



Zoning Committee

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**REQUEST**

Current Zoning: B-2 (general business) and B-2(CD) (general business, conditional)  
Proposed Zoning: TOD-M(O) (transit oriented development, mixed use, optional)

**LOCATION**

Approximately 8.5 acres located on the east side of N. Tryon Street, across from Orchard Trace Lane, south of Sandy Avenue (Council District 4 - Phipps)

**PETITIONER**

LIV Development

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**ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY**

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be consistent with the *Blue Line Extension Transit Station Area Plan*, based on the information from the staff analysis and the public hearing and because:

- The adopted area plan recommends transit oriented development.

Therefore, we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:

- The site is within a ¼ mile of the Tom Hunter Transit Station, and the proposed 250 multi-family dwelling units add to the mix of transit supportive land uses within the transit station area.
- The scale and massing of the development is consistent with the desired streetscape in proximity to transit.
- The proposed development provides new streets that extend Orchard Trace Lane across N. Tryon Street into the site, and a southern connection off this extension toward Gloryland Avenue, and as a result will increase area connectivity.
- Building setback of 24 feet from existing back of curb along N. Tryon Street is consistent with the street cross-section set forth in the adopted *Blue Line Extension Transit Station Area Plan*.
- The building height of five stories, in excess of 50 feet, will read as four stories from N. Tryon Street, reducing its visual impact.

Motion/Second: Gussman / Watkins  
 Yeas: Fryday, Gussman, Ham, McMillan, Samuel,  
 Watkins and Wiggins  
 Nays: None  
 Absent: None  
 Recused: None

**ZONING COMMITTEE  
 DISCUSSION**

Staff provided a summary of the petition and noted that it is consistent with the adopted area plan.

Staff noted that there are new outstanding issues based on review of the revised site plan submitted after the public hearing that pertain to architectural/design standards that are consistent with the ordinance standards set forth in the proposed TOD ordinance. Staff pointed out that the petitioner has made a commitment to comply with several of the design requests.

A committee member asked for clarification on the optional request to allow 60 feet of building height along the site's frontage of North Tryon Street. Staff answered that the adopted area plan recommends a maximum height of 50 feet. The petition limits building height to four stories except that the building fronting N. Tryon Street may contain up to five stories on the back portion of the building to accommodate grade differences, which will appear as a four-story building from N. Tryon Street. Buildings closest to the existing single family residential lots will not exceed the ordinance height standards.

A committee member asked about the square footage of individual units, and suspended the rules to ask the question of the petitioner/agent when staff did not have the information. The petitioner's agent, Brittany Lins, responded that she was unaware of the actual square footages but the development will contain one, two, and three-bedroom units similar to the square footage of the Blu at Northline apartment community located adjacent to the subject petition, across N. Tryon Street.

There was no further discussion of this petition.

**PLANNER**

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