

REQUEST	Current Zoning: CC, commercial center Proposed Zoning: CC SPA, commercial center, site plan amendment
LOCATION	Approximately 8.5 acres located on the north side of Interstate 485 between Johnston Road, Toringdon Way, and North Community House Road. (Council District 7 - Driggs)
SUMMARY OF PETITION	The petition proposes a site plan amendment to a portion of a unified development to allow: <ul style="list-style-type: none"> • an additional 10,000 square feet of office space, • the consolidation of two office buildings into one, • relocation of a 120-room hotel, and 13,000 square feet of additional retail space.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Toringdon Future Development, LLC Trinity Capital Advisors, LLC Jeff Brown and Keith MacVean/Moore & Van Allen
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 2
STATEMENT OF CONSISTENCY	This petition is found to be consistent with the <i>South District Plan</i> and to be reasonable and in the public interest, based on information from the staff analysis and the public hearing by a 7-0 vote of the Zoning Committee (motion by Commissioner Ryan seconded by Commissioner Allen).

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Added notes stating "If a bank/financial institution is constructed on the Site as the allowed use with accessory drive-through windows it must be constructed with an internal drive-through window. An internal drive-through window will be defined as the drive-through lanes designed in such a manner that: <ol style="list-style-type: none"> a. the area where a car(s) stops to utilize the pickup window(s) is located between two buildings; or b. a solid building edge/wall covers at least 80% of the length of the area where a car(s) stops to utilize the pickup window(s) associated with the drive-through lanes. If a Limited Service Restaurant, as defined above, is constructed on the Site as the allowed use with an accessory drive-through window it may not be developed as a free standing use, it must be part of a building designed for more than one tenant or more than one use. In addition, the Limited Service Restaurant must be constructed with an internal drive through window as defined above." 2. Amended Note 7g indicating that off-street parking areas, as well as maneuvering for parking or drive-through windows, will not be located between Community House Road, the internal private drive and the proposed buildings; however, vehicular parking and maneuvering may be located to the side or behind such buildings. 3. Provided detail of how building edges will relate to uses across the internal street.
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4. Added a note committing to provision of an open space area located within Development Area C at the intersection of Community House Road and the internal private drive as generally depicted on the Schematic Site Plan. This open space area will be designed as a focal point for the development and will include attractively landscaped areas and may also include development signage as well as other architectural features.
5. Added note requiring buildings located along the internal private drive to be designed with building facades that face the internal private drive and to have a minimum of 50 percent fenestration.
6. Reduced the number of uses that may be developed with accessory drive through windows from two uses to one use.
7. Reduced the maximum gross floor area of a Limited Service Restaurant from 2,500 square feet to 1,800 square feet.
8. Amended Note 7c to add that the minimum average height of the one story building will be no less than 25 feet as measured to the top of the parapet wall.
9. Amended Note 7d to specify that the allowed drive-through lanes must be located internally to the proposed building.
10. Provided a cross-section of proposed open space area to be located in Development Area C at the intersection of Community House Road and the internal private drive labeled as Inset A.

VOTE	Motion/Second:	Ryan/Sullivan
	Yeas:	Allen, Dodson, Labovitz, Nelson, Ryan, Sullivan and Walker
	Nays:	None
	Absent:	None
	Recused:	None

ZONING COMMITTEE DISCUSSION Staff presented this item and stated all outstanding issues were addressed. There was no further discussion of this petition.

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

- **Background**
 - The subject property was part of a larger rezoning in 1999 for the Toringdon development, Petition 1999-88, that rezoned 172 acres on the east and west corners of the intersection of Johnston Road and Interstate 485 from R-3 (single family residential) to CC (commercial center) to allow a mixed use development with office, retail, hotel and residential uses. Subsequent site plan amendments that included the subject property are as follows:
 - Petition 2003-048 amended 36.6 acres of the previously approved plan and added 0.784 acres which were rezoned from R-3 (single family residential) to CC (commercial center) to allow 675,000 square feet of office, 27,000 square feet of retail and one outparcel, and added 50 residential units.
 - Petition 2005-126 amended 36.6 acres to add 7,000 square feet of office space, 38,312 square feet of retail space within office buildings, and up to 90 multi-family residential units.
 - Petition 2008-040 amended 36.6 acres to increase retail space from 5,762 to 8,200 square feet, and increased the number of residential units from 140 to 260.
 - Petition 2010-035 amended 37.3 acres to allow relocation of 240 previously approved multi-family residential units, a decrease in the approved retail space by 52,000 square feet, an increase of office space by 38,000 square feet, and the addition of a 120-room hotel.

- **Proposed Request Details**

The site plan amendment contains the following changes:

- Consolidation of two office buildings into one building which is limited to eight stories.
 - Increase of general and medical office space from 190,000 square feet to 200,000 square feet.
 - Addition of 13,000 square feet of retail, restaurant, bank/financial institution, and personal services uses in a new building up to two stories located at the corner of Community House Road and the internal private drive.
 - Relocation of an approved six-story, 120-room hotel from an internal location to frontage along North Community House Road.
 - Additional retail/personal services/restaurant uses may be located within office buildings, provided that the additional uses will not occupy more than 50 percent of the ground floor area of such office buildings.
 - The number of principal buildings located on the site is limited to seven.
 - One use with an accessory drive-through window may be established in Development Area C as part of a building designed for more than one tenant or more than one use. The uses with an accessory drive-through window will be limited to a bank/financial institution or a limited service restaurant (defined as a restaurant primarily serving items such as coffee, ice cream, yogurt, juices, bagels, muffins, pastries, sandwiches and similar foods that do not require on-premise cooking of food beyond heating) that does not exceed 2,500 square feet.
 - Accessory drive-through window located within Development Area C may not have more than three lanes in total.
 - Buildings located along the internal private drive will be designed with building facades that face the internal private drive having a minimum of 50 percent fenestration, and will have at least one operable pedestrian entrance from the building to internal private drive.
 - Expanses of blank walls greater than 20 feet will not be allowed.
 - Each building constructed in Area C will be designed to have the appearance of a multi-story building.
 - Buildings within Development Areas A, B, and C that have frontage on Community House Road or the private drive indicated on the Technical Data Sheet will be designed to address the abutting street or drive and will have an entrance that faces the public street, except that buildings with frontage on two streets may have an entrance on only one street.
 - Buildings located within Development Area B will not orient the service side of such buildings to Community House Road, and the buildings constructed within Development Area A will not orient the service side of the building to the internal private drive.
- **Public Plans and Policies**
 - The *South District Plan* (1993) as amended by previous rezonings recommends mixed use residential, office, and retail uses on the subject property.
 - The petition is consistent with the *South District Plan*.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** This site plan amendment will not impact the number of students attending local schools.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site meets minimum ordinance standards.
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OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

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