
REQUEST	<p>Current Zoning: R-3 (LLWPA) (single family residential, Lower Lake Wylie protected area), R-5 (LLWPA) (single family residential, Lower Lake Wylie protected area), R-5 (LLWCA) (single family residential, Lower Lake Wylie critical area), R-3 (MH-O) (LLWPA) (single family residential, manufactured home overlay, Lower Lake Wylie protected area), and I-1 (LLWPA) (light industrial, Lower Lake Wylie protected area)</p> <p>Proposed Zoning: MUDD-O (LLWPA) (mixed use development, optional, Lower Lake Wylie protected area), MUDD-O (LLWCA) (mixed use development, optional, Lower Lake Wylie critical area), MX-2 (INNOV) (LLWPA) (mixed use, innovative, Lower Lake Wylie protected area), and MX-2 (INNOV) (LLWCA) (mixed use, innovative, Lower Lake Wylie critical area), with five-year vested rights</p>
LOCATION	<p>Approximately 1,378 acres located west of Interstate 485 at West Boulevard generally surrounded by Interstate 485, Mt. Olive Church Road, the Catawba River, Bracebridge Court and Garrison Road. (Outside City Limits)</p>
SUMMARY OF PETITION	<p>The petition, also known as the River District, proposes the development of a master planned community on mostly vacant land west of the Charlotte-Douglas International Airport and along the Catawba River. The proposed development will include: up to 8,000,000 square feet of office; 500,000 square feet of retail, eating/drinking/entertainment establishments, and personal services; 1,000 hospitality (hotel) rooms; 2,350 multi-family units; 600 multi-family or single family attached units; 1,700 single family detached units; 200 continuing care retirement units; and supporting civic/institutional uses.</p>
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	<p>Numerous. See application on website. Crescent Communities, LLC. and Lincoln Harris Jeff Brown and Bridget Dixon, Moore & Van Allen, PLLC.</p>
COMMUNITY MEETING	<p>Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 46.</p>
STATEMENT OF CONSISTENCY	<ul style="list-style-type: none">• The Zoning Committee found this petition to be consistent with the <i>Dixie Berryhill Strategic Plan</i>; however a portion of the proposed Town Center district is inconsistent with the plan based on information from the staff analysis and the public hearing, and because:<ul style="list-style-type: none">• The plan recommends employment/mixed-use and residential land uses for the site; and• The plan recommends residential uses for a portion of the proposed Town Center district, west of Dixie River Road.• However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because of the following site plan characteristics:<ul style="list-style-type: none">• The development of mixed use communities along I-485 that integrate a mix of commercial, employment, residential, and community uses; and• The development of lower intensity residential uses in the watershed overlay area along the Catawba River.• A commitment to urban design and development standards that ensure the development of a pedestrian oriented, mixed-use community; and• A commitment to park, recreation, greenway and open space

facilities that will connect to the Catawba River and the area's existing parks; and

- A commitment to enhanced environmental protection; and
- A commitment to future public school facility needs; and
- A commitment to workforce housing; and
- A commitment to a multi-modal transportation system that includes complete streets, multi-use trails and greenways, and provisions for future transit; and
- A phased development that implements necessary transportation infrastructure as development occurs and leverages planned community investment in the Airport/West Corridor;

By a 6-0 vote of the Zoning Committee (motion by Eschert seconded by Majeed).

**ZONING COMMITTEE
ACTION**

The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition with the following modifications.

Transportation

1. Defined transportation improvements for Phase 3.
2. Removed sub phases for Phase 2.
3. Clarified language allowing CDOT staff to deem a project substantially complete for the issuance of certificates of occupancy.
4. Committed to constructing and improving thoroughfares along property frontages as the project develops, irrespective of phasing.
5. Revised note to state that improvements to Sadler Road should be triggered by the 101st residential lot accessing Sadler Road.
6. Revised Note "XI.CATS Bus Stops" in "General Development Standards" to commit to provide locations in dedicated right-of-way for the provision of on-street bus stops at locations agreed upon with CATS. Also, committed to construct the concrete pads and provide logical pedestrian access from the bus stops to various activity centers within the development.
7. Committed to adding note stating that petitioner will work with CATS in connection with the current comprehensive operations analysis study to plan for a future community transit center to be strategically located within the MUDD-O zoned area. Note will also include timing for the reservation of the transit center.
8. Committed to adding a note stating the petitioner will work with CATS in connection with 2030 Transit Plan efforts to plan for a rapid transit alignment to the west serving the airport area and potentially the River District.
9. For the "Employment District", Note V.c, deleted the reference to the Subdivision Ordinance for block spacing and replaced with reference to "Block Length and Greenway Trail Connections" on page RZ-5B.
10. For the "Access/USDG Streets & Connectivity" section of the "Town Center" provided a note referencing "Block Length and Greenway Trail Connections" on page RZ-5B, similar to the note provided for the "Employment District." For the "Transitional District" changed reference from the "Employment District" to the "Transitional District." For the "Residential District", made note consistent with other districts and eliminated reference to the subdivision process.
11. Committed to revise the note added to the Town Center District – "IX. Beaver Dam Creek Crossing" to clarify that the bridge will be installed prior the certificates of occupancy for development above 70% of the allowed non-residential development in the Town Center.

