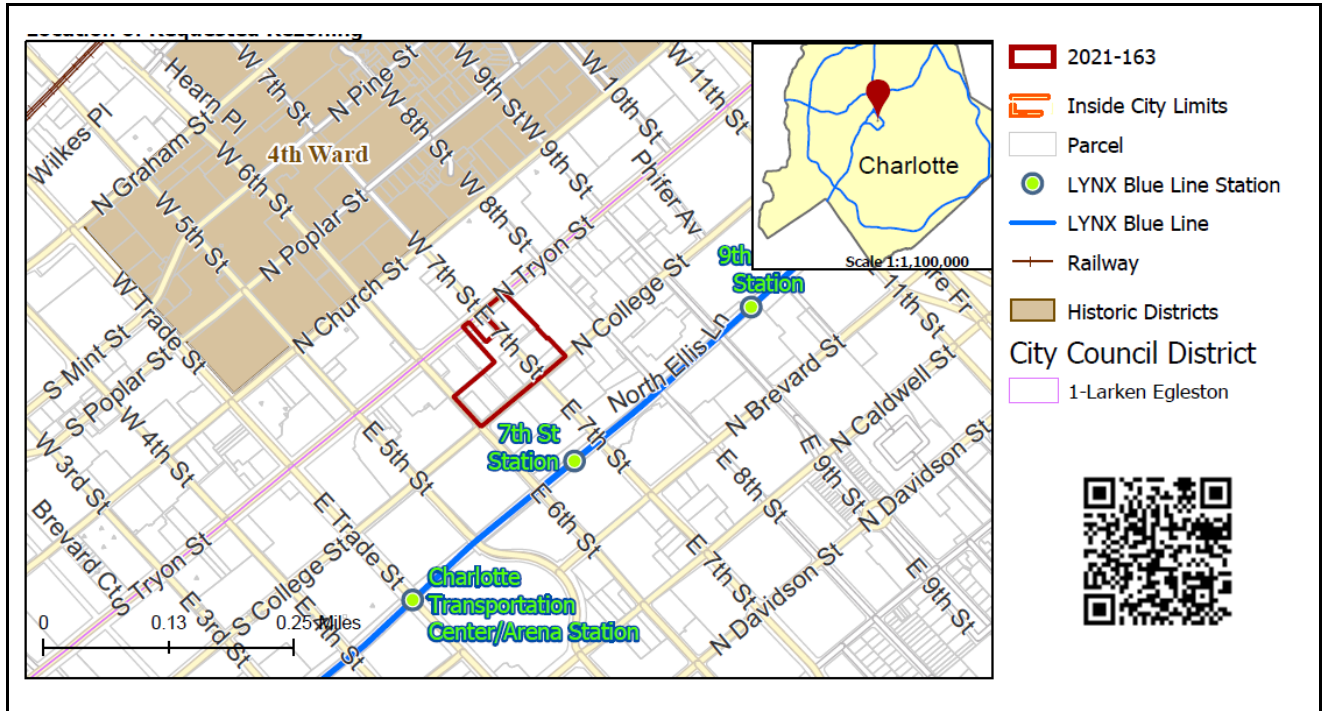


REQUEST

Current Zoning: UMUD (uptown mixed use) and UMUD-O (uptown mixed use, optional)
Proposed Zoning: UMUD-O SPA (uptown mixed use, optional, site plan amendment) and UMUD-O (uptown mixed use, optional)

LOCATION

Approximately 3.23 acres located on the east and west side of East 7th Street, north of North College Street, and south of North Tryon Street



SUMMARY OF PETITION

The petition proposes to redevelop the site to allow all uses within the UMUD zoning district.

PROPERTY OWNER

Bank Of America, National Association, successor by merger to Nationsbank, N.A. (Carolinas); Mecklenburg County; Public Library of Charlotte & Mecklenburg County

**PETITIONER
AGENT/REPRESENTATIVE**

Bp-Metropolitan NC, LLC
Bridget Grant, Moore and Van Allen

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 26

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Charlotte Center City 2020 Vision Plan* (2011) and *North Tryon Vision Plan* (2017). While these plans do not make a specific land use recommendation for the site, they encourage future development contribute to the overall viability and livability of Center City.

