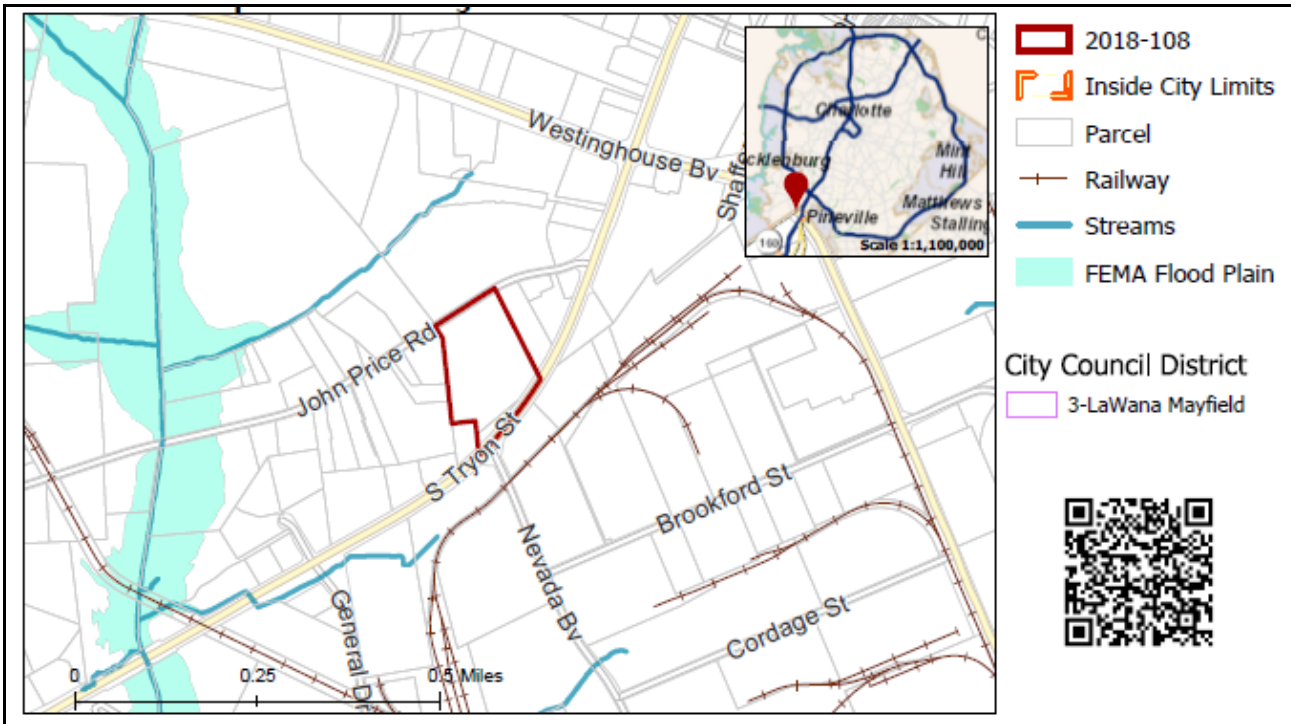
CHARLOTTE.
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2018-108
Pre-Hearing Staff Analysis
November 19, 2018

REQUEST	Current Zoning: I-1 (light industrial) Proposed Zoning: R-22MF(CD) (multi-family residential, conditional)
LOCATION	Approximately 10.54 acres located between South Tryon Street and John Price Road across from Nevada Boulevard. (Council District 3 - Mayfield)



SUMMARY OF PETITION	The petition proposes to allow up to 231 multi-family residential units on vacant land located south of the intersection of Westinghouse Boulevard and South Tryon Street.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Various Elmington Capital Group 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: 6

STAFF RECOMMENDATION	Staff recommends denial of this petition. <u>Plan Consistency</u> The petition is inconsistent with the industrial land use recommended for the site by the *Steele Creek Area Plan*. <u>Rationale for Recommendation</u> • The proposed residential multi-family development is inconsistent with the industrial land use recommended for this site and surrounding area. • The site is within an Industrial Activity Center as per the *Centers,*

	Corridors and Wedges Growth Framework, which is intended to be mainly made up of light and heavy industrial, warehouse and/or distribution land uses, with limited amounts of other types of land uses. For example a warehouse project is currently being developed across John Price Road from this site, under I-1 light industrial zoning. • The proposed development will result in residential property being located adjacent to property zoned for industrial use. Many industrial uses can be considered incompatible with residential uses due to regulated air emissions and other common features of industrial uses such as odors, dust, noise, and truck traffic. • The proposed development is surrounded on three of four sides by I-1 (light industrial) zoning and on the fourth side by I-2 (general industrial) zoning. Within 1/2 mile of the parcels there are 12 facilities that are known sources of air pollution.

