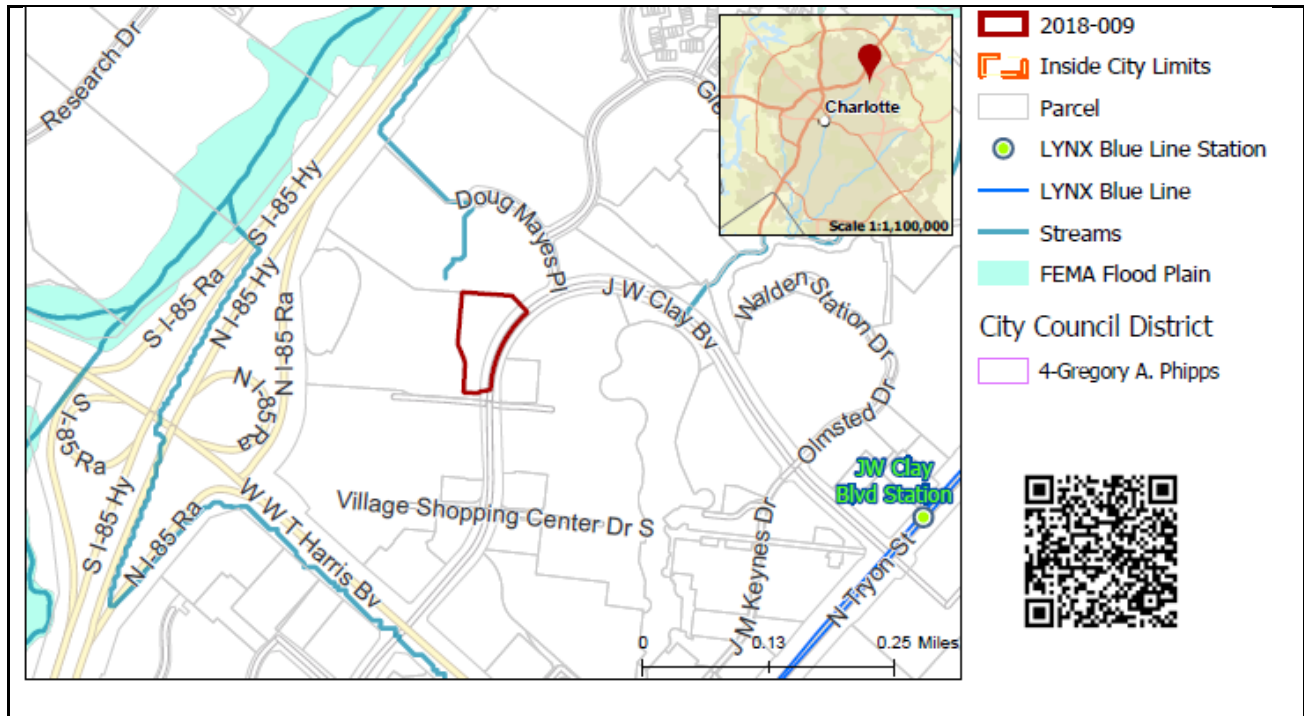


**REQUEST**

Current Zoning: CC (commercial center)  
Proposed Zoning: B-1(TS) (neighborhood business, transit supportive overlay)

**LOCATION**

Approximately 2.19 acres located on the west side of J. W. Clay Boulevard, north of W. T. Harris Boulevard.  
(Council District 4 - Phipps)



**SUMMARY OF PETITION**

The petition proposes to apply the TS overlay (transit supportive overlay) for the identified properties located just outside of the ½ mile walk distance from the J. W. Clay transit station.

**PROPERTY OWNER**

Howell Family Properties, LLC, Syd Howell

**PETITIONER**

Andrew J. Kalinoski

**AGENT/REPRESENTATIVE**

Andrew Kalinoski

**COMMUNITY MEETING**

Meeting is not required.

**STAFF RECOMMENDATION**

Staff recommends approval of this conventional petition.

Plan Consistency

The petition is consistent with the *Blue Line Extension – University City Area Plan*, which recommends a mix of office, retail and residential land uses.

Rationale for Recommendation

- The proposed overlay will accommodate the continued existence and some expansion of businesses located on the subject sites.
- In addition, the overlay district will allow reuse and redevelopment of the subject properties, and most of the uses in the base zoning districts will be permitted.
- While the application of TS (transit supportive overlay) will make only minimal changes to the uses that will be allowed on these sites, TS will change the form of new development.
- The TS district will ensure that future development is designed to be more transit supportive, by applying pedestrian oriented site

design standards to the underlying business and industrial zoning districts.

- This will allow the gradual transition of the area to an urban transit supportive district, which is appropriate for an area located close to a rapid transit station.

**PLANNING STAFF REVIEW**

• **Proposed Request Details**

This is a conventional rezoning petition with no associated site plan.

- Uses permitted in the B-1 (neighborhood business) district by-right and under prescribed conditions include: barber and beauty shops, dry cleaning and laundry establishments, health institutions, indoor recreation, residential uses, and offices up to 100,000 square feet.
- The conventional request applies all the standards of the Transit Supportive (TS) Overlay District. Most of the uses allowed in the underlying zoning districts are still allowed with the application of the Transit Supportive (TS) Overlay District. The TS district also has development and design standards that replace those of the underlying district. These include development standards for setbacks and yards, height, development intensity, parking and loading, and screening. Urban design standards address street walls, base of high rise buildings, top of buildings, building entrance, orientation, parking structures, signs, and streetscape requirements.

