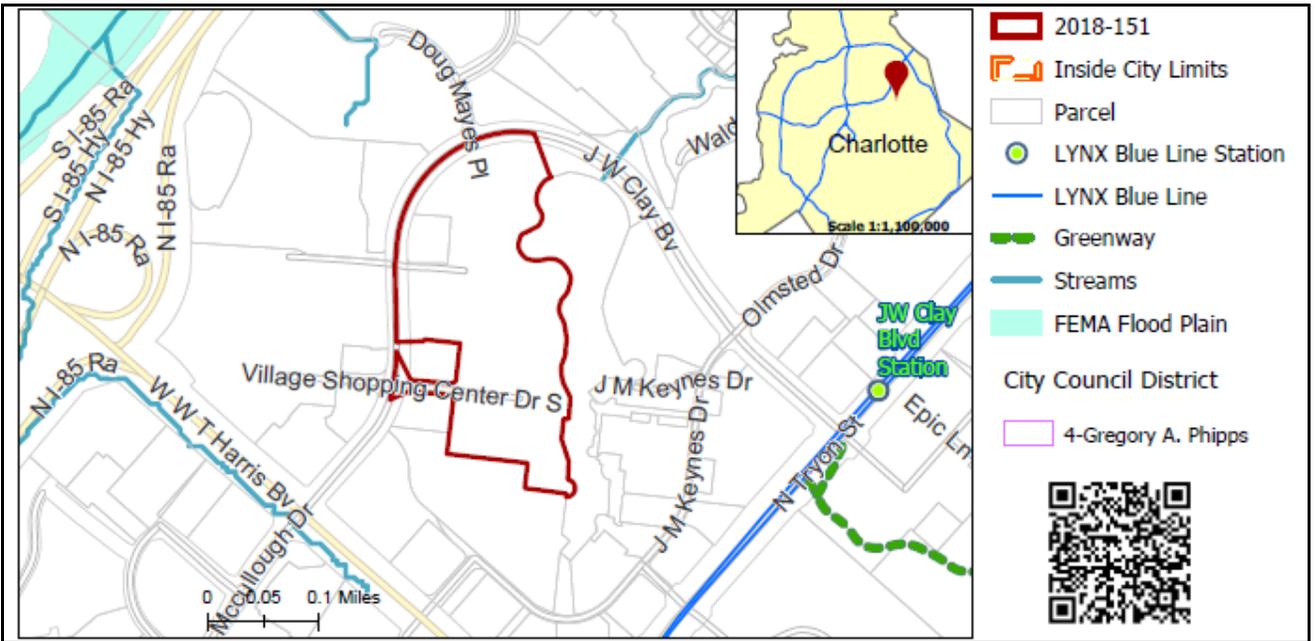


**REQUEST**

Current Zoning: CC (commercial center).  
Proposed Zoning: MUDD-O (mixed use development district, optional) with 5-year vested rights.

**LOCATION**

Approximately 20.56 acres located along JW Clay Boulevard and Village Shopping Center Drive.



**SUMMARY OF PETITION**

The petition proposes to redevelop the site from a mainly retail center to a live/work/play mixed use activity center core with significant pedestrian trail network and greenspace amenities.

**PROPERTY OWNER**

EBA Crystal Real Estate, LLC

**PETITIONER**

EBA Crystal Real Estate, LLC

**AGENT/REPRESENTATIVE**

Collin Brown, K&L Gates, LLP

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 37

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Blue Line Extension – University City Area Plan* that recommends residential/office/retail uses for the site.

Rationale for Recommendation

- The petition is proposing to convert an existing, auto-oriented retail center into a mixed-use pedestrian oriented center.
- The proposed development would provide the range of uses and density desired in this area of University City and within close proximity to the JW Clay Blvd. Station.
- The proposed development will better activate the area along the lakefront with pedestrian connections, and plaza/public open space amenities.

- The proposed project will help facilitate the continued transition of the University City area to a more urban, walkable community.