Rationale for Recommendation

- This petition is consistent with the *North Tryon Vision Plan* recommendation for a mix of uses and structured parking at the site.
- The petition aligns with the *North Tryon Vision Plan* recommendation for pedestrian connectivity through the site to make the block more permeable to pedestrian access.
- The petition would be complimentary to the surrounding development pattern and promotes alternative transportation by creating a designated rideshare area along 7th Street.

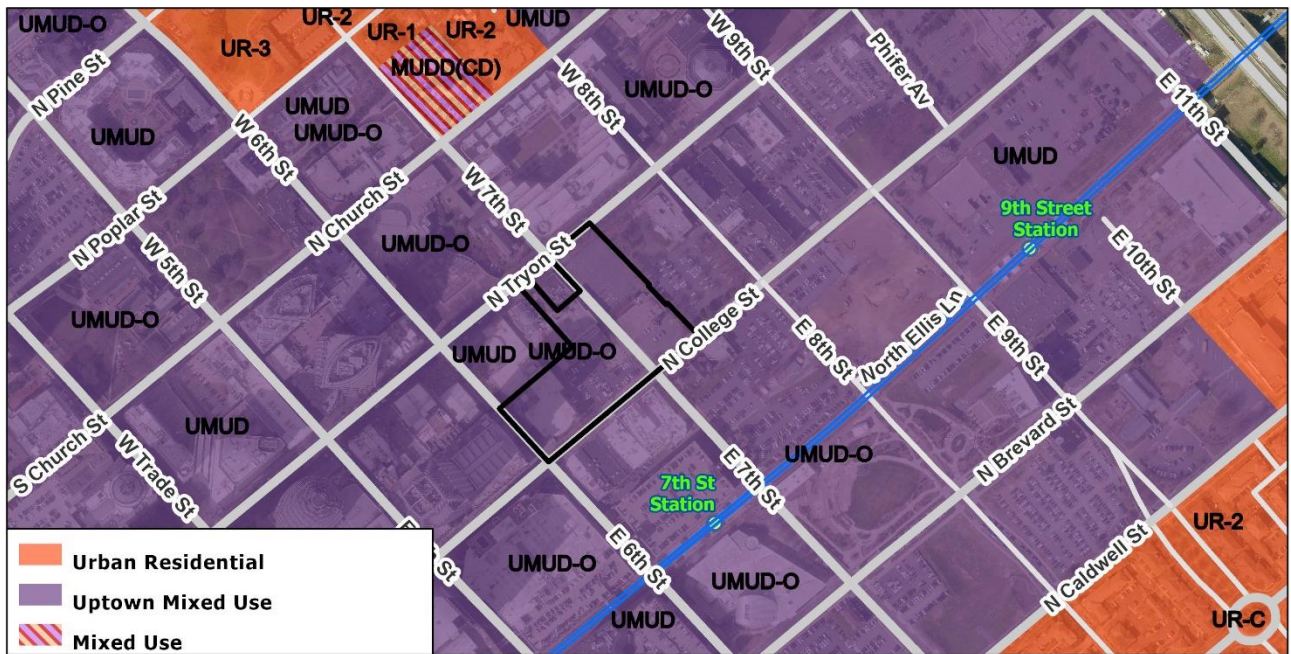
PLANNING STAFF REVIEW

- **Proposed Request Details**

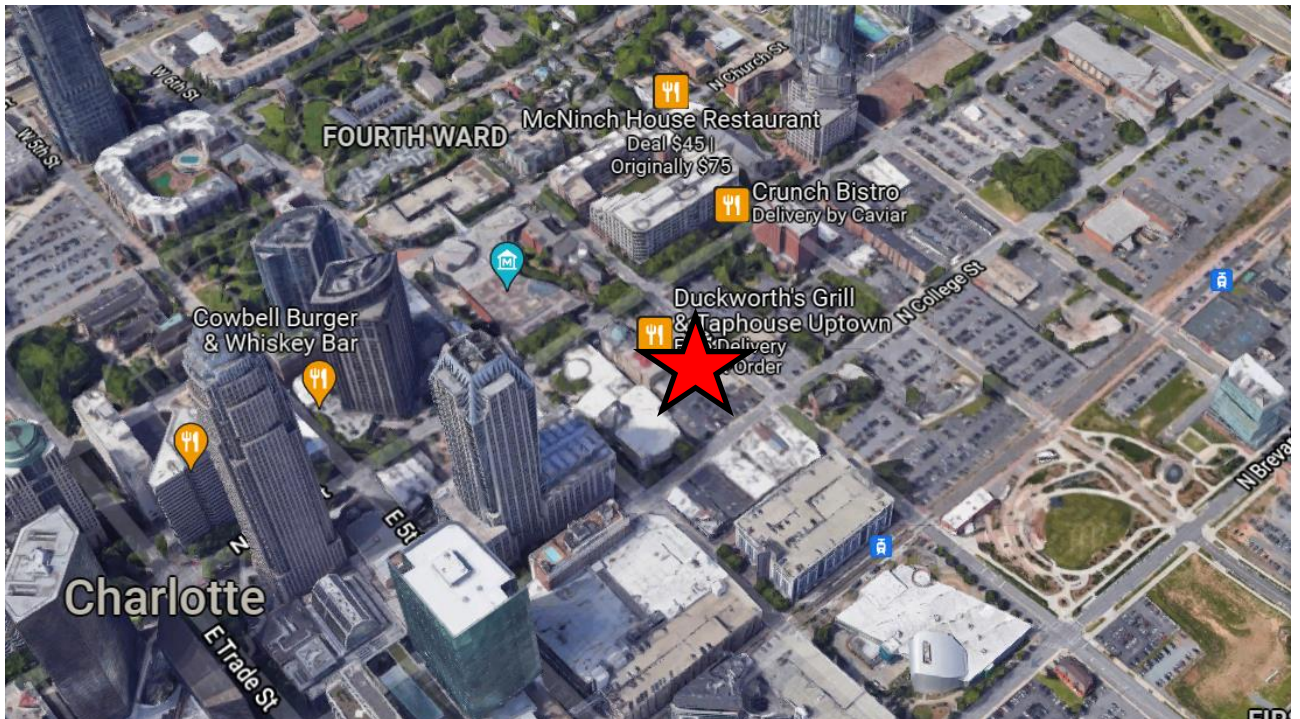
The site plan accompanying this petition contains the following provisions:

- Requests the following optional provisions:
 - To allow measuring setback from the widest part of the travel lane including the granite band or curb. Ride share, valet or similar areas are permitted in the setback and between the building(s) and the street along both sides of 7th Street and the north side of College Street as generally depicted on the site plan. Locations of the ride share and/or valet service can be adjusted.
 - To allow a minimum eight (8) foot setback on 7th Street as measured from the back of granite band or curb beginning at the property line shared with #080-023-01. The setback shall transition to a minimum sixteen (16) foot setback at the pedestrian portal as generally depicted on the Rezoning Plan.
 - To allow maneuvering in the setback along the frontage of the site and Parcel #080-023-01.
 - To allow a 50% reduction in the required number of loading docks
 - To allow a reduction of 5%, above the permitted doorway reduction(s), in the ground floor retail requirement for any building with frontage on College Street.
 - To allow the elimination of on street parking and reduced lane widths along both sides of 7th Street as generally depicted.
 - To allow the elimination of on street parking along the west side of College Street as generally depicted. To not require adherence to the street wall provisions of Section 9.8506.2.a on required fire walls as generally depicted on the Rezoning Plan.
- Allows all uses permitted by right and under prescribed conditions in the UMUD zoning district.
- Designates area for rideshares along 7th street.
- Provides street trees in grates along the road frontages along with 16' sidewalks except in the area designated by the optional provision.

- **Existing Zoning and Land Use**



The site was rezoned to MUDD-O (petitions 2010-017 and 2010-018) in 2010. The surrounding land uses generally include business, office, and institutional uses.



