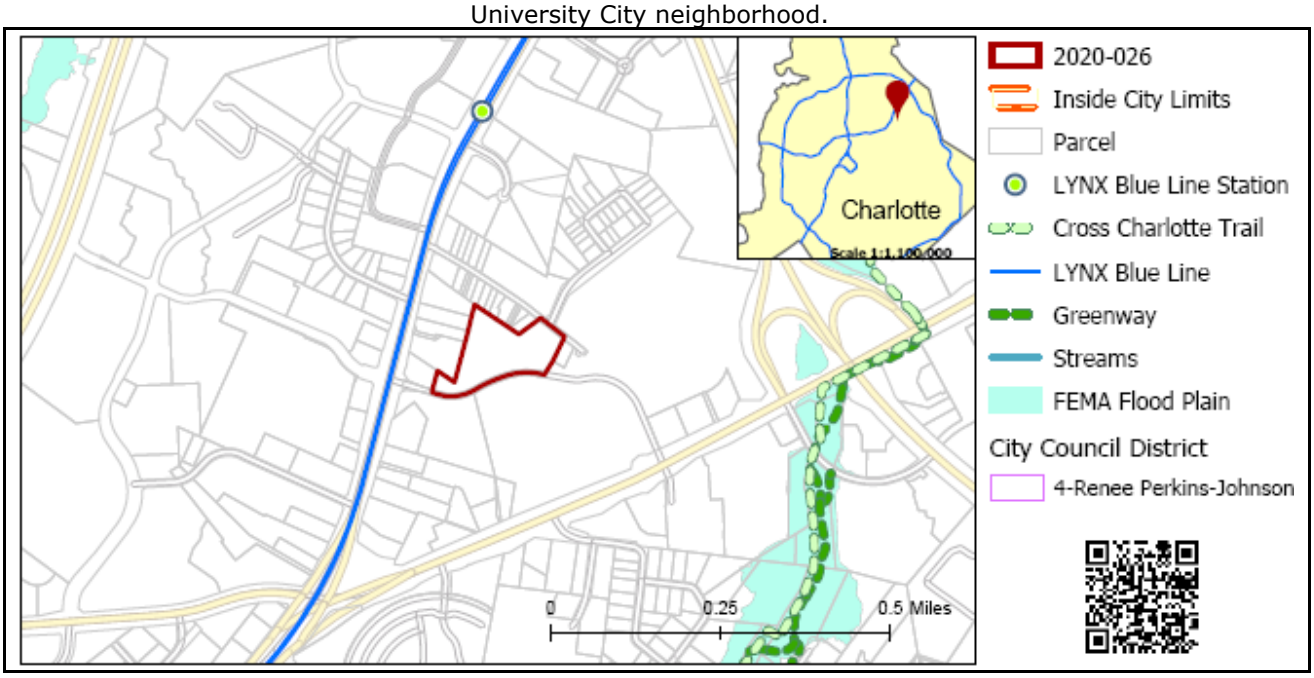
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2020-026
Final Staff Analysis
July 20, 2020

REQUEST	Current Zoning: B-1 (CD) (neighborhood business, conditional) Proposed Zoning: MUDD-O (mixed-use development, optional)
LOCATION	Approximately 7.5 acres located between Shopping Center Drive and Hampton Church Road, east of N. Tryon Street in the University City neighborhood.



SUMMARY OF PETITION	The petition proposes develop a 7.5 acre greenfield site into a multi-family development with up to 200 dwelling units representing a density of 26.55 dwelling units per acre (DUA).
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	George D. Fields, Jr. Union at Tryon, LP Bridget Grant, Moore & Van Allen
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Virtual Community Meeting: 1

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Blue Line Extension University City Area Plan's* recommendation for office/retail uses.

Rationale for Recommendation

- The area plan recommends that moderate density residential uses (up to 22 DUA) may be appropriate as part of a multi- or mixed-use development. While higher than the recommended density, the proposal of residential dwelling units together with accessory uses, as allowed in the MUDD zoning district, and the proposed development's connection to adjacent retail uses falls in line with this recommendation.
- The plan recommends this area as a transition area between two transit stations connecting pedestrians between the two nodes and other shopping centers in the vicinity while also accommodating

vehicular traffic. The proposed twelve (12) foot multi-use path along N. Shopping Center Drive will provide safe, pedestrian connectivity to existing retail.

