

REQUEST	Current Zoning: I-2 (general industrial) Proposed Zoning: TOD-RO (transit oriented development - residential, optional)
LOCATION	Approximately 0.74 acres located on the north side of West Tremont Avenue between South Tryon Street and Hawkins Street. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes the redevelopment of several industrial buildings in South End with up to 16 residential units at a density of 21.6 dwelling units per acre.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Barringer Capital, LLC. Barringer Capital, LLC. John Carmichael, Robinson Bradshaw & Hinson, P.A.
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 2
STATEMENT OF CONSISTENCY	<ul style="list-style-type: none"> • The Zoning Committee found this petition to be consistent with the <i>South End Transit Station Area Plan</i>, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> • The plan recommends mixed-use transit supportive development for the area in which the site is located. • Therefore, 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 site is within a 1/4 mile walk of the East/West Boulevard Transit Station on the LYNX Blue Line; and • The proposal allows a site previously used for industrial/office purposes to be redeveloped with a residential transit supportive project; and • The site plan supports increased connectivity by providing a new north/south street between Tremont Avenue and the site's northern boundary; and • The proposal supports pedestrian and streetscape design by placing usable open space near the front of the site with units designed to front along West Tremont Avenue; and • This petition will help support the transition of the area to a more walkable transit district;

By a 6-1 vote of the Zoning Committee (motion by Spencer seconded by Majeed).

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-1 to recommend APPROVAL of this petition with the following modifications:</p> <p><u>Site and Building Design</u></p> <ol style="list-style-type: none"> 1. A maximum of 16 units will be developed on the site. 2. Optional Note C-1 on minimum density has been removed from the site plan. 3. Optional Note C-2 has been removed from the site plan. 4. Optional Note C-3 has been revised to commit to providing pavement design in the woonerf as shown on the site plan, including contrasting colored banding and borders and a contrasting central design feature. 5. The site plan has been modified to show the woonerf with contrasting concrete banding and borders and a central contrasting design feature.
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6. Elevations have been updated with proposed building material labels to correlate with the proposed layout of the site.
7. Units three and four has been modified to provide a front entrance facing the proposed public street and the proposed internal court yard.
8. A note has been added that the proposed residential units 10, 11, 12, 15, and 16 will have doorway entrances that face West Tremont Avenue.
9. The proposed eight-foot sidewalk and planting strip along Tremont Avenue has been labeled on the site plan.
10. A note has been added that a maximum of 16 units will be developed on the site.
11. A note has been added that the open space area will meet the minimum ordinance requirements.
12. A note has been added that a six-foot brick wall adjacent to the industrially zoned property will be provided.
13. A note has been added that enhanced sound walls will be provided for units 8 and 9. The units will have a minimum STC (Sound Transmission Class) rating value of 45. The western exterior walls and windows (if any) of the garages will not be subject to this requirements.
14. A note has been added that enhanced sound walls will be provided for units 3, 4, and 7. The units will have a minimum STC (Sound Transmission Class) rating value of 35. The northern exterior walls and windows (if any) of the garages will not be subject to this requirements.
15. A note has been added that a Declaration and Covenants. and Sales and Purchase contracts will contain information that state the adjacent parcels are zoned I-2 and can be used for manufacturing uses.
16. The building has been relocated 21 feet from the western property line.
17. The building has been relocated 18 feet along the northwestern property line.

Transportation

18. A note has been added specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued.
- 19.

VOTE

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

ZONING COMMITTEE DISCUSSION

Staff noted that all the outstanding issues had been addressed after the public hearing. Staff also noted that this petition is consistent with the *South End Transit Station Area Plan*. One commissioner felt that the proposed residential was a good use and consistent with the adopted area plan. One commissioner had a concern and felt the proposed use was removing I-2 (general industrial) land the City needs and the proposed residential use might affect the thriving industrial manufacturing user on the adjacent site. There was no further discussion of the petition.