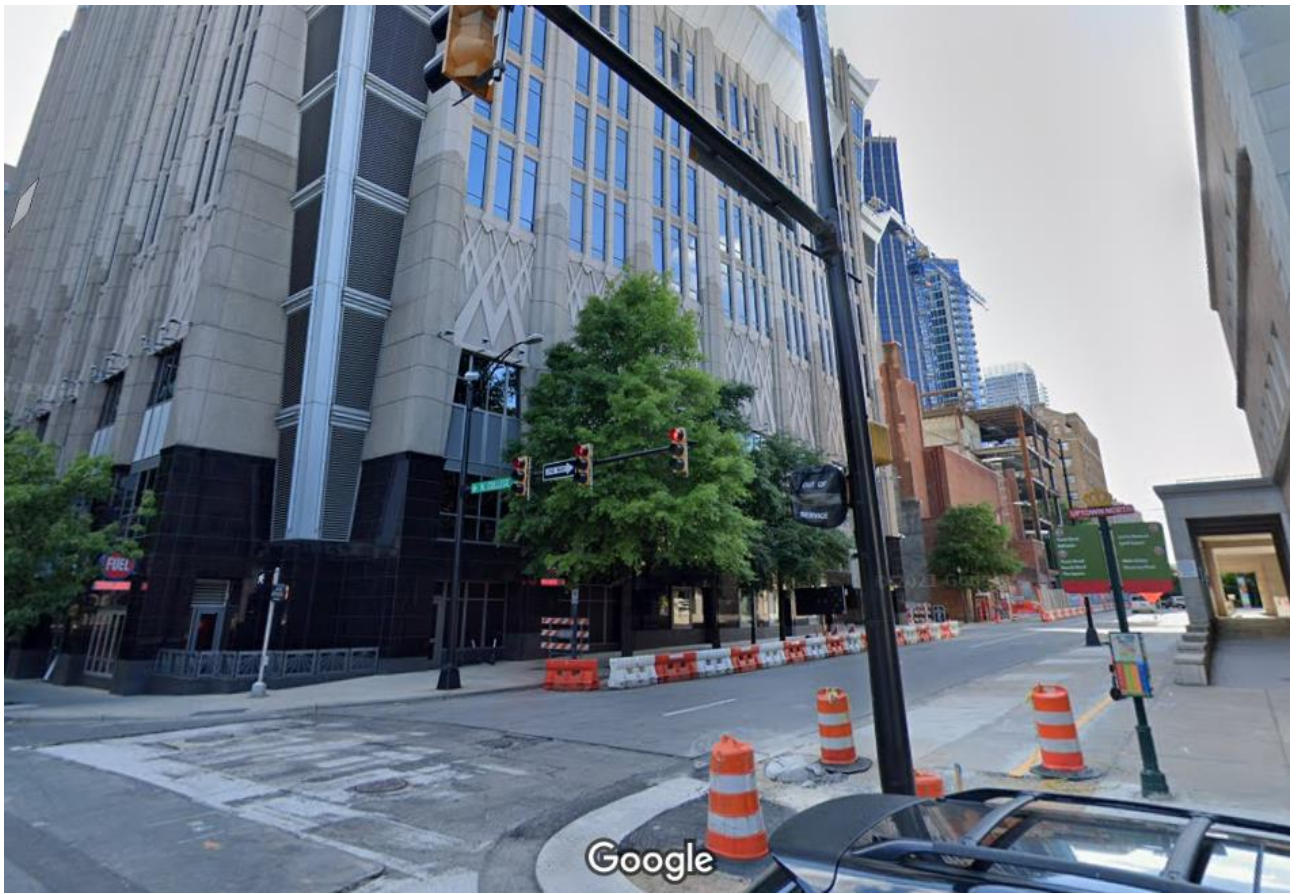
The site, marked with a red star, is developed with a couple of buildings and parking lots.



