

REQUEST	Current Zoning: RE-2 (research) Proposed Zoning: RE-3(O) (research, optional) and O-1(CD) (office, conditional) with five-year vested rights
LOCATION	Approximately 90 acres located on the southeast corner at the intersection of David Taylor Drive and Claude Freeman Drive. (Council District 4 - Phipps)
SUMMARY OF PETITION	The petition proposes expansion of office, research and laboratory facilities for an existing business in the University Research Park.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Electrolux North America, Inc. Electrolux North America, Inc. Jeff Brown/Keith MacVean, Moore & Van Allen
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: None
STATEMENT OF CONSISTENCY	This petition is found to be consistent with the <i>University Research Park Area Plan</i> and to be reasonable and in the public interest, based on information from the staff analysis and the public hearing by a 5-0 vote of the Zoning Committee (motion by Commissioner Sullivan seconded by Commissioner Nelson).

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 5-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Provided clarity on the proposed amount and type of retail by limiting retail sales to 70,000 square feet of uses allowed in the B-1 district, and prohibiting a single retail tenant with more than 35,000 square feet of gross floor area. 2. Staff has rescinded the request to provide a six-foot sidewalk along David Taylor Drive approximately 525 feet from proposed Street #1 (Electrolux Way) to the eastern property line, due to topographical issues. 3. Complied with transportation requirements resulting from the review of the traffic impact study by listing the improvements by phase: <ol style="list-style-type: none"> a) Phase I <ol style="list-style-type: none"> (i) Construction of Electrolux Way; (ii) Improvements at the intersection of W. T. Harris Boulevard and Research/IBM Drive; (iii) Improvements at the intersection of Mallard Creek Road and Governor Hunt Road; (iv) Improvements at the intersection of Mallard Creek Church Road and Claude Freeman Drive; (v) Improvements at the intersection of Research Drive and David Taylor Drive; and (vi) Improvements at the intersection of Electrolux Way and David Taylor Drive. b) Phase II <ol style="list-style-type: none"> (i) Construction of Public Street #2; (ii) Improvements at the intersection of Mallard Creek Road and Governor Hunt Road; (iii) Improvements at the intersection of Mallard Creek Church Road and Claude Freeman Drive; (iv) Improvements at the intersection of Mallard Creek Church Road and Senator Royall Place; and (v) Improvements at the intersection of David Taylor Drive and Governor Hunt Drive/Existing Access "B."
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4. Provided clarity on the optional request for detached directional signs by specifying two detached identification signs up to 50 square feet of sign area and seven feet in height, and two detached directory signs up to 24 square feet and up to five feet in height.
5. Provided clarity on the width of the existing sidewalk connections to the site from Claude Freeman Drive by showing and labeling four-foot and six-foot proposed additions to an existing four-foot sidewalk, and noted that an on-site walking trail/sidewalk for use of the employees will be provided that runs between Claude Freeman Drive and David Taylor Drive. There is no existing sidewalk along the site's frontage on Claude Freeman Drive.
6. Referred to Public Street #1 as Electrolux Way.
7. Delineated and labeled Development Area 2A.
8. Amended optional provisions as follows:
 - a) Added 2(a) (iv) to specify that retail sales uses and restaurants located in Development Area 2A will not be allowed to provide parking between the building and Public Street #2.
 - b) Amended 2(c) to state that public urban open space requirements will not be met with private urban open space if retail sales and restaurant uses are located in Development Area 2A.
 - c) Amended Note 2(e) to request a 24-foot setback along Public Street #2.
 - d) Amended Note 2(f) to not require a six-foot sidewalk along the majority of David Taylor Drive, and to allow a sidewalk to be provided along portions of David Taylor Drive and Claude Freeman Drive; this sidewalk will be connected to the existing pedestrian trail along Claude Freeman Drive.
 - e) Amended Note 2(g) to eliminate retail sales and restaurant uses located within Development Area 2A from the optional request to not require doorways to be recessed into the face of buildings.
 - f) Amended Note 2(h) to eliminate retail sales and restaurant uses located within Development Area 2A from the optional request to not require each building façade oriented to a street to have an operable pedestrian entrance.
9. Improvements to existing on-site pedestrian tunnel including repair of bridge, provision of eight-foot wide concrete sidewalk on each side, and repair of lighting inside tunnel. Existing on-site pedestrian trail will be maintained by Electrolux.
10. Providing a CATS waiting pad on David Taylor Drive and Claude Freeman Drive.
11. Limited to only one accessory drive-through window on the site.
12. Amended phasing requirements to allow a certificate of occupancy for up to 390,000 square feet to be allowed upon substantial completion of Phase I transportation improvements.
13. Amended phasing requirements to allow a certificate of occupancy for up to 968,874 square feet upon substantial completion of Phase II transportation improvements.
14. Limited building height within Development Areas 1 and 2 to 150 feet exclusive of roof top mechanical equipment and screens or devices to screen roof top structures or equipment.

