

REQUEST	Current Zoning: B-2, general business and R-17MF, multi-family Proposed Zoning: TOD-RO, transit oriented development, residential, optional and TOD-MO, transit oriented development, mixed use, optional with five year vested rights
LOCATION	Approximately 36.4 acres located along Scaleybark Road and Weona Avenue on the east side of South Boulevard.
CENTER, CORRIDOR OR WEDGE	Corridor
SUMMARY OF PETITION	This petition proposes TOD-M optional and TOD-R optional to accommodate a mixed use development. The TOD-R component includes residential at a minimum density of 15 units per acre. The TOD-M component proposes a mix of residential, retail, restaurants, civic and office uses. The request includes numerous options mentioned under request details below.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is consistent with the <i>Scaleybark Transit Station Area Plan</i> .
Property Owner	Crosland Greens, LLC, Crosland, LLC, and Brown Craig, Inc.
Petitioner	Crosland Greens, LLC
Agent/Representative	Jeff Brown, Keith MacVean, and Bambi Lohr
Community Meeting	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Residential at a minimum density of 15 units per acre for the TOD-R component.
- Residential, retail, restaurants, civic and office uses with a minimum .75 floor area ratio for the TOD-M component.
- A street network with connectivity and pedestrian amenities to support high density development.
- One acre of open space improved with decorative paving, benches, landscaping, features and/or other amenities such as fountains or decorative architectural features.
- Eight hundred square feet of urban open space provided on parcel "K" across South Boulevard from the rail station.
- A bus waiting pad on both South Boulevard and Scaleybark Road.
- Relocation of the South Boulevard curb line to accommodate a five foot bike lane.
- Relocation of the curb line on Anson Street to accommodate parking.
- Pedestrian scale lighting provided throughout the site.

This site plan contains the following optional requests:

- Options to allow two ground mounted signs up to 30 feet high and 150 square feet of signage area along South Boulevard. Signs 20 feet in height and 100 square feet of area will be allowed on Scaleybark Road. A rooftop sign up to 15 feet high and 200 square feet of area will be allowed on parcel "L" at the intersection of South Boulevard and Scaleybark Road. Up to five project identification signs over interior public and private streets.
- Option to allow one building on parcel "K" or "L" to have building walls along South Boulevard and Scaleybark Road that provide less than 50 percent use visibility at street level. The petitioner will treat these facades with other design elements to enliven the streetscape. One such treatment could be a "green wall".

Option to provide less than 50 percent of the linear street frontage of a parking structure with retail, office, civic, institutional or residential uses along private streets fronting parcels "K" or "L". At a minimum, 35 percent of linear street frontage will be occupied by retail, office, civic, institutional, or residential uses.

Option to not provide building entrances along South Boulevard and Scaleybark Road for the rear and sides of buildings located on parcels "K" and "L".

Option to allow interim surface parking, up to 15 years with Planning Director review of development progress every five years, between the buildings and setbacks on parcels J, K, and L. The interim parking lots along South Boulevard and Scaleybark Road will be setback 54 feet from the future back of curb. Lots will be screened from public view and roadways with a double row of shrubs.

Option to allow surface parking to the side of the building on parcel "H" to cover more than 35 percent of the linear lot width along public street "A".

Option to maneuver in the right-of-way of proposed private street "D" to access service areas on parcels "K" and "L".

Option from the minimum FAR and densities for each phase. The overall development, when completed, will meet minimums.

Option to allow front loaded garages, parking pads and driveways to individual residential units within parcel "A" only along private street "A" and the northern boundary of the site. The garages for these units will be flush with or recessed behind the main structure.

Option to allow one building above 30,000 square feet, per single tenant, to have less than 75 percent of the buildings first floor façade include clear glass and doors with one entrance along street frontages. This applies to one building on either parcels "K" and "L".

Option to omit the buffer plantings within 50 feet of transmission towers in the Duke Power right-of-way along portions of the eastern property line.

Option to reduce the buffer along the northern property line on parcels "A" and "B" from ten feet to two feet with a six foot high fence or wall and reduce the rear yard from 20 feet to ten feet.

Option to allow steps, open porches and bay windows to encroach six feet into the 22-foot setback along streets classified as local residential wide.

Option to reduce the required 30-foot setback to 22 feet from the back of curb when abutting single family zoning.

Option to reduce the width of the amenity zone along Scaleybark Road from 16 feet to eight feet. This will not reduce the 24-foot setback.

Option to provide trees in tree grates rather than curbed planters along South Boulevard and Whitton Street.

Option to delay installation of street trees and sidewalks until development occurs on respective parcels.

Existing Zoning and Land Use

The subject properties are currently occupied by retail, office, civic and residential uses. The surrounding properties are zoned B-2, O-2, and R-4 and are occupied by retail, office, and residential uses.

Rezoning History in Area

Across South Boulevard the following rezonings have occurred: Petition 2006-90 from I-2 to TOD-M, Petition 2004-104 from B-2 and R-5 to TOD-M, Petition 2006-09 from B-2 to TOD-M, and Petition 2007-90 from I-1 and I-2 to TOD-M.

Public Plans and Policies

The *Scaleybark Transit Station Area Plan* (2008) recommends mixed use, transit oriented development on this property.

This petition is consistent with the *Scaleybark Transit Station Area Plan*.

PUBLIC INFRASTRUCTURE (see full department reports online)

- **Vehicle Trip Generation:** A wide range is possible for either the existing or proposed zoning scenarios.

CDOT: CDOT has the following comments:

Phasing of transportation improvements are presently being worked out and should be addressed at the public hearing.

The developer should commit to construction of the extensions of Dexter and Westen Streets to Hartford Avenue. These extensions should be phased to occur with the development of the TOD-R zoned parcels.

Charlotte Fire Department: No comments received.

CATS: No issues.

Connectivity: No issues.

Schools: CMS does not comment on TOD rezoning petitions because of the wide range of uses permitted.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

Storm Water: No issues.

LUESA: No issues.

Site Design: The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies*.

Facilitates the use of alternative modes of transportation by allowing for more intense, transit supportive uses within ¼ mile of a light rail station.

OUTSTANDING ISSUES

The petitioner should:

1. Eliminate the option to plant trees in tree grates along South Boulevard and Whitton Street.
 2. Eliminate the option to allow signs 20 and 30 feet in height.
 3. Address CDOT comments.
 4. The petitioner should add the following criteria to the rooftop signage:
 - Sign can only be used for on-premises business identification or the Crosland Green logo and the sign will not be used for product advertisement.
 - Exposed structural supports shall not extend more than 12 inches above the parapet with the sign face not to exceed five feet in height.
 - The sign panel shall be in keeping with and complement the architecture of the building on which it is placed.
 - If a unique three-dimensional sign is utilized, the Planning Director or designee will have the flexibility to alter the sign dimensions beyond the minimums.
 - The signage square footage will count towards the allowable wall mounted sign allowance.
 - The sign can be used in conjunction with the required screening of roof top mechanical equipment.
 - The Planning Director will review and approve the final sign design, material, and consistency with building architecture prior to the issuance of sign permits.
 5. All options proposed for parcels "K" or "L" should be contingent upon a single tenant building over 30,000 square feet being constructed.
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Attachments Online at www.rezoning.org

Application
CATS Review
CDOT Review
Community Meeting Report
LUESA Review
Site Plan
Storm Water Review

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