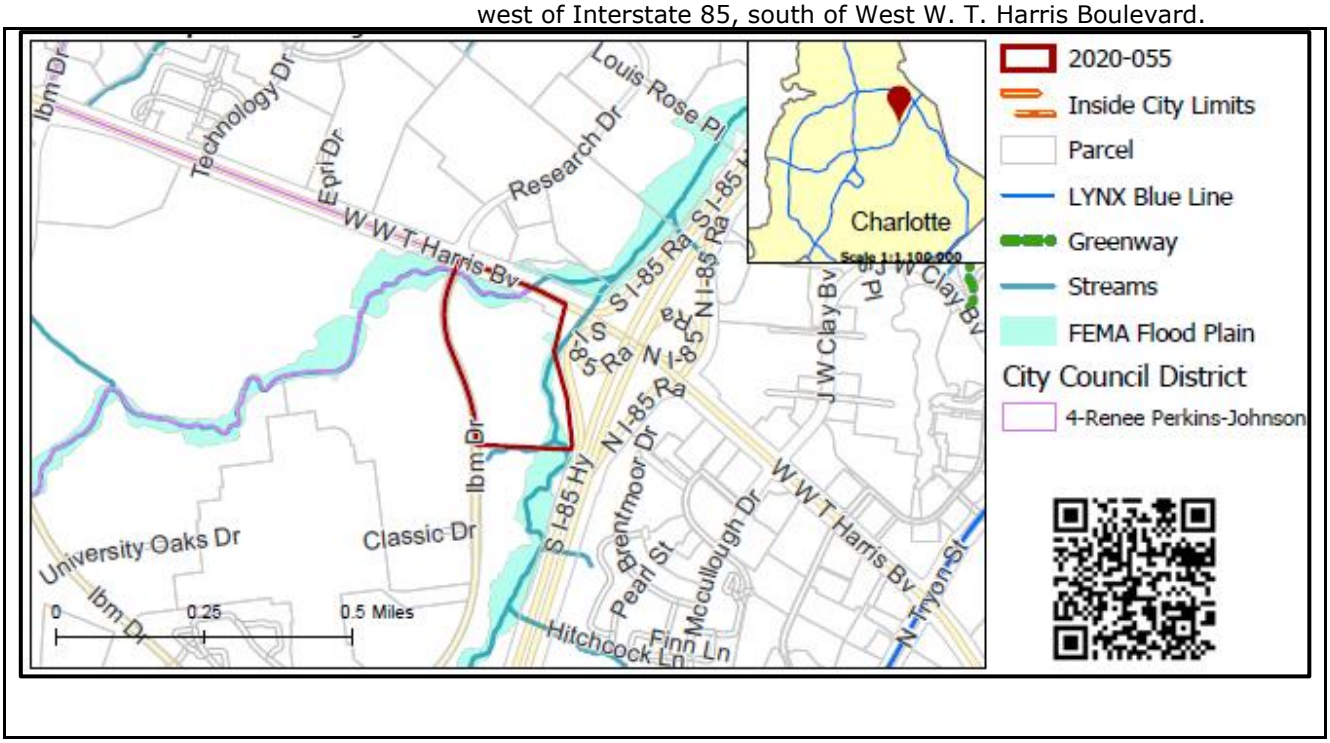
CHARLOTTE.
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2020-055
Final Staff Analysis
October 19, 2020

REQUEST	Current Zoning: RE-2 (research) Proposed Zoning: R-17MF (CD) (multi-family residential, conditional)
LOCATION	Approximately 27.97 acres located along the east side of IBM Drive, west of Interstate 85, south of West W. T. Harris Boulevard.



SUMMARY OF PETITION	The petition proposes up to 300 multi-family residential dwelling units with a density of 10.72 dwelling units per acre on vacant land.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	IBM Corporation RangeWater Real Estate Keith MacVean, Moore & Van Allen, PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 3

