



Zoning Committee

---

---

**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)

**PETITIONER**

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

---

**ZONING COMMITTEE  
ACTION/ STATEMENT  
OF CONSISTENCY**

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be consistent with the *University City Area Plan*, based on the information from the staff analysis and the public hearing and because:

- The area plan recommends transit oriented development.

Therefore, we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:

- 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; and
- 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; and
- The proposed development plan provides for a mix of uses in an urban and pedestrian-oriented form along North Tryon Street; and
- 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.

Motion/Second: Gussman/Ham

Yeas: Fryday, Gussman, Ham, McClung, McMillan,  
Samuel, and Watkins

Nays: None

Absent: None  
Recused: None

## **ZONING COMMITTEE DISCUSSION**

Staff provided a summary of the petition and noted that it is consistent with the adopted area plan, and pointed out that there are grade changes between N. Tryon Street and the proposed parking deck, and there are screen wall and landscape commitments provided to screen the parking deck. Staff also referenced the pedestrian connection that will run between the parking deck and hotel from Robert D. Snyder Road to N. Tryon Street. Staff recommended approval of the petition.

A committee member noted that the Transit Oriented District (TOD) typically requires activation, which is not being provided per an optional request, and noted that the parking deck is buried within the site. The Commissioner questioned whether or not this is a missed opportunity, and if the parking deck can be activated on the top as opposed to on the ground floor level. Staff responded that the urban design team worked with the petitioner on the design resulting in a proposed open space and pedestrian system along N. Tryon Street that alternatively activates and enhances the street-level environment of the station area.

Another committee member pointed out that the other side of the property has been activated and speculated that much of the student population, as well as those from the parking deck, will likely be walking along the side of the building that is adjacent to the parking deck. It was noted that the developer could plan for future activation on top of the deck, and that the site layout still allows for future street level activation.

A committee member asked if staff had considered and accounted for pedestrian traffic traversing from the hotel across N. Tryon Street. Staff pointed out the existing light rail bridge that has a tower located by the proposed hotel, which provides an over-street connector across N. Tryon Street.

There was no further discussion of this petition.

## **PLANNER**

Sonja Sanders (704) 336-8327