

REQUEST	Current Zoning: I-2 (general industrial) Proposed Zoning: TOD-M(O) (transit oriented development, mixed use, optional)
LOCATION	Approximately 19 acres located on the north side at the end of Raleigh Street, east of East Sugar Creek Road. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to redevelop a site in the Howie Acres area to allow all uses in the TOD-M (transit oriented development mixed-use) district. Uses allowed in the TOD-M (transit oriented development – mixed use) district include residential, office, retail and civic uses.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Raleigh 20, LLC Flywheel Group Bridget Grant, Keith MacVean, and Jeff Brown, Moore & Van Allen, PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 4

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, land use and site and building design</p> <p><u>Plan Consistency</u> The petition recommends approval of this petition upon resolution of outstanding issues related to transportation, land use and site and building design.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The subject site is within a ½-mile walk of the Sugar Creek Transit Station on the LYNX Blue Line Extension. • The proposed rezoning allows redevelopment of a site zoned for industrial use to be developed with transit supportive uses. • The proposal allows for all uses in the TOD-M (transit oriented development – mixed-use) district, which include office, residential, retail, and civic. • Network of public and private streets and commitments for the Cross Charlotte Trail will improve both the pedestrian and vehicular travel patterns. • Design standards beyond the ordinance requirements will enhance the quality of the built environment at a transit station.
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PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Petition consists of Development Areas 1, 2, and 3, and seeks to allow all uses permitted in the TOD-M (transit oriented mixed use development).
- Site access provided off Raleigh Street via proposed Public Street A and Private Street B.
- Proposed internal Private Street C will cross Development Areas 2 and 3 to the east and west, and be stubbed to abutting properties so as to align with Curtiswood Drive.
- Dedication of additional right-of-way to provide a total right-of-way of 80 feet along Raleigh Street.
- Petitioner will reserve 27.5 feet along the western property edge for a future public street and sidewalk, which shall be completed with the issuance of the certificate of occupancy for the first building on the applicable adjacent property to the west.
- The Cross Charlotte Trail will be provided along a portion of frontage on Raleigh Street and will run through Development Area 1 and stub to an abutting property to the north.
- Provides a 12-foot wide multi-use path through the site on Development Area 3 that will align with Galax Drive and serve as a connection between Private Street B and the eastern property boundary.

