

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2008-059

Property Owner: 85 City Partners, LLC, Crescent Resources, LLC, and Crescent Resources Inc.,

Petitioner: Crescent Resources, LLC

Location: Approximately 168 acres located on the east side of the I-85 / City Boulevard interchange

Center, Corridor, or Wedge: Corridor

Request: O-2, office, RE-1, research, B-1 SCD, shopping center district, I-1, light industrial and MUDD-O, mixed use development district to CC, commercial center, and five year vesting

Summary

This petition proposes the development of a “pedestrian-friendly multi-use development” consisting of up to 450,000 square feet of office (including financial institutions), restaurant, retail, two (2) hotels with up to 200 rooms each; and up to 720 attached residential units. The petitioner is requesting a five year vesting of this petition. The petition also contains the open space along Interstate 85 that was rezoned as a part of the IKEA rezoning in 2007.

Consistency and Conclusion

This petition is consistent with the *University City Area Plan* and upon resolution of the outstanding site plan issues, is considered appropriate for approval.

Existing Zoning and Land Use

The properties surrounding the petitioned site are zoned I-1, light industrial, MUDD-O (IKEA site), and B-1SCD. Across Interstate 85, the properties are zoned RE-2, research, and Institutional. For the most part the adjacent properties are vacant with a small area of light industrial/warehousing between the site and N. Tryon Street.

Rezoning History in Area

The most recent rezoning in the immediate area was petition 2006-155 for IKEA. The property was rezoned from I-1 to MUDD-O with a maximum of 414,000 square feet of retail uses.

Public Plans and Policies

University City Area Plan (2007). The *University City Area Plan* recommends the following land uses for the subject parcel, described as Area A-1 in the plan;

“Because of its high visibility along I-85 and proposed new points of access via City Boulevard and the McCullough Drive extension, this area is appropriate for “interchange-oriented” retail uses and/or office and residential uses. This includes the 420,000 square feet of retail approved for the IKEA and it’s outparcels and up to 295,000 square feet of additional retail uses. The maximum ground floor square footage of a single retail use (of the 295,000 square feet) is 90,000 square feet.

An additional 105,000 square feet of retail is appropriate, which can be built at any time, provided that the following design guidelines are satisfied:

- *The additional square footage must be composed of buildings fronting on IKEA Boulevard. These buildings shall contain non-opaque doors and windows along elevations that face these streets. Articulated facades and other specially designed architectural elements should be used to avoid expanses of solid and/or blank walls.*
- *Pedestrian connectivity should be emphasized.*
- *Public building entrances should connect directly to a sidewalk along a public street or to a private street/drive or to an open space.*
- *The maximum ground floor square footage of a single retail use (of this additional retail) is 25,000 square feet.*
- *A 30-foot build-to-line must be established for these buildings with the 30 feet being measured from the back of curb.*
- *Drive thru window uses limited to one non-retail use. The drive thru isle and window must be located to the rear of the building.*

Site design should help to create a transition to the pedestrian-friendly environments of the nearby transit stations. Staff would consider additional retail square footage (in addition to the 105,000 square feet) if uses are vertically mixed, the transportation network is further enhanced, transportation impacts are addressed and the overall project creates a “park once” environment.”

Proposed Request Details

The site plan accompanying this petition allows up to 450,000 square feet of office (including financial institutions), restaurant, retail, two (2) hotels with up to 200 rooms each, and up to 720 attached residential units. No more than four (4) retail uses may contain drive-through facilities, and three of the four must be located on lots with frontage on University City Boulevard. Only one gasoline station is permitted and it must have frontage along University City Boulevard. The multi-family units are divided between two parcels with a maximum of 400 units allowed on any

one parcel. In addition, no more than 10% of the units on either parcel will be developed as three (3) bedroom units.

Design standards are provided for landscaping and screening, streetscape treatments and architectural and design controls. Elevations have been submitted for the proposed Furniture Row. Additional conditions apply to lighting, open space, and transportation improvements.