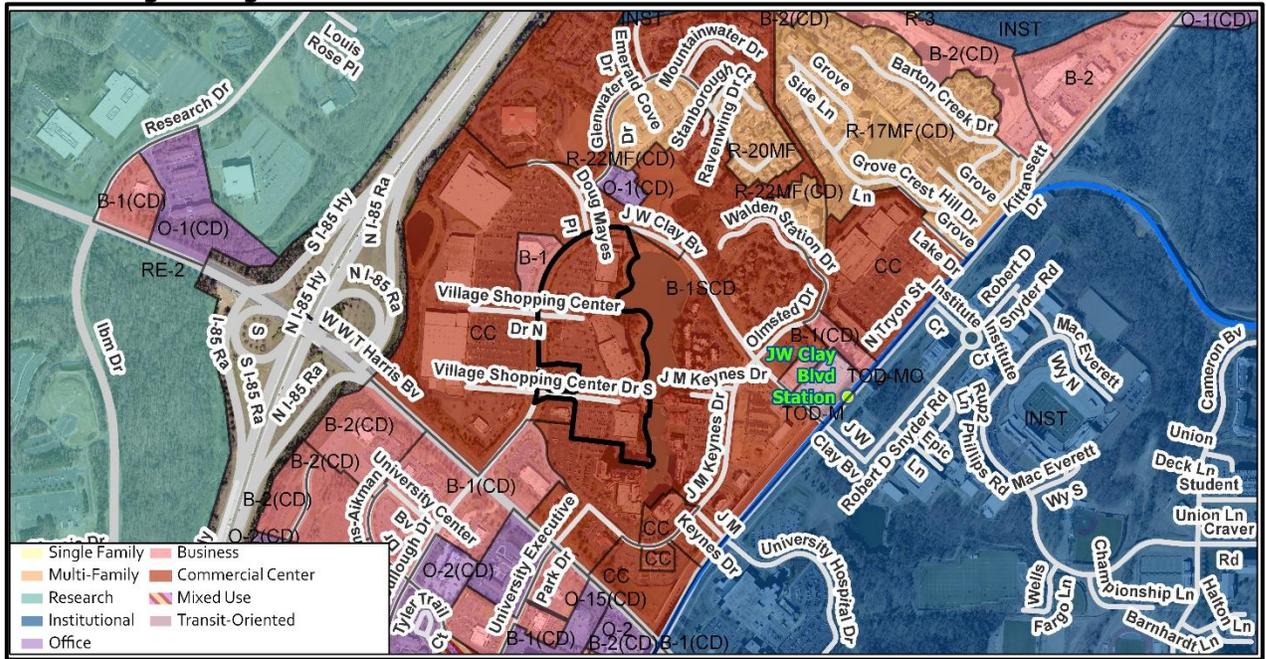
**PLANNING STAFF REVIEW**

- **Proposed Request Details (see site plan on rezoning.org for full details)**

The site plan accompanying this petition contains the following provisions:

- Maximum development of 260,000 SF of Commercial, 40,000 SF of Civic (library), 600 residential units.
- Internal and off-site transportation improvements in the area of the project.
- Architectural and design guidelines for buildings and streetscapes throughout the project.
- Public open space and pedestrian amenities within the site with a focus on creating an active environment around the lakefront.

- **Existing Zoning and Land Use**



The existing zoning on the site is CC (commercial center). The property is surrounded by CC, and B-1(CD) (neighborhood business, conditional) zoning and commercial and multi-family uses.



The subject property is a portion of the Shoppes at University Place and developed with a mix of retail and commercial uses.



The properties to the north along JW Clay Boulevard are a mix of office and retail uses.



The properties to the south along JM Keynes Drive are developed with a hotel and a mix of retail and commercial uses.