PLANNING STAFF REVIEW

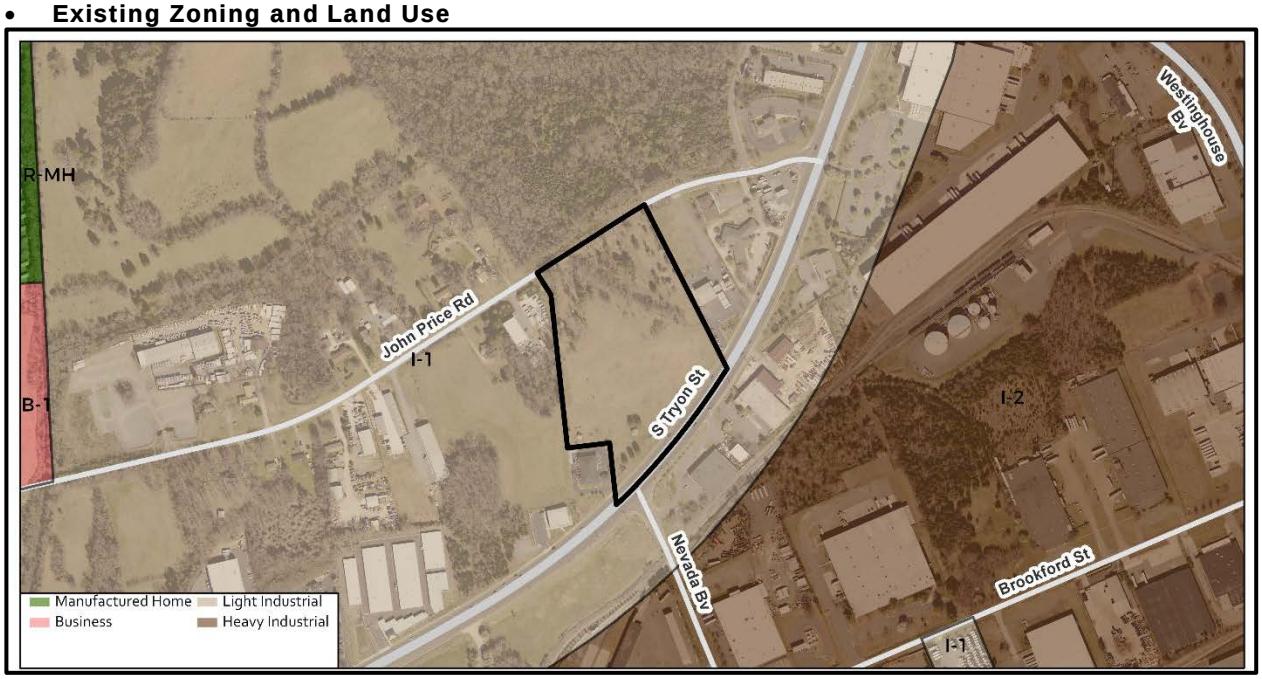
- **Proposed Request Details**

  The site plan accompanying this petition contains the following provisions:
  - Up to 231 multi-family residential units at a density of 21.94 units per acre.
  - Clubhouse, playground/covered picnic and tot lot area.
  - Limits building height to four stories and 75 feet.
  - Notes number of principal residential buildings will not exceed ten (10).
  - Commits to open space amenities, including trails, landscaping, seating areas, and structures.
  - Provides a Class B Buffer along the eastern property line.

  Commits to the following transportation improvements:
  - Proposes Public Street A (extension of Nevada Boulevard) to connect and provide access onto South Tryon Street and John Price Road.
  - Proposes a second access onto John Price Road via proposed driveway with “Exit Only Gate”.
  - Provides a left turn lane from John Price Road onto Nevada Boulevard extension.
  - Provides eight-foot sidewalks and eight-foot planting strips along Nevada Boulevard.
  - Installs a traffic signal at the intersection of Nevada Boulevard and South Tryon Street when warranted and approved by NCDOT and CDOT. Prior to installation of the traffic signal at the intersection of Nevada Boulevard and South Tryon Street, the petitioner will install a pedestrian refuge island on South Tryon Street as generally depicted on the rezoning plan. The petitioner will also install as part of the pedestrian refuge island an “Active Warning Beacon” (e.g. Flashing Pedestrian Beacon).
  - Dedicates and conveys to CDOT or NCDOT 57.5 feet of right-of-way along South Tryon Street as measured from existing center line. Also provides a 9.5-foot sidewalk and utility easement as measured from the 57.5-foot right-of-way line.
  - Dedicates 30 feet of right-of-way from the center line of John Price Road.

