

REQUEST	Current Zoning: B-2(CD) (general business, conditional) Proposed Zoning: TOD-M(CD) (transit oriented development – mixed-use, conditional)
LOCATION	Approximately 15 acres located on the east side of North Tryon Street between Sandy Avenue and Rocky River Road. (Council District 4 - Phipps)
SUMMARY OF PETITION	The petition proposes to rezone the vacant property abutting the Newell South neighborhood to allow all uses in the TOD-M (transit oriented development – mixed-use) zoning district. Uses allowed in the TOD-M district include office, residential, retail, and civic uses.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	McKinney Holdings NC II, LLC McKinney Holdings NC II, LLC David J. McKinney
COMMUNITY MEETING	Meeting is not required.

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>University City Area Plan</i>, which recommends transit oriented development organized on a new network of streets and blocks designed to maximize access to the station, support walkability, and interconnect to adjacent surrounding development.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The subject site is located within a ½ mile walk of the University City Boulevard Transit Station on the LYNX Blue Line Extension. • The <i>University City Area Plan</i> recommends transit oriented development for the site. A mix of residential and office uses are appropriate and retail could be considered within a vertically mixed use building. • The TOD-M (transit oriented – mixed-use) zoning will allow these uses. • The <i>University City Area Plan</i> also recommends a new network of streets and blocks to support transit oriented development around the station including the alignment and design of a new “Avenue” and “Local” streets parallel to North Tryon Street. • These streets represent critical infrastructure necessary for the successful development of this unique station area which includes significant tracts of undeveloped land with no street connectivity. • The request shows the recommended street network and commits to dedicate the streets as public right-of-way. • The request also proposes to donate permanent and temporary easements along the site’s Rocky River frontage to accommodate the City’s Comprehensive Neighborhood Improvement Program project.
---------------------------------	---

PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Shows an internal street network to be constructed and general locations where the internal streets will connect to existing or future streets, as envisioned in the *University City Area Plan*. Proposed roadway connection points are as follows:
 - Connection Point A: one connection to West Rocky River Road;
 - Connection Point B: one connection to either or both adjacent tax parcels 049-181-08 and 049-181-09, with the connection to be aligned to intersect with West Rocky River Road at its intersection with Twitter Lane;

- Connection Point C: one connection to North Tryon Street at a point approximately opposite of the existing road connection with North Tryon Street and Stetson Drive; and
- Connection Point D: one connection to the remainder of tax parcel 049-181-04, which is a part of the subject property located at the approximate midpoint between the right-of-way of North Tryon Street and the 100-foot Undisturbed Post Construction Buffer, plus or minus 150 feet.
- Commits to donation of permanent and temporary easements along the site’s Rocky River frontage to accommodate the City’s active CNIP (Comprehensive Neighborhood Improvement Program) project scope.
- All new proposed roadways will be constructed to public street standards and dedicated as public streets.
- **Existing Zoning and Land Use**
 - Petition 1989-41C rezoned the subject property as part of a larger petition to rezone 105 acres to B-2(CD) (general business, conditional) to allow B-2 uses, with the exception of the following uses:

auction sales	room renting	trailer and overnight camping
outdoor commercial amusement	armories	exterminators
fabric assembly	fence retail sales	fertilizer retail sales
frozen foodlockers	marinas	mobile home sales
motorcycle sales and repair	commercial parking lots/structures	pawn shops
sign painting	trailers and overnight camping	truck sales and repair
drive-in restaurants	automobile sales except as part of a new car dealership	outdoor advertising signs
massage parlors	adult bookstores	flea markets

- Adjacent properties on the west side of North Tryon Street are zoned I-1 (light industrial), I-2(CD) (general industrial, conditional), TOD-M (transit oriented development - mixed-use), TOD-M(CD) (transit oriented development - mixed-use, conditional), B-2(CD) (general business, conditional), CC (commercial center) and MUDD-O (mixed use development, optional) and are developed with warehouse uses, an eating/drinking/entertainment establishment, medical office, and retail uses including IKEA.
- Properties located east of North Tryon Street are occupied with hotel, office, automotive repair, and retail uses, and single family and multi-family dwellings in R-3 (single family residential), R-6(CD) (single family residential, conditional), B-2 (general business) and B-2(CD) (general business, conditional) zoning districts.
- See “Rezoning Map” for existing zoning in the area.
- **Rezoning History in Area**
 - Petition 2015-047 rezoned 22 acres located on the east side of Macfarlane Boulevard near the intersection of North US 29 By-Pass Highway and North Tryon Street to TOD-M(CD) (transit oriented development - mixed-use, conditional) to allow all uses permitted in the TOD-M (transit oriented development - mixed-use) district.
 - Petition 2013-89 rezoned 11.44 acres located on the north side of North Tryon Street and I-85 Service Road, between Macfarlane Boulevard and Stetson Drive to TOD-M (transit oriented development - mixed-use) to allow all uses within the TOD-M (transit oriented development - mixed-use) district.
 - Petition 2013-52 rezoned 39.06 acres located on the southeast corner at the intersection of Interstate 85 and University City Boulevard across from IKEA Boulevard to B-2(CD) (general business, conditional) to allow development of a 275,000-square foot automotive mall consisting of up to four separate dealerships and accompanying retail services.
- **Public Plans and Policies**
 - The *University City Area Plan* (2015) recommends transit oriented development for this site, located within a ½ mile walk distance from the University City Boulevard Transit Station on the LYNX Blue Line Extension.
 - Specific mobility policies for this site include:
 - Policy 1a (11): Provide a new street parallel to North Tryon Street (between Interstate 85 connector and Rocky River Road West). This street provides parallel connectivity along the North Tryon Street corridor and supports new development opportunities. It should be designed as an “Avenue” and should include bike lanes, wide sidewalks and on-street parking where warranted by adjacent land uses.

- Policy 1a (12): Provide an additional new street parallel to North Tryon Street between Periwinkle Hill Avenue and Rocky River Road West as an extension of Twitter Lane. It should be designed as a "Local" street including wide sidewalks and on-street parking where warranted by adjacent land uses.
- Policy 1a (13): Develop an interconnected network of local streets, with typical block lengths of 400 feet to supplement the new streets described above.

- **TRANSPORTATION CONSIDERATIONS**
 - This site is on the east side of North Tryon Street, a major thoroughfare that carries the LYNX Blue Line Extension. The current site plan shows the connections and parallel routes of the future transportation network, as envisioned in the *University City Area Plan*, which must be in place to support transit oriented development. Additionally, the current site plan commits to the donation of permanent and temporary easements along the site's Rocky River frontage to accommodate the City's active Comprehensive Neighborhood Improvement Program (CNIP) project scope.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing use: 0 (bases on vacant property)
 - Entitlement: 6,800 trips per day (based on 100,000 square feet of retail uses).
 - Proposed Zoning: Too many uses to determine trips per day.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No comments received.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** The district allows a variety of uses; therefore, the impact on local schools cannot be determined.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing 36-inch water main located along North Tryon Street. There is also system availability for the rezoning boundary through existing 12-inch and eight-inch water distribution mains. Sewer system availability for the rezoning boundary is provided via an existing eight-inch gravity sewer mains located along West Rocky River Road and an existing eight-inch gravity sewer main located in the southern portion of parcel 049-18-104.
 - **Engineering and Property Management:** No issues
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
-

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Fire Department 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

Planner: Sonja Strayhorn Sanders (704) 336-8327