

May 15, 2017

REQUEST	Current Zoning: I-1 (light industrial) Proposed Zoning: I-1 TS-O, (light industrial, transit supportive overlay, optional) with 5-year vested rights
LOCATION	Approximately 4.39 acres located on the north side of West Tremont Avenue between South Tryon Street and Toomey Avenue. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to allow the development of 74 residential townhomes for a density of 17 dwelling units per acre on a vacant lot just outside of South End and 0.60 miles from the East/West Boulevard Station.
PROPERTY OWNER	Various
PETITIONER	Carolina Capital Investment Partners
AGENT/REPRESENTATIVE	Jeff Brown & Keith MacVean, Moore & Van Allen, PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 6
STATEMENT OF CONSISTENCY	<ul style="list-style-type: none">• The Zoning Committee found this petition to be consistent with the <i>New Bern Transit Station Area Plan</i>, based on information from the staff analysis and the public hearing, and because:<ul style="list-style-type: none">• The plan recommends residential land uses.• Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:<ul style="list-style-type: none">• The subject site is just outside of the 1/2 mile walk from the East West Transit station on the Lynx Blue Line; and• The transit supportive overlay will allow for a transit supportive residential development in an urban form and at a scale that is appropriate in an urban development; and• The proposal supports pedestrian and streetscape design by placing units that front along West Tremont Avenue and by adding an eight-foot planting strip and six-foot sidewalk; and• This petition will help support the transition of the area to a more walkable transit district; and• The petitioner has agreed to memorialize the Tremont Music Hall by using associated street names within the development, if approved by the City; <p>By a 4-2 vote of the Zoning Committee (motion by Wiggins seconded by Majeed).</p>

ZONING COMMITTEE ACTION	The Zoning Committee voted 4-2 to recommend APPROVAL of this petition with the following modifications: <ul style="list-style-type: none">• Tremont Music Hall will be memorialized by using associated street names in the development if approved by the City.
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VOTE	Motion/Second: Wiggins / Majeed
	Yeas: Majeed, McClung, Watkins, and Wiggins
	Nays: Fryday and Spencer
	Absent: None
	Recused: Lathrop

ZONING COMMITTEE DISCUSSION	Staff reviewed the petition noting that the outstanding issue related to Note 8B was in error in the agenda. The remaining two outstanding issues were from CDOT and the petitioner noted during the public hearing that they could not accommodate CDOT's requests. Staff
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explained that the relocation of the curb to accommodate a bike lane was a request and that the site plan was compliant without it. Staff also explained that the petitioner did not want to provide cross access to the adjacent properties, as there were no agreements in place to prohibit commercial traffic from entering the proposed residential development.

The Committee discussed garbage collection and fire access. It was noted that the outer loop road was designed for garbage collection with the inner loop road designed for fire truck access. A dialogue regarding the design of the development ensued with questions and comments about driveways on Tremont, parking for visitors, vehicular drop-off, and overall concerns about the quality of the site design.

The Committee asked about the need for an expedited decision on the petition. Staff explained that the petitioner had one delay due to site plan issues and another due to a missed deadline for turning in the Community Meeting Report. This resulted in unexpected contractual extensions which would be exhausted before the scheduled decision date.

Staff noted that this petition is consistent with the *New Bern Transit Station Area Plan* recommendation for residential land uses and that the TS-O (transit supportive overlay) is appropriate for the site as it is just outside the ½-mile walk from a transit station.

MINORITY OPINION

The minority of the Committee indicated that there was not enough time to consider site plan changes to improve the design. Specifically the vehicular circulation as proposed on this tight site does not adequately address normally anticipated parking/stopping access to residential unit front doors.

STAFF OPINION

Staff agrees with the recommendation of the majority of the Zoning Committee.

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

PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Development of 74 residential dwelling units within 18 buildings.
- 15-foot building setback from the future back-of-curb along West Tremont Avenue.
- Eight-foot planting strip and six-foot sidewalk along West Tremont Avenue.
- Internal two-way alley system for vehicular traffic to access proposed units with six-foot internal sidewalk system.
- Conditional notes listing proposed building materials, such as brick, stucco, pre-cast concrete, EIFS, decorative block. Vinyl and aluminum may only be used on windows, soffits and hand rails.
- Proposed roof pitch of 5:12, and roof materials will be architectural asphalt shingles or metal roof material.
- Proposed buildings will be limited to 160 feet in length.
- End units facing the private alleys will not have blank walls that exceed 20 feet in length on all levels, and will have no less than four windows.
- 10-foot landscape area and six-foot vinyl fence in the rear yard adjacent to the existing single family homes.
- Units abutting West Tremont Avenue will be raised from the average sidewalk grade a minimum of 18 to 24 inches.
- Minimum 3,000 square foot open space area for development.
- Minimum two-car garages for proposed units.
- Potential storm water area to be landscaped.
- Detached lighting will be limited to 16 feet in height.
- Optional Provisions for the following:
 - Site shall be allowed to exceed the maximum amount of required off-street parking. The

standards require that residential uses have a maximum of two spaces per unit.

- **Public Plans and Policies**

- The *New Bern Transit Station Area Plan* (2008) recommends multi-family residential up to 22 units per acre for the subject site and surrounding properties.

- **TRANSPORTATION CONSIDERATIONS**

- The site is located at the intersection of a major thoroughfare and a local street that transitions to a major collector across the signalized intersection. While the area plan did not envision bike lanes on this street, this petition's request to transition to residential and current guidance about bike facilities drives CDOT's outstanding request for future back of curb dimension beyond the area plan dimension to accommodate a future bike lane.
- See Outstanding Issues, Notes 1 and 2.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 130 trips per day (based on 20,400 square feet of warehouse uses).
 - Entitlement: 250 trips per day (based on 43,900 square feet of warehouse uses).
 - Proposed Zoning: 500 trips per day (based on 74 units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte-Douglas International Airport:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate zero students, while the development allowed under the proposed zoning will produce three students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is three students.
 - The proposed development is not projected to increase the school utilization (without mobile classroom units) over existing conditions, and utilization will remain as follows:
 - Barringer Elementary at 121%;
 - Sedgefield Middle at 104%; and
 - Harding University High at 129%.
- **Charlotte Water:** The site has water and sewer system availability for the rezoning boundary via an existing six-inch water main along West Tremont Avenue and eight-inch sewer main located along West Tremont Avenue.
- **Engineering and Property Management:**
 - **Arborist:** No issues.
 - **Erosion Control:** No issues.
 - **Land Development:** No issues.
 - **Storm Water Services:** No issues.
 - **Urban Forestry:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Transportation

1. The petitioner should revise the site plan by relocating the proposed curb 27.50 feet from the existing centerline of road. This will comply with the area plan recommendation in addition to the future bike lane.
2. The petitioner should revise the site plan and the transportation notes to depict and state that the petitioner agrees to allow future cross access to be preserved for such time that redevelopment occurs. This should include depicting stubs and access easements on the site plan.

Attachments Online at www.rezoning.org

- Application
- Site Plan

- Locator Map
- Community Meeting Report
 - Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - City Arborist Review
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Transportation Review

Planner: Tammie Keplinger (704) 336-5967