



**Rezoning Petition 2017-039
Zoning Committee Recommendation**

June 29, 2017

REQUEST	Current Zoning: I-2 (general industrial) Proposed Zoning: TOD-MO (transit oriented development – mixed-use, optional) with five-year vested rights
LOCATION	Approximately 3.53 acres located at the northeast intersection of South Tryon Street and Winona Street and east of Winnifred Street (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to allow the redevelopment of a full block of single story commercial buildings and surface parking for all uses in the TOD-M (transit oriented development – mixed-use district).
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Beacon Partners Beacon Partners Collin Brown, K&L Gates LLP
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 6
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 transit supportive uses for the subject 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">• The subject site is within a ¼ mile walk of the Bland Street Transit Station on the LYNX Blue Line, and the proposal allows a site previously used for industrial/warehouse purposes to convert to transit supportive land uses appropriate for this location; and• The 170-foot building height optional request is 50 feet greater in height than what is allowed by the ordinance standards; and• However, the extra height request is proposed on the side of the building that is furthest away from the Wilmore Neighborhood; and the additional height will not have a negative impact on the Wilmore neighborhood, which is separated from this site by commercial development; and• In addition, the petition includes a central plaza which will be accessible from South Tryon Street; ground floor active uses on South Tryon Street, Winona Street and West Bland Street; and sidewalk/streetscape improvements on all streets. Together, these improvements will significantly enhance the pedestrian environment for the subject site;
	By a 6-0 vote of the Zoning Committee (motion by Spencer seconded by Wiggins).
ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-0 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. Cross-section of the proposed streetscape along Winnifred Street has been shown on the site plan.2. Notes have been added listing the proposed building materials on the site plan.3. The proposed future back-of-curb along all public street and setbacks have been labeled and shown from the future back of curb on the site plan.4. Show and label the centerline of the public street and show the

- proposed setbacks.
5. A note has been added that active ground floor uses will cover 80 percent of the building frontages.
 6. A note has been added that the residential building will have a maximum height of 85 feet.
- Transportation
7. A note has been added that the building edge will be located so that it is not in conflict with the future configuration, and not for the project to construct the turn lane.
 8. A note has been added that the petitioner will provide and construct a new waiting pad along the site's frontage on South Tryon Street for a relocated bus stop.
 9. A note has been added that the height of the residential units will not be taller than the parking deck it will screen and will be a maximum height of 85 feet.

VOTE

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

ZONING COMMITTEE DISCUSSION

Staff presented this item noting that all outstanding issues had been addressed and that this petition is inconsistent with the *South End Transit Area Plan*.

A Committee member asked about the height of the proposed structures and proximity to the single family neighborhood. Staff responded that the residential building that was closest to the Wilmore neighborhood was limited to 85 feet. The optional request for 170 feet was closer to South Tryon Street.

Another Committee member asked about how staff reviews parking deck screening in relation to the development. Staff responded that the desire is to have structured parking that is screened or wrapped with active uses such as residential, retail, or office uses. The petitioner in this request has agreed to wrap the structured parking with residential uses in the area closest to single-family.

There was no further 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 accompanying this petition contains the following provisions:

- Multi-story building with a commercial ground floor and residential uses and structured parking wrapped with residential units.
- A 16-foot setback from curb line along South Tryon Street, Winnifred Street, West Bland Street, South Tryon Street, and Winona Street including eight-foot sidewalk and trees in grates.
- New streetscape improvements on all adjacent streets, including on-street parking on South Tryon Street, West Bland Street, and Winona Street.
- 7,000 square foot plaza area with pedestrian path and entrances that open onto the plaza from the proposed building.
- Building height of the proposed residential units will be limited to 85 feet.
- Building elevations of the proposed structures are provided.
- Provides the following architectural treatments:
 - Building materials will be a combination of portions of the following: a minimum of 20 percent of the building abutting a street will include brick, glass, natural stone, synthetic stone, stucco, or other material approved by the Planning Director. Vinyl or concrete masonry may only be used on windows, garage doors, soffits, trim and handrails/railings.

- Buildings exceeding 120 feet in length shall include modulations of building massing/facade (such as recesses, projections, and architectural details). Modulations shall be a minimum of ten feet wide and project or recess a minimum of two feet extending through at least a full floor.
- Elevations shall be designed with vertical bays or articulated façade features which may include exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.
- Active ground floor uses shall occupy 80 percent of the site's linear frontage.
- 75 percent of all parking structures shall be screened from public streets at the pedestrian level or street level by active uses.
- Optional provisions for the following allowances:
 - Additional building height in excess of the TOD (transit oriented development) height plane. The primary building component will be approximately 170 feet tall and the allowable TOD height for this property is 124 feet due to the proximity of single family zoning along West Summit Avenue in the nearby Wilmore neighborhood. This represents a height optional request of 46 feet.
- **Public Plans and Policies**
 - The *South End Transit Station Area Plan* (2005) recommends mixed-use transit supportive development for the subject site.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is bordered by a major thoroughfare, major collector, and two local streets. The proposed mixed use development will likely increase pedestrian and vehicular traffic. The current site plan improves the bordering streets per area plan recommendations. CDOT continues to request adjustment of site's building envelope on Bland Street at South Tryon Street edge to accommodate future left turn lane by others.
 - **Vehicle Trip Generation:**
Current Zoning:
Existing Use: 400 trips per day (based on 43,730 square feet of warehouse/office uses).
Entitlement: 400 trips per day (based on 43,730 square feet of warehouse/office uses).
Proposed Zoning: Allows for a wide variety of 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:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing six-inch water distribution main located along Winnifred Street and Winona Street; an existing eight-inch water main located along West Bland Street, and a 12-inch water distribution main along South Tryon Street. Sewer system availability is via an existing eight-inch gravity sewer main located along South Tryon Street, West Bland Street, Winona Street, and Winnifred Street.
- **Engineering and Property Management:**
 - **Arborist:** No trees can be removed from or planted in the right of way of North 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 Laurie Reid (704-336-5753) 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.
 - No trees can be removed from or planted in the right of way of Winnifred Street, West Summit Avenue, or West Bland Street without permission of the City Arborist's office.
 - The petitioner must submit a tree survey for all trees two inches or larger located in the rights-of-way and all trees eight inches or larger in the setback.
 - **Erosion Control:** No issues.
 - **Land Development:** No issues.
 - **Storm Water Services:** No issues.
 - **Urban Forestry:** 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

- 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 Water Review
 - Engineering and Property Management Review
 - City Arborist Review
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

Planner: Solomon Fortune (704) 336-8326