- Provides a 16-foot setback along the Raleigh Street to the east of Public Street A, and a 24-foot setback along Raleigh Street to the west of Public Street A. Residential development along and fronting Raleigh Street will provide a four-foot transition zone between the face of the building and the sidewalk.
- Provides an eight-foot planting strip and six-foot sidewalk along the east side of Raleigh Street prior to the first certificate of occupancy for new construction in each Development Area.
- Amenitized open space areas with landscaping, seating areas and/or features that promote gathering. Open space areas on the site will be improved with landscaping, lighting, seating and/or hardscape elements.
- Building materials consisting of a combination of brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding, stucco, EIFS, decorative metal panels, decorative block and/or wood. Vinyl as a building material may only be used on windows, soffits, and handrails/railings.
- The ground floor portion of buildings fronting and facing directly on the future Cross Charlotte Trail will be designed to orient to the trail. Entrances that face the trail shall have direct access to the trail.
- Primary building entrances will be provided along Raleigh Street, at a minimum of every 100 feet, if individual uses and/or tenant entrances are not provided. Employs a minimum of three architectural standards for all primary entrances.
- Building walls located along public streets shall have a ground floor that is taller than and architecturally different than upper floors with more transparency than upper floors. The ground floor of new buildings on Raleigh Street shall have a minimum of 40% active uses, with no structured parking fronting public streets.
- Optional provisions requested include the following:
 - Allow parking for an eating/drinking/entertainment establishment at the rate of one space per 300 square feet in lieu of the ordinance requirement of one space per 150 square feet.
- **Existing Zoning and Land Use**
 - The subject property is zoned I-2 (general industrial) and currently developed with office and warehouse uses, and outdoor tractor trailer storage.
 - Properties on the east side of East Sugar Creek Road include a largely vacant retail strip mall, Tryon Mall, zoned B-1SCD (business shopping center), an existing single family neighborhood zoned R-5 (single family residential), industrial and retail uses in I-2 (general industrial, I-1 (light industrial) and B-2 (general business) zoning.
 - Properties on the west side of East Sugar Creek Road are zoned I-2 (general industrial), B-2 (general business), MUDD-O (mixed use development, optional), MUDD(CD) (mixed use development, conditional), TOD-M (transit oriented development - mixed-use) and UR-3(CD) (urban residential, conditional), and developed with a mix of industrial, retail, multi-family residential, and single family attached residential uses.
 - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
 - Petition 2017-75 rezoned 4.07 acres located on the east side of East Sugar Creek Road between Raleigh Street and Bearwood Avenue to TOD-M (transit oriented development - mixed-use) to allow all uses in the TOD-M (transit oriented development mixed-use) district.
 - Petition 2017-024 approved a UR-2(CD) (urban residential, conditional) site plan amendment for 3.68 acres located on the west side of Bingham Drive between North Tryon Street and Curtiswood Drive to allow up to 60 age-restricted multi-family dwelling units in a single building, and five townhome units, at a density of 17.66 units per acre
 - Petition 2016-111 rezoned 9.91 acres located north of North Davidson Street on the southwest corner at the intersection of Philemon Avenue and East Craighead Road to TOD-M(CD) (transit oriented development - mixed-use, conditional) to allow transit supportive uses allowed in the TOD-M (transit oriented development - mixed-use) district.
 - Petition 2016-079 rezoned 14 acres located at the northeast intersection of North Tryon Street and Sandy Avenue to TOD-M(CD) (transit oriented development - mixed-use, conditional) to allow all uses in the TOD-M (transit oriented development - mixed-use) zoning district.
 - Petition 2016-063 rezoned 1.18 acres located on the north side of North Davidson Street between Donatella Avenue and Anderson Street to MUDD-O (mixed use development - optional) district to allow for the reuse of existing buildings for any use permitted in the MUDD (mixed use development) district. Uses allowed in the MUDD (mixed use development) district include office, residential, retail and civic uses.
- **Public Plans and Policies**
 - The *Blue Line Extension Transit Station Area Plan* (2013) recommends transit oriented development for the site.

- The scale and massing of new development/redevelopment should be sensitive to historic properties, the Zion Primitive Baptist Church, and the Howie Acres neighborhood scale and character.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located at the dead end of a local street along the alignment of the Cross Charlotte Trail. The current site plan commits to the pedestrian elements of the Cross Charlotte Trail but it is unclear if the petitioner intends to construct the complete bike and vehicle cross sections along Raleigh and a new required street within the site as requested by CDOT.
 - See Outstanding Issues, Notes 1-6.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 1,560 trips per day (based on a 19-acre intermodal truck terminal).
 - Entitlement: 1,560 trips per day (based on a 19-acre intermodal truck terminal).
 - Proposed Zoning: Too many uses to determine trip generation.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Housing and Neighborhood Services:** Developer seeking public funding for multi-family housing developments must comply with the City's Housing Policies
- **Charlotte Fire Department:** No on-street parking on roads less than 26 feet clear width.
- **Charlotte-Mecklenburg Schools:** The conditional district request allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing 6-inch water distribution main located along Raleigh Street. Sewer system availability for the rezoning boundary provided via existing 8-inch gravity sewer mains located along Raleigh Street and within the subject property identified as parcel 091-05-112.
- **Engineering and Property Management:**
 - **Arborist:** No trees can be removed or planted in the right-of-way of East Sugar Creek Road without permission from NCDOT and the City Arborist's office. Authorization is required in order to remove trees from the right-of-way along Raleigh Street. A tree survey for all trees two inches or larger located in the right-of-way, and all trees eight inches or larger in the setback is required.
 - **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 comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Transportation

