

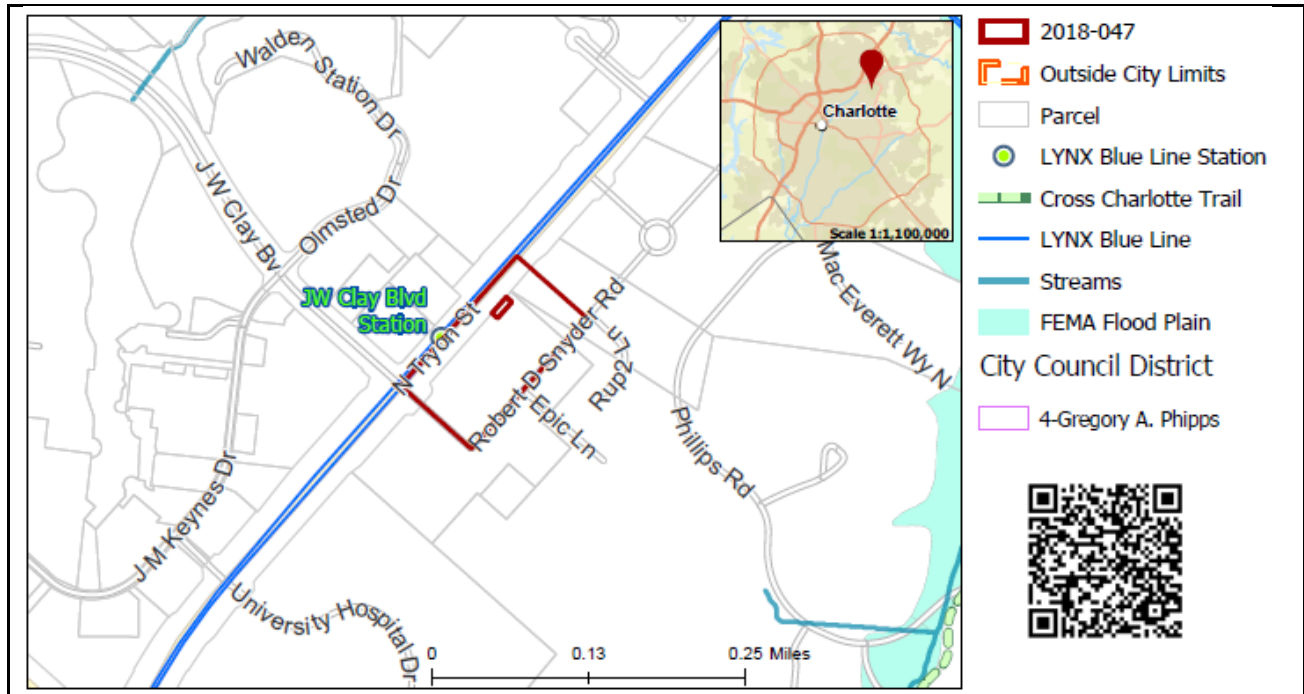
## REQUEST

Current Zoning: INST (institutional) and TOD-MO (transit oriented development - mixed-use, optional)

Proposed Zoning: TOD-MO (transit oriented development - mixed-use, optional) and TOD-MO SPA (transit oriented development - mixed-use, optional, site plan amendment)

## LOCATION

Approximately 4.42 acres located on the east side of North Tryon Street across from J.W. Clay Boulevard.  
(Council District 4 - Phipps)



## SUMMARY OF PETITION

The petition proposes development of the vacant site abutting UNC Charlotte to allow a 230-room hotel/conference center, with accessory uses.

## PROPERTY OWNER

Foundation of the University of North Carolina at Charlotte, Inc., and University of North Carolina at Charlotte

## PETITIONER

Foundation of the University of North Carolina at Charlotte, Inc.

## AGENT/REPRESENTATIVE

Bridget Grant and Jeff Brown, Moore & Van Allen, PLLC

## COMMUNITY MEETING

Meeting is required and has been held. Report available online.

Number of people attending the Community Meeting: 13.

## STAFF RECOMMENDATION

Staff recommends approval of this petition.

### Plan Consistency

The proposed use is consistent with the *University City Area Plan*, which recommends transit oriented development for this parcel.