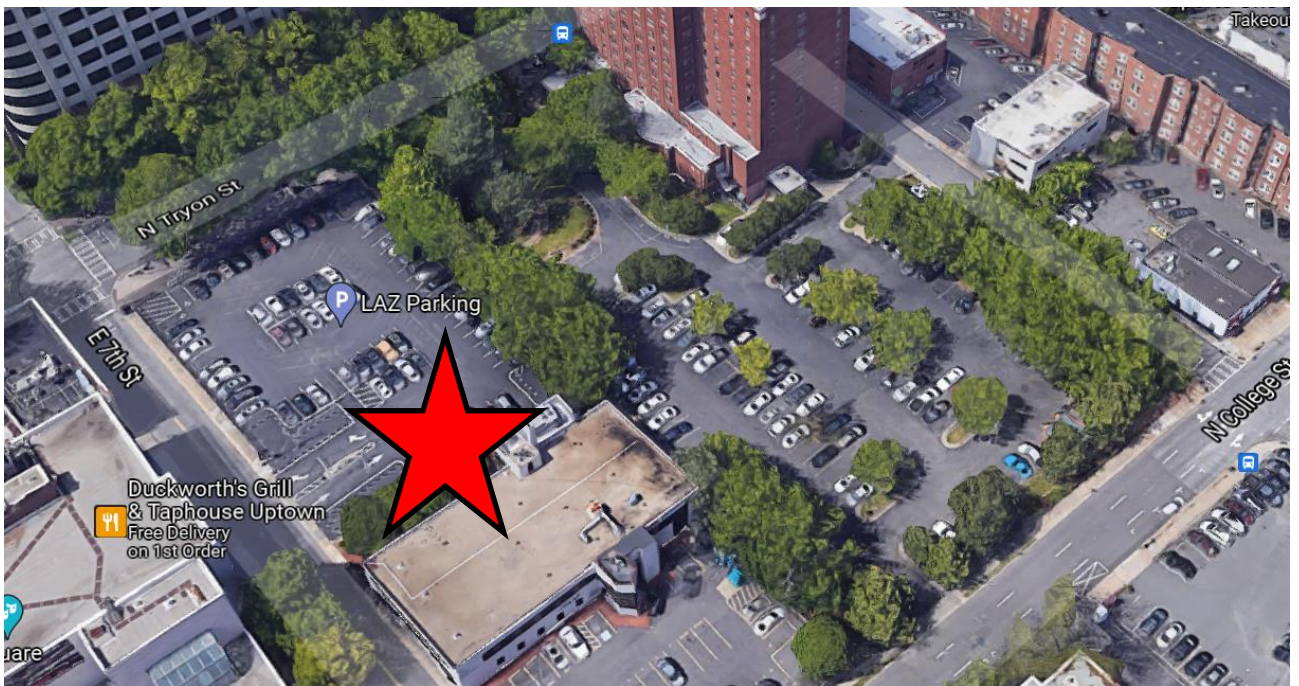
The properties to the north of the site are developed with a restaurant and a performing arts theater.



The parcels to the south are developed with a religious institution, a museum, and business uses.

