

<b>REQUEST</b>	Current Zoning: UR-2 and UR-3, urban residential Proposed Zoning: UMUD(CD), uptown mixed use district, conditional, five-year vested rights
<b>LOCATION</b>	Approximately 4.71 acres located along West Sixth Street and North Sycamore Street.
<b>CENTER, CORRIDOR OR WEDGE</b>	Center
<b>SUMMARY OF PETITION</b>	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.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is inconsistent with the <i>Third Ward Land Use and Urban Design Plan</i> . However, since the adoption of the Plan, the area has become a dense, urban mixed use environment. The proposed uses are compatible with other uses in the area such as Ray's Splash Planet, Johnson and Wales University, Gateway Center, and other high density multi-family projects.
<b>Property Owner</b>	Sycamore I, LLC and The Charlotte-Mecklenburg Board of Education
<b>Petitioner</b>	Sycamore I, LLC
<b>Agent/Representative</b>	John Carmichael
<b>Community Meeting</b>	Meeting is required and has been held. Report available online.

## 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, 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.

- **Existing Zoning and Land Use**

A portion of the site is occupied by a parking lot for Ray's Splash Planet. The remaining portion of the subject site is vacant. The property to the north is zoned UR-3 and occupied by Elmwood Cemetery. The property to the east is zoned UR-3 and occupied by Ray's Splash Planet and Irwin Avenue Open Elementary School. The properties to the south are zoned UR-2 and UR-3(CD) and occupied by residential uses. Interstate 77 is located to the west.

- **Rezoning History in Area**

Recent rezonings in the area include:

- Petition 2006-101, located to the south of the site, rezoned a 1.30 acre site from UR-2 to UR-3(CD) to allow up to 50 residential units.

- **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 Plant, 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.

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## **PUBLIC INFRASTRUCTURE** (see full department reports online)

- **Vehicle Trip Generation:**

Current Zoning: 920 trips per day.

Proposed Zoning: 5,270 trips per day.

- **CDOT:** No issues.
- **Charlotte Fire Department:** No issues.
- **CATS:** No issues.
- **Connectivity:** No issues.
- **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:** The proposed rezoning would create a significant impact to both the greenway and Ray's Splash Planet. The petitioner should note that they will coordinate all greenway design and construction with MCPR as part of phase I.
- **Charlotte Mecklenburg Utilities:** 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.
- **Solid Waste Services:** No issues.

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## **ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Storm Water:** Eliminate sheet SP-3 and revise note one under "Storm Water/SWIM Buffer\*" to indicate the development will comply with the PCCO ordinance. Also 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.
- **LUESA:** No issues.

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies*.
    - Reduces ground level temperatures by providing a green roof on top of the parking structure and buildings and through shared parking.
    - Protects/restores environmentally sensitive areas by restoring the creek.
    - Minimizes impacts to the natural environment by providing open space that exceeds the minimum requirements.
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## OUTSTANDING ISSUES

- The petitioner should:
    1. Address Storm Water comments by eliminating sheet SP-3 and revising 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. Address Park and Recreation comment by noting that petitioner will coordinate all greenway design and construction with MCPR as part of phase I.
    3. Under “Phasing”, note that surface parking will be asphalt and meet all ordinance requirements.
    4. Delete note four under “Parking”, which does not meet minimum standards.
    5. Delete note one under “Urban Open Space/Open Space”, which conflicts with minimum standards.
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## Attachments Online at [www.rezoning.org](http://www.rezoning.org)

- Application
- 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
- Site Plan
- Solid Waste Services
- Storm Water Review

**Planner:** Tim Manes (704) 336-8320