### Rationale for Recommendation

- The *University City Area Plan* recommends transit oriented development for this parcel, as it is within ¼ mile of, and adjacent to, the J.W. Clay Boulevard/UNC Charlotte transit station.
- This site is within the core of the transit station area, and should be developed to foster a walkable, mixed use, urban environment that promotes street-level activation and design and creates pedestrian activity and comfort.

- The proposed development plan provides for a mix of uses in an urban and pedestrian-oriented form along North Tryon Street.
- While the requested optional design provisions allow for a reduced amount of active uses along the street-level frontages, the proposed open space and pedestrian system along North Tryon Street alternatively activates and enhances the street-level environment of the station area.

## PLANNING STAFF REVIEW

### • **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

#### Proposed Uses

- Hotel/conference center and accessory uses as allowed in the TOD-M zoning district.
- Proposal provides for a maximum of a 230-room hotel, with associated ballrooms/meeting space, retail, eating/drinking/entertainment establishment (restaurant), and office uses.

#### Site and Design

- Hotel building oriented to the corner of J.W. Clay Boulevard and North Tryon Street.
- Pedestrian connection/open space provided through the site from the J.W. Clay Light Rail Station bridge to Robert D. Snyder Road and the UNC-Charlotte campus.
- Vehicular access via Robert D. Snyder Road, with access to the service area via an adjacent parcel.

#### Architectural Standards

- Building materials consisting of brick, stone, precast stone or precast concrete, synthetic stone, stucco, EIFS, decorative metal, decorative block and wood. Vinyl as a building material is prohibited except for windows, soffits and handrails.
- Frontage of the two principal buildings will include not less than 25% of brick, stone, precast stone or precast concrete, synthetic stone.