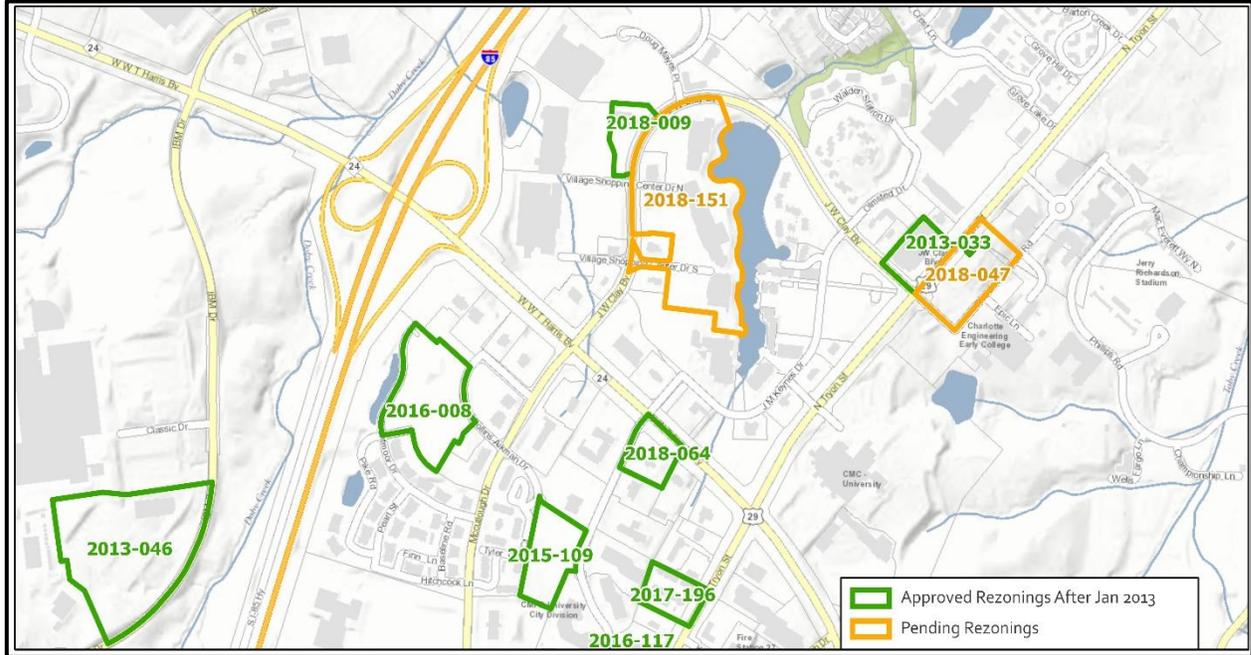


The properties to the east along JM Keynes drive are developed with multi-family residential and retail uses.



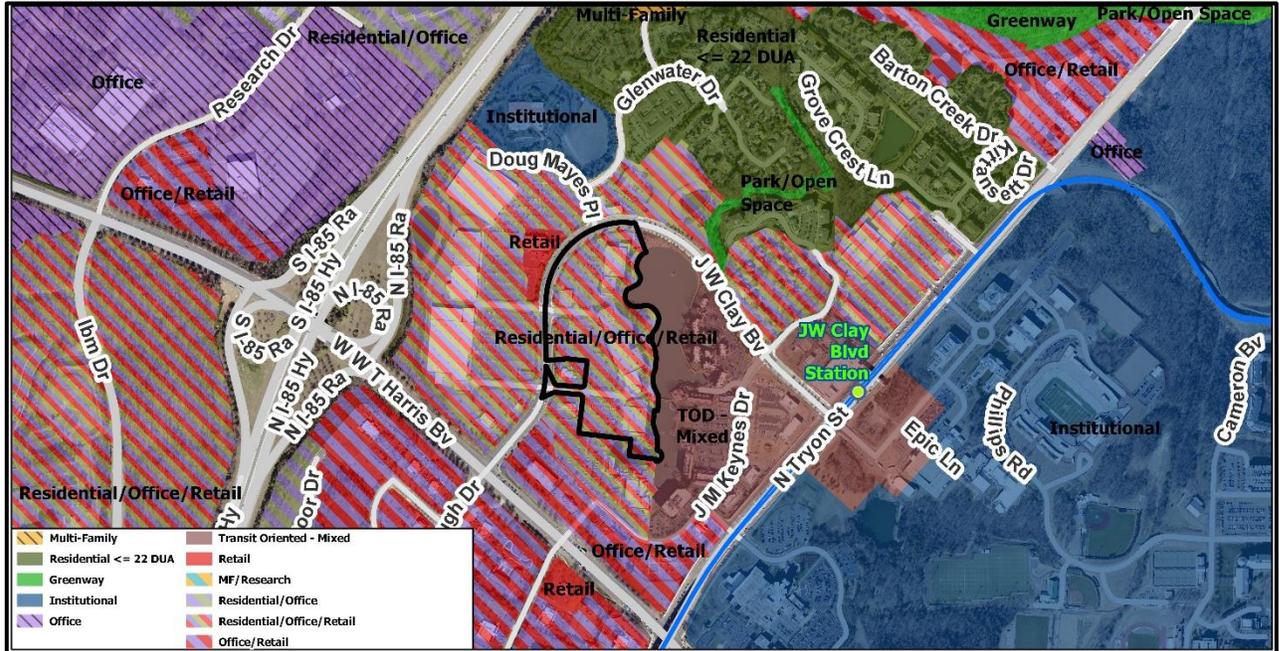
The properties to the west along JW Clay Boulevard are developed with a mix of retail uses.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2015-109	To develop a vacant site located within a half mile of the proposed McCullough Transit Station for up to 150 hotel rooms and residential dwelling units in a single building designed to serve as corporate housing units	Approved
2016-008	A zoning change and a site plan amendment to a vacant site located within an office/business development in University City to increase the number of hotels allowed from two to three, allow residential dwellings, relocate a street connection, and amend development standards from the current zoning	Approved
2016-117	To redevelop a site located within ¼ mile of the proposed McCullough Transit Station to allow a maximum of 280 multi-family dwelling units and related amenities and accessory uses, and a minimum of 5,000 square feet of ground floor area devoted to non-residential uses permitted in the TOD-M (transit oriented development – mixed use) district.	Approved
2017-196	Retain the existing 56,693 square foot hotel use, and eliminate nonconformities resulting from the expansion of North Tryon Street and construction of the Blue Line extension	Approved
2018-009	Apply the TS overlay (transit supportive overlay) for the identified properties located just outside of the ½ mile walk distance from the J. W. Clay transit station	Approved
2018-047	proposes development of the vacant site abutting UNC Charlotte to allow a 230-room hotel/conference center, with accessory uses.	Pending
2018-064	redevelop the site to allow a 5,500-square foot eating/drinking/entertainment establishment, with a drive through facility.	Approved

