

REQUEST	Current Zoning: I-2 (general industrial) Proposed Zoning: TOD-MO (transit oriented development, mixed use, optional)
LOCATION	Approximately 1.49 acres located on the north side of Raleigh Street, east of Sugar Creek Road. (Council District 1 - Egleston)
SUMMARY OF PETITION	The petition proposes to reuse the existing building, with a possible expansion of five percent, to allow all uses permitted in the TOD-M (transit oriented development, mixed use) district. Uses allowed in the TOD-M (transit oriented development – mixed use) district, include residential, office, retail and civic uses.
PROPERTY OWNER	Craig Smith
PETITIONER	Craig Smith
AGENT/REPRESENTATIVE	Casey P. Werner, ColeJenest & Stone
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 0.

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>Blue Line Extension Transit Station Area Plan</i> recommendation for transit supportive uses.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The subject site is within a ¼ mile walk of the Sugar Creek Transit Station on the LYNX Blue Line Extension. • The site is adjacent to the proposed alignment of the Cross Charlotte Trail, which runs along Raleigh Street. • The proposed rezoning allows redevelopment of a site zoned for industrial use for transit supportive uses within an emerging transit station area. In conjunction with other surrounding TOD projects in progress, it will contribute to a growing walkable neighborhood. • The proposal seeks to adaptively reuse an existing one story abandoned building that is sensitive in scale to the surrounding neighborhood, and will help revitalize the area. • Optional requests for the location and exemption of parking will facilitate reuse of the existing building as configured on the site. • The proposal allows for all uses in the TOD-M (transit oriented development – mixed-use) district, which include office, residential, retail, and civic.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Reuse of an existing building to allow all uses permitted in the TOD-M (transit oriented development – mixed use) district, with a possible expansion of up to five percent of the total square footage exclusive of outdoor dining. A rezoning will be required if an expansion exceeds five percent.
 - Site access via Raleigh Street and Greensboro Street. Greensboro Street is currently under construction.
 - All transportation improvements will be bonded prior to issuance of the first certificate of occupancy.
 - Right-of-way along Greensboro Street will be dedicated and conveyed prior to the issuance of the first certificate of occupancy.
 - Recombination of 21 feet of existing right-of-way along Raleigh Way with the petitioned parcel.
 - Should an eating/drinking/entertainment establishment be located along a public right-of-way,

private street or rapid transit line, fenestration shall be provided through vision glass, doors or active outdoor spaces along 30% of the length of the building side that fronts the public right-of-way, private street or rapid transit line. Alternative approaches may be approved by the Planning Director if the building architecture or site prohibits this from being met.

- Proposed street cross-section provided for Raleigh Street and an existing street cross section provided for Greensboro Street.
- **Future street sections and Cross Charlotte Trail to be substantially complete prior to certificate of occupancy, contingent upon final cross section being finalized by the City of Charlotte at the time of construction.**
- **Optional Provisions Requested:**
 - Allow vehicular parking and maneuvering between the existing building and the public streets.
 - Exempt site from all minimum parking requirements.
- **Existing Zoning and Land Use**
 - This subject property is zoned I-2 (general industrial) and currently developed with a former theater/retail use.
 - Properties on the east side of East Sugar Creek Road include a largely vacant retail strip mall, Tryon Mall, zoned B-1SCD (business shopping center), an existing single family neighborhood zoned R-5 (single family residential), industrial and retail uses in I-2 (general industrial, I-1 (light industrial) and B-2 (general business) zoning.
 - Properties on the west side of East Sugar Creek Road are zoned I-2 (general industrial), B-2 (general business), and TOD-M (transit oriented development - mixed-use) and developed with a mix of industrial/warehouse uses.
 - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
 - Petition 2017-75 rezoned approximately 4.07 acres located on the east side of East Sugar Creek Road between Raleigh Street and Bearwood Avenue from I-2 (general industrial) to TOD-M (transit oriented development - mixed-use) to allow all uses in the TOD-M (transit oriented development mixed-use) district
 - Petition 2014-04 rezoned approximately 2.4 acres located on the south side of Raleigh Street between East Sugar Creek Road and Greensboro Street from I-2, general industrial to TOD-M, transit oriented development-mixed to allow all uses permitted in the TOD-M (transit oriented development-mixed) district.
- **Public Plans and Policies**
 - The *Blue Line Extension Transit Station Area Plans* (2013) recommend transit supportive uses for the site.
 - The plans promote a mix of transit supportive land uses (residential, office, retail, civic/institutional, park and open space) through new development and redevelopment, encourage preservation of historic properties, and seeks to ensure that scale and massing of new development/redevelopment is sensitive to historic properties, the Zion Primitive Baptist Church, and the Howie Acres neighborhood scale and character.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located at the unsignalized intersection of local streets along the alignment of the Cross Charlotte Trail. The current site plan commits to the pedestrian elements of the Cross Charlotte Trail but it is unclear if the petitioner intends to construct the complete bike and vehicle cross sections along Raleigh Street. CDOT is strongly opposed to the potential driveway access to Raleigh Street because it unnecessarily fragments the Cross Charlotte Trail along this short street frontage.
 - See Outstanding Issues, Notes 1-5.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on vacant property).
 - Entitlement: 80 trips per day (based on 23,350 square feet of warehouse use).
 - Proposed Zoning: 2,640 trips per day (based on 23,360 square feet of retail use).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Housing and Neighborhood Services:** Developer seeking public funding for multi-family housing development must comply with the City's housing policies.
- **Charlotte Fire Department:** No issues.