  Commits to the following architectural standards:
  - Proposes building materials of brick, stone, precast stone, precast concrete, synthetic stone, cementititous fiber board, EIFS, decorative block and/or wood; allows vinyl or aluminum only on windows, soffit, interior breezeways, on handrails/railings.
  - Provides building entrances from each building along Nevada Boulevard and South Tryon Street.
  - Places buildings on South Tryon Street and Nevada Boulevard at minimum of 60% of frontage.
  - Provides exterior wall offsets, projections, recesses, pilasters, banding, and change in materials or colors; limits expanses of blank walls.

- **Existing Zoning and Land Use**



- The rezoning site is currently vacant and is immediately surrounded by scattered single family residential, institutional warehousing/light manufacturing, offices, commercial uses, undeveloped and vacant land on properties in an area almost entirely zoned for industrial uses.



The subject property is vacant.



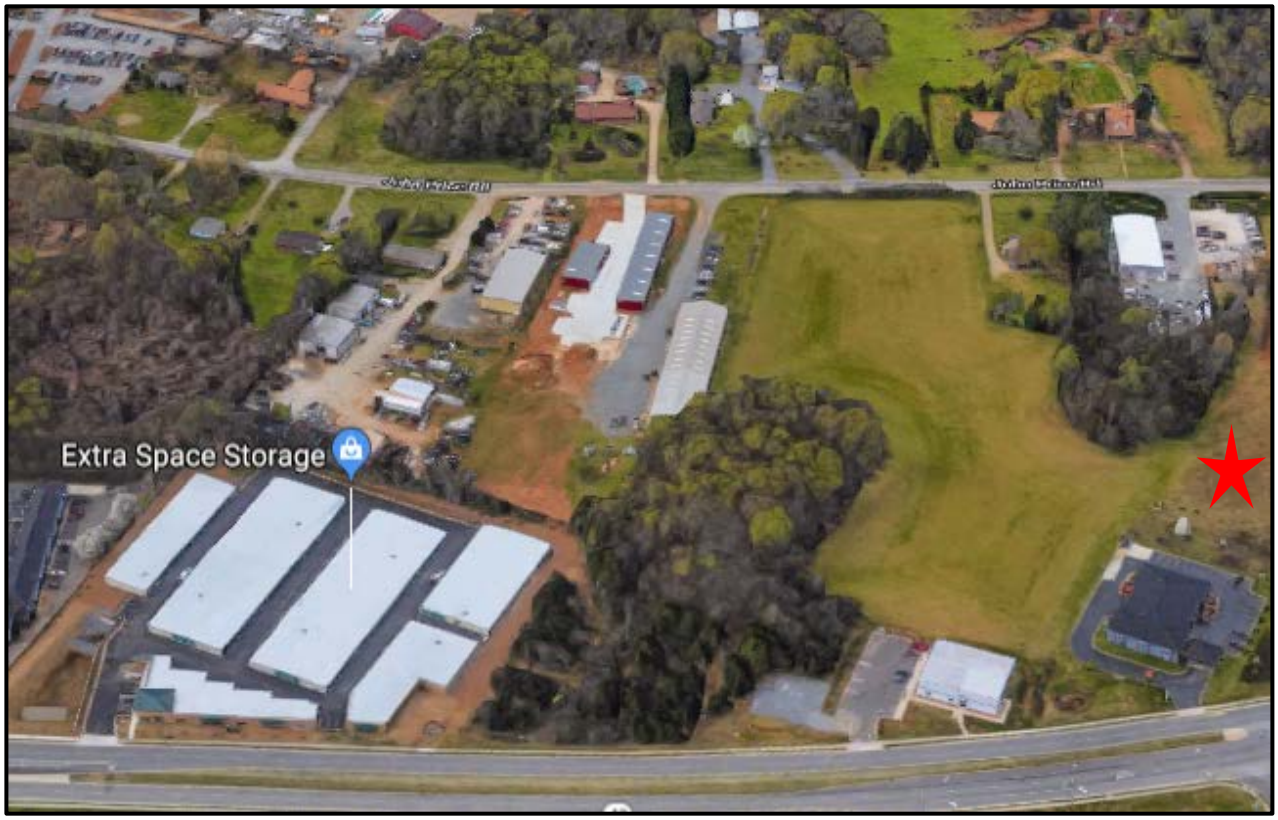
The property to the north along John Price Road is undeveloped.



The property to the east along South Tryon Street is developed with by Steele Creek Tire Center.

