CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2019-042
Pre-Hearing Staff Analysis
June 17, 2019

REQUEST	Current Zoning: B-2(general business, conditional) Proposed Zoning: TOD-CC (transit oriented development, community center) and TOD-TR (transit oriented development, transit transition)
LOCATION	Approximately 12.52 acres located on the southeast side of the intersection of North Tryon Street and University City Boulevard

SUMMARY OF PETITION	The petition proposes to allow all uses in the TOD-CC (transit oriented development – community center) and TOD-TR (transit oriented development- transit transition) for the development of a vacent parcel located in northeast Charlotte.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Sanctuary Holdings Charlotte, LLC Sanctuary Development, LLC Chad Howie
COMMUNITY MEETING	Meeting is not required.

STAFF RECOMMENDATION	Staff recommends approval of this petition. <u>Plan Consistency</u> The petition is **consistent** with the *Blue Line Extension Station Area Plan* recommendation for Transit Supportive Land Uses. <u>Rationale for Recommendation</u> • The area plan recommends Transit Oriented Development for the parcels to the west of Rocky River Road. • The plan recommends Residential/Office use for the parcels to the east of Rocky River Road. • As written, TOD-CC is applicable at any site less than a ½ mile of of a transit station. The site is within a ½ walk of the Sugar Creek Transit Station.

- The easternmost parcel is adjacent to single family zoning and therefore is appropriate to utilize the TOD-TR district.
- Use of conventional TOD zoning districts applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  This is a conventional rezoning petition with no associated site plan.

- **Existing Zoning and Land Use**

- The subject property is vacant. The adjacent land uses include multi-family apartments, single-family houses, commercial, and vacant land.

- The subject property was rezoned to B-2(CD) in 1990 as petition 1989-041(C). The conditional rezoning plan for petition 1989-041(C) prohibits certain uses allowed in the B-2 district for development on the site.

The subject property is undeveloped.

The properties to the north across University City Boulevard are vacant and are a commercial use. The subject site is marked with a red star.

The property to the west along North Tryon Street is developed with the blue line rail line. The subject site is marked with a red star.

The property to the south is undeveloped.

The property to the southeast is developed with multi-family apartments.

- **Rezoning History in Area**

Petition Number	Summary of Petition	Status
2015-020	The petition rezoned site to TOD-R (transit oriented development- Residentially oriented) to allow 380 multi-family units and all accessory uses allowed in the TOD-R district.	Approved
2015-047, 2016-074, 2017-079,	The petition rezoned site to TOD-M(CD) (transit oriented-mixed, conditional) to allow all uses permitted in the TOD district.	Approved
2017-108	The petition rezoned site to MUDD-O (mixed use development district- optional) to allow the development of up to 80,000 square feet of eating, drinking, and entertainment establishment (type 1 and/or type 2).	Approved
2017-117	The petition rezoned site to O-1 (office) to allow all uses permitted in the O-1 district.	Approved

2017-123	The petition rezoned site to B-2(CD) (business, conditional) to allow the development of a fuel/ gasoline center.	Approved
2017-181	The petition rezoned site to CC(SPA) (commercial center, site plan amendment) to allow the development of a hotel with up to 110 rooms.	Approved
2018-076	The petition proposed to rezone site to UR-2(CD) (urban residential, conditional) to allow the development of up to 258 multi-family dwelling units and all accessory uses allowed in the UR-2 district.	Withdrawn
2018-123	The petition rezoned the site to MUDD-O(SPA) to allow an optional provision for ground mounted signage.	Approved
2018-143	The petition rezoned site to TOD-M (CD) to allow up to 275 multi-family dwelling units.	Approved
2019-003	The petition proposes to rezone the site to allow all uses permitted in the TOD-CC district.	Pending
2019-021	The petition proposes to rezone site to TOD-M(CD) (transit oriented- mixed, conditional) to allow all uses permitted in the TOD district.	Pending

- **Public Plans and Policies**

- The *Blue Line Extension Station Area Plan (2015)* recommends mixed use transit oriented development uses for properties west of West Rocky River Road. For properties east of West Rocky River Road, the plan recommends residential/office uses, with intensities and design guidelines consistent with transit oriented development; the policies allow for retail uses on the ground floor of multi-story buildings.

- **TRANSPORTATION CONSIDERATIONS**
  - The site is at the signalized intersection of two major thoroughfares. The Lynx Blue Line travels through the median of N Tryon Street and the University City Boulevard Station is within ¼ mile of the site. CDOT will work with the petitioner during permitting to ensure that all public street frontages meet current city standards with curb, gutter, planting strip, and sidewalk.
  - No outstanding issues.
  - **Vehicle Trip Generation:**

    Current Zoning:

    Existing Use: 0 trips per day (based on vacant use).

    Entitlement: 2,040 trips per day (based on 275 dwellings).

    Proposed Zoning: Conventional petition, unable to determine trip generation with amount of uses.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Police Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water transmission main located along Rocky River Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along University City Boulevard. No outstanding issues.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

Planner: Lisa Arnold (704) 336-5967