VOTE

Motion/Second:	Sullivan/Eschert
Yeas:	Allen, Eschert, Nelson, Ryan, and Sullivan
Nays:	None
Absent:	Labovitz and Walker
Recused:	Dodson

ZONING COMMITTEE DISCUSSION

Staff provided an overview of the petition, noting that the outstanding issues had been resolved and that the petition is consistent with the *University Research Park Area Plan*. There was no further discussion of this request.

STAFF OPINION

Staff agrees with the recommendation 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:

- Five-year vested rights.
- Retains the existing 276,126-square foot building in Development Area 1.
- Proposes up to 893,874 square feet of expansion area in Development Area 2.
- Of the total allowed square footage permitted in Development Areas 1 and 2, only up to 70,000 square feet may be used for retail sales allowed in the B-1 (neighborhood business) zoning district, and a single retail sales tenant with more than 35,000 square feet of gross floor area is prohibited.
- Proposes up to 75,000 square feet of gross floor area for uses allowed in the O-1 (office) district in Development Area 3.
- Prohibited uses include but are not limited to residential dwelling units, family childcare homes, nursing homes, religious institutions, motion picture theaters, bed and breakfasts, jails and prisons, orphanages/children's homes.
- The total number of principal buildings on the site shall not exceed ten.
- Two new public streets and transportation requirements resulting from the review of the traffic impact study listed by phase.
- Issuance of certificates of occupancy conditioned upon completion of proposed public streets.
- Access to site provided via David Taylor Drive, Claude Freeman Drive and proposed public streets.
- New building and parking setbacks adhere to a 100-foot setback along Claude Freeman Drive and David Taylor Drive, a 30-foot setback along Electrolux Way, and a 24-foot setback on proposed Public Street #2.
- On-site walking trail/sidewalks for use of the employees of the site.
- Detached lighting limited to 25 feet in height.
- Optional provisions include:
 - Allow vehicular parking, maneuvering, and service between the proposed buildings and public streets, except retail sales uses and restaurant uses located in Development Area 2A will not be allowed to provide parking between the building and Public Street #2.
 - Building height of 150 feet exclusive of roof top mechanical equipment and screens or devices used to screen roof top structures or equipment for Development Areas 1 and 2.
 - Allow public urban open space requirements within Development Areas 1, 2 and 3 to be met with private urban open space, except for retail sales and restaurant uses in Development Area 2A.
 - Allow parking for "All Other Uses" to be at the rate of one space per 450 gross square feet instead of one space per 400 gross square feet.
 - To not require a six-foot sidewalk along the majority of David Taylor Drive and Claude Freeman Drive due to the location of the existing street trees and the severe changes in topography located directly behind the existing street trees. A sidewalk will be provided along portions of David Taylor Drive and Claude Freeman Drive, which will be connected to the existing pedestrian trail along Claude Freeman Drive.
 - Elimination of doorways required to be recessed into the face of buildings in Development Areas 1, 2 and 3, except for retail sales and restaurant uses in Development Area 2A.
 - Removal of the requirement that each building façade oriented to a street must have an operable pedestrian entrance in Development Areas 1, 2 and 3, except for retail sales and restaurant uses in Development Area 2A.
 - Allowing the buildings on the site to provide at least one loading dock space for each 200,000 square feet of building area, instead of one loading dock space per each additional 100,000 square feet beyond 150,000 square feet of gross floor area.

- Allowing detached lights to be up to 30 feet high and to allow the existing site lighting to remain, instead of the maximum height of 20 feet.
 - Elimination of requirement that buildings with more than six stories comply with the base of high rise requirements.
 - Allowing two detached identification signs and two detached directory signs per street front. Detached identification signs may have up to 50 square feet of sign area and be seven feet in height. The detached directory signs may have up to 24 square feet of sign area and be up to five feet in height.
 - Allowing the existing four-foot sidewalk connection to Claude Freeman Drive to be extended at the same width. In locations where the existing grade can accommodate a wider sidewalk the width may be increased to six feet.
 - Allowing retail sales permitted the B-1 (neighborhood business) district over 10,000 square feet. The total amount of retail sales that can be constructed on the site will be limited to 70,000 square feet of gross floor area and the maximum size of a single retail sales tenant will be limited to 35,000 square feet of gross floor area.
 - **Public Plans and Policies**
 - The *University Research Park Area Plan* (2010) recommends a mixture of office and residential for the majority of the site, and office, retail and residential uses for a smaller part of the site. Building height should not exceed eight stories. However, staff is supportive of the proposed height for the building because the site is identified as an activity center intended to become the heart of the University Research Park, and the proposed building is located in the center of a large site.
 - The proposed development is consistent with the *University Research Park Area Plan*.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** No issues.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - Facilitates the use of alternative modes of transportation by providing pedestrian facilities beyond those required.
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OUTSTANDING ISSUES

- No issues.

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

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