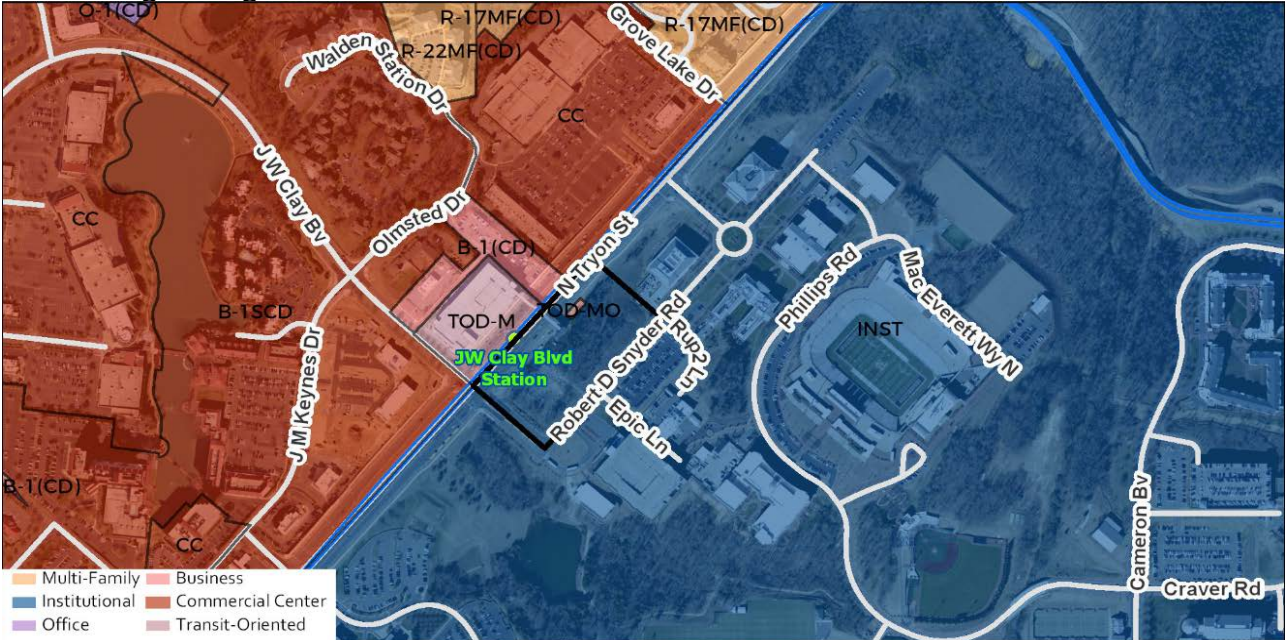
#### Street-level Activation

- 60% of street-level facades fronting streets shall include transparent glass between two feet and 10 feet on the first floor. The parking deck is not subject to this transparency requirement.
- A minimum of two primary entrances will be provided from the active ground floor uses to the open space/pedestrian connections along North Tryon Street.
- A series of open spaces are provided along North Tryon Street and through the site which provide usable public space and pedestrian connectivity to the adjacent J.W. Clay LRT Station.
- Streetscape consisting of a 13.5-foot wide planting strip and 16-foot wide sidewalk along N. Tryon Street, an eight-foot wide planting strip and 10-foot wide sidewalk along J.W. Clay Boulevard, and a 16-foot wide planting strip and eight-foot side sidewalk along Robert D. Snyder Road.
- Open space areas along N. Tryon Street and J.W. Clay Boulevard will be improved with landscaping, lighting, seating and hardscape elements.
- Zone 5 and Zone 6 commitment to provide banding or design features, change in materials, and/or landscaping to create visual interest at the pedestrian level and avoid sterile or unarticulated blank walls.

#### Optional provisions requested:

- To not require structured parking facilities to have 50% street level frontage devoted to active uses; and
- To allow parking/maneuvering including without limitation valet areas, between the buildings(s) and Robert D. Snyder Road, and for the driveway/service area and North Tryon Street due to its location below the grade of North Tryon Street as generally shown on the site plan.

• **Existing Zoning and Land Use**



- Petition 2016-035 rezoned approximately 0.11 acres of the subject property to TOD-MO (transit oriented development – mixed-use, optional) to amend the TOD-M (transit oriented development – mixed-use) signage regulations for an optional increase in the allowed square footage. This has been permanently incorporated into the glass on the tower of a pedestrian bridge over North Tryon Street at the J. W. Clay Boulevard/UNC Charlotte transit station.
- The subject property is currently undeveloped and surrounded by Carolinas Medical Center at the corner of WT Harris Boulevard and North Tryon Street, and the UNC Charlotte campus to the rear and east of the site. Properties located across North Tryon Street are developed with a mix of office, and retail/shopping center. A CATS park-and-ride facility is located directly across North Tryon Street, and the trailhead for the Toby Creek Greenway (and UNCC Fitness Trail) is located on the property across J.W. Clay Boulevard.



The subject property is vacant. (The subject property is represented by the red star.)





The subject property is across from the J.W. Clay Boulevard Transit Station. (View looking from the subject property to the north across North Tryon Street.)



The UNC Charlotte campus is to the north and east of the subject property. (View looking from the subject property to the south across Robert D. Snyder Road.)