Infrastructure

12. Revise "General Standards" Note IV.e as follows: "...It is contemplated that delivery of 8% of the total number of residential dwelling units provided for in connection with Phase II

and future phases..." *This request has been rescinded as Note IV.e has been revised since the request was made.*

13. Revised "General Standards" Note IV.d.3 regarding installation of Overland Trail and West Boulevard linear park.
14. Included Note IV.d.4. concerning provision of public access to the Catawba River. Also, provided information on the timing of access installation.
15. Committed to revise note related to reservation of schools sites as requested by CMS.

Site and Building Design

16. Revised Note I.a.4 in the "General Development Standards" concerning the optional provision for staff's discretionary authority related to the application to design guidelines/standards to include criteria that staff will use to assess deviations from the design guidelines/standards by adding reference to standards articulated by professional organizations and/any future City of Charlotte Unified Development Ordinance or major design policy documents.
17. Revised text under "VI. Design Standards/Guidelines" in the "General Development Standards" to indicate that the provisions will apply to property zoned MX except where expressly noted.
18. For Note VI.f.7 in "General Development Standards", revised note to differentiate between common entrances and entrances serving a small number of units or individual units. Common entrances (defined as serving the entire building or majority of the building) should be at or slightly above grade and entrances serving a small number of units or individual units should be typically two-feet above grade.
19. Revised Note VI.g.2 in the "General Development Standards" to indicate that landscaping at the time of planting shall be a minimum of three feet in height.
20. Provided additional definition/commitments for "Campus Style Format" development.
21. For section VI.b.1 in the "Employment District" and for comparable notes in other districts, revised the note to indicate that development shall connect to the trail and clarified other conditions along Beaver Dam Creek Greenway.
22. For "Town Center, Optional Provisions" Note III.d, provided a maximum length of time for short-term signs and banners to be allowed. Also, made this change in the "General Development Standards" for temporary banners.
23. For the "Residential District", clarified setback will be 20 feet per the ordinance.
24. In the sections of the notes addressing setbacks for each district, revised the notes to clarify when the setbacks are minimums and when they are maximums.
25. For the note related to the "Town Center Permitted Uses" stating that single family detached residential uses will comply with the MX standards, MUDD standards and Subdivision standards, committed to revise note to clarify that the "innovative provisions" will be related to development zoned MX.

Environment

26. Added a note committing to a minimum of 15% tree save area for the entire site.
27. Revised Note VI.a to state that the MUDD-O tree save area will be dedicated prior to Land Development plan approval for the first parcel developed in the MUDD-O district.
28. Added the following note: "All parcels on this site not part of the original MUDD-O District, and therefore not having tree save requirements met by the minimum approximately 102-acre tree save area, will be required to show a minimum 15% tree save based on gross area."
29. Added a note stating: "The minimum approximately 102-acre tree save area is for the benefit of the MUDD-O District only. In the event that development levels in the MUDD-O Districts do not

- exhaust the entire dedicated tree save area, the remaining tree save areas may not be used for the benefit of the MX-2 District.”
30. Added the following note: “No off-site mitigation of any required tree save area on this site will be allowed at any time now or in the future. The Master Planned Site, as a whole, will be treated as one site.”
 31. Added the following note: “Any proposed tree save area will be subject to prior approval by Urban Forestry staff, and may require additional surveys, tree planting or other reasonable measures to ensure the area meets the intent of the Tree Ordinance.”
 32. Add the following note: “All stream buffers on this site will be voluntarily increased in horizontally measured width to double the effective minimum required buffer. For example, a required minimum stream buffer of 100 feet would be increased to 200 feet.” *Staff has rescinded this request in lieu of the petitioner’s commitment to provide 15% for the entire area zoned MX.*
 33. Added the following note: “Urban Forestry staff is to be contacted prior to creation of any trails or parts of trails within tree save areas. Proposed trails or parts of trails within tree save areas are to be reviewed and approved by Urban Forestry staff prior to any creation of trails.”
 34. Revised Note VI.a.7 to indicate that all zoning districts and areas within the “River District” master development site shall comply with all sections of the Charlotte Tree Ordinance. All requirements of the tree ordinance will govern and take precedence over any provision listed within this conditional rezoning plan unless the provisions listed within the rezoning plan establishes more stringent standards and/or requirements as determined by the City of Charlotte’s Urban Forestry Supervisor and City Arborist.
 35. Revised Note IV.a.1 “Environmental Commitment” to state that wildlife preserve will be located prior to the certificate of occupancy for the 1000th unit.
 36. Committed to revise Note VI.a.6 to indicate that tree protection fencing will be installed prior to grading permits.
 37. Committed to deleting Note VI.a.3 pertaining to notification of approval from Urban Forestry.
 38. Committed to revising standard in the “Environmental Commitment” for “Open Space” related to the identification of “additional preserved open space” to commit to defining how that open space will be provided for each district prior to development in those districts, using the model proposed for local street network.
 39. Committed to revise Sheet RZ-4A to reflect new locations of MUDD-O related tree save. Updated language indicates there will be two areas but the map shows tree save in a single area.
 40. On RZ-4B, under the first asterisk of the box indicating buffers, committed to revise the note to indicate that the horizontal distance is from the top of bank of perennial and intermittent streams.

