

<b>REQUEST</b>	Current Zoning: MUDD-O (mixed use development, optional) and R-4 (single family residential) Proposed Zoning: UR-2(CD) (urban residential, conditional)
<b>LOCATION</b>	Approximately 14.56 acres located on the south side of West Tyvola Road across from City Park Drive and Speer Boulevard. (Council District 3 - Mayfield)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow a multi-family residential development, including age-restricted units, on a vacant site located across West Tyvola Road from the City Park development. The site lies adjacent to the Renaissance Golf Course facility.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	City of Charlotte Laurel Street Residential, LLC Keith MacVean and Jeff Brown, Moore & Van Allen, PLLC
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 2

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to land use, design, infrastructure, and minor technical revisions.</p> <p><u>Plan Consistency</u> The petition is consistent with the residential/office/retail land use adopted for this site, per the <i>Southwest District Plan</i> as amended by rezoning petition 2007-082.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• The subject site is located on a vacant parcel that is surrounded by a mix of industrial, institutional, office, and residential uses and undeveloped and vacant acreage. The site abuts the Renaissance Golf Course.</li> <li>• The proposed multi-family use is consistent with the adopted land use for the site as amended by rezoning petition 2007-082, which updated the <i>Southwest District Plan</i> recommendation to allow residential, office and/or retail development.</li> <li>• Multi-family development on this site is consistent with the existing residential development that has occurred recently as part of the City Park development and will add more housing options, especially for employees in the Coliseum area which is predominately office and light industrial.</li> <li>• Multi-family and elderly housing on this site would also complement the adjacent County golf course and proposed greenway.</li> </ul>
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**PLANNING STAFF REVIEW**

- **Proposed Request Details**  
The site plan accompanying this petition contains the following provisions:
  - Proposes a residential development consisting of up to 200 multi-family residential units of which up to 80 units will be age-restricted.
  - Provides an outdoor recreation use (portions of an existing golf course).
  - Proposes a combination of three and four story buildings.
  - Limits total number of buildings to be developed on site to seven, not including accessory buildings and structures.
  - Prohibits parking spaces and maneuvering areas from being located between the proposed buildings and W. Tyvola Road.
  - Provides a 30-foot setback along W. Tyvola Road.
  - Commits to the following transportation and transit improvements:
    - Notes access to the site will be from W. Tyvola Road.

- Restripes W. Tyvola Road to create a northbound left-turn lane into the site.
- Installs a refuge island within the existing cross-section for W. Tyvola Road.
- Dedicates and conveys via fee simple deed 82 feet of right-of-way for the extension of Speer Boulevard.
- Dedicates and conveys via fee simple any additional right-of-way prior to issuance of the first certificate of occupancy.
- Constructs a pad for a bus shelter at the existing bus stop along the site's frontage on W. Tyvola Road.
- Commits to the following design features:
  - Proposes building materials that will be a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block, and/or wood.
  - Limits use of vinyl or aluminum to windows, soffits, canopies, and on handrails.
  - Minimizes scale and massing of buildings longer than 150 feet along a street frontage through use of a combination of options: varied roof lines; building corners; horizontal and vertical variations; or enclosed balconies.
  - Prohibits any floor facing W. Tyvola Road from having blank walls exceeding 20 feet in length through utilization of a combination of options including: transparency; horizontal and vertical variations in wall planes; and/or architectural protrusion.
  - Commits to building elevations being designed with vertical bays or architectural façade features that may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.
  - Requires that building entrances serving more than 50% of the units in a proposed building when provided along W. Tyvola Road be at or slightly above grade and architecturally treated as a prominent pedestrian entrance.
- Identifies an existing Duke Energy buffer in association with a substation south of the subject site.
- **Existing Zoning and Land Use**
  - The site contains vacant acreage, a portion containing golf course area associated with the Renaissance Public Golf Course to the southeast, and an access easement for the Duke substation to the south.
  - The site was originally part of approximately 170 acres rezoned (petition 2007-082) to allow the City Park mixed use development. The subject site was then rezoned again via petition 2009-057 to allow all uses in MUDD (mixed use development) with a maximum of two drive-in windows and one gas/convenience store.
  - Northwest, northeast, and east are vacant land, scattered single family homes, townhomes, apartments, the Farmers Market, Renaissance Park and an office building. The properties are zoned R-4 (single family residential), O-1(CD) (office, conditional), O-15(CD) (office, conditional), MUDD-O (mixed use development, optional), and I-2 (general industrial, conditional).
  - Southeast and south are the Renaissance Golf Course, Duke sub-station, office/warehouse/distribution uses and vacant land zoned R-4 (single family residential), I-1(CD) (light industrial, conditional), and I-2(CD) (general industrial, conditional).
  - Southwest and west are office buildings and office/warehouse/distribution uses zoned I-1(CD) (light industrial).
  - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
  - Petition 2016-071 was a MUDD-O (mixed use development, optional) site plan amendment for approximately 3.28 acres located on the north side of W. Tyvola Road and east of City Park Drive, which allows up to 20,000 square feet of commercial uses on vacant land within City Park development.
- **Public Plans and Policies**
  - The adopted future land use for this site is mixed use (residential/office/retail), as per rezoning petition 2007-082 which amended the *Southwest District Plan* (1991).
- **TRANSPORTATION CONSIDERATIONS**