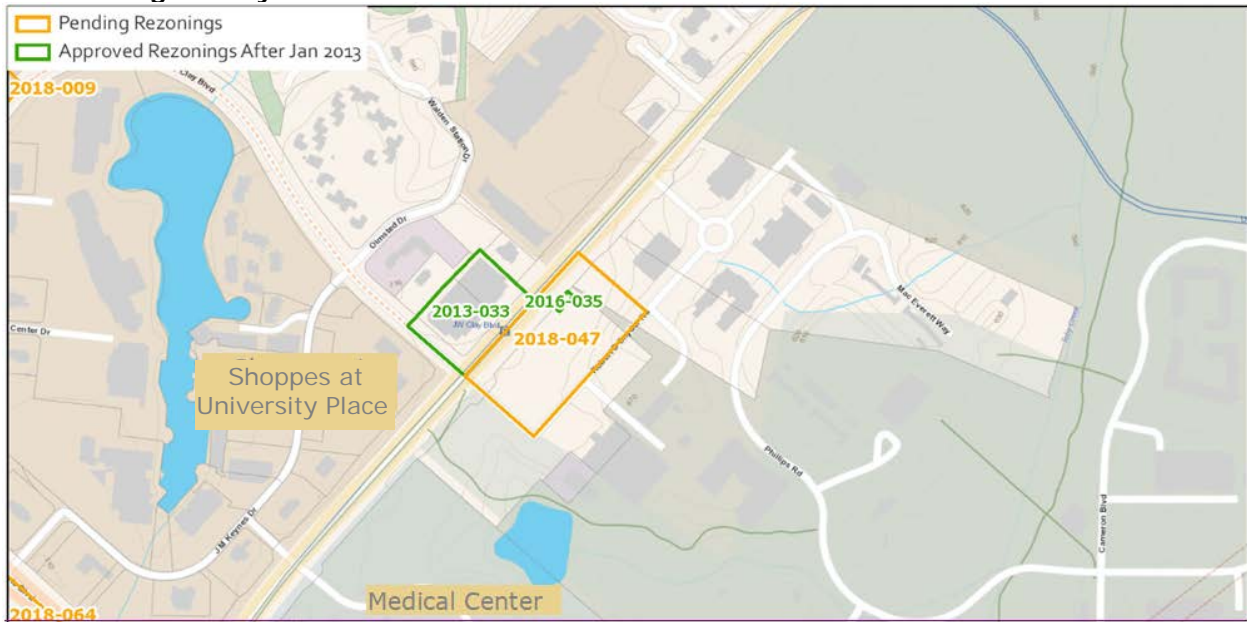


The Shoppes at University Place are located to the west of the property across North Tryon Street.



Carolinas Medical Center University is located to the south.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2013-033	Rezoned 2.43 acres to TOD-M (transit oriented development - mixed-use) to allow all uses within the TOD-M (transit oriented development - mixed-use) district.	Approved
2016-035	Amended the TOD-M (transit oriented development – mixed-use) via an optional request to increase the allowed square footage for signage on the tower of a pedestrian bridge over North Tryon Street at the J.W. Clay Boulevard/UNC Charlotte transit station.	Approved



- **Public Plans and Policies**



- The *University City Area Plan* (2015) recommends transit oriented development for the majority of this parcel, as it is within ¼ mile of, and adjacent to, the J.W. Clay Boulevard/UNC Charlotte transit station. The plan recommends institutional uses for the eastern most portion of the property.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located at the signalized intersection of North Tryon Street and J.W. Clay Boulevard across from the J.W. Clay Transit Station. The site plan commits to a 10-foot multi-use path along the J.W. Clay Boulevard frontage and a 16-foot wide sidewalk along North Tryon Street frontage
  - See Outstanding Issues, Notes 1-2.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 0 trips per day (based on a vacant lot).
      - Entitlement: Too many uses to determine
    - Proposed Zoning: 1,880 trips per day (based on a 230-room hotel).

**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 Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** No comments submitted.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Tryon Street. Charlotte Water currently does not have sewer system accessibility for the rezoning boundary under review. The applicant is aware of this and is working with UNCC and Charlotte Water to determine how sewer will be provided to the site.
- **Engineering and Property Management:**
  - **Arborist:** See Outstanding Issues, Note 3.
  - **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.

**OUTSTANDING ISSUES**Transportation

1. ~~Revise the site plan to add a note specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued. CDOT requests right-of-way and/or a sidewalk utility easement set at two feet behind back-of-sidewalk where feasible.~~ **Rescinded by CDOT as no right-of-way is required.**
2. ~~Revise the site plan to add a note specifying all transportation improvements 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.~~ **Rescinded by CDOT as no transportation improvements are requested.**

Environment

3. ~~In order for the site to be in compliance with the tree ordinance and the NCDOT planting guidelines, the width of the planting strip is required to be a minimum of 13.5 feet wide as measured from future back-of-curb or an alternative streetscape will be required.~~ **Addressed**

Site and Building Design

4. ~~Add information to Zone Commitments on Sheets RZ-01A and RZ-01C related to the blank walls and pedestrian environment.~~ **Addressed**
  5. ~~Add language to #5 and #6 clarifying the treatment to the blank walls including the screen wall of the parking garage.~~ **Addressed**
  6. ~~Add language to the Pedestrian Connection that it is publicly accessible.~~ **Addressed**
- 

**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 Housing and Neighborhood Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - City Arborist
    - 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:** Sonja Sanders (704) 336-8327