Technical Revisions

41. Corrected typographical errors, incorrect references in document, and incorrect page numbers.
42. Referenced applicable charts in corresponding text.
43. For “regulating” charts/graphics, referenced related notes.
44. For optional provisions in “District Standards”, added references to the section of the Zoning Ordinance to which the provision refers.
45. Added a definition of “Campus Style Format” to the definitions in the “General Development Standards” and referenced this definition in other notes sections.
46. For note VI.f.7.x, deleted portion of note stating applicable to multi-family and commercial development.
47. Revised “Auto-oriented Uses” section and “Accessory drive-thru windows” section to remove duplication and clarify standards.
48. Corrected reference in Note VI.g.3.

49. Clarified the definition of "secondary streets" in Note VI.h.
50. Clarified Note VI.i.2 with respect to deviations and non-local streets.
51. For the "Employment District" Note VI, and for other districts to be zoned MUDD-O, called out optional provisions.
52. Revised the graphic for the "Town Center Core" to show a four-block main street (instead of three blocks) to be consistent with text.
53. Labeled "Main Street" on "Town Center Core" diagram.
54. For the "Town Center Optional Provisions", deleted note III.a as there are no MX standards in the "Residential District."
55. Removed notes from "district sheets."
56. For Notes IV.e.1 and 2, committed to change name from "Neighborhood Development Department" to "Neighborhood & Business Services Department."
57. For "Environmental Commitments", Note VI.a.2, 6 and 9, committed to change from "102-acre tree save area" to "102-acre tree save areas."
58. For "Environmental Commitments", Note VI.a.7, committed to change "in existence as of date of approval of the Rezoning Plan" to "as the Tree Ordinance is written as of the date of approval of the Rezoning Plan."
59. Revised Note IV.b related to utility improvements to exclude "already identified CIP projects or other public/private funding options that may be mutually agreed upon."
60. Revised Note IV.c related to public school site reservation to work with CMS 1) to further refine the locations of the schools sites within three years of the agreement of the parties regarding the schools sites and 2) to reserve the school sites for 10 years from the mutual agreement of the parties regarding the school site locations.
61. Revised note IV.e.2 regarding Affordable/Workforce Housing for Phase 2 and additional phases to commit that 8% of the total number of units will consist of residential rental units that maintain monthly rents that are restricted for households earning 80% or less of the area median income for a period of not less than 30 years. Also added language indicating that the commitment will be based on approval of applicable tax Credit or other funding programs. Added language also related to the timing of construction of affordable/workforce housing units.
62. Added the following notes related to commitment to work with Police and Fire regarding needs in the area:
63. Note IV.f.1. "Police Services. In order to support master planning needs, Petitioner, or assigns, agree to reserve within the Master Planned Site 3.5 acres of land for a future police station that could serve the broader community. The location of the land for this station will be determined in good faith by the parties within 3 years of approval of the Rezoning by City Council, and the location will be based on customary guidelines of CMPD that reflect response times among other factors. The land so designated shall be reserved by Petitioner, or assigns, for the benefit of CMPD for a period of 10 years from such approval."
64. Note IV.f.2. "Fire Department Service. In order to support master planning needs, Developers agree to reserve within the Master Planned Site 3.5 acres of land for a future fire station that could serve the broader community. The location of the land for this station will be determined in good faith by the parties within 3 years of approval of the Rezoning by City Council, and the location will be based on customary guidelines of CMFD that reflect response times among other factors. The land so designated shall be reserved by Petitioner, or assigns, for the benefit of CMPD for a period of 10 years from such approval."
65. Added the following note related to Administrative Amendments regarding Commitments for Civic/Community Uses & Services: "It

is acknowledged that given the large master planned nature and long timeline of development for the Master Planned Site, changes in the various civic services/community uses described in subsections IV.c, d., e., and f. above, may take place over time or commitments regarding the same may be met on property beyond the Master Planned Site or by parties other than Petitioner, or assigns, with the approvals of the applicable governmental authorities authorized for such services/community uses (e.g. CMS as to subsection c., Park & Rec as to subsection d., the Charlotte City Council as to subsections e. and f.). In such event, the Petitioner, or assigns, with the written approval by the applicable governmental authorities, may request an administrative amendment to the Rezoning Petition to address the changes associated with the civic services/community uses in question."

66. Added a note to the "Town Center Permitted Uses" stating that single family detached residential uses will comply with the MX standards, MUDD standards and Subdivision standards.

67. For the Town Center District added the following note: "IX. TOWN CENTER BEAVER DAM CREEK CROSSING: In the event that the roadway connecting Garrison Boulevard and Dixie River Road within the Town Center District 4 as generally depicted on [Sheet RZ-11] requires a bridge crossing Beaver Dam Creek, such crossing shall be installed prior to certificates of occupancy associated with greater than 70% of the entire Town Center."

68. Made minor corrections/changes which did not change the substance of the notes.

69. Revised commitment to have all tree save area related to MUDD-O zoned portion of site in one location to a commitment to have a minimum of 70% (approximately 70 acres) of tree save related to MUDD-O zones portion of site in one location and remainder (approximately 31 acres) in an additional dedication area on the site.