1. The proposed zoning district has a setback measured from back of the existing or proposed future curbline.
 - a. Raleigh
 - i. ~~Western site boundary to north/south Street 1—The location of future back of curb is 20.5 feet as measured for the street's existing centerline to accommodate a 10-foot travel lane and an eight-foot buffered bike lane. Should the petitioner desire on-street public parking along the site's frontage the above back of curb location will need to be increased by six feet. Addressed.~~
 - ii. ~~East of north/south Street 1—The location of future back of curb is 17.5 feet as measured for the street's existing centerline to accommodate a ten-foot travel lane and a five-foot bike lane. The petitioner may maintain the 20.5-foot dimension if desired for consistency along Raleigh. (see conceptual street/multi-use/bike lane network below). Should the petitioner desire on-street public parking along the site's frontage the above back of curb location will need to be increased by six feet. Addressed.~~
 - b. ~~North/south Street 1 (westernmost, aligned toward Dorton)—The location of future back of curb is 20.5 feet as measured for the street's existing centerline to accommodate a 10-foot travel lane and an eight-foot buffered bike lane. Should the petitioner desire on-street public parking along the site's frontage the above back of curb location will need to be increased by six feet. Addressed.~~

2. ~~CDOT requests that all proposed streets (Private Streets B and C) be converted to public streets.~~ **Addressed.**
3. ~~The petitioner should revise the site plan and conditional note(s) to show construction of a 16-foot shared use path on the north side of Raleigh turning onto the east side of the north/south Street 1 to accommodate the pedestrian portion of the Cross Charlotte Trail (XCLT) alignment. A raised crossing across the westernmost north/south street leg at Raleigh intersection is desired. The in-street buffered bike lanes serve the bicycle portion of the XCLT alignment (refer to conceptual street/multi-use/bike lane network provided).~~ **Addressed.**
4. ~~The petitioner should revise the site plan to add a note specifying dedication and fee simple conveyance of all rights of way to the City before the site's first building certificate of occupancy is issued. CDOT requests right-of-way set at two feet behind back-of-sidewalk where feasible.~~ **Addressed.**
 - a. ~~North/south Street 1 (westernmost, aligned toward Dorton Street) total right-of-way need at 85 feet from centerline. The right-of-way on the north side of Raleigh Street needs to be 46.5 feet and 38.5 feet on the south side as measured from the street's existing centerline.~~ **Addressed.**
5. ~~The petitioner should revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued or phased per the site's development plan.~~ **Addressed.**
6. ~~The petitioner should revise the site plan to depict and dimension the layout and typical street section along the site's Raleigh and network required street frontage. The street sections should include elements as described above and in conditional notes including proposed building setback lines, future back-of-curb, proposed street right-of-way, XCLT, buffered bike lanes, travel lanes, planting strips and sidewalks. CDOT requests a condition transportation note be added to the revised site plan committing the petitioner to construct the future street sections as development occurs.~~ **Addressed.**

Site and Building Design

7. ~~Continue street network via Public Street A and Private Street B along the property boundary.~~ **Addressed.**
8. ~~Amend Note 5C under "Streetscape, Landscaping, Open Space and Screening" to reflect the Cross Charlotte Trail Raleigh Street Option A (Alternate) cross section, with the caveat that all intersection and driveway crossings will be appropriately designed to mitigate the increased risk of a two-way cycle track on a two-way street. In addition, specify who is responsible for building the streetscape along the north side of Raleigh Street.~~ **Addressed.**
9. ~~Amend Note 5D under "Streetscape, Landscaping, Open Space and Screening" to reflect an eight-foot planting strip and eight-foot sidewalk along the south side of Raleigh Street as required per the TOD (transit-oriented development) district.~~ **Addressed.**
10. ~~Show and label the required 10-foot wide planting strip abutting residential dwellings in R-22MF (multi-family residential) and R-5 (single-family residential) zoning.~~ **Addressed.**
11. ~~Specify maximum building height and number of stories.~~ **Staff rescinded this request.**

Land Use

12. ~~Delete Note 2B under "optional provisions" and ensure that all optional requests are listed under the heading.~~ **Addressed.**

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Housing and Neighborhood Services Review
 - Charlotte Fire Department Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - City Arborist
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

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