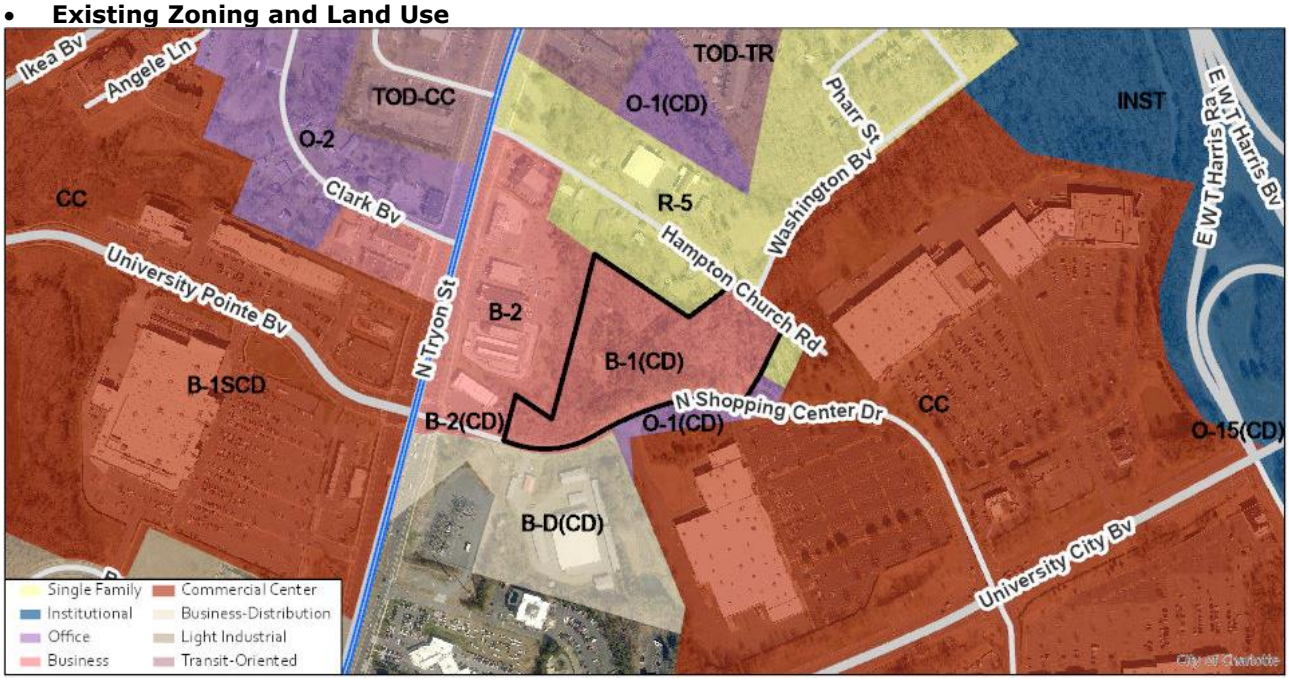
- The plan encourages plazas and open spaces. It recommends open spaces be oriented toward building entries and strategically locating courtyards near pedestrian walkways to create desirable gathering destinations and increase safety. The proposal's building placement and site design commits to enhancing the pedestrian environment.

The approval of this petition will revise the adopted future land use as specified by the *Blue Line Extension University City Area Plan*, from office/retail to residential uses over 22 DUA for the site.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Permits residential units as permitted by right and under prescribed conditions and all accessory uses allowed in the MUDD district.
  - Commits to no more than 200 dwelling units and at a maximum height of 65 feet.
  - Commits that all units shall be income restricted to households making 80 percent or less of AMI for a period of time no less than 20 years.
  - Units shall be contained no more than 6 principal structures.
  - Transportation improvements including:
    - Provision of 12-foot multi-use path along the majority of the site's frontage along Shopping Center Drive.
    - Sidewalks and planting strips along all public streets.
    - Internal pedestrian network.
  - Commits to around 8,000 SF of improved open space for residents. The specific open space amenities within the Duke Energy easement are dependent on what improvements Duke permits within its easements.
  - Commits to architectural design elements including:
    - Articulated facades with a maximum untreated area not to exceed 20 feet in length.
    - Above grade building entrances with prominently designed entryways.
    - Service equipment areas screened with a minimum of 20 percent preferred exterior building materials.
    - Articulated roofs to avoid continuous expanses without variation in height or form.
  - Full cutoff lighting for all attached and detached lighting with a max. height (except for street lighting along public streets) of 22 feet for all detached lighting.

