

REQUEST	Current Zoning: UR-2 and UR-3, urban residential Proposed Zoning: UMUD(CD), uptown mixed use district, conditional, five-year vested rights
LOCATION	Approximately 4.71 acres located along West Sixth Street and North Sycamore Street.
CENTER, CORRIDOR OR WEDGE	Center
SUMMARY OF PETITION	This petition proposes 112,000 square feet of UMUD uses, of which 12,000 square feet could be retail, and 416 residential units within three buildings. Building heights are six, 12, and 20 stories.
Property Owner Petitioner Agent/Representative	Sycamore I, LLC and The Charlotte-Mecklenburg Board of Education Sycamore I, LLC John Carmichael
Community Meeting	Meeting is required and has been held. Report available online.

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 4 to 1 to recommend APPROVAL of this petition, including the following modifications:</p> <ol style="list-style-type: none"> 1. The petitioner has eliminated sheet SP-3 and revised note one under "Storm Water/SWIM Buffer to indicate the development will comply with the PCCO ordinance. Note that the petitioner reserves the right to use green roofs to meet a portion of the PCCO requirements, provided the green roofs meet water quality specifications. 2. The petitioner committed to coordinate all greenway design and construction with MCPR as part of phase I. 3. Under "Phasing", the petitioner has noted that surface parking will be asphalt and meet all ordinance requirements. 4. The petitioner has deleted note four under "Parking", which does not meet minimum standards. 5. The petitioner has deleted note one under "Urban Open Space/Open Space", which conflicts with minimum standards.
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VOTE	Motion/Second: Walker/Allen
	Yeas: Allen, Griffith, Simmons, and Walker
	Nays: Randolph
	Absent: Rosenburgh
	Recused: Dobson

ZONING COMMITTEE DISCUSSION	<p>Staff reviewed the petition and noted that all site plan issues had been addressed and staff was recommending approval of the petition. The Committee discussed the phasing of the project including the surface parking that could be part of phase one.</p> <p>The Committee asked Mike Raible with CMS how the projects traffic would impact Irwin Avenue Elementary School. Mr. Raible indicated that the school drop off was at the opposite end of the school farthest from the proposed development and did not anticipate traffic conflicts.</p>
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STATEMENT OF CONSISTENCY	This petition is found to be inconsistent with the <i>Third Ward Land Use and Urban Design Plan</i> and to be reasonable and in the public interest, by a 5-0 vote of the Zoning Committee (motion by Commissioner Simmons seconded by Commissioner Allen).
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MINORITY OPINION	A minority of the Committee felt the phase one surface parking could become a permanent use if subsequent phases are not constructed detracting from the open space commitments.
STAFF OPINION	Staff agrees with the recommendation of the majority of the Zoning Committee.

FINAL STAFF ANALYSIS

(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- A 20-story building with a maximum height of 275 feet.
- 12 and 20-story buildings which step back ten feet above the fourth or fifth floor to decrease massing.
- The 20-story building is residential and the 12 and six-story buildings contain a mix of UMUD uses including residential, office and retail uses.
- A minimum 32 dwelling units provided to serve households with an income range of 50 to 200 percent of the area median.
- Building phasing with structured and surface parking to serve initial phases.
- Building materials to include brick, stone, glass, and/or coated metal, and fabric awnings.
- The first floor of all buildings designed with pedestrian interest and active uses.
- A minimum of 50 percent of the ground floor area along interior roadways containing retail, office, personal uses, and/or residential uses.
- The proposed parking structure to provide 59 spaces for Ray's Splash Planet through a lease agreement.
- Common open space encompassing 100,000 square feet of the site, which includes a green roof plaza over the parking structure and an earth terraced amphitheatre, in addition to the required urban open space.
- Irwin Creek greenway modified to maintain a ten-foot unobstructed trail width and a 12-foot width at retaining walls.
- Connectivity to Ray's Splash Planet maintained from the greenway and Frazier Park.
- A 16-foot setback, with a six-foot wide planting strip and ten-foot wide sidewalk, provided along the site's frontage with North Sycamore Street.
- On-street parking added along both North Sycamore Street and West Sixth Street.
- Five-year vested rights.

- **Public Plans and Policies**

- The *Third Ward Land Use and Urban Design Plan* (1997) recommends a park/open space on this site.
- This petition is inconsistent with the *Third Ward Land Use and Urban Design Plan*. However, since the 1997 plan was adopted, this part of Third Ward has undergone a major development transformation, with the addition of Ray's Splash Planet, Johnson and Wales University, Gateway Center, and other high density multi-family projects that have altered the character of the neighborhood. As a result, this part of the neighborhood is becoming a dense urban mixed use environment.

- **STAFF RECOMMENDATION (Updated)**

- Staff agrees with the recommendation of the Zoning Committee.

PUBLIC INFRASTRUCTURE UPDATES (see full department reports online)

- **CDOT:** No issues.
- **Charlotte Fire Department:** No issues.

- **CATS:** No issues.
 - **Connectivity:** No issues.
 - **Neighborhood and Business Services:** : The Housing Locational Policies indicate this site is located in a prohibited area for assisted multi-family housing with greater than 24 units, but no more than 100 units per site. Assisted multi-family housing includes rental housing development consisting of five or more residential units receiving assistance from local, state, or federal government, and the housing units are restricted to serve households earning sixty percent or less that area median income. The City Council may exempt any assisted housing development from the locational policies, but a waiver will be required.
 - **Schools:** The proposed development would generate 68 students. The net change in number of students generated from existing zoning to the proposed zoning is 46 students.
 - **Park and Recreation:** No issues.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Storm Water:** No issues.
 - **LUESA:** No issues.
 - **Site Design:** No issues.
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OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application Form
- CATS Review
- CDOT Review
- Charlotte Fire Department Review
- CMS Review
- CMU Review
- Community Meeting Report
- LUESA Review
- Neighborhood and Business Services Review
- Park and Recreation Review
- Pre-Hearing Staff Analysis
- Site Plan
- Solid Waste Services
- Storm Water Review

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