

REQUEST	Current Zoning: CC (commercial center) Proposed Zoning: CC SPA (commercial center, site plan amendment) and NS (neighborhood services)
LOCATION	Approximately 11.73 acres located on the southeast corner at the intersection of South Tryon Street between Steele Creek Road and Hoover Creek Boulevard. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to modify an approved site plan to allow freestanding single buildings containing retail and office uses. The site is located within the RiverGate Mixed Use Activity Center.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Steele Creek (1997) LLC, Dre Holdings-SW Charlotte, LLC Steele Creek (1997) LLC Bridget Dixon and Jeff Brown, Moore & Van Allen, PLLC
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>Steele Creek Area Plan</i>, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> • The petition is consistent with the adopted mixed use (residential/office and/or retail) land use for this site. • 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"> • This site was previously rezoned by petition 2011-082 to allow the development of a mixed office and retail center located in within the Rivergate Mixed Use Activity Center; and • The proposed site plan amendment modifies the square footage and number of buildings located on the site; however, the initial design intent which is to create a walkable development has been maintained; and • The proposed uses, which are not being modified, are consistent with the adopted area plan; and • The development enhances the area street network by creating an internal system of private and public streets with access points onto Old Steele Creek Road and Steele Creek Road; <p>By a 6-0 vote of the Zoning Committee (motion by Eschert seconded by Wiggins).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-0 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 committed to change the proposed CATS bus waiting pad on Steele Creek Road, to be consistent with the development notes. The proposed waiting pad is to be shown on the far side of Private Street A, so as not to conflict with the right-turn lane off Steele Creek Road. <p><u>Environment</u></p> <ol style="list-style-type: none"> 2. The request by Mecklenburg County Park and Recreation for the petitioner to provide a crossing at the existing signalized intersection at Steele Creek Road and Walker Branch Drive compatible for pedestrian and bicycle users and a minimum of eight-foot sidewalks on both sides of the street has been rescinded as the site is already permitted for construction and pedestrian
------------------------------------	---

crosswalks are already in place at the intersection.

REQUESTED TECHNICAL REVISIONS

3. "General Provisions" Note 1.a. has been clarified to note acreage is 11.7 acres.
4. Petitioner has modified labeling on Sheet RZ-2 to note the 50-foot landscaped building/parking setback along South Tryon Street, Steele Creek Road and a portion of Old Steele Creek Road, in order to be consistent with the development notes.
5. Removed the last sentence in "Permitted Uses & Development Area Limitation" Note 2.b. regarding permitted uses allowed in the Commercial Center district permitted in buildings containing no more than 10,000 square feet of gross floor area devoted to such uses.
6. Modified development notes to address the following Urban Design requests:
 - a. Added note stating building elevations fronting streets shall have 30% spandrel, opaque, or transparent glass between two (2) feet and 10 feet of the ground floor and shall not have expanses of blank walls greater than 20 feet in all directions.
 - b. Clarified locations of "building edges" as referenced in "Permitted Uses and Development Area Limitation" Note 2.d.
 - c. The request for direct pedestrian connections between street facing doors and corner entrance features to sidewalks on adjacent streets has been rescinded as this request will be required per code.
 - d. The request to increase the sidewalk along Steele Creek Road from five feet to six feet has been rescinded as the sidewalk is already constructed at five feet.

VOTE

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

ZONING COMMITTEE DISCUSSION

Staff presented this item to the Committee, noting that this petition is consistent with the *Steele Creek Area Plan*.

Staff noted that all outstanding issues had been addressed by the petitioner, including shifting the requested bus waiting pad to the far side of Private Street A so as not to conflict with the right-turn lane off Steele Creek Road. There was no discussion of this request.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
 (Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan amendment contains the following changes:

- Modifies the development standards for a previously approved project (rezoning petition 2011-082) on Parcels A, B, C, and D as they relate to square footage, drive-through window restrictions, number of proposed buildings, and site layout.
- Decreases the amount of office and retail uses on the overall site (all four parcels) from 100,000 square feet to 90,000 square feet.
- Adds language that of the 90,000 square feet, up to 50% of the total square footage, may be devoted to restaurant uses (EDEE), retail establishments and business, personal and recreation services as allowed in the CC (commercial center) zoning district.
- Reduces the maximum number of principal buildings to be developed on the site from eight (8) to seven (7).
- Removes references to the B-1 (neighborhood business) zoning district.