The rezoning also includes the buffers and open space approved as a part of the IKEA rezoning. The conditions for these properties will remain the same with the exception of the allowance of a trail system through the undisturbed tree save area located between Parcel A and the interstate.

The petitioner is requesting five year vesting of this petition.

Public Infrastructure

Traffic Impact / CDOT Comments. Consistency with Transportation Action Plan (TAP): The two goals of the TAP that most directly affected the staff's review of this petition define the integration of land use and transportation, and the provision of transportation choices.

- Goal 1 of the TAP relies on the Centers, Corridors and Wedges land use strategy to be implemented. This project site is located inside an adopted Centers/Corridors area and appears to support the Centers, Corridors and Wedges land use strategy as an appropriately scaled activity center provided that the internal street network is further enhanced.
- Goal 2 of the TAP describes various connectivity and design features that are important for motorists, pedestrians, and bicyclists. Specific comments are identified below that need to be addressed for CDOT's support of the petition and to bring the site plan into compliance with the TAP and best practices for multimodal transportation.

Vehicle Trip Generation

This site could generate approximately 19,870 trips per day as currently zoned. Under the proposed zoning, the site could generate approximately 20,330 trips per day. This will have little additional impact than development under existing zoning. However, this development was analyzed as part of the adopted University City Area Plan and the US29/NC 49 Transportation Report. Transportation network/improvements needed to better distribute traffic in the area and mitigate impacts were identified in these documents. Therefore, we will not request that a Traffic Impact Study (TIS) be submitted by the petitioner. Since access is proposed to NCDOT-maintained roadways, they may require a TIS as part of their driveway permit approval process.

The City has entered into an agreement with Crescent Resources to construct transportation improvements in the area. The funded transportation improvements that will be completed by the City and the petitioner as well as CDOT's comments that are critical to their support of this petition are listed on the attached memo.

CATS. CATS requests the petitioner to construct a concrete waiting pad on IKEA Boulevard (Parcel B4 side), constructed to CATS Development Standards 60.01 A. The waiting pad should be located approximately 60' south of the intersection of IKEA Boulevard and the stub road. The stub road is depicted as a future connection to the western I-1 parcel, abutting Brookside Lane.

Storm Water. Remove Note #5 and include the following notes on the petition: The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

Parks and Recreation. The properties are located in the Northeast Park District between North Tryon Street and I-85. A proposed LYNX light rail transit station is planned at North Tryon Street just south of Clark Drive and near the proposed Shopping Center Drive. The 1999 Mecklenburg County Greenway Master Plan identifies Doby Creek as a future greenway corridor.

General comments:

- These comments are made based on Doby Creek Greenway being a significant connector for a proposed LYNX Light Rail Stop, CMS schools, shopping, office and other area amenities as well as an entry into University City on both City Boulevard and Shopping Center Drive.
- MCPR requests that the petitioner provide 8' wide sidewalks on both sides of Shopping Center Drive and bike lanes that connect to the proposed LYNX transit station.
- MCPR requests that the petitioner provide an 8' wide sidewalk on the west side of IKEA Boulevard (both sides preferred) and bike lanes.
- MCPR requests that plans for the future bridges over I-85 allow 8' wide sidewalks on both sides and bike lanes.
- MCPR requests that the petitioner provide an 8' wide sidewalk on both sides of City Boulevard and bike lanes.

School Information. The school memo (see attached) indicates that the elementary, middle and high school in this area are above capacity. The development allowed under existing zoning would generate 1 (one) student, while the development allowed under the proposed zoning will produce 97 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 96. The opening of a new elementary school in 2009- 2010 on Salome Church Road will help alleviate crowding at University Meadows. Direct relief for Martin Middle School is forecasted for 2013 and for Vance High School in 2014.

Outstanding Issues

Land Use. This area is appropriate for “interchange-oriented” retail uses and/or office and residential uses and the proposed request is consistent with the adopted plans for the area.

Site plan. The Planning Department comments have been addressed however; all other department comments should be addressed.