70. Transportation mapping revised to address most recent staff/petitioner conversations.

VOTE

Motion/Second: Eschert / Majeed
 Yeas: Eschert, Fryday, Ham, Labovitz, Majeed and Watkins
 Nays: None
 Absent: Lathrop, Spencer, and Wiggins
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff updated the commission of changes since the last meeting and noted that all but six outstanding issues have been addressed. Staff pointed out that most transportation related issues had been addressed and that staff and the petitioner are continuing to work to resolve a few remaining issues. Also, staff stated that the petitioner made a commitment to reserve space for a community transit facility and work with CATS on the planning for a potential rapid transit alignment in the future. Staff stated that the petitioner has also committed to reserve land for future fire and police stations. Staff noted that site and building design issues, and environmental issues have been addressed. Staff pointed out that the petitioner had scheduled meetings with CDOT and Mecklenburg County Park and Recreation to discuss the few remaining issues.

A commission member expressed that it was a wonderful project but was concerned that they would be making a recommendation without all of the information and suggested deferring voting and scheduling a meeting before the next City Council meeting so they would have more information. Staff advised on the options available and the process to defer.

A commission member asked CDOT if they had confidence that the transportation issues would be resolved. CDOT responded yes. Another commission member asked if park and recreation issues would be

resolved. Staff responded that discussions with Park and Recreation staff are ongoing.

Another commission member expressed concern over the short amount of time to fully understand the complex issues of the rezoning and wanted more time before making a recommendation.

A commission member had reservations about creating an "Edge City" that wasn't a walkable, modern city of the future. Staff explained there would be a town center with a full range of flexible mixed-use possibilities.

Another commission member advised not putting off a vote and bringing it to City Council to alleviate any contractual deadlines the developer may have. The commission member asked the petitioner's agent about the time constraints of any contractual agreements. The petitioner's agent responded they would need to close on some parcels in December. The commission member recognized that the developers were local and very experienced at this type of large planned development and had great confidence that any issues would be resolved and felt that it was important to move forward on the vote.

A commission member stated that a mass transit system must be tied into the development. Staff clarified that there was a commitment of working with CATS on a community transit center and possible long range planning for rapid transit in the future. There was no further discussion of the petition.

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**• Background**

- The site is located between the Charlotte-Douglas International Airport and the Catawba River, in a rural area that is mostly vacant. It is located entirely within the Lower Lake Wylie Watershed and is outside the Charlotte city limits.
- It is anticipated that the petitioner will submit an application for the subject property to voluntarily be annexed into the city limits of Charlotte, as development occurs.
- The City's Community Investment Plan approved \$44.7 million for Airport/West Corridor road improvements in this area as part of the 2016 and 2018 CIP bonds.

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

Land Use

- Proposes a master planned community named the "River District" which will be developed with a mix of uses to include office, retail, eating/drinking/entertainment establishments, personal services, hotels, a range of residential types, a continuing care retirement center, and civic uses.
- The development will be located in five distinct districts, as described below.
 - "Employment District" (to be zoned MUDD-O): This district is located directly adjacent to I-485, to the north of West Boulevard and south of Dixie River Road, and is bisected by Garrison Road. Development in this district will be office based to take advantage of its proximity to I-485, the Charlotte-Douglas Airport and the Norfolk Southern Intermodal Facility. Allowed uses are 4,500,000 square feet of office, 50,000 square feet of retail, eating/drinking/entertainment establishments and/or personal services, 250 hotel rooms, 500 multi-family or single family attached units, and supporting institutional and recreational uses.
 - "Gateway District" (to be zoned MUDD-O): This district is located directly adjacent to I-485, south of the "Employment District", and is bisected by West Boulevard and Garrison Road. Similar to the "Employment District", the "Gateway District" will be developed primarily with a mix of office and employment uses to take advantage of its proximity to I-485, the Charlotte-Douglas Airport and the Norfolk Southern Intermodal

Facility. Allowed uses are 500,000 square feet of office, 50,000 square feet of retail, eating/drinking/entertainment establishments and/or personal services, 250 hotel rooms, and supporting institutional and recreational uses.