• **Existing Zoning and Land Use**



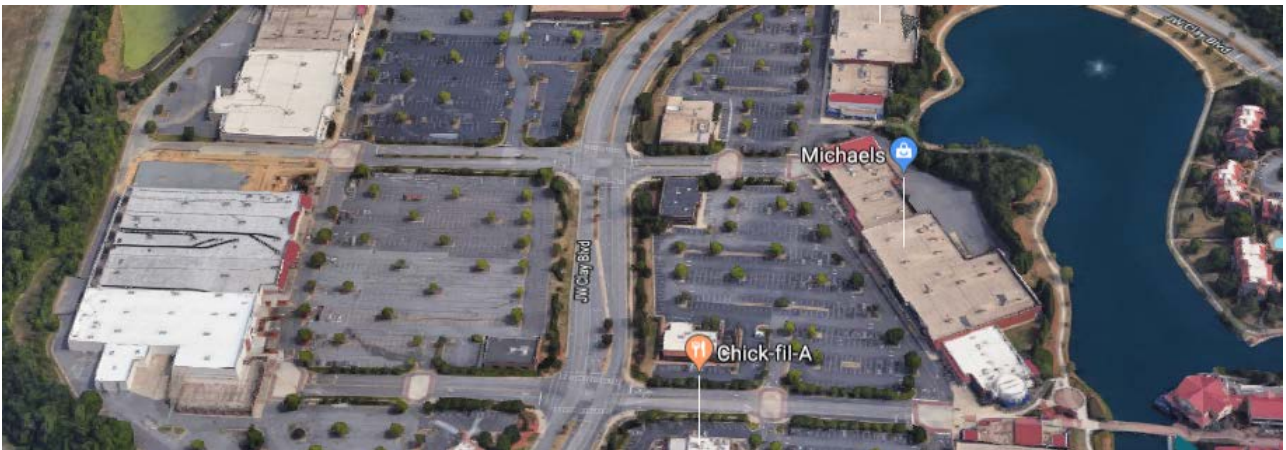
- Petition 1992-64 rezoned the subject property as part of an overall 77.7 acres from B-1SCD to CC to allow 940,000 square feet of retail and office uses. The subject property is identified as Parcel D and permits 26,494 square feet of building area for office and retail uses.
- The subject property is zoned CC (commercial center) and developed with a retail strip shop use.



The subject property is zoned CC (commercial center) and developed with a retail strip shop use.



The property to the north is a Sam's Club store.



Surrounding properties are a mix of retail, office, uses.

**Rezoning History in Area**

- Pending Rezonings
- Approved Rezonings After Jan 2013



Petition Number	Summary of Petition	Status
2018-047	Proposing to rezone approximately 4.42 acres to TOD-MO (transit oriented development, mixed use optional) to allow a 230-room hotel/conference center with accessory uses.	Pending
2016-035	Rezoned Approximately 0.11 acres to TOD-MO (transit oriented development – mixed-use, optional) to amend the districts signage regulations to increase the allowed square footage.	Approved
2013-033	Rezoned approximately 2.437 acres to TOD-M, transit oriented development-mixed use to allow all uses permitted in the TOD-M zoning district.	Approved

**Public Plans and Policies**



- *Blue Line Extension – University City Area Plan (2015) recommends a mix of office, retail and residential land uses.*

- **TRANSPORTATION CONSIDERATIONS**

- The site is on a major collector approximately 350 feet from an existing signal with a private street in a shopping center. The petitioner is aware of the City's Northeast Corridor Improvement Project that will add a bike lane and sidewalk along the site's J. W. Clay frontage. The City's North Bridge project over I-85 will signalize the intersection of J. W. Clay Boulevard and Doug Mayes Place, approximately 350 feet from the site.
- **Vehicle Trip Generation:**  
Current Zoning:
  - Existing Use: 2,320 trips per day (based on 19,190 square feet of retail uses).
  - Entitlement: 2,860 trips per day (based on 26,490 square feet of retail uses).Proposed Zoning: 2,320 trips per day (based on 19,190 square feet of retail uses).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Nonresidential development will not impact the school system.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along J W Clay Boulevard. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing eight-inch gravity sewer main located South of the rezoning boundary.
- **Engineering and Property Management:**
  - **Arborist:** No trees can be removed from the public right-of-way of any existing (J.W. Clay Blvd.) or newly created city maintained street without explicit authorization from the City Arborist or his designee. The location of structures, driveways, and other items illustrated on the site plan are conceptual in nature; City Council approval of the rezoning site plan does not confirm or imply authorization by the City Arborist to remove any tree located in a public street right-of-way. Trees cannot be planted in the right-of-way of all existing (J.W. Clay Blvd.) or newly created City of Charlotte maintained streets without authorization from the City Arborist or his designee. See Outstanding Issues, Note 1.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** Site must comply with the tree ordinance.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**Environment

1. The petitioner shall submit a tree survey for all trees two inches in diameter at breast height (DBH) or larger located in the public right-of-way. In addition, the survey shall include all trees eight inches (DBH) or larger in the setback. Tree survey may be completed by landscape architect, surveyor, or other land development professional.
- 

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

- Application
- Locator Map
- 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 Parks and Recreation Review
- Transportation Review

**Planner: Sonja Strayhorn Sanders (704) 336-8327**