The site is located on W. Tyvola Road, a major thoroughfare, and will create the 4th leg of the City Park Drive intersection. The current site plan commits to improve pedestrian crossings across the new leg of the signalized intersection and reserve right of way for the future extension of Speer Boulevard. The proposed rezoning is anticipated to generate fewer trips than the existing entitlements.

  - **Vehicle Trip Generation:**
    - Current Zoning:

- Existing Use: 0 trips per day (based on vacant land).
- Entitlement: 2,760 trips per day (based on 25,000 square feet of retail).
- Proposed Zoning: 1,110 trips per day (based on 120 apartments and 80 age-restricted apartments).

#### DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** Developers seeking public funding for multi-family housing developments must comply with the City's Housing Policies.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** Charlotte-Mecklenburg Schools notes that adequacy of existing school capacity in this area is a significant problem. The development allowed under the existing zoning would generate 13 students, while the development allowed under the proposed zoning will produce 87 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 74 students.
  - The proposed development is projected to increase the school utilization (without mobile classroom units) as follows:
    - Steele Creek Elementary from 141% to 149%
    - Kennedy Middle from 113% to 115%
    - Olympic High from 163% to 165%.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing 16-inch water transmission main located along W. Tyvola Road. Charlotte Water has sewer system availability for the rezoning boundary via an existing 54-inch gravity sewer main located along the western portion of parcel 143-13-301.
- **Engineering and Property Management:**
  - **Arborist:** No trees can be removed from or planted in the right of way of all City maintained streets without permission of the City Arborist's office. The petitioner must submit a tree survey for all trees two inches or larger located in the rights of way. In addition, the survey shall include all trees eight inches or larger in the setback.
  - **Erosion Control:** No issues.
  - **Land Development:** No issues.
  - **Storm Water Services:** No issues.
  - **Urban Forestry:** The site is in a wedge; 15% tree save area required to be shown on site. 15% minimum tree save area required based on gross acres. Tree save area must contain existing healthy tree canopy.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** See Outstanding Issues, Note 1.

#### OUTSTANDING ISSUES

##### Environment

1. Parcel # 143-133-01 is located on the Sugar Creek Greenway corridor as indicated on the 2015 Greenway Master Plan. The petitioner is requested to dedicate and convey the area highlighted in yellow in the Schematic Plan for Rezoning dated 3/24/17. The area highlighted in yellow includes the 100-foot Swim Buffer and the existing 50-foot Duke Power right-of-way in the northwest area of the property. MCPR also requests 200 feet from the southern property-line adjacent to the Renaissance Golf Course for an important greenway connection to the existing Renaissance Regional Park. The dedication and conveyance to Mecklenburg County for greenway shall occur prior to the issuance of the first Certificate of Occupancy.

##### Site and Building Design

2. Revise Note 6.a. to commit to 120 feet, not 150 feet, with respect to minimizing scale and massing of buildings exceeding a certain length along a street.
3. Revise Note 6.d(a) to state "...articulated architectural façade features which ~~may~~ shall include but not be limited to..."
4. Amend Note 6.f. to read: "Common and/or private individual unit entrances ~~may~~ shall be provided along Tyvola Road at intervals of no greater than ~~425~~ 100 feet.
5. Petitioner proposes a 30-foot setback from existing back of curb along W. Tyvola Road. This should be increased to 40 feet.

#### REQUESTED TECHNICAL REVISIONS

6. Site Development Data notes proposed uses include an outdoor recreation use (portions of an

existing golf course). This area is not delineated on the site plan.

7. Ensure entire sidewalk along W. Tyvola Road has a minimum width of six feet, and planting strip has a minimum width of eight feet.
  8. The site plan should be modified to label directional movement of lanes at entrance.
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**Attachments Online at [www.rezoning.org](http://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 Water Review
  - Engineering and Property Management Review
    - City Arborist Review
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

**Planner:** Claire Lyte-Graham (704) 336-3782