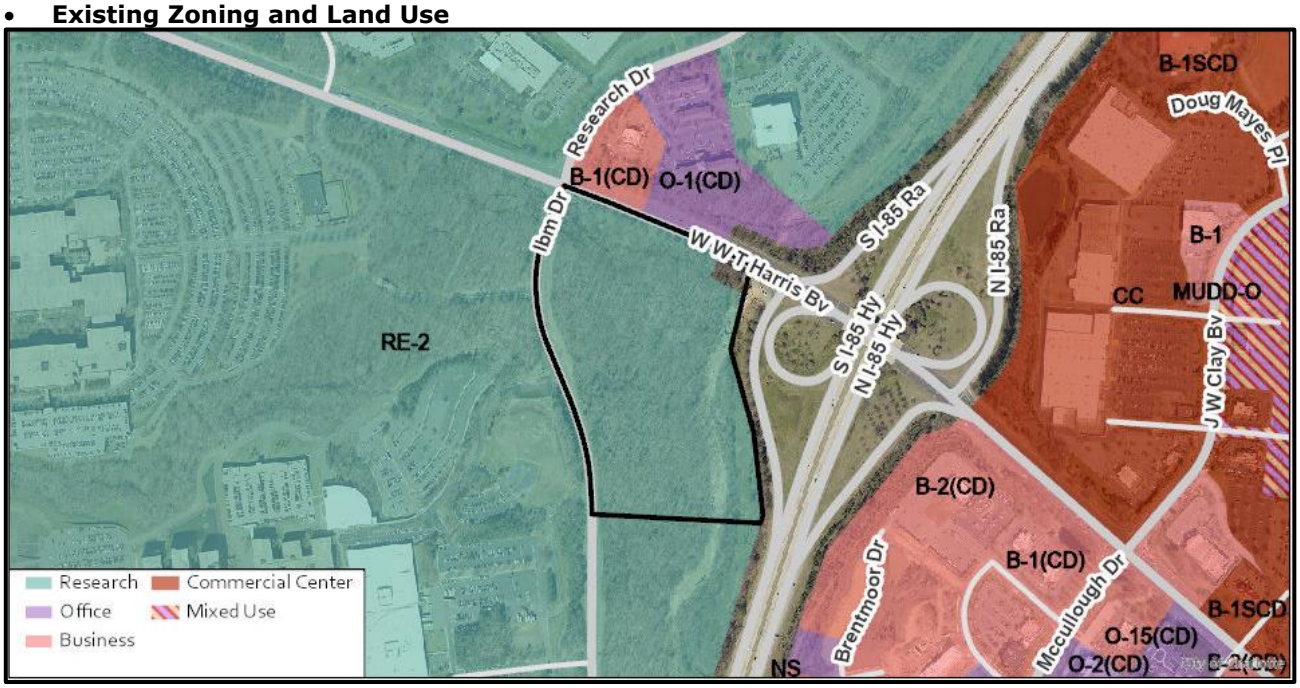
STAFF RECOMMENDATION	Staff recommends approval of this petition. Plan Consistency The petition is **consistent** with the *University Research Park Area Plan (2010)* recommendation of Residential/Office/Retail. Rationale for Recommendation • The subject site is located on IBM drive and West WT Harris Boulevard and proposes up to 300 multi-family residential dwelling units, with a density of 10.72 dwelling units per acre (DUA). • This proposed use and density is appropriate for the *University Research Park Area Plan's* recommendation of residential/office/retail for this site, with a density of up to 22+ units per acre.

- The addition of multi-family uses in this area will increase the mix of uses in the University Research Park area.
- The petition proposes an open space area improved with landscaping, seating areas, hardscape elements and shade structures as applicable and appropriate to the proposed amenity area.
- The petition's orientation towards IBM drive and commitment to a 12-foot multi-use path and an 8-foot planting strip increases the walkability of the area.
- The Petitioner commits to conveying to Mecklenburg County for the development of a greenway the portion of 100-foot SWIM buffer associated with Doby Creek and the east/west tributary stream that runs parallel to W. T. Harris toward IBM Drive located on the Site. This area will be dedicated and conveyed to Mecklenburg County prior to the issuance of the first certificate of occupancy for the Site.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Provides access to the site via IBM Drive.
  - Provides a left-turn lane from IBM Drive into the site.
  - Commits to a 12-foot multi-use path and an 8-foot planting strip along IBM Drive.
  - Provides sidewalk and crosswalk networks that link the buildings to public streets.
  - Dedicates and conveys 35-feet of right-of-way from the center line of IBM Drive.
  - Provides a 30-foot setback along IBM Drive and a 100-foot setback along West W.T. Harris Boulevard.
  - Conveys to Mecklenburg County for the development of a greenway the portion of 100-foot SWIM buffer associated with Doby Creek.
  - Commits to an open space area improved with landscaping, seating areas, hardscape elements and shade structures.
  - The building materials used on the principal buildings will be a combination of portions of some of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings.
  - Buildings exceeding 135-feet in length shall include modulations of the building massing/facade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of 10-feet wide and shall project or recess a minimum of 4-feet and extend up and down along the exterior of the building façade.
  - Maximum building height not to exceed 72-feet.

- **Existing Zoning and Land Use**



The subject property is vacant. The surrounding land uses include office, retail, hotels, and warehouse uses.



The subject property (denoted by red star) is vacant land.



The property to the north along West W.T. Harris Boulevard is developed with hotels, retail and office uses.



The property to the south along IBM Drive is vacant land.