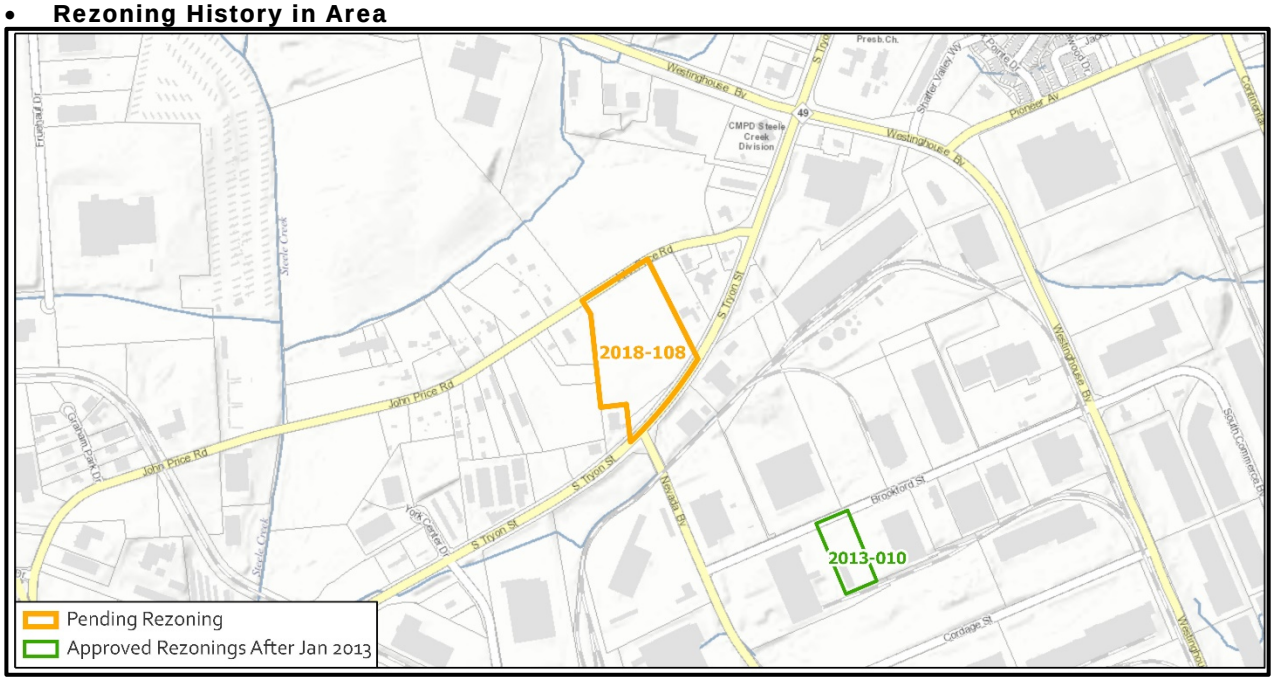


The properties to the south along South Tryon Street are developed with warehouse/distributive uses.



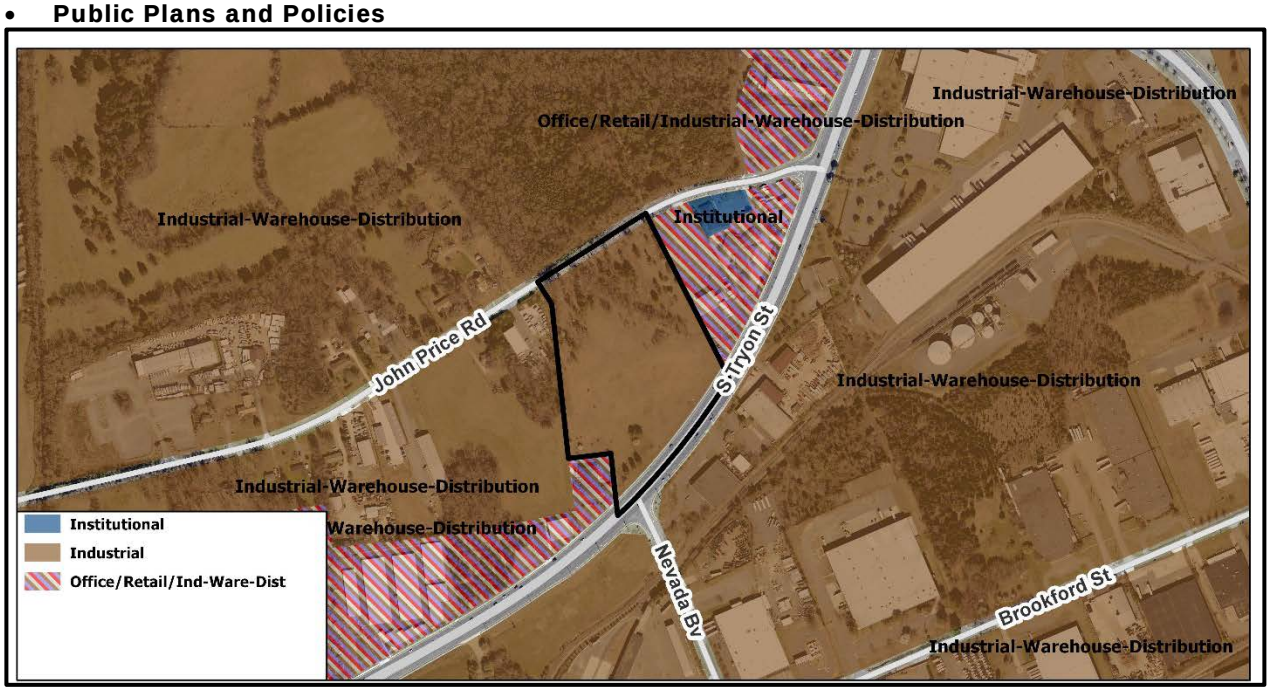
Properties to the west along South Tryon Street and John Price Road are developed with a mix of retail, industrial uses and vacant land. The red star shows the location of the property proposed to be rezoned.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2013-010	Rezoned approximately 2.45 acres from I-2 (general industrial) to I-1 (light industrial) to allow all uses in the I-1 zoning district.	Approved