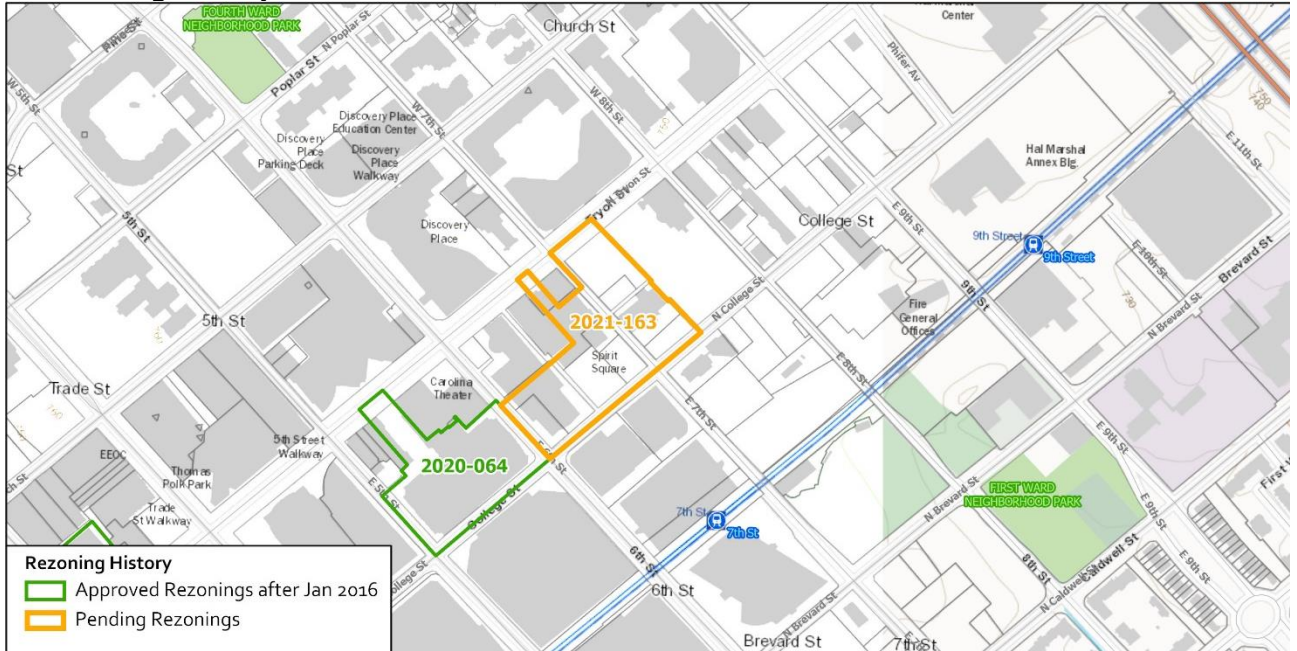


The parcels to the west are developed with business uses.



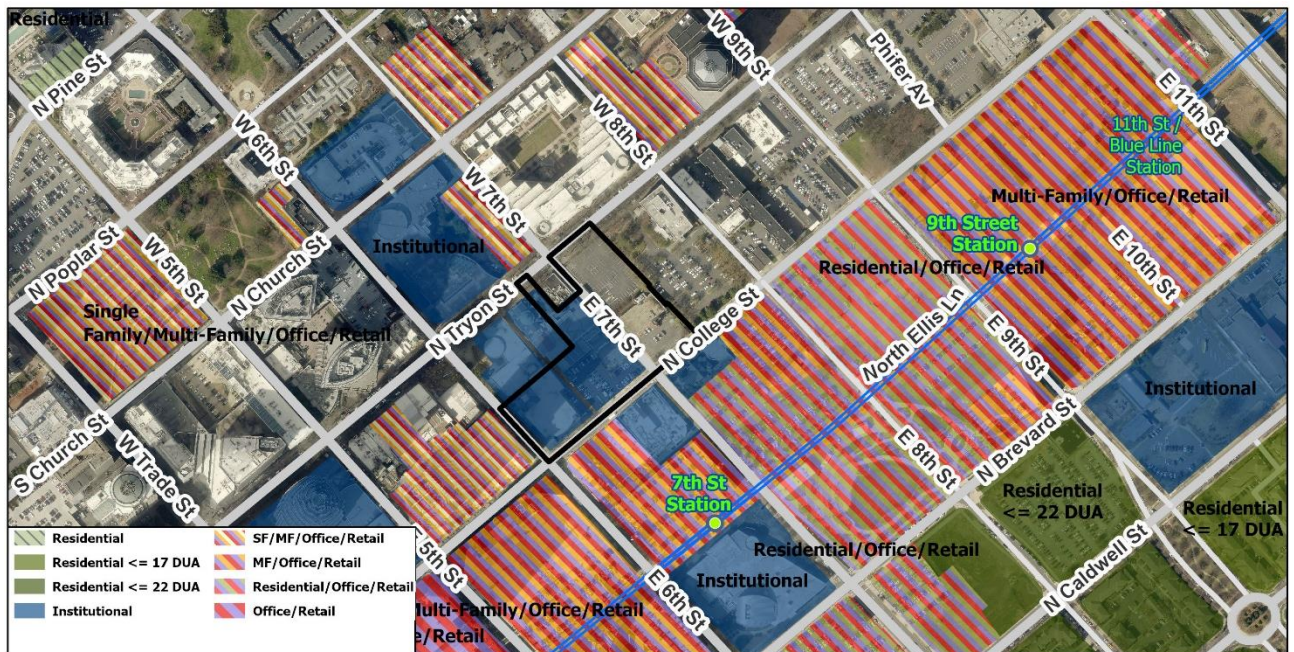
The parcels to the east are developed with parking lots and a vacant building. The subject site is marked with a red star.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-064	The petition rezoned site to UMUD-O SPA (uptown mixed use, optional, site plan amendment) to modify an approved plan to allow additional signage for the Hearst Tower in Uptown.	Approved

• **Public Plans and Policies**



- The *Charlotte Center City 2020 Vision Plan* (2011) and *North Tryon Vision Plan* (2017) does not make a specific land use recommendation for this site, however, the plans encourage future development that will contribute to the overall viability and livability of Center City. In addition, Rezoning Petition 2010-018 rezoned a portion of the site in 2010 for Cultural Facilities, which translated the Proposed Land Use to Institutional uses, as shown on the map above.