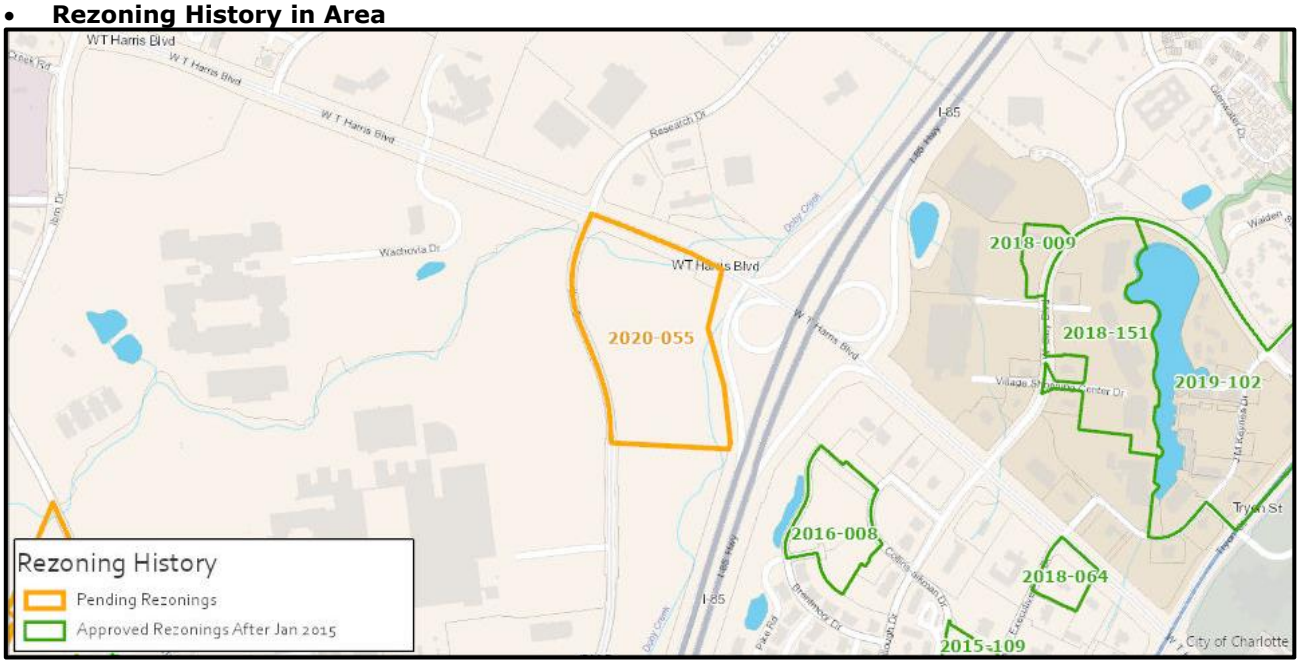


The property to the west along IBM Drive is developed with a large office park, (subject property denoted by red star).



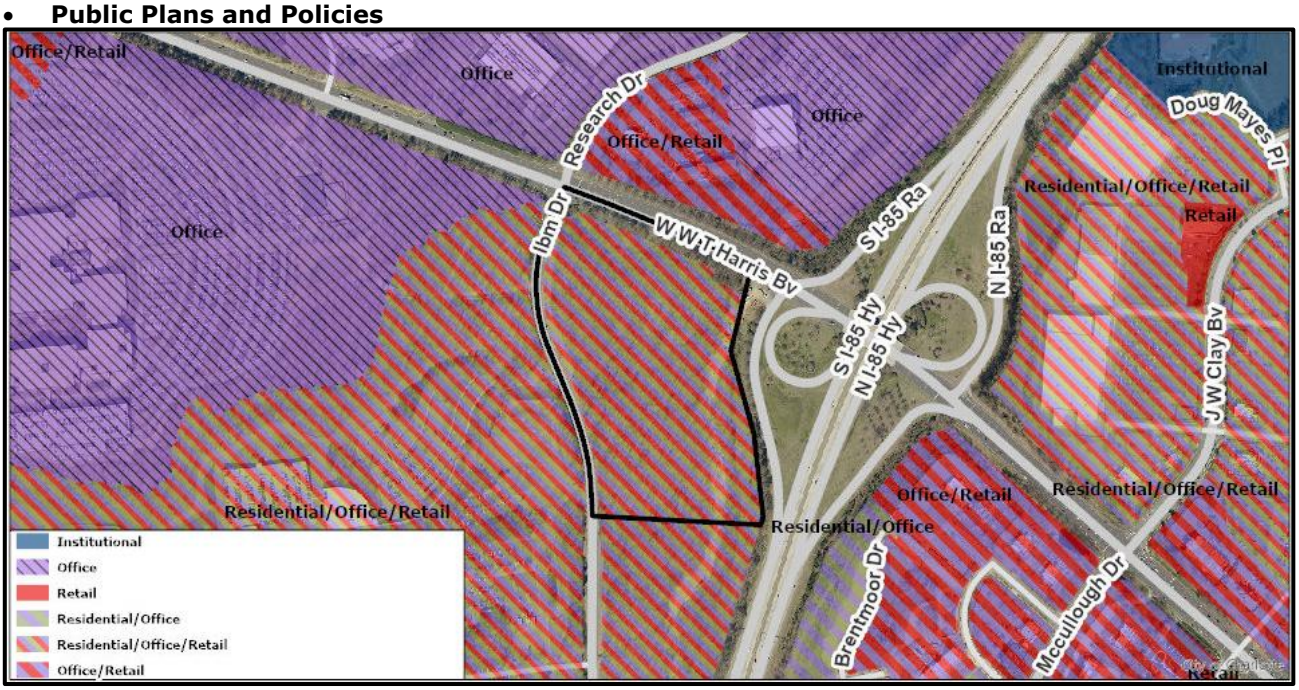
Interstate 85 borders the property to the east.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-102	Rezoned parcels under a range of zoning districts to one of four transit-oriented development (TOD) districts.	Approved
2018-151	Rezoned 20.56 acres to MUDD-O with 5-year vested rights to redevelop a site from a mainly retail center to a live/work/play mixed use activity center with pedestrian trail network and greenspace amenities.	Approved
2018-064	Rezoned 2.033 acres to B-2(CD) to redevelop a site to allow 5,500-square foot eating/drinking/entertainment establishment, with drive through facility.	Approved
2018-009	Rezoned 2.19 acres to B-1(TS).	Approved
2016-008	Rezoned 8.64 acres to B-2(CD) and B-2(CD) SPA 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
2015-109	Rezoned 5.05 acres to MUDD-O allow up to 150 hotel rooms and residential dwelling units in a single building designed to serve as corporate housing units.	Approved