- "Transitional District" (to be zoned MUDD-O): This district is located west of the "Employment District" and Beaver Creek Dam and east of Dixie River Road. This district will provide a transition between the "Employment" and "Gateway Districts", and the predominantly single family "Residential District" located along the Catawba River. The allowed uses in this district are 1,000,000 square feet of office, 25,000 square feet of retail, eating/drinking/entertainment establishments and/or personal services, 300 residential units (multi-family, single family attached and/or single family detached), and supporting institutional and recreational uses.
- "Town Center District" (to be zoned MUDD-O): This district is located generally to the west of the "Transitional" and "Gateway Districts" and to the east of the "Residential District" and is bisected by Dixie River Road. It is divided into two subdistricts, "The Town Center Core" and "The Town Center Edge." The "Town Center District" is designed to be highly walkable, with the greatest intensity located in the compact "Town Center Core" which will include a four-block Main Street. Allowed uses in this district are 2,000,000 square feet of office, 300,000 square feet of retail, eating/drinking/entertainment establishments and/or personal services, 500 hotel rooms, 1,700 residential units (multi-family, single family attached and/or single family detached), and supporting institutional and recreational uses.
- "Residential District" (to be zoned MX-2, Innovative): Property in this district is located near or abutting the Catawba River. It is planned to be a primarily residential district with supporting retail and services, primarily to serve the area residents. Allowed uses in this district are 1,700 single family detached units, 300 multi-family or single family attached units, 200 continuing care retirement units, 75,000 square feet of retail, eating/drinking/entertainment establishments and/or personal services, and supporting institutional and recreational uses including a marina and related active uses along the Catawba River.
- Development in the River District will occur in multiple phases, as described below.
 - The first phase will allow up to 1,000,000 square feet of office, 75,000 square feet of retail, eating/drinking/entertainment establishments and/or personal services, 150 hotel rooms, 600 multi-family units, and 300 single family detached units.
 - The second phase will allow 3,000,000 square feet of office, 125,000 of square feet of retail, eating/drinking/entertainment establishments and/or personal services, 250 hotel rooms, 300 multi-family units, and 950 single family detached units, in addition to the development entitlement allowed in Phase I.
 - The remainder of the development entitlements will occur in future phases.
- The petition includes allowances for the transfer of development rights between any of the districts zoned MUDD-O ("Employment District", "Gateway District", "Town Center District" and "Transitional District") and also between the "Town Center District" and the "Residential District", in accordance with stated conditions. The transfer of development rights will not allow the development square footage to exceed the total entitlements allowed for the entire master planned community. Additionally, there are limitations on the square footage of development that can be transferred.
- The petition also includes conversion rights which allow entitlements for one use to be converted to entitlements for another use, as described below:
 - Conversion of entitlements is only allowed within individual districts, and not between districts.
 - Non-office commercial (retail, eating/drinking/entertainment establishments and/or personal services) square footage may be converted to office square footage and vice versa, up to 25% of the base entitlements for each district.
 - Residential units may be converted to hotel rooms and vice versa, up to 300 rooms or residential units for each district.
 - A hotel room may be converted to 500 square feet of commercial use, and vice versa, up to 300 hotel rooms or 150,000 square feet of commercial uses for each district.
- A system to track approved development through the life of the project is included in the petition.

Urban Design

- The proposal includes an urban design framework to support the development of the envisioned series of walkable mixed use districts. This framework includes site and building design guidance that applies to all districts. These standards address:
 - Vertical mixed-use and multi-story office buildings,

- Office buildings in campus style format,
 - Multi-family buildings three stories or greater,
 - Continuing care retirement centers,
 - Townhomes,
 - Structured parking facilities,
 - Lighting,
 - Uses with accessory drive-through windows, and
 - Building orientation when adjacent to Beaver Dam Creek Greenway.
- There are also district specific urban design standards that address building placement, location of parking, streetscape design, building edges, ground floor transparency, and height limitations when near single family uses.
 - In addition, the "Town Center District" has additional design standards related to uses with accessory drive-through windows, structured parking, driveway locations, building entrances, and ground floor activity. These standards are intended to further support walkability, especially in the "Town Center Core."

Optional Provisions and Innovative Development Standards

- The petition includes a number of optional provisions for the MUDD-O (mixed use development, optional) portion of the site. Typically, the optional provisions include conditions and limitations that address where and how the optional provisions can be applied. The design elements addressed by the optional provisions are related to:
 - Uses with accessory drive-through windows,
 - Larger format users (30,000-square foot or larger non-office commercial uses and indoor recreation not related to civic uses),
 - Auto-oriented uses (free standing commercial uses of 30,000 square feet or less),
 - Allowances for ground floor retail in a mixed use building or multi-story office,
 - Parking, maneuvering and service areas between buildings and the street, and to the side of buildings,
 - Relief from the requirement to recess doorways into the face of buildings,
 - Alternative location of bicycle parking,
 - Treatment of blank walls,
 - Loading and screening of service areas for side and rear elevations,
 - Signage allowances, including ground mounted signs, wall signs, temporary signs and banners, and
 - A provision to allow the petitioner to request staff to allow deviations from the design standards/guidelines, if the deviations are consistent with the objectives and intent of the rezoning.
- The petition does not include MX-2 Innovative Development Standards for the "Residential District", but the petitioner reserves the right to seek them at a future date.

Transportation

- Due to the large nature of the master planned site, the roadway and street network will be implemented over time and will adapt to timing of development, availability of public and private funding and other factors.
- The proposed development could generate 120,000 trips per day as proposed. Based on review of national and local information, CDOT estimates that approximately 45,000 of these trips will be captured internally within the Activity Center and 75,000 of these trips will enter or exit the center daily. In order to ensure that these trips can be served adequately, the proposed transportation network must include a dense internal local street network supported by a system of well-designed arterial streets that have good connectivity to I-485.
- The transportation improvements required for the master planned site will be accomplished in multiple phases. The development levels/entitlements for portions of the development of the master planned site are tied to the phasing of the transportation network.
- The plan proposes some adjustments to the CRTPO Thoroughfare Plan and proposes several new segments to be added to the Thoroughfare Plan.
- The plan proposes new grade-separated interchanges with I-485 to accommodate the increased travel demand.
- The plan preserves a corridor for a new east-west roadway that will eventually cross the Catawba River into Gaston County.
- All districts will be linked by a transportation system of sidewalks and trails that promote walkability and pedestrian activity.
- A network of local streets will be created in conformance with the Subdivision Ordinance process. The proposed block lengths are typically shorter than the standard block lengths in the Subdivision Ordinance and will result in a more compact street network than would be otherwise required.