- **Existing Zoning and Land Use**

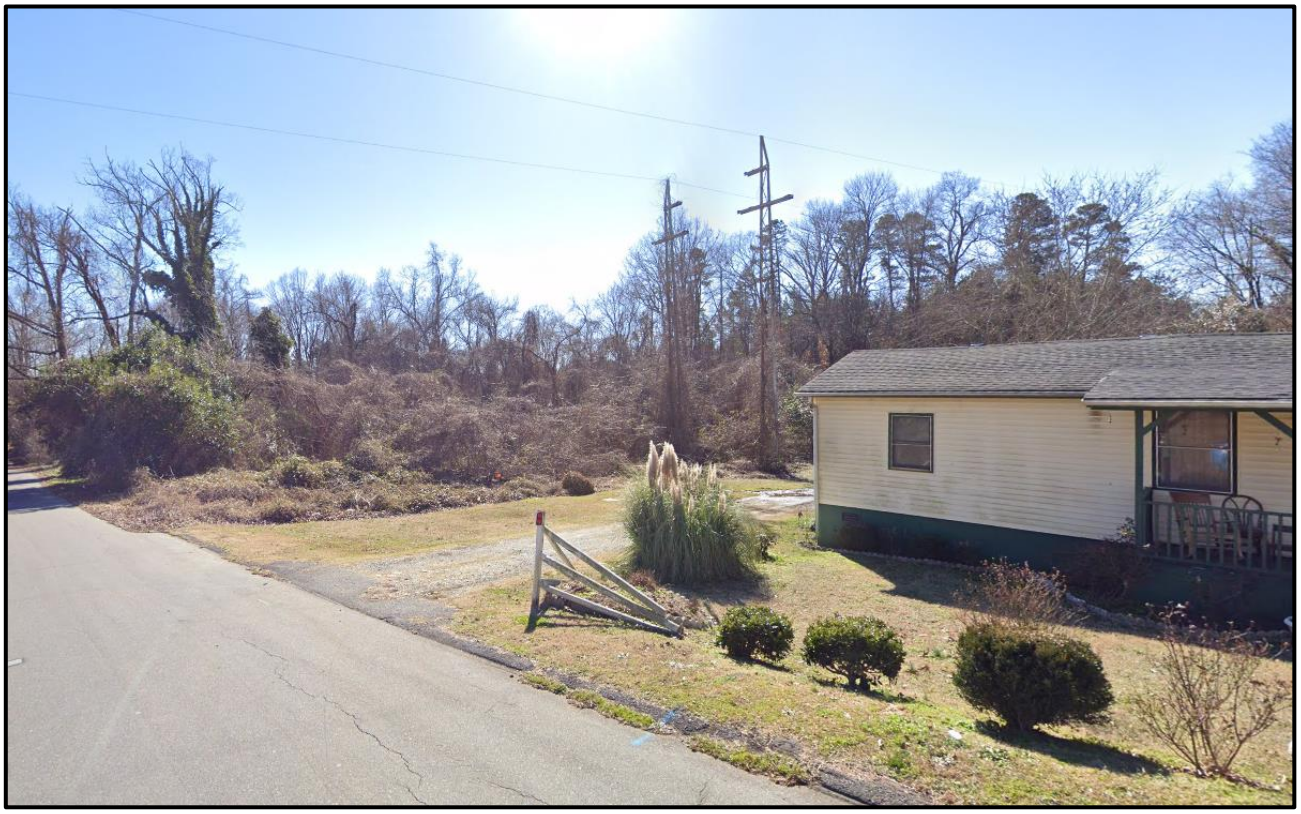


This site has been rezoned multiple times, most recently in 2008 (2008-021) that entitled the site to 60,000 square feet of fitness, retail, restaurant, and office space. That petition was a site plan amendment from petition 2003-003 (an approved townhome development).

The site is largely surrounded by big box retailers along University City Boulevard and University Pointe Boulevard. There is a small residential enclave along Hampton Church Road and Washington Boulevard.

