

REQUEST	Current Zoning: CC (commercial center) and UR-C(CD) (urban residential - commercial, conditional) Proposed Zoning: UR-C(CD) (urban residential - commercial, conditional) and UR-C(CD) SPA (urban residential - commercial, conditional, site plan amendment), with five-year vested rights.
LOCATION	Approximately 15.86 acres located on the southeast side of North Tryon Street between Wednesbury Boulevard and Caprington Avenue) (Council District 4 - Phipps)
SUMMARY OF PETITION	The petition proposes to amend the existing development rights on an undeveloped parcel located across North Tryon Street from the Settlements and Withrow Downs neighborhoods to allow up to 275 multi-family dwelling units, at a density of 17.3 units per acre.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Trevi Partners, LLC Trevi Partners, LLC ColeJenest & Stone, PA
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon the resubmittal of a revised site plan for the associated administrative amendment and resolution of outstanding issues pertaining to transportation and site and building design, and minor technical revisions.</p> <p><u>Plan Consistency</u> The petition is inconsistent with the <i>Northeast Area Plan</i>, as amended by rezoning petition 2010-047, which recommends residential, institutional, office and retail uses on the subject site. residential</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The proposed multi-family, which is associated with the non-residential development approved for the adjoining property, will provide a balanced land use pattern with a mixture of uses including residential, shopping, employment and institutional uses as recommended by the adopted plan. • This site provides an internal street and pedestrian network which will connect to abutting properties and enhance connectivity for the larger area when fully implemented. • The proposed buffers and large tree save areas provide a transition to the existing single family neighborhood to the west. • The site plan provides usable open space, preservation of natural features, and a greenway easement to be dedicated to Mecklenburg County.
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PLANNING STAFF REVIEW

- **Background**
 - In 2010, Trevi Partners, LLC rezoned the subject property as part of a larger mixed use development that included independent and independent living, office, and retail uses. The site plan associated with the 2010 rezoning separated the property into eight development tracts, as shown on the adjacent map.
 - The proposed rezoning will amend the zoning standards and uses for Tract 3A, Tract 4, and portions of Tract 1A, 1B, and 3B. In addition, the proposal moves the westernmost public street to the east, where the road to the treatment plant is currently located.
- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Relocation of the westernmost street as shown on the 2010 approved site plan, to the east.

- Relocation of the northernmost east/west street to the south and elimination of the second east/west street.
- A maximum of 275 multi-family residential dwelling units in eight buildings, and permitted accessory uses, at a density of 17.34 dwelling units per acre.
- Building height limited to four stories.
- A minimum 30 percent of a building façade abutting a public or private street will be comprised of brick, natural stone or equivalent or better material approved by the Planning Director. Vinyl is prohibited as an exterior building material except for soffits and trim.
- Buildings will be arranged and oriented to front network required public and private streets, and will provide a minimum of 50 percent of the total street frontage on the site.
- Building placement and site design will focus on and enhance the pedestrian environment.
- Building massing will be designed to break up long monolithic building forms. Architectural elevations will be designed to create visual interest and roof form/roof lines will be designed to avoid the appearance of a large monolithic roof structure.
- Site access will be off US Highway 29 via a proposed private driveway and a public road.
- A ten-foot wide multi-use path will be provided along the site's frontage on US Highway 29.
- Dedication and conveyance of an interior located 20-foot wide greenway easement to Mecklenburg County will be provided.
- A minimum 36-inch high masonry screen wall will be installed on the Tract 6 frontage along the public street to the treatment plant.
- A 37.5-foot wide "Class C" buffer will be provided abutting R-3 (single family residential) zoning.
- **Existing Zoning and Land Use**
 - Petition 2010-047 rezoned a total of 68.9 acres to CC SPA (commercial center, site plan amendment), and UR-C(CD) (urban residential - commercial, conditional). The overall site allowed 454 multi-family and skilled nursing units, 70,000 square feet of medical office, a 170-room hotel, a 14,000-square foot adult day care center, a 25,000-square foot wellness center and 110,000 square feet of commercial/retail uses.
 - The 15.86-acre subject property was included in that rezoning and is identified as Tract 3A, Tract 4, and portions of Tract 1A, 1B, and 3B. The approved site plan shows only shows water quality buffers and BMP areas on Tracts 3A, 4 and 1A. Uses permitted on Tracts 1A, 1B, and 3B that are part of this rezoning included retail, adult day care, wellness/ medical office, hotel, dependent and independent multi-family residential.
 - The subject property is currently vacant.
 - Surrounding properties located on the southeast side of North Tryon Street are zoned R-3 (single family residential), UR-C(CD) (urban residential - commercial, conditional), CC (commercial center), B-1 (neighborhood business), and NS (neighborhood services) and are mainly undeveloped except for several retail uses and an eating/drinking/entertainment establishment fronting North Tryon Street, a Charlotte water treatment plant, and scattered single family detached and duplex dwellings.
 - Two office buildings in B-1 (neighborhood business) zoning, and a religious institution and single family detached dwellings in R-3 (single family residential) zoning, exist on the northwest side of North Tryon Street.
 - 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 *Northeast Area Plan* (2000), as amended by Rezoning Petition 2010-047, recommends residential, institutional, office, and retail uses for the subject property.
- **TRANSPORTATION CONSIDERATIONS**
 - This site is located along a major thoroughfare. This current site plan substantially incorporates CDOT's requests for new public streets, greenway dedication, and a multi-use path along US 29/North Tryon. However, CDOT requests that the multi-use path proposed along the site's US 29 frontage is widened to 12 feet and placed behind an eight-foot planting strip to create a more comfortable path for bicycles and pedestrians.
 - See Outstanding Issues, Note 1.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on vacant land).
 - Entitlement: Uses cannot be determined due to the impact of the revised road alignment on the currently approved site plan for the subject site (based on rezoning petition 2010-047).
 - Proposed Zoning: 1,790 trips per day (based on 275 apartment units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate zero students, while the development allowed under the proposed zoning will produce 101 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 101 students. The proposed development is projected to increase the school utilization (without mobile classroom units) as follows:
 - Stoney Creek Elementary from 126% to 134%;
 - James Martin Middle from 87% to 88%; and
 - Vance High from 116% to 118%.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing 12-inch water distribution main located near the northern corner of the parcel, on North Tryon Street. Sewer system availability for the rezoning boundary is via an existing eight-inch gravity sewer main located within the parcel, located along the creek.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUESLand Use

1. The petitioner should provide a revised administrative amendment, prior to the Zoning Committee Work Session, for the property that was part of rezoning petition 2010-047 but not included with this submittal. The administrative amendment should reduce the total square footage on the remaining portion of the site included in rezoning petition 2010-047. The reduction in square footage should be in proportion to the reduction in acreage for the remainder of property included in the prior rezoning.

Transportation

2. The petitioner needs to revise the site plan to include a 12-foot wide multi-use path along the site's US 29 frontage and separated a minimum of eight feet from the closest US 29 travel lane. The multi-use path should maintain profile (i.e. not ramped to pavement) at intersections with right-in/right-out site drives.

Site and Building Design

3. Provide and show connections from each building to the sidewalk along the proposed Public Road A.
4. Provide entrances from the Building 1 and Buildings 3-6 to the sidewalk along the proposed Public Street A.

REQUESTED TECHNICAL REVISIONSLand Use

5. Delete optional requests as they are not allowed in the proposed district.

Site and Building Design

6. Amend Note 5(c)(iii) to remove reference to the optional provision in Note 2b.
 7. Clarify if the 20-foot greenway access is an easement or is to be dedicated.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review

- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Parks and Recreation Review
- Transportation Review

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