

<b>REQUEST</b>	Current Zoning: CC (commercial center) Proposed Zoning: CC SPA (commercial center, site plan amendment) and NS (neighborhood services)
<b>LOCATION</b>	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)
<b>SUMMARY OF PETITION</b>	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 Center.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Steele Creek (1997) LLC, Dre Holdings-SW Charlotte, LLC Steele Creek (1997) LLC Bridget Dixon and Jeff Brown, Moore & Van Allen, PLLC
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 2

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to urban design and minor technical issues.</p> <p><u>Plan Consistency</u></p> <ul style="list-style-type: none"> <li>The petition is consistent with the adopted mixed use (residential/office and/or retail) land use for this site.</li> </ul> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>The proposed uses, which are not being modified, are consistent with the adopted area plan.</li> <li>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.</li> </ul>
---------------------------------	--

**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.
- Adds another 2,000 square feet to allow for a maximum of 10,000 square feet of retail, office and personal and recreational services.
- 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 Steelescote 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:
    - Buildings shall be placed so as to present a front or a side façade to all streets. Building elevations fronting streets shall not have expanses of blank walls greater than 20 feet in all directions.
    - 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.
- **Existing Zoning and Land Use**
  - The site is currently vacant except for a building currently under construction on Parcel C. The site is located within the RiverGate Mixed Use Activity Center. The site was previously rezoned via 2011-082 to allow up to 100,000 square feet of office and retail uses.
  - The site is generally surrounded by a mix of residential, institutional, retail, commercial, office, and vacant land.
  - To the north are a mix of multi-family residential homes, retail and office uses zoned R-17MF(CD) (multi-family residential, conditional) and CC (commercial center).
  - To the east are retail uses zoned CC (commercial center).
  - South of the site are single family neighborhoods, retail uses, and vacant land zoned R-3 (single family residential), R-4(CD) (single family residential, conditional), UR-2(CD) (urban residential, conditional), and CC (Commercial center).
  - To the west are scattered single family residential homes, Steele Creek Volunteer Fire Department Station No. 2, CMC Steele Creek, office buildings, retail uses, apartment homes, and scattered residential zoned R-3 (single family residential), R-17MF(CD) (multi-family residential, conditional), O-1(CD) (office, conditional), O-2(CD) (office conditional), B-1(CD) (neighborhood business, conditional), B-2(CD) (general business, conditional), NS (neighborhood services), and CC (commercial center).
  - See “Rezoning Map” for existing zoning in the area.

- **Rezoning History in Area**
  - Rezoning petition 2016-133 is a pending request to rezone approximately 3.58 acres located on the east side of South Tryon Street across from Wright's Ferry Road from O-1(CD) (office, conditional) to BD(CD) (distributive business, conditional) in order to allow the construction of up to 100,000 square feet of climate controlled storage space. The petition is scheduled to receive a decision at the December 19, 2016 City Council rezoning meeting.
  - The same site as noted above, was previously rezoned from R-3 (single family residential) to its current O-1(CD) (office, conditional) zoning via 2016-039 in order to permit up to 45,000 square feet of office and/or other uses allowed, including a child care facility.
  - Petition 2016-100 rezoned approximately 41 acres located south of South Tryon Street near the intersection of Steele Creek Road and Walker Branch Drive from R-3(CD) (single family residential, conditional) and R-17MF(CD) (multi-family residential, conditional) to UR-2(CD) (urban residential, conditional), with five-year vested rights in order to allow up to 410 multi-family residential units.
  - Petition 2016-028 was a request to rezone approximately 4.09 acres located on the north side of South Tryon Street, east of Wright's Ferry Road and west of Steelescroft Parkway, from R-3 (single family residential) to BD(CD) (distributive business, conditional) with five-year vested rights in order to construct up to 100,000 square feet of climate controlled storage space. City Council denied this request on May 16, 2016.
  - Petition 2016-025 rezoned approximately 9.52 acres located on the north side of South Tryon Street, east of Wright's Ferry Road and west of Steelescroft Parkway from R-3 (single family residential) to R-12MF(CD) (multi-family residential, conditional) and BD(CD) (distributive business, conditional) in order to allow up to 74 attached dwelling units (townhomes for sale).
- **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:** See Outstanding Issues, Note 1.
- **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:** See Outstanding Issues, Note 2.

**OUTSTANDING ISSUES**Transportation

1. The bus stop is shown on Old Steele Creek Road, while the notes state Steele Creek Road. The site plan needs to be changed to match the notes, which are correct.

Environment

2. Mecklenburg County Park and Recreation requests the petitioner provide a crossing at the existing signalized intersection at Steele Creek Road and Walker Branch Drive compatible for pedestrian and bicycle users. They also request that this proposed public street have a minimum of eight-foot sidewalks on both sides of the street to serve as an Overland Connector.

**REQUESTED TECHNICAL REVISIONS**

3. Per "General Provisions" Note 1.a., clarify if acreage is 11.0 acres or 11.73 acres.
4. The Streetscape and Landscaping language notes the landscape setbacks to be provided along South Tryon Street, Steele Creek Road and a portion of Old Steele Creek. Include "landscaped" in the labeling on Sheet RZ-2.
5. Add a note that the second building proposed in Development Area A will be a multi-tenant building. In addition, add language stating the second building will have no parking between Steele Creek Road and South Tryon Street.
6. The development notes do not address the following Urban Design requests:
  - a. Facades fronting streets shall include a combination of windows and doors for a minimum of 60% of each frontage elevation with transparent glass between two feet and 10 feet on the first floor. Up to 30% of this requirement may be comprised of display windows. These display windows must maintain a minimum of three feet clear depth between window and rear wall. Windows within this zone shall not be screened by film, decals, and other opaque material, glazing finishes or window treatments. The maximum sill height for required transparency shall not exceed four feet above adjacent street sidewalk.
  - b. Direct pedestrian connection should be provided between street facing doors and corner entrance features to sidewalks on adjacent streets.
  - c. Increase the sidewalk along Steele Creek Road from five feet to six feet as per the approved plan.
  - d. Clarify locations of "building edges" as referenced in "Permitted Uses and Development Area Limitation" Note 2.d. Approved site plan identifies "building edges" locations within each parcel.

---

**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Locator Map
- 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