- The local street network will include two crossings of Beaver Dam Creek.
- A site will be reserved in the development for a community transit center.
- The petitioner will work with CATS to plan for a rapid transit alignment to the west serving the airport area and potentially the River District.

Public Infrastructure/Facilities

- The petition includes a series of commitments related to the provision of infrastructure and public facilities to support the "River District" development. These are listed below.
- Petitioner commits to work with Charlotte Water regarding extension of water and sewer service to the site.
- To address public safety needs, the petitioner will reserve 3.5 acres for a future police station and 3.5 acres for a future fire station.
- To help address anticipated school needs, the petition has identified two areas within the "Residential District" from which two 15- to 25-acre parcels will be reserved for schools sites for a period of 10 years from approval of this petition.
- To help enhance Mecklenburg County's public park system, the petitioner has committed to identify two general areas, one within the "Residential District" and one within the "Employment", "Transitional", or "Gateway District", from which land aggregating approximately 10 acres will be reserved for neighborhood park land and facilities. The petitioner will reserve the park sites for seven years from approval of this petition.
- The petitioner has committed to dedicate land for the Beaver Dam Creek greenway prior to the last certificate of occupancy for Phase I Development, subject to Mecklenburg County Park and Recreation Department's commitment to bear the cost of greenway improvements.
- The petitioner has committed to construct an overland trail along Dixie River Road and a linear park along West Boulevard as associated roadway segments and adjacent development occur.
- The proposal also includes a commitment to provide an area for public access to the Catawba River in order to allow recreational access for the County's planned "Blueway."

Environment

- The petitioner proposes a series of environmental commitments that will honor the unique resources and character of the site by preserving significant natural areas, land features and environmentally sensitive lands. The proposed development pattern will maintain open space areas and provide greenway connections.
- Higher intensity development will occur in a condensed pattern away from challenging topography and the river in the "Employment" and "Town Center Districts."
- Specific environmental commitments include:
 - Enhanced water quality protection such as innovative storm water treatment techniques, enhanced stream buffers, and water quality monitoring;
 - A minimum of 551 acres (40% of site) to be preserved as open space, to include a 75-acre "wildlife preserve, and all land in the 100-year floodplain and future 100-year floodplain incorporated in open space;
 - Beaver Dam Creek Greenway dedication;
 - Consolidated tree save consolidated into two areas for MUDD-O zoned land, with approximately 102 acres to be dedicated prior to the first certificate of occupancy; and
 - Committed to provide 15% tree save for the entire area zoned MX-1 (mixed use), even though the requirement ordinance for the residentially developed land is only 10%.

Workforce Housing

- In order to assure that there are a variety of housing opportunities in the "River District", the petition includes commitments related to affordable/workforce housing.
- The petitioner agrees to provide 85 units in Phase I for affordable/workforce housing residential rental units. This commitment is subject to approval of North Carolina Housing Finance Agency tax credit housing grants and/or other affordable/workforce housing funding vehicles. The monthly rent for these units will be income restricted for households earning 80% or less of area median income for a period of not less than 30 years.
- The petitioner also committed to providing 8% of the total number of residential units built in connection with Phase II and future phases for affordable/workforce housing residential rental units. This commitment is subject to approval of North Carolina Housing Finance Agency tax credit housing grants and/or other affordable/workforce housing funding vehicles. The monthly rent for these units will be income restricted for households earning 80% or less of area median income for a period of not less than 30 years.
- **Existing Zoning and Land Use**
 - The rezoning site is mainly undeveloped land with some parcels containing single family houses along Dixie River Road and Garrison Road, west of the I-485 and West Boulevard interchange.
 - To the north of the site is the Dixie River Road community along Mt. Olive Church Road, consisting of residential, institutional and retail development on properties zoned R-3 (single