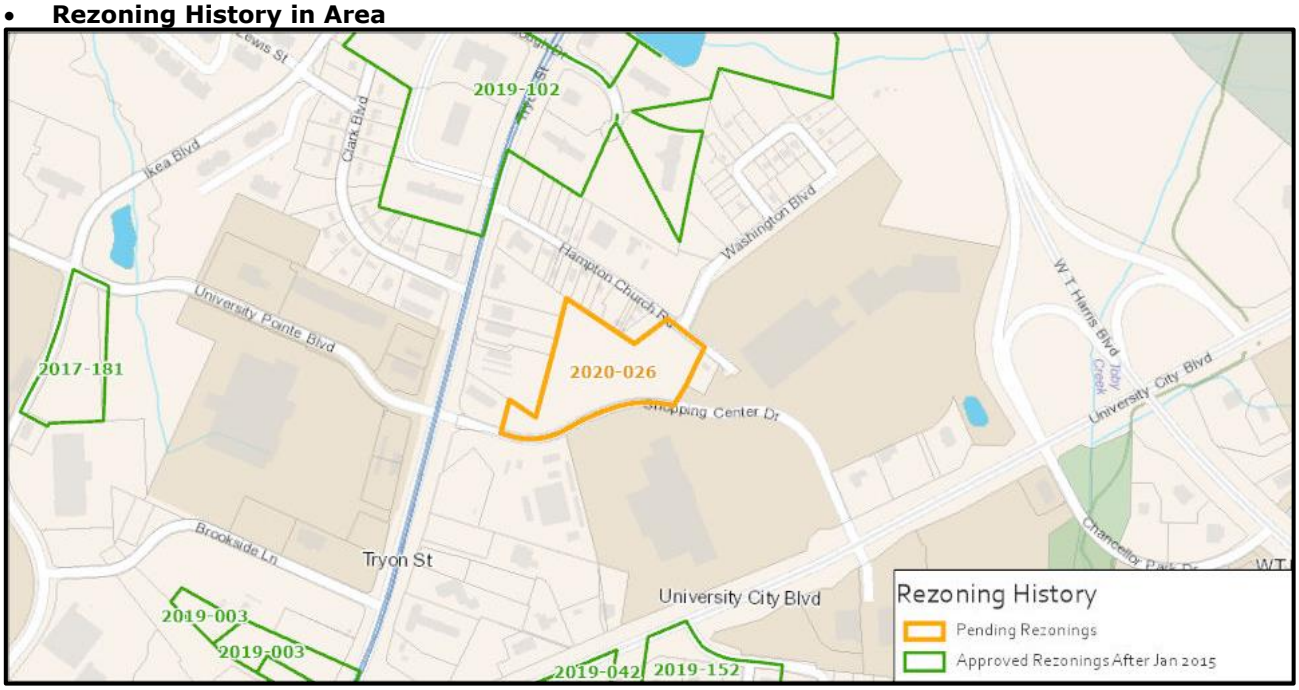
General location of subject property denoted by red star.

Streetview along Shopping Center Drive looking north toward subject property.



