

REQUEST	Current Zoning: UMUD (uptown mixed use) Proposed Zoning: UMUD-O (uptown mixed use, optional)
LOCATION	Approximately 3.0 acres located on the southwest corner at the intersection of South Tryon Street and East Stonewall Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to allow all uses permitted in the UMUD (uptown mixed use) district and requests optional site modifications.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Crescent Resources, LLC and CLT Development, LLC Crescent Communities, LLC Collin Brown and Bailey Patrick, Jr., K&L Gates
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 2
STATEMENT OF CONSISTENCY	<p>This petition is found to be consistent with the <i>Charlotte Center City 2020 Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • <i>Charlotte Center City 2020 Plan</i> recognizes Center City as the central economic engine and diversified employment hub of the region, and encourages enhancement of the pedestrian environment through use of visual improvements as one means to identify, support, and retain retail and business activities; and • The subject property will complete the Tryon Mall on the southern side of Tryon Street. <p>Therefore, this petition is found to be and to be reasonable and in the public interest based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The subject property will complete the Tryon Mall on the southern side of Tryon Street; and • The subject property will comply with the majority of the Tryon streetscape elements designed to provide uniformity through the area and tie together the various architectural styles and unique urban spaces; <p>By a 7-0 vote of the Zoning Committee (motion by Commissioner Eschert seconded by Commissioner Labovitz).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Amended optional requests under Notes 2A and 2B to specify the need for and proposed use of the signage options requested, as follows: <ol style="list-style-type: none"> (a) This signage shall be limited to building identification, tenant identification, and artistic/civic/cultural displays or messages. Off-premises signs and outdoor advertising signs shall not be permitted. 2. Deleted optional request under Note 2C to allow deviations from the paving system requirements established under Section 9.906(2) (a) of the Ordinance. 3. Amended Notes 2A and 2B to specify that off-premises signs and outdoor advertising signage shall not be permitted. 4. Deleted optional request under Note 2D to allow deviations from the street tree standards established under Section 9.906(2) (g) of the Ordinance. 5. Amended optional request Note 2C to delete the following: "unless otherwise approved by the Planning Director, the temporary retail
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	<p>vendor zones may accommodate, but shall not be limited to push-carts, tents, stands, tables, wagons and trailers.”</p> <ol style="list-style-type: none"> 6. Amended optional request Note 2C to state any vendors within the retail vendor zone must comply with any applicable street vendor ordinances or policies. 7. Deleted vendor structures shown on Sheet RZ-09. 8. Amended optional request Note 2F to specify the following: <ol style="list-style-type: none"> (a) This reduced setback shall only apply to an approximately 270 foot portion of the site’s Stonewall Street frontage measured from the back of curb on the south side of Tryon Street and extending in a southerly direction down Stonewall Street. Portions of the site’s Stonewall Street frontage beyond this area must comply with standard Ordinance provisions. (b) Walls within the reduced setback area shall incorporate plantings, integrated seating, or other features to stimulate pedestrian interest; all as generally depicted on RZ-03 through RZ-05 and RZ-09. Additionally, such walls shall be made of decorative architectural precast or stone or other natural materials, or a combination thereof. 9. Addressed CDOT comments by amending optional requests. 10. Added Note 2E as follows: Deviations from the street right-of-way and streetscape requirements established under Section 9.906(i2) (f) of the Ordinance to remove the requirement to provide furniture or benches within the right-of-way along the site’s Tryon Street frontage.
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VOTE

Motion/Second:	Eschert/Labovitz
Yeas:	Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan and Walker
Nays:	None
Absent:	None
Recused:	None

ZONING COMMITTEE DISCUSSION

Staff provided an update of the petition, noting that there are no outstanding issues. Staff noted the petition is consistent with the *Charlotte Center City 2020 Plan*. A committee member commented that the project will provide an excellent gateway into the city. There was no further discussion.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows all uses permitted in the UMUD (uptown mixed use) district.
- Site will comply with UMUD requirements set forth in the zoning ordinance, with the exception of optional requests.
- Optional provisions requested include:
 - Two attached electronic signs (video or LED screen) with a maximum size of 300 square feet each.
 - Up to 3,000 square feet of wall signage per street frontage (in addition to any approved electronic signs).
 - Temporary retail vendor zones, within the right-of-way or setback, subject to the approval of any necessary encroachment agreements. Retail vendor zones shall be allowed only in the locations specified on the Technical Data Sheet. Any vendors within the retail vendor zone must comply with any applicable street vendor ordinances or policies.
 - Reduced setback of 14 feet for an approximately 270-foot portion of the site’s frontage on

Stonewall Street measured from the back of curb on the south side of Tryon Street and extending in a southerly direction down Stonewall Street. Portions of the site's Stonewall Street frontage beyond this area must comply with the standard ordinance provisions. Walls within the reduced setback area shall incorporate plantings, integrated seating, or other features to stimulate pedestrian interest. Such walls shall be made of decorative architectural precast or stone or other natural materials, or a combination thereof.

- Deviations from the street right-of-way and streetscape requirements established under Section 9.906(i2)(f) of the ordinance to remove requirement to provide furniture or benches within the right-of-way along the site's Tryon Street frontage.
 - Deviations from urban open space seating and tree requirements established under Sections 9.906(4)(d) and (e) to remove prescribed seating and tree requirements within any non-required, non-public open space areas. Standard seating and tree requirements will be met within portions of the urban open space required to meet the minimum UMUD urban open space requirement.
 - 50 percent reduction in the number of required loading spaces.
 - **Public Plans and Policies**
 - *Charlotte Center City 2020 Plan* (2011) recognizes Center City as the central economic engine and diversified employment hub of the region, and encourages enhancement of the pedestrian environment through use of visual improvements as one means to identify, support, and retain retail and business activities.
 - The subject property will complete the Tryon Mall on the southern side of Tryon Street. The Tryon streetscape elements have been met by all new development along the mall. The required pavers and trees provide uniformity throughout the area and tie together the various architectural styles and unique urban spaces.
 - The petition is consistent with the *Charlotte Center City 2020 Plan*.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - Minimizes impacts to the natural environment by building on an infill lot.
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OUTSTANDING ISSUES

- No issues.
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- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

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