion of this petition.

MINORITY OPINION

A Commissioner felt that the current O-1(CD) (office, conditional) zoning of the site is appropriate.

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)

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 80,000 square feet of indoor climate controlled storage uses in two (2) buildings connected by a canopy.
- Limits building height to three stories not to exceed 40 feet.
- Prohibits outdoor storage and truck rental associated with the climate controlled storage facility.
- Provides access to the site from South Tryon Street. Proposes an entry/exit gate approximately 100 feet from the right-of-way.
- Notes a future vehicular or pedestrian access to the adjoining property to the west may be provided if the two property owners can agree on a joint or cross access easement.
- Dedicates by fee simple conveyance of additional right-of-way along South Tryon Street as noted on the site plan (future right-of-way measured 67 feet from centerline of South Tryon Street), prior to the issuance of the first certificate of occupancy.
- Prohibits the loading area associated with the proposed facility from being located on the side of Building 1 that faces South Tryon Street.
- Includes elevations of the proposed buildings.
- Commits to building materials that will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, cementitious siding (such as hardi-plank), metal panels (excluding the Building 1 façade on South Tryon), EIFS or wood.

- Prohibits vinyl as a building material except on windows or soffits.
- Commits to additional design requirements pertaining to inclusion of clear vision glass and/or spandrel; prohibition of blank walls exceeding twenty (20) feet in length; and definition of pedestrian entrances via canopies, awnings and/or window features.
- Notes wall signs must utilize individual letters that are LED internally illuminated and will not use box/cabinet signage (other than for the logo sign portion). Digital/reader board type or neon wall signs will not be allowed.
- Proposes one ground mounted sign may be located at the entrance along South Tryon Street; such ground mounted sign shall have a maximum height of nine feet and may not contain more than 64 square feet of sign area. No pole signs will be allowed. Digital/reader board type or neon ground mounted signs will not be allowed.
- Prohibits signs on windows with clear glass vision.
- Proposes signs on non-clear vision glass windows, to be treated as wall signs.
- Provides for detached lighting on the site, except street lights located along public streets, to be limited to 22 feet in height.
- Notes the indoor climate controlled self-storage building will be fully enclosed with access points to the interior storage units to be controlled by key pad entry.
- States hours of access for building will be limited to 6:00 a.m. to 10:00 p.m. EST. Notes that security cameras for the interior and exterior of the building will be provided.
- Identifies location of 35-foot SWIM buffer and 100-year floodplain limits.
- Specifies targeted tree save area location.
- Identifies approximate storm water facility location.
- Provides at a minimum a permanent 20-foot wide access easement through a portion of the 35-foot SWIM (Surface Water Improvement Management) buffer along the entire length of the site's northern boundary for future greenway use. Final location of the easement will be determined during the design development, construction and permitting phases of the project.
- **Public Plans and Policies**
 - The *Steele Creek Area Plan* (2012), as amended by rezoning petition 2016-039, recommends office for this site.
 - The following *Steele Creek Area Plan* (2012) Non-Residential Design Policies are particularly applicable to this proposal:
 - 17A- Design buildings with transparent openings;
 - 17B- Establish entrances with pedestrian interest;
 - 17J- Vary horizontal and vertical plane of elevations;
 - 17J- Break down the mass of the building.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located on a major thoroughfare and the trips generated by the proposed use are far fewer than what is currently entitled. The current site plan commits to dedication of public right-of-way for future expansion of bike facilities on South Tryon Street and is providing a wide sidewalk as an overland connector to the greenway.
 - **Current Zoning:**
 - Existing Use: 10 trips per day (based on existing single family dwelling)
 - Entitlement: 1,425 trips per day (based upon proposed 45,000 square feet of office and daycare per petition 2016-039)
 - Proposed Zoning: 200 trips per day (based on proposed 80,000 square feet of self-storage uses).

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:** Charlotte Water currently does not have water system availability via a water distribution main. The closest water distribution main is approximately 200 feet west of the property at the intersection of Wright's Ferry Road and South Tryon Street. The applicant should contact Charlotte Water's New Services at (704) 432-5801 for more information regarding accessibility to water system connections. In relation to the parcels under review, Charlotte Water has sewer

system availability for the rezoning boundary via an existing eight-inch gravity sewer main located at the northern corner of the parcel.

- **Engineering and Property Management:** No trees can be removed from or planted in the right-of-way of South Tryon Street without permission of NC Department of Transportation and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact Lewis Hatfield (704-336-4265) at the City Arborist's office for a tree planting permit before planting trees in the NCDOT right-of-way once plans have been approved by the City.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
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Attachments Online at 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

Planner: Claire Lyte-Graham (704) 336-3782