• **Public Plans and Policies**



- The *Blue Line Extension – University City Area Plan (2013)* recommends mixed residential/office/retail uses for the site. Surrounding land use recommendations include retail uses, and transit support uses.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located on JW Clay Road, a minor thoroughfare, near the JW Clay Transit Station. A traffic impact study will be required during permitting to mitigate the traffic. The City is requesting the site plan to commit to several multi-modal improvements due to its proximity to the JW Clay station. We are also asking the site plan to commit to implement the ordinance required streetscape along JW Clay Boulevard or the petitioner agreeing to dedicate to the City one acre of new pervious surface as credit toward the City's own requirements for PCSO compliance on the JW Clay Blvd. Streetscape Project.
  - See Outstanding Issues, Notes 1-6.
  - **Vehicle Trip Generation:**  
 Current Zoning:  
     Existing Use: 10,990 trips per day (based on 209,720 square feet of retail uses).  
     Entitlement: 10,990 trips per day (based on 209,720 square feet of retail uses).  
 Proposed Zoning: 17,660 trips per day (based on 260,000 square feet of retail, 40,000 square feet of library uses, and 600 apartment dwelling units).

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

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues. Advisory comments provided. See rezoning.org for details.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** No outstanding issues. Advisory comments provided. See website for details.
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **Charlotte-Mecklenburg Police Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** No comments submitted at time of hearing
- **Charlotte Water:** No outstanding issues. Advisory comments provided. See rezoning.org for details.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No comments submitted.

- **Land Development:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

## OUTSTANDING ISSUES

### Transportation

1. The proposed zoning district has a setback measured from back of the existing or proposed future curbline. The location of JW Clay Blvd. future back of curb basically remains in its existing location *however*, the petitioner needs to verify all future curb line locations as shown on the City's JW Clay's CIP project to verify the site's future building setback lines. *CDOT has forwarded the construction plans to the petitioner.* - **Addressed**
2. The proposed Public Street A's 200-foot internal site throat length is a concern to CDOT because the intersection at Public Street A/Public Street B creates weave/merge conditions due to motorists desiring to turn right to enter Building 10 (parking deck), proceed straight, or turn left to enter a future parking deck located on Parcel C2. The proposed elimination of one of the existing dual left NB JW Clay Blvd. at Village Shopping Center Dr. (i.e. Private Street "B") is a recommendation proposed by the petitioner, not supported by a traffic analysis. CDOT also needs to know the number of proposed parking spaces for each parking deck to better understand the potential weave/merge traffic impacts on Public Street A and to insure parking deck operations do not affect Public Street A/Public Street B intersection traffic operations during peak traffic conditions. - **Addressed**

## REQUESTED TECHNICAL REVISIONS

### Transportation

3. Revise the site plan to add a note specifying all transportation improvements as **identified in the petition's TIS** and mutually agreed upon between the petitioner and CDOT will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes and TTM - **Addressed**
4. Revise the site plan and add a conditional note(s) to specifically state the petitioner will implement an 8-foot planting strip and 8-foot sidewalk along the site's JW Clay Road frontage as required by ordinance. In lieu of implementing the above streetscape improvements, the petition can contribute \$75,000 to fund the 8-foot sidewalk construction costs and dedicate all necessary right of way and permanent/temporary construction easements to implement the City's JW Clay's CIP project (Chapter 19, Article VI, 19-173) - **Addressed**
5. The petitioner should revise the site plan and conditional note(s) to provide complete engineering construction documents submitted to the City for approval/permitting. The petitioner shall implement all geometric improvements, including 2 accessible ramps, concrete work, signing/pavement improvements, etc. CDOT will be responsible to design and implement all necessary traffic/pedestrian traffic signal modifications \$80,000 contribution toward the completion at the proposed "Z" pedestrian crossing at WT Harris Blvd. and JM Keys intersection. **The Petitioner has committed to provide an \$80,000 contribution prior to the issuance of the Site's first building certificate of occupancy**
6. Revise the site plan and add conditional notes that states the proposed Building 10 parking deck entrance /exit driveway on Public Street "B" be located as close as possible to the site's southern property line, to create maximum queuing distance between the deck's entrance/exit driveway and Public Street "A." - **Addressed**

### Site and Building Design

7. Provide more detailed height or massing model descriptive of actual heights anticipated. - **Rescinded**
8. Add minimum ground floor height of 16 feet for Office and Commercial Building Design Guidelines. - **Addressed**
9. Revise note c(ii) to include "of each street frontage including the lakeside pedestrian connection" as outlined in plan review comments. - **Addressed**

**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Dave Pettine (704) 336-4566