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<b>REQUEST</b>	Current Zoning: RE-2 (research) Proposed Zoning: RE-3(O) (research, optional) and O-1(CD) (office, conditional) with five-year vested rights
<b>LOCATION</b>	Approximately 90 acres located on the southeast corner at the intersection of David Taylor Drive and Claude Freeman Drive. (Council District 4 - Phipps)
<b>SUMMARY OF PETITION</b>	The petition proposes expansion of office, research, and laboratory facilities for an existing business in the University Research Park.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is consistent with the <i>University Research Park Area Plan</i> , which recommends a mixture of office and residential land uses for this site and the surrounding area.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Electrolux North America, Inc. Electrolux North America, Inc. Jeff Brown and Keith MacVean, Moore & Van Allen
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: None

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#### **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.
- Proposes up to 75,000 square feet of gross floor area for uses allowed in the O-1 (CD) (office, conditional) district in Development Area 3.
- Prohibited uses include but are not limited to residential dwelling units, nursing homes, religious institutions, motion picture theaters, jails and prisons, orphanages and children's homes.
- The total number of buildings on the site shall not exceed 10.
- Two new public streets with six-foot sidewalk and eight-foot planting strip on both sides that create a supporting street network for the complex by providing connectivity to existing and future streets.
- Completion of proposed public streets is required prior to the issuance of certificates of occupancy for the first and second buildings constructed in Development Area 2.
- Access to site provided via David Taylor Drive, Claude Freeman Drive and proposed public streets.
- New building and parking areas will adhere to a 100-foot setback along Claude Freeman Drive and David Taylor Drive. A 30-foot setback will be provided along the proposed public streets.
- An on-site walking trail/sidewalk 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.
  - Building height of 150 feet exclusive of roof top mechanical equipment and screens or devices used to screen roof top structures or equipment.
  - Allow public urban open space requirements to be met with private urban open space.
  - 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.
  - Reduce the setbacks to 30 feet along Public Street #1 and #2.
  - Elimination of the required six-foot sidewalk along 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.
  - Elimination of doorways required to be recessed into the face of buildings.

- Removal of the requirement that each building façade oriented to a street must have an operable pedestrian entrance.
- Allowing the buildings on the site to provide at least one operable pedestrian entrance, instead of at least one entrance on each building façade fronting a street as required by the ordinance.
- 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, the size and height of the signs to be in compliance with the ordinance. The ordinance allows one detached identification sign per premise that is up to seven feet in height and 50 square feet in size. Detached directory signs up to nine square feet in size are allowed without permits.
- Allowing the existing four sidewalk connections to the site from Claude Freeman Drive to be extended at the same width. The width of the sidewalk may be increased to six feet in locations that can be accommodated by the existing grade.
- Allowing retail sales permitted in the B-1 (neighborhood business) district over 10,000 square feet, which may only be provided via an optional request.
- **Existing Zoning and Land Use**
  - The subject property is partially developed with a 276,126 square foot office, research and laboratory facility. Properties on the south side of West Mallard Creek Church Road are zoned RE-1 (research), RE-2 (research), RE-3(O) (research, optional), R-3 (single family residential) and R-4 (single family residential). Land uses include warehouse, business/office uses associated with the research park, vacant lots, single family residences, and a cemetery. Properties across West Mallard Creek Church Road are zoned R-3 (single family residential), R-12MF(CD) (multi-family residential, conditional), MX-1 Innovative (mixed use, innovative), MUDD-O (mixed use development, optional), RE-1 (research), and RE-3(CD) (research, conditional) and developed with a religious institution, commercial uses, single family residences, and vacant lots.
- **Rezoning History in Area**
  - Recent rezonings approved in the area include:
    - Petition 2011-036 rezoned approximately 62.7 acres located on the south side of West Mallard Creek Church Road between Claude Freeman Drive and Legranger Road to allow a mixed use development consisting of retail, restaurant, hotel, office, and multi-family residential uses.
    - Petition 2012-079 rezoned approximately 0.86 acres located on the north side of West Mallard Creek Church Road between Claude Freeman Drive and David Taylor Drive to allow a 6,000-square foot retail dry cleaner with possible drive-through service.
- **Public Plans and Policies**
  - The *University Research Park Area Plan* (2010) recommends a mixture of office and residential uses for properties located in District C. The subject property is contained therein. District C consists of approximately 567 acres stretching from Mallard Creek Church Road to W. T. Harris Boulevard, and is identified as an activity center. 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:** CATS encourages the petitioner to add sidewalks to the site's street frontages to accommodate future bi-directional routing of bus service in this area.
- **Charlotte Department of Neighborhood & Business Services:** No issues.

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- **Transportation:** The petitioner submitted a traffic impact study (TIS) to CDOT and NCDOT on May 12, 2014. CDOT will provide an update on the proposed TIS mitigation requirements at the public hearing.
    - **Vehicle Trip Generation:**  
Current Zoning: 25,950 trips per day.  
Proposed Zoning: 8,700 trips per day.
    - **Connectivity:** No issues.
  - **Charlotte Fire Department:** No issues.
  - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
  - **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.

#### **OUTSTANDING ISSUES**

- The petitioner should:
  1. Provide clarity on the proposed amount and type of retail.
  2. Provide a six-foot sidewalk along David Taylor Drive approximately 525 feet from proposed street #1 (Electrolux Way) to the eastern property line.
  3. Comply with any future transportation requirements resulting from the review of the traffic impact study.
  4. Provide clarity on the optional request for detached directional signs.
  5. Provide clarity on the width of the existing sidewalk connections to the site from Claude Freeman Drive and commit that new sidewalks will be a minimum of five feet in width.

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#### **Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Locator Map
- 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

**Planner:** Sonja Sanders (704) 336-8327