

REQUEST	Current Zoning: I-2 (general industrial) Proposed Zoning: TOD-M (transit oriented development - mixed-use)
LOCATION	Approximately 4.07 acres located on the east side of East Sugar Creek Road between Raleigh Street and Bearwood Avenue. (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	Osborn Properties, LLC; CM3 Properties, LLC; Sugar Creek Properties LLC
PETITIONER	Conformity Corp.
AGENT/REPRESENTATIVE	Monte Ritchey
COMMUNITY MEETING	Meeting is not required.

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>Blue Line Extension Transit Station Area Plan</i> recommendation for transit supportive uses.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The subject site is within a ¼ 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. • Use of conventional TOD-M (transit oriented development – mixed-use) zoning applies standards and regulations to create the desired form and intensity of transit supportive development and a conditional rezoning is not necessary. • TOD (transit oriented development) standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening. • The plan for the area does not have a specific height limit and the TOD-M standards will provide a height transition between nearby single family homes and taller buildings.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
 - This is a conventional rezoning petition, which applies all the standards, regulations and uses in the TOD-M (transit oriented development - mixed-use) zoning district. This district is established to support a blend of high density residential, high intensity employment/office, civic, entertainment, and institutional uses, as well as a limited amount of retail uses in a pedestrian friendly area.
- **Existing Zoning and Land Use**
 - This subject property is zoned I-2 (general industrial) and currently developed with an industrial warehouse use.
 - 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 2017-024 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 2016-063 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.
 - Petition 2014-004 rezoned 2.4 acres of vacant land located on the south side of Raleigh Street between East Sugar Creek Road and Greensboro Street to TOD-M (transit oriented development - mixed-use) to allow all uses permitted 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.
 - Petition 2013-09 rezoned 3.89 acres located on the north side of Spencer Street between Academy Street and Anderson Street to MUDD-O (mixed use development, optional) to allow 54 multi-family dwelling units.
- **Public Plans and Policies**
 - The *Blue Line Extension Transit Station Area Plans* (2013) recommend transit oriented development for this site.
 - The structure map which identifies the appropriate height for parcels within the plan area indicates that a height as regulated by the zoning ordinance is appropriate.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located along a major thoroughfare next to the LYNX Blue Line Sugar Creek transit station, the City's Sugar Creek streetscape project, and the main alignment of the proposed Cross Charlotte Trail. Additionally, CDOT understands the petitioner may be interested in coordinating with the City to develop an enhanced pedestrian/bike connection under the Sugar Creek bridge. CDOT anticipates working with the developer during permitting to integrate the site with the various City projects underway to support the transit investment.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 490 trips per day (based on 88,350 square feet of warehouse and 6,910 square feet of office).
 - Entitlement: 490 trips per day (based on 88,350 square feet of warehouse and 6,910 square feet of office).
 - 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 Neighborhood & Business Services:** No comments received.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** In relation to the parcel under review, Charlotte Water has water system availability via an existing 12-inch water distribution main located on Raleigh Street. In relation to the parcel under review, Charlotte Water has sewer system availability for the rezoning boundary via existing 8-inch gravity sewer mains located along East Sugar Creek Road and Raleigh Street.
- **Engineering and Property Management:**
 - **Arborist:** No trees can be removed from or planted in the right-of-way of all city maintained streets without permission of the City Arborist's office. Petitioner must submit a tree survey for all trees two inches or larger located in the right-of-way, and the survey shall include all trees eight inches or larger in the setback.
 - **Erosion Control:** No issues.
 - **Land Development:** No issues.

- **Storm Water Services:** No issues.
 - **Urban Forestry:** No issues.
 - **Charlotte Water:** No comments received.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
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Attachments Online at www.rezoning.org

- Application
- Locator Map
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Fire Department Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - City Arborist Review
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
 - Transportation Review

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