MINORITY OPINION

One Commissioner expressed their concerns that the loss of the industrial zoned land affects the tax base since I-2 properties provide more taxes. The transit corridor needs more business since the area has seen an increase in residential housing. The proposed residential use may become a deterrent to the existing industrial user. The language in the sales contracts and covenants notifying potential buyers will get lost in the paperwork and language will not be enough

notice concerning the adjacent industrial user.

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:

- Development of 16 residential dwelling units in three buildings.
- A new Public Street to provide a vehicular connection to the north of the site.
- 16-foot setback along West Tremont Avenue and new proposed Public Street.
- Eight-foot planting strip and eight-foot sidewalk along West Tremont Avenue.
- Proposed Public Street with eight-foot planting strip and five-foot sidewalk along the side of the street where residential units will be built.
- Eight-foot planting strip and five-foot sidewalk along one side of the proposed Public Street.
- Building elevations with proposed building materials, such as brick, stucco, aluminum siding, metal awning, railings, and composite siding.
- Restriction of vinyl as a building material except for window trims, soffits, and hand rails.
- Proposed open space area along the western edge of the site.
- A woonerf (shared pedestrian and vehicle pathway) style motor court that allows for pedestrian and vehicular traffic that is designed with stamped concrete and is internal to the site.
- Maximum building height of three stories and 50 feet with possible rooftop terraces.
- Six-foot brick wall adjacent to the industrially zoned property.
- Enhanced sound walls will be provided for units 8 and 9. The units will have a minimum STC (Sound Transmission Class) rating value of 45. The western exterior walls and windows (if any) of the garages will not be subject to this requirements.
- Enhanced sound walls will be provided for units 3, 4, and 7. The units will have a minimum STC (Sound Transmission Class) rating value of 35. The northern exterior walls and windows (if any) of the garages will not be subject to this requirements.
- Residential units 10, 11, 12, 15, and 16 will have doorway entrances that face West Tremont Avenue.
- Units 3 and 4 will provide a front entrance facing the proposed public street and the proposed internal court yard.
- Optional Provisions for the following:
 - Construction of only a portion of the full cross section of the new public street proposed along the eastern edge of the site.
 - Construction of an eight-foot planting strip and five-foot sidewalk for the proposed new public street, instead of the minimum eight-foot planting strip and six-foot side walk.
 - The number of off-street parking spaces allowed on the site may exceed the maximum permitted in the district. The requested district allows for a maximum of 1.6 spaces per residential unit. The site plan is currently providing two spaces per unit.

• Public Plans and Policies

- The *South End Transit Station Area Plan* (2005) recommends mixed-use transit supportive development for the subject site and surrounding properties.

• TRANSPORTATION CONSIDERATIONS

- The site is along a major collector street, approximately 1,000 feet from South Tryon Street, a major thoroughfare to the west, and the CATS Blue Line to the east. The current site plan commits to construction of a new local street segment which is a valuable contribution to the development of a more dense transportation network to support the overall intensification of the area as envisioned by the area plan.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 85 trips per day (based on 23,687 square feet of warehouse use).
 - Entitlement: 85 trips per day (based on 23,687 square feet of warehouse use).
 - Proposed Zoning: 145 trips per day (based on 16 multi-family dwelling units).

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:** The development allowed under the existing zoning would generate zero students, while the development allowed under the proposed zoning will produce one student. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is one student.
 - The proposed development is not projected to increase school utilization (without mobile classroom units) for Barringer Elementary, which is at 97%, Sedgefield Middle, which is at 93%, or Harding University High, which is at 125%.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte Water:** The site has water and sewer system availability for the rezoning boundary via an existing 12-inch water main along West Tremont Avenue and eight-inch sewer main located along West Tremont Avenue.
 - **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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REQUESTED TECHNICAL REVISIONS**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 Schools 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: Solomon Fortune (704) 336-8326