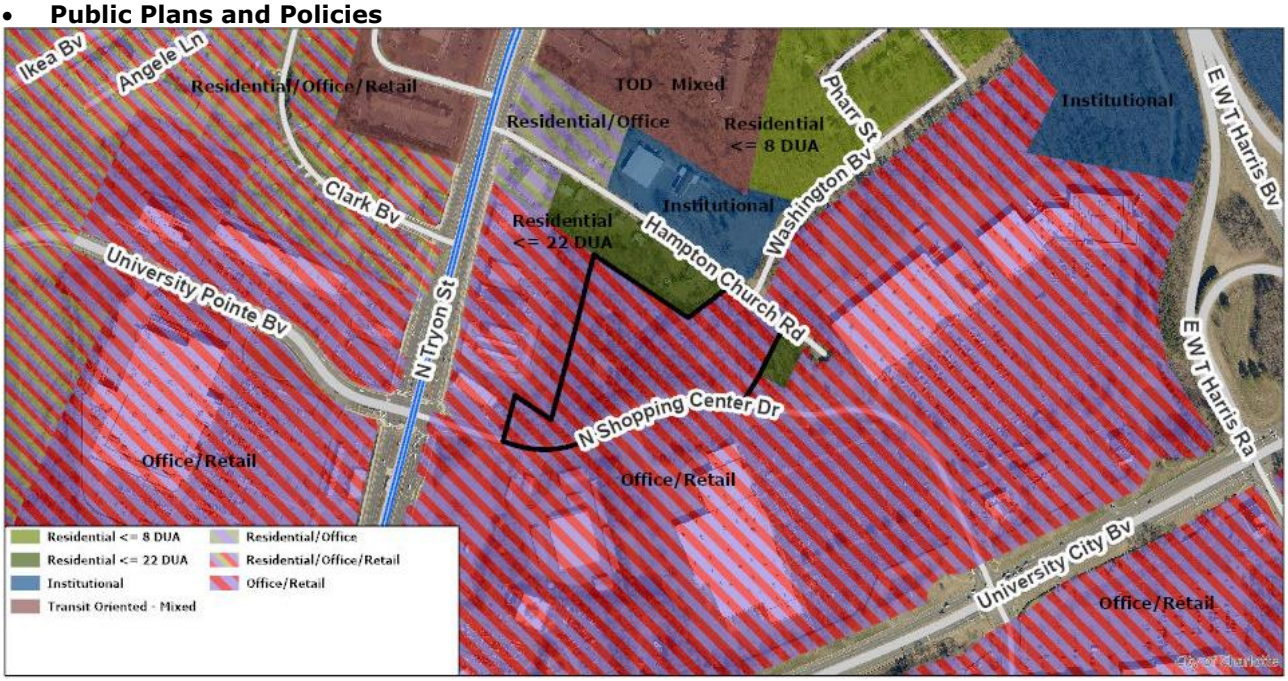
Streetview illustrating residential areas along Hampton Church Road with the subject property in the background of the image.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-152	Petition to develop a mixed-residential community multi-family units and townhomes.	Approved
2019-102	City-sponsored TOD rezoning for multiple parcels along the Blue Line.	Approved
2019-042	Petition for TOD zoning at a vacant parcel along the Blue Line Extension.	Approved
2019-003	Petition for TOD zoning at a vacant parcel along the Blue Line Extension.	Approved
2018-169	Petition to update old TOD districts by translating those districts into one of four newly created districts.	Approved
2017-181	Site plan amendment to permit up to three hotels within the Belgate development.	Approved
2016-117	Rezoning petition to permit 280 multi-family dwelling units and minimum of 5,000 SF of non-residential ground floor uses near the McCullough Transit Station.	Approved

- **Public Plans and Policies**



  - The *Blue Line Extension University City Area Plan* recommends office/retail uses for the site.

- **TRANSPORTATION SUMMARY**
  - The site is located on a local road. The petitioner commits to constructing an 8-foot planting strip, and an 8-foot sidewalk to promote a more walkable community in accordance with the City Council Adopted Charlotte Walks Policy. The petitioner also commits to constructing a 12-foot shared-use path along North Shopping Center Drive, providing Bicycle facilities in accordance with the City Council Adopted Charlotte Bikes Plan. CDOT continues to request that the petitioner align the proposed Public Street A access points with existing driveways to provide safer ingress and egress.
- **Active Projects:**
  - N. Tryon Street (US 29/49)
    - The project will implement the widening of N. Tryon Street to include a 6-lane divided (median or center turn lane) with bike facilities and sidewalks.
- **Transportation Considerations**
  - No outstanding issues.
- **Vehicle Trip Generation:**

  Current Zoning:

  Existing Use: 0 trips per day (based on vacant land use).

  Entitlement: 4,960 trips per day (based on 75,300 SF retail uses).

  Proposed Zoning: 1,090 trips per day (based on 200 multi-family dwelling units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** See advisory comments at www.rezoning.org
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 0 students, while the development allowed under the proposed zoning may produce 51 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 51 students
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - University Meadows Elementary from 119% to 123%
    - James Martin Middle from 74% to 75%

    - Zebulon Vance High from 129% to 130%.
  - **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Hampton Church Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Hampton Church Road. No outstanding issues.

- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **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:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

1. ~~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 2' behind back of sidewalk where feasible.~~ ADDRESSED
2. ~~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. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes~~. ADDRESSED
3. ~~The petitioner should revise the site plan and conditional note(s) to align the proposed street and driveways across the street to provide a safer access~~. - RESCINDED

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

Planner: William Linville (704) 336-4090