- **Charlotte-Mecklenburg Schools:** The district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** Charlotte Water has water system infrastructure accessible to the rezoning boundary via an existing 12 inch water distribution main located along Raleigh Street. Sanitary sewer infrastructure is accessible via an existing eight inch gravity sewer main located along Raleigh Street.
- **Engineering and Property Management:**
 - **Arborist:** No trees can be removed or planted in the right-of-way of Raleigh Street and Greensboro Street without permission of the City Arborist's office.
 - **Erosion Control:** No issues.
 - **Land Development:** See Outstanding Issues, Note 7
 - **Storm Water Services:** No issues.
 - **Urban Forestry:** Site must comply with the Tree Ordinance.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Transportation

1. ~~The proposed zoning district has a setback measured from back of the existing or proposed future curbline. On Raleigh Street, the location of future back-of-curb is 20.5 feet as measured for the street's existing centerline to accommodate a 10-foot travel lane, an eight-foot buffered bike lane, and 2.5-foot curb and gutter. Should the petitioner desire on-street public parking along the site's frontage the above back-of-curb location will need to be increased by six feet.~~ Addressed.
2. ~~The petitioner should revise the site plan and conditional note(s) to show construction of a 16-foot shared use path alignment and an 8-foot planting strip on the north side of Raleigh Street to accommodate the pedestrian portion of the Cross Charlotte Trail (XCT). The in-street buffered bike lanes serve the bicycle portion of the XCLT alignment. The petitioner should revise the labels to remove "By City of Charlotte."~~ Addressed
3. ~~The petitioner should revise the site plan to add a note 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. CDOT requests right-of-way set at two-foot behind back of sidewalk where feasible. The right-of-way on the north side of Raleigh Street would be 46.5 feet as measured from the street's existing centerline. The petitioner should remove Note 4F. Right-of-way abandonments follow a separate process and are not part of rezoning commitments.~~ Addressed
4. ~~The petitioner should revise the site plan to depict and dimension the layout and provide a typical street section (scaled 1" = 20') along the site's Raleigh and network required street frontage. The street sections should include elements as described above and in conditional notes including proposed building setback lines, future back-of-curb, proposed street right-of-way, XCLT, buffered bike lanes, travel lanes, planting strips and sidewalks.~~ Addressed
CDOT requests a conditional transportation note that the petitioner will construct the future street sections as development occurs and a note committing to construct the Cross Charlotte Trail. Further, CDOT requests the removal of the site plan callout note regarding provision of a bond for additional right-of-way improvements and the 10 year sunset period. Addressed
5. ~~The petitioner should revise the site plan revise conditional note 4.A to state that no site access driveways will be permitted along the site's Raleigh Street frontage. Site access will be permitted along the site's Greensboro Street to avoid vehicle/pedestrian conflicts using the XCLT.~~ Addressed

Infrastructure

1. ~~Amend Note 4D under "Transportation" as follows: All transportation improvements shall be completed prior to issuance of the first certificate of occupancy.~~ Addressed

Site and Building Design

2. ~~Show location of proposed expansion area and label the building as "existing".~~ Addressed
3. ~~Clearly show the boundaries of the rezoning with a heavy dark line.~~ Addressed
4. ~~Clearly show the amount of parking to be provided on the site and note that it will not be reduced.~~ Addressed

Attachments Online at www.rezoning.org

- Application
- Site Plan

- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Housing and Neighborhood Services Review
 - Charlotte Fire Department Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - City Arborist
 - 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: Sonja Strayhorn Sanders (704) 336-8327