- family residential), and all within the LLWPA Watershed Overlay (Lower Lake Wylie protected area).
- East of the site is I-485 and Charlotte-Douglas International Airport along with the Norfolk Southern Intermodal Yard on property zoned I-1 (light industrial) and I-2 (heavy industrial).
 - West of the site is the Catawba River and some residential development along Sadler Road. These homes front the Catawba River and are located on properties zoned R-5 (single family residential), and are within the LLWCA Watershed Overlay (Lower Lake Wylie critical area).
 - To the south of the site are residential developments, park and open space, and institutional uses on properties zoned R-3 (single family residential) and R-5 (single family residential), all within either the LLWPA Watershed Overlay (Lower Lake Wylie protected area) or LLWCA Watershed Overlay (Lower Lake Wylie critical area).
 - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
 - There have been no rezonings in the immediate area in recent years.
 - **Public Plans and Policies**
 - The *Dixie Berryhill Strategic Plan* (2003) recommends employment/mixed-use development (office, retail, and/or light industrial) for the majority of the property being proposed for MUDD-O (mixed use development, optional).
 - The plan recommends residential up to five units per acre for a portion of the "Town Center District", west of Dixie River Road. This property is proposed for MUDD-O (mixed use development, optional).
 - The *Dixie Berryhill Strategic Plan* recommends single family up to four and five units per acre for the portion of the subject site proposed for MX-2 INNOV (mixed use, innovative).
 - The plan also establishes a goal to protect the sensitive environmental elements in the area that include the Catawba River, its coves and shoreline, ravines with steep slopes, erodible soils and vegetation, SWIM buffers and watersheds.
 - **TRANSPORTATION CONSIDERATIONS**
 - Although this rezoning is located in a Wedge based on the *Centers, Corridors and Wedges Growth Framework*, the proposed level of entitlements, if approved, will effectively create a new Activity Center. Also, due to the large scale of this proposal, CDOT anticipates a significant increase in the necessary level of roadway capacity over what has historically been planned in this area. CDOT and Planning have worked with the petitioner to identify additional thoroughfares as well as upgrades in classifications for previously planned thoroughfares in order to provide the proper roadway network to support the anticipated level of travel demand.
 - The roadway network is also planned in a way that accommodates several other important community goals, including but not limited to, future extension of a major roadway to cross the Catawba River into Gaston County, anticipated growth at Charlotte Douglas International Airport, expansion of the freight intermodal yard, and future industrial development in the general vicinity of the airport and the intermodal yard. Accordingly, the review of the transportation aspects of this rezoning has been conducted in concert with the *Airport-Area Strategic Development Plan* (AASDP), and a planned feasibility study for the "Catawba Crossings project" by the Charlotte Regional Transportation Planning Organization (CRTPO), the Gaston-Cleveland-Lincoln MPO, and NCDOT.
 - The roadway network proposed with this rezoning is planned for three major phases, in which land use entitlements are only available to the petitioner for development provided the corresponding phased improvements are completed by the time the buildings are occupied. The zoning allows that any of the three major phases may be subdivided into smaller phases provided the petitioner is able to demonstrate through additional traffic analysis that the requested sub-phase of development is matched to the appropriate level of additional roadway construction. The complete package of roadway improvements would be expected to be implemented over a 10-30 year period through a combination of public and private funding sources.
 - In order to establish that the proposed roadway network is appropriately scaled to the proposed level of entitlements, the petitioner and CDOT conducted a series of model analyses using the Metrolina Regional Model, which is the same model used by the CRTPO to plan large scale transportation improvements over a twenty-five-year time horizon. The results of this model work determined the network of streets that is intended to work in conjunction with a dense network of interconnected local streets, which will follow the rules of the Subdivision Ordinance. Additional traffic analyses will be performed over the build-out of this development to determine specific design details such as turn lanes at intersections or when traffic signals are warranted for installation.
 - The planned roadway network will require significant interchange modifications that will require approval by NCDOT and the Federal Highway Administration (FHWA). The conditional zoning

plan as proposed will not enable development beyond the first phase without an approved interchange solution by state and federal authorities, which may differ from the exact concept depicted on this plan. The petitioner and CDOT have initiated preliminary discussions with NCDOT to determine the preferred concept. Final approval for a new or revised interchange will require additional technical analysis with a one to two-year timeframe for review and approval with NCDOT and FHWA.

- The design details for the arterial street network will incorporate best practices for walking and bicycling through a variety of solutions that include sidewalks, bike lanes, shared-use paths, and greenways. In all cases the design of the streets and street network, will reinforce the overall transportation goals for Activity Centers, which is to maximize the ability to serve travel demand with the shortest trips possible, and to maximize the opportunities for transit, walking, and bicycling trips. In general, CDOT supports the approach of organizing growth for future residents in a way that can reduce long vehicle trips by providing well organized Activity Centers. This rezoning, as planned, helps achieve this goal and the requirements that govern the availability of entitlements by phase will help ensure that the growth is activated by planned investments in the major street network.
- See Outstanding Issues, Notes 1 through 3.
- **Vehicle Trip Generation:** The proposed development could generate 120,000 trips per day as proposed. Based on review of national and local information, we estimate that approximately 45,000 of these trips will be captured internally within the Activity Center and 75,000 of these trips will enter or exit the Center daily. In order to ensure that these trips can be served adequately, the proposed transportation network must include a dense internal local street network supported by a system of well-designed arterial streets that have good connectivity to I-485.

Current Zoning: 46,000 trips per day (based on 6,660 dwelling units and 750,000 square feet of warehouse uses).

Proposed Zoning: 120,000 trips per day (based on the following chart).