The following changes are shown on the site plan:

- Parcel A
 - Reduces the number of buildings from two to one.
 - Removes financial institution with accessory drive-through window.
 - Increases size of free-standing single story building (allowing restaurant uses; retail establishments and business; personal and recreation services) from 20,000 square feet to 25,000 square feet.
- Parcel B
 - Retains single building with associated parking, and open space area.
 - Illustrates minor modifications to parking lot layout and open space.
- Parcel C
 - Retains two proposed buildings with associated parking areas, with one building currently under construction.
 - Shifts orientation of unconstructed building and associated parking area, resulting in an increase in building frontage along Steele Creek Road.
- Parcel D
 - Modifies single building and parking area layout to accommodate an accessory drive-through lane.
 - Specifies that the only use with an accessory drive-through on the entire site will be permitted on Parcel D.
 - Notes drive-through lane will be permitted between the building and the streets when accompanied by a low wall treatment.
- Retains transportation improvements and phasing with modifications that include the following:
 - Completion of construction of the private road between Steele Creek Road and Old Steele Creek Road.
 - Criteria and standards for construction of Steelecroft Parkway Extension.
 - Commitment to construct an ADA accessible crosswalk from the site at Walker Branch Drive and Steele Creek Road, contingent upon approval from CDOT and NCDOT.
 - Modifies language regarding required eight (8) foot planting strips and six (6) foot sidewalks by stating that the existing five (5) foot sidewalk on Steele Creek Road between the new public and private streets may be retained in its current form.
 - Modifies CATS shelter pad language by reducing the number of required waiting pads along Steele Creek Road from two to one as per CATS request.
- Adds following Architectural Standards:
 - Building placement and design shall focus on and enhance the pedestrian environment on network required streets (public or private), through the following standards:
 - Building elevations fronting streets shall have 30% spandrel, opaque, or transparent glass between two (2) feet and 10 feet of the ground floor and shall not have expanses of blank walls greater than 20 feet in all directions.
 - Identifies building edges with development parcels.
 - The facades of first/ground floor of the buildings along public or private streets shall incorporate a minimum of 25% masonry materials such as brick or stone.
 - Building elevations shall be designed with vertical bays or articulated architectural features.
 - Increases maximum height of detached lighting on site from 20 feet to 22 feet to be consistent with industry standards.
 - Removes reference to "wall pak" lighting.
- **Public Plans and Policies**
 - The *Steele Creek Area Plan* (2012) recommends mixed use, specifically residential/office and/or retail for this site.
 - The site is located within the Rivergate Mixed Use Activity Center, as per the *Centers, Corridors and Wedges Growth Framework*.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located at the signalized intersection of two major thoroughfares. The current site plan maintains the commitments to the transportation improvements from the existing rezoning. While the petition increases trip generation beyond the threshold of the existing rezoning, CDOT has determined that the remaining transportation mitigations should be adequate to maintain the operations of the transportation system.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on vacant land use).
 - Entitlement: 2,770 trips per day (based on 88,500 square feet of office, 7,000 square feet of restaurant, and 4,500 square feet of financial institution).

Proposed Zoning: 4,760 trips per day (based on 45,000 square feet of office and 45,000 square feet of retail).

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 parcels under review, Charlotte Water has water system availability via an existing eight-inch water distribution main located along Hoover Creek Boulevard. Charlotte Water has sewer system availability via existing eight-inch gravity sewer mains located along Hoover Creek Boulevard.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
-

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 Parks and Recreation Review
 - Transportation Review

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