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| REQUEST | Text amendment to modify the Transit Supportive (TS) overlay district standards. |
| SUMMARY OF PETITION | This petition proposes to amend the Transit Supportive overlay district standards by modifying the 1) development standards, 2) urban design standards, 3) circumstances in which property can be reclassified to a Transit Supportive overlay district, 4) applicability and exception section, and 5) the circumstances in which the optional Transit Oriented Development district can be utilized. |
| STAFF RECOMMENDATION | Staff recommends approval of this petition. This petition is consistent with the <i>Transit Station Area Principles</i> and is reasonable and in the public interest. |
| Petitioner Agent/Representative | Charlotte-Mecklenburg Planning Commission Charlotte-Mecklenburg Planning Department |
| Community Meeting | Meeting not required. |

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| ZONING COMMITTEE ACTION | The Zoning Committee voted unanimously to recommend APPROVAL of this petition, as revised. |
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| VOTE | Motion/Second: Simmons/Walker |
| | Yeas: Allen, Griffith, Howard, Locher, Simmons and Walker |
| | Nays: None |
| | Absent: Rosenburgh |
| | Recused: None |

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| ZONING COMMITTEE DISCUSSION | Staff reviewed the text amendment noting that the major difference between this text amendment and the Transit Oriented Development district text amendment (2009-012) is that the maximum height is limited to 60 feet in the Transit Supportive district, not 120 feet. A committee member asked if there were any exceptions that would allow a higher height. Staff responded, yes, a petitioner can ask for a Transit Supportive – Optional district to exceed the height limitation. |
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| STATEMENT OF CONSISTENCY | This petition is found to be consistent with adopted plans and policies and reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Simmons seconded by Commissioner Griffith). |
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| STAFF OPINION | Staff agrees with the recommendation of the Zoning Committee. |
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FINAL STAFF ANALYSIS

(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**
The text amendment contains the following provisions:

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- Modifies the TS overlay district purpose statement.
 - Modifies the applicability statement to exempt properties zoned TOD on March 1, 2009, from these text amendment modifications, if a site plan has been submitted for formal review by March 1, 2011.
 - Expands the conditions under which properties can be rezoned to a TS zoning district.
 - Modifies the minimum setback standards, including:
 - Applies the standards to both private and public streets.
 - Sets new standards for new development located across the street from, or abutting, existing single family zoning districts.
 - Amends the type of architectural features which can encroach into the setback.
 - Modifies the minimum side and rear yard standards by adding standards for lots abutting a rapid transit corridor or a freight rail corridor.
 - Modifies the maximum height standards, including:
 - Amending the height plane for new development located across a local public or private street from existing single family districts. The height plane would be measured from the required setback and required yards, rather than from the zoning boundary of the nearest single family district(s).
 - Amending the maximum height from 120 feet to 60 feet.
 - Modifies the minimum residential density and floor area ratio (FAR) by relating the density and FAR to the walking distance of the site to the transit station.
 - Modifies the parking standards, including:
 - Sets a new minimum parking space requirement for residential uses and modifies the parking ratio for offices, restaurants and nightclubs, retail and other nonresidential uses.
 - Requires on-street parking for properties on blocks with single family zoning, except where prohibited.
 - Adds standards for residential front-loaded garages, parking pads, and driveways.
 - Modifies the loading standards to prohibit loading and service areas across from, or abutting, single family uses.
 - Modifies the screening standards including:
 - Requires screening of service entrances, utility structures, and loading docks or spaces from private streets, in addition to public streets.
 - Adds large above-ground utility structures to the uses that must be screened.
 - Clarifies that only surface parking lots must be screened, not parking structures.
 - Modifies the pedestrian lighting standards by requiring the lighting be shielded with full cut-off fixtures.
 - Modifies the urban open space requirements by specifying that the required open space must be private or public based on the type of use, the lot size, and the gross square footage of the building floor area.
 - Modifies the urban design standards for “street walls”, including:
 - Requires retail and office buildings that front onto private streets, or that front onto a public multi-use path along a transit line, to provide clear glass windows and doors on the first-floor street level frontage.
 - Adds standards for roof line variations, façade variations, and porch standards.
 - Adds standards for entrances that face the street for ground floor units.
 - Requires the ground floor of parking structures located across the street from, or abutting single family to be wrapped with active uses.
 - Requires new buildings on retail streets to have a percentage of nonresidential uses on the first floor.
 - Modifies the building entrance and orientation standards by changing the number of pedestrian entrances that must be provided.
 - Modifies the building entrance standards by requiring that the first floor of residential units on major thoroughfares be visually and physically separated from the sidewalk.
 - Modifies the sign standards by deleting the bonus provision for neon lighted signs.
 - Modifies the streetscape standards by adding references and standards for amenity zones, which can be required in lieu of planting strips.
 - Modifies the purpose statement for use of the Transit Supportive Overlay district –Optional section by expanding the circumstances in which this district may be utilized.
 - **Public Plans and Policies**
 - This petition is consistent with the *Transit Station Area Principles (2001)*.
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PUBLIC INFRASTRUCTURE UPDATES (see full department reports online)

- **CDOT:** No comments received.
- **Charlotte Fire Department:** No issues.
- **CATS:** No issues.
- **Schools:** CMS does not comment on text amendments.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Storm Water:** No issues.
- **LUESA:** No issues.
- **SITE DESIGN:** No issues.

OUTSTANDING ISSUES

- **Storm Water:** No issues.
- **LUESA:** No issues.
- **SITE DESIGN:** No issues.

Attachments Online at www.rezoning.org

Application
CATS Review
CFD Review
LUESA Review
Pre-Hearing Staff Analysis
Storm Water Review
Zoning Committee Recommendation

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