Site Plan District	Uses	Intensity	Trips Per Day
Employment	Apartment	500 dwellings	3,154
	Hotel	250 rooms	2,043
	Office	4.5 million sf	23,694
	Retail	50k sf	4,328
Town Center	Apartment	1700 dwellings	10,426
	Hotel	500 rooms	4,085
	Office	2 million sf	12,793
	Retail	300k sf	13,870
Gateway	Hotel	250 Rooms	2,043
	Office	500k sf	4,461
	Retail	50k sf	4,328
Transitional	Apartments	300 dwellings	1,942
	Office	1 million sf	7,554
	Retail	25k sf	2,758
Residential	Single Family	1700 dwellings	14,233
	Apartment	300 dwellings	1,942
	Retirement Community (CCRC)	200 units	480
	Retail	75k sf	5,633
Total			120,000

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte-Douglas International Airport: No issues.**
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Police Department:** No issues.
- **Charlotte-Mecklenburg Schools:** No issues.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Engineering and Property Management: No issues.**
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:**
 - The subject property is located in a largely undeveloped portion of Southwest Mecklenburg County, between the Catawba River and Interstate 485. Existing County park facilities in this area include the Berewick Regional Park to the south and the Berryhill Nature Preserve to the north.
 - Mecklenburg County Park and Recreation's (MCPR) vision for this growing area of Mecklenburg County includes active recreational neighborhood/community parks, the potential for a Regional Recreational Center, a network of greenway corridors and overland trails to connect existing and future park facilities, and public access to the Catawba River.
 - MCPR has met with the petitioner to anticipate the long-term park and recreational needs of this portion of Mecklenburg County as it develops over time and how these needs can be incorporated into the development of the River District project.
 - The petitioner currently proposes the reservation of 20 acres for neighborhood parks, the dedication of a Beaver Dam Creek Greenway corridor, the incorporation of overland trails in the design of Dixie River Road (part of the 2015 Mecklenburg County Greenway Master Plan Update) and the West Boulevard extension, and public access to the Catawba River.
 - See Outstanding Issues, Notes 4 through 6.

OUTSTANDING ISSUES

The following items remain outstanding:

Transportation

1. Right-of-way dedication should be provided to the City for all parcels in the rezoning in the event the City initiates a transportation project. (Note: A revised note was provided on 11/04 and CDOT is getting assistance from the City Attorney's Office validating that the language provides protection for the City from having to purchase properties from the petitioner for the CIP project.)
2. Provide cost estimate information to substantiate the option of paying into a project to relocate West Boulevard. (Note: Cost estimate received 11/07. CDOT will be getting assistance from Engineering and Property Management to validate the cost estimate.)
3. Need commitment to provide a 4-lane minimum section for an east-west street connecting from I-485 to Billy Graham Parkway. (Note: Petitioner to discuss with CDOT and is willing to revise the applicable note to address CDOT issues.)

Infrastructure

4. Revise "General Standards" Note IV.d.1 as follows: "Reservation of Park Sites. To help support public park uses and services, the Petitioner, or assigns, will identify two (2) general areas, one within the Residential District portion of River District and one within the Employment/Transition/Gateway Districts, from which parcels/land aggregating a total 40 acres will be reserved for neighborhood park land and facilities. The park facilities areas will be within the designated Districts and may be divided into smaller parcels of no less than 2 acres, and if requested by Parks & Rec one such parcel shall contain at least 5 acres, but all together aggregating 20 acres for each of the two (2) areas. These neighborhood park sites will have reasonable vehicular and pedestrian access to and will be in close proximity of the developed portions of the Master Planned Site as the applicable Districts are built out over time. Petitioner, or assigns, commits to reserve the park sites for a period of 7 years from the date that Petitioner, or assigns, provides written identification of such park sites to Park & Rec, provided

that Petitioner, or assigns, must provide such written identification within 3 years of approval of the Rezoning Plan to allow Park & Rec to obtain or set aside applicable funding for acquisition of the park sites.”

5. Revise “General Standards” Note IV.d.2 as follows: “Dedication of Beaver Dam Creek Greenway. [Sheet RZ-4A] sets forth the general proposed location of the Beaver Dam Creek greenway areas, which are subject to adjustment as described in the District Development Standards. Petitioner, or assigns, will work with Park & Rec to finalize the greenway areas locations in a manner reasonably consistent with development plans for the Master Planned Site; but it is understood that the greenway area locations will be a minimum of 80 feet in width as measured from the top of bank in width and adjacent to, both sides of the SWIM buffer plus the land and creek in between this dedication. This dedication will insure continuity of the trail. Greenway trails can be located in buffers (except the streamside zone) where acceptable, however the width requested is necessary for build ability. Greenway trails with a width of 12 feet shall be located within the Beaver Dam Creek greenway areas with the cost of such installation being borne by Park & Rec. The Beaver Dam Creek greenway land dedication will take place without compensation for land value prior to the last certificate of occupancy for Phase I Development, subject to Park & Rec’s commitment to bear the cost of the greenway improvements and otherwise cooperate in a manner that incorporates the project(s) within future capital improvement plans.”
6. Revise “General Standards” Note IV.d.5 as follows: “Future Master Planning. The Petitioner, or assigns, and Park & Rec may modify the above referenced commitments as a result of further master planning involving the parties; any such modifications shall be mutually agreed upon. Such modifications will not include a combination of Park & Rec designated land and CMS designated land resulting in changes to applicable acreage commitments; combination of park related trails with the Overland Trail, the West Boulevard linear park, greenway trails or similar features. As an example, modifications may include the combining of neighborhood park areas to support efforts for larger neighborhood park facilities.”

Attachments Online at www.rezoning.org

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

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