- **Public Plans and Policies**



  - The *Steele Creek Area Plan* (2012) recommends industrial land use for this site. The site is located within the Westinghouse Industrial Activity Center, as per the *Centers, Corridors and Wedges Growth Framework*.

- **TRANSPORTATION CONSIDERATIONS**
  - The site is located on a major thoroughfare and a major collector. The site plan commits to the extension of Nevada Boulevard (major collector) from South Tryon Street and John Price Road. The site plan also commits to a traffic signal at the intersection of Nevada Boulevard and South Tryon Street when warranted and installation of a pedestrian signal in the interim.
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 0 trips per day (based on vacant land).
    Entitlement: 380 trips per day (based on 108,000 square feet of warehouse).
    Proposed Zoning: 1,330 trips per day (based on 231 apartment units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** Gated access must comply with Section D103.5 of the International Fire Code (IFC 2012). Fire hydrant will be required.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 0 students, while the development allowed under the proposed zoning will produce 81 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 81 students.
  - The proposed development is projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Lake Wylie Elementary from 105% to 112%
    - Southwest Middle from 134% to 135%
    - Olympic High from 132% to 133%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along John Price Road and via an existing 16-inch transmission main located along South Tryon Street. Charlotte Water has sanitary sewer infrastructure accessible for the rezoning boundary via an existing eight-inch gravity main located along South Tryon Street.
- **Engineering and Property Management:**
  - **Arborist:** To comply with the NCDOT tree planting requirements on S. Tryon St., if small maturing trees are required, they shall to be planted eight feet from edge of travel lane due to

the 45 MPH speed limit. However, if large maturing trees are planted, they shall be planted 12 feet from edge of travel lane due to the 45 MPH speed limit.

- **Erosion Control:** No outstanding issues.
- **Land Development:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry:** No outstanding issues.

- **Mecklenburg County Land Use and Environmental Services Agency:** The proposed development will result in residential property being located adjacent to property zoned for industrial use (I-1 and I-2). Many industrial uses can be considered incompatible with residential uses due to regulated air emissions and other common features of industrial uses such as odors, dust, noise, and truck traffic. The proposed development is surrounded on three of four sides by I-1 industrial zoning and on the fourth side by I-2 industrial zoning. Within 0.5 mile of the parcels there are 12 facilities that are known sources of air pollution:

Facility Classification	Number of Facilities within 0.5 mile
Major	1
Synthetic Minor	2
Minor	3
Registered	6

MCAQ recommends that the Planning Commission consider this information in its determination of whether this rezoning request constitutes an incompatible land use. The requested rezoning will result in residential development in close proximity to existing heavy industrial use.

- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Land Use

1. The request is inconsistent with the Steele Creek Area Plan recommendation for industrial-warehouse distribution. If this petition is considered for approval, the following issues should be addressed:

Site and Building Design

2. Extend sidewalk connections to South Tryon Street and extend sidewalks through parking areas to connect to John Price Road.
3. A Class A buffer should be provided along the western property line adjacent to the parking.

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-Mecklenburg Schools Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - City Arborist
    - 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: Claire Lyte-Graham (704) 336-3782