- **Public Plans and Policies**



  - The *University Research Park Area Plan (2010)* calls for Residential/Office/Retail uses for this site.

- **TRANSPORTATION SUMMARY**
  - The site is located on W. WT Harris Boulevard (Major Thoroughfare, State maintained), IBM Drive (Minor Thoroughfare, City maintain), and I-85 (Freeway, State maintained). The petitioner should revise the site plan to address the outstanding items listed below.
  - **Active Projects:**
    - I-85 & W. W.T. Harris Boulevard (NC 24) Interchange (TIP# I-6013)
      - Conversion of existing interchange to diverging diamond interchange
      - ROW 2025 and Construction 2027 (*Project suspended due to funding issues, schedule TBD*)
      - NCDOT project
    - Future Doby Creek Greenway (parallel to I-85), and greenway spur to Wells-Fargo CIC (parallel to Harris Blvd.)
      - Mecklenburg County
      - Unfunded
  - **Transportation Considerations**
    - ~~See Outstanding Issues, Note 3a~~ ADDRESSED
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 0 trips per day (based on vacant land; tax record).
    Entitlement: 7,120 trips per day (based on 731,020 square feet of office).
    Proposed Zoning: 2,200 trips per day (based on 300 apartment units.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** ~~See Outstanding Issues, Note 4.~~ ADDRESSED
- **Charlotte Department of Housing and Neighborhood Services:** See advisory comments at www.rezoning.org
- **Charlotte Department of Solid Waste Services:** See advisory comments at www.rezoning.org
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 0 students, while the development allowed under the proposed zoning may produce 36 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 36.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Governor's Village (Upper & Lower) from 104% to 105%

- Vance High from 129% to 130%.

- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along IBM Drive. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 12-inch gravity sewer main located along the center of the parcel.
- **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:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

~~1. The site plan should show the curb and gutter labeled and dimensioned from the centerline for each road.~~ ADDRESSED

~~2. The petitioner should also commit to including accessible ramps, per PROWAG requirements, to the channelized median at IBM Drive & W.T. Harris Boulevard~~. Rescinded

~~3. The petitioner should 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.~~ ADDRESSED

~~a. New Comment (site plan dated 9-28-20) The petitioner needs to commit to providing improvements that meet Chapter 19 ordinance requirements, per Section 19-173 of the City Code, along the site's W. W.T. Harris Boulevard frontage.~~ ADDRESSED

~~4. The site is located along CATS local bus route #54 along IBM Drive. CATS request the petitioner to construct an ADA compliant bus waiting pad.~~ ADDRESSED

5. ~~New Comment (site plan dated 9-28-20) The petitioner needs to commit to providing improvements that meet Chapter 19 ordinance requirements, per Section 19-173 of the City Code, along the site's W. W.T. Harris Boulevard frontage.~~ ADDRESSED

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

Planner: Michael Russell (704) 353-0225