- **TRANSPORTATION SUMMARY**

- The site is located adjacent to North Tryon Street, a City-maintained minor thoroughfare, East 7th Street, a City-maintained minor thoroughfare, and North College Street, a City-maintained major thoroughfare. The site is located in the Uptown Center, within a robust multi-modal transportation network, including the Blue and Gold Transit Lines, Charlotte Transit Center and in close proximity to points of interest for multiple transportation network companies.
- A Traffic Impact Study (TIS) is not needed for this site. The site is currently zoned Uptown Mixed-Use District (UMUD), which has an intent to strengthen the high-density core of the central area in a mixed-use environment. The proposed site plan of the UMUD-O rezoning district for this site will be implemented through the various streetscape design standards and transportation improvements for enhancing the multi-modal transportation network adjacent to this site, as listed within the referenced plans of the UMUD Zoning districts, including but not limited to, the Center City Charlotte Urban Design Plan, Core Uptown Streetscape Plan, Center City 2010 Vision Plan, Center City Transportation Plan. Additionally, the proposed site plan will incorporate non-standard transportation improvements, such as rideshare pick-up/drop off areas, the Uptown CycleLink 6th Street Cycle track and other streetscape enhancements along 7th Street. Site plan revisions are needed to meet outstanding items including, but not limited to:
 - **Active Projects:**
 - Uptown CycleLink 6th Street Cycle track
 - <https://charlottenc.gov/Projects/Pages/UptownCycleTrack.aspx>
 - **Transportation Considerations**
 - ~~See Outstanding Issues, Note 1, 2 and 3~~ **ADDRESSED**
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: Insufficient trip data for each land use to determine trip generation.
 - Entitlement: Too many uses to determine.
 - Proposed Zoning: Too many uses to determine.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along N College St. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 10-inch gravity sewer main located along N College St. No outstanding issues.
- **City Arborist:** No comments submitted.
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** See advisory comments at www.rezoning.org
- **Urban Forestry:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

1. ~~8-foot minimum sidewalk consistent with all other streetscape improvements in area. Verify that 8-foot sidewalk is achieved as it appears to be less than that in an area below the dimension on the site plan.~~ **ADDRESSED**

-
2. Update conditional note 1.f. to include: Each building's certificate of occupancy will be not be issued until completion of transportation improvements along building's frontage. **ADDRESSED**
 3. Add the following language to the end of note 1.f.: "...along the building's frontage or as approved by CDOT during permitting." **ADDRESSED**
 4. ~~**7th Street Cross Section:**~~ Update site plan and conditional notes to show minimum 8-foot sidewalk width. **ADDRESSED**

Site and Building Design

5. Clearly show proposed setback line. It is understood that a minimum 8' is proposed closer to Duckworths. Show how/where the setback will gradually increase to 16'. Current exhibit shows building in the 16' setback. **ADDRESSED**
6. Doors cannot swing into setback. Please revise. **ADDRESSED**
7. Clear zone is 8 feet from the bollard, appears to be less than that on the 7th Street Section C cross section on the plan. Please revise. **ADDRESSED**
8. Please show where the required street trees will be located in the reduced setback area of the plan. **ADDRESSED**

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







Planner: Dave Pettine (704) 336-4566









Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-163

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	<p>Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.</p>	
	<p>Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.</p>	<p>N/A</p>
	<p>Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.</p>	<p>N/A</p>
	<p>Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.</p>	

	<p>Goal 5: Safe & Equitable Mobility Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	
	<p>Goal 6: Healthy, Safe & Active Communities All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	
	<p>Goal 7: Integrated Natural & Built Environments Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	<p>N/A</p>
	<p>Goal 8: Diverse & Resilient Economic Opportunity Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p>Goal 9: Retain Our Identity & Charm Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p>Goal 10: Fiscally Responsible Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>