

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.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues.
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

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).
 - Use of pavers and/or other materials in identified areas within the right-of-way, in order to highlight the entrance to the proposed building's main entrance on Tryon Street, subject to the approval of a related encroachment agreement.
 - Alternate tree location and spacing along Hill Street and within identified areas along Tryon Street.
 - Temporary retail vendor zones, within the right-of-way or setback, subject to the approval of any necessary encroachment agreements. Retail vendor zones may accommodate, but are not limited to, push-carts, tents, stands, tables, wagons and trailers and shall be allowed only in specified locations.
 - Reduced setback of 14 feet measured from the back of curb along the site's Stonewall Street frontage. Structures within the reduced setback area shall be limited to retaining walls and other features necessary to accommodate a publicly accessible plaza on-grade with Tryon Street. Any walls within the reduced setback area shall incorporate plantings, artistic designs or other features to stimulate pedestrian interest. No buildings permitted in the reduced setback.
 - 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.

• **Existing Zoning and Land Use**

- The site is currently developed with two structures used for commercial and office uses, and surface parking. The site is surrounded by a mix of uses on properties zoned UMUD (uptown mixed use) and UMUD-O (uptown mixed use-optional).

• **Rezoning History in Area**

- Petition 2011-55 rezoned 10.96 acres bounded by South College Street, Martin Luther King, Jr. Boulevard, South Brevard Street and East Stonewall Street from UMUD (uptown mixed use) to UMUD-O (uptown mixed use, optional) to allow replacement of the existing Convention Center

identification sign along South College Street with an electronic video board sign up to 650 square feet per side, in addition to signage allowed per current sign regulations.

- Petition 2010-08 approved a UMUD-O (uptown mixed use, optional) request to allow various optional signage regulations for several cultural facilities within the Center City.
 - **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:** CDOT has the following comments:
 - Several of the optional provisions have the effect of enabling the implementation of a streetscape design that departs from the Tryon Mall standard design. CDOT recommends continuing the Tryon Mall standard streetscape and it is unlikely that CDOT would approve nonstandard items in the right-of-way under the required encroachment agreement if the optional provisions remain.
 - Any vending in the right-of-way is subject to the Tryon Street Mall Vendor ordinance. The limits of the mall area would need to be amended to enable vending to occur on this block.
 - In order to limit the impact of valet operations associated with a potential hotel, CDOT will seek to avoid a porte-cochere on Stonewall Street if at all possible.
 - **Vehicle Trip Generation:** The trip generation for this site does not change with this proposed rezoning.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** No comments received.
 - **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.

OUTSTANDING ISSUES

- The petitioner should:
 1. Amend optional requests under Notes 2A and 2B to specify the need for the signage options requested, as the proposed use of the signage is unknown.

2. Remove optional request under Note 2C to allow banding that extends beyond the building entrance and traverses the entire frontage on Tryon Street and does not define the building entrance. The ordinance has architectural standards to announce the entrance for pedestrians and drivers.
 3. Add a note that no advertising signage is requested.
 4. Delete optional request Note 2D. Site should comply with ordinance requirements, in order to be consistent with the remainder of Tryon Street Mall.
 5. Amend optional request Note 2E to delete the following: "unless otherwise approved by the Planning Director, the temporary retail vendor zones may accommodate, but shall not be limited to push-carts, tents, stands, tables, wagons and trailers."
 6. Amend optional request Note 2E to state the site will adhere to existing street vendor program requirements.
 7. Delete vendor structures shown on Sheet RZ-09.
 8. Delete optional request Note 2F. Grade changes should be a feature, not blank walls.
 9. Address CDOT comments.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- 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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