

REQUEST	Current Zoning: B-2 PED (general business, pedestrian overlay) Proposed Zoning: MUDD-O PED (mixed use development, optional, pedestrian overlay), with five-year vested rights
LOCATION	Approximately 1.24 acres located on the north side of Central Avenue between Hawthorne Lane and Heath Court. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes up to 166,000 square feet to include retail, office and warehousing within an enclosed building. This development will reuse an existing building along Central Avenue and the adjacent gravel parking lot to the rear and along the frontage of Hawthorne Lane. A structured parking deck to serve the subject site will be developed on the remainder of the property.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	1101 Central Group, LLC Michael Adams, Property Owner Babak Emadi, Urbana Architecture
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 12
STATEMENT OF CONSISTENCY	<ul style="list-style-type: none"> • The Zoning Committee found the retail portion of the petition to be consistent with the <i>Plaza Central Pedscape Plan</i>; however, the proposed storage is inconsistent with the plan based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> • The plan was amended by rezoning petition 2003-110 to allow retail uses with a Pedestrian Overlay District; and • The plan recommends retail for the area proposed for storage. • However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> • The subject site is located in the Plaza Central commercial district; and • The proposed site plan commits to ground floor pedestrian-oriented uses along Central Avenue and Hawthorne Lane, meeting the intent of the adopted plan to establish pedestrian friendly retail streets in the Plaza Central area; and • The commitment to commercial uses along Hawthorne Lane will also complement the future streetcar alignment proposed along that street; and • The proposed parking structure will be developed on an underutilized space internal to the site and will not affect the pedestrian environment; and • The proposed indoor climate controlled storage units will be located above the structured parking deck. The storage will be designed to appear similar to an office building, and will have limited traffic and parking impacts; and • The petition also supports the expansion of the area's street network by extending Heath Court to the north, setting this area up for future connectivity opportunities; <p>By a 6-0 vote of the Zoning Committee (motion by Majeed seconded by Sullivan).</p>

ZONING COMMITTEE ACTION	The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications: <ol style="list-style-type: none"> 1. Amended Note 3A under Optional Provisions as follows: "The
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petitioner commits to exceed the minimum 50% retail requirement along the Hawthorne Lane building frontage and provide 100% of the frontage on Hawthorne Lane, with the exception of a stairwell and elevator lobby (which will not exceed 25% of the building length) as retail, personal services, and/or eating/drinking/entertainment establishments. Petitioner shall provide approximately 47 linear feet of the building frontage on Heath Court as retail, personal services, and/or eating/drinking/entertainment establishments. The sales office for the self-storage shall be located on Heath Court within the retail space area, as generally indicated on the rezoning plan. Relabeled potential retail/office and retail located along Heath Court, with a reference to Note 3A for specific provisions.

2. Deleted the following from Note 3A under Optional Provisions: "Petitioner seeks to exceed the minimum requirements along the frontage on Hawthorne Street."
3. Petitioner agreed to convey additional right-of-way along the future Gold Line Extension frontage on Hawthorne Lane and Central Avenue as requested by CATS/CDOT.
4. Amended Note 3A under Optional Provisions to allow the minimum retail frontage requirement along Heath Court to be developed with personal services, retail and/or eating/drinking/entertainment establishments.
5. Committed to amend Note 12B under "Lighting" to increase maximum height of detached lighting to 21 feet.
6. Committed to amend Note 6B under Architectural Standards.
7. Committed to amend Note 11A under Signage, as the note is not needed.
8. Committed to delete Note 3B under Optional Provisions and placed under Architectural Standards.

VOTE

Motion/Second: Dodson / Eschert
 Yeas: Dodson, Eschert, Lathrop, Majeed, Sullivan, and Wiggins
 Nays: None
 Absent: Labovitz
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided an overview of the petition noting that there are four outstanding minor technical issues that were not addressed on the revised site plan. The committee asked the petitioner about the four outstanding issues and the petitioner committed to making the changes to all items as requested.

Staff noted that the retail portion of the petition is consistent with the *Plaza Central Pedscape Plan*; however, the proposed storage is inconsistent with the plan.

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

- **Background**
 - Petition 2003-110 rezoned the subject property as part of 18 acres located on the north and south sides of Central Avenue, between Louise and Clement Avenues, west of Pecan Avenue from I-2 (general industrial) to B-2 (general business) and I-1 (light industrial) to reduce the potential for uses that are not pedestrian friendly and neighborhood oriented.
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

 - Up to 166,000 square feet of nonresidential uses consisting of office, commercial, retail and warehousing within an enclosed building.

- Development area consisting of Area A and Area B.
- Area A:
 - One building containing up to 130,000 square feet of office, retail and warehousing uses within an enclosed building.
 - Maximum building height of eight stories. Floors five through eight to be stepped back a minimum of 20 feet from Hawthorne Lane to reduce perceived building height along this frontage.
 - Location of parking within a parking deck for the existing and future buildings on the entire site (Areas A and B).
- Area B:
 - Area B has an option for either 30,000 square feet of existing and expanded commercial and office uses or 36,000 square feet of commercial and office uses in one building.
 - Maximum building height of three stories and 55 feet.
 - In Option 1, if the existing building remains as it currently exists, streetscape requirements would not be established in the area where the existing building is located. An additional two stories of office space may be developed over the existing building. Additionally, the area shown on the site plan as potential building envelope may be developed as a three-story building and the maximum height for all structures in this area is limited to 55 feet.
 - In Option 2, if the petitioner elects to remove the existing building, the new building envelope will comply with streetscape requirements as specified on the site plan. New buildings will be a maximum of three stories and 55 feet in height and shall comply with the PED overlay design standards.
- Building materials consisting of a combination or all brick, concrete, decorative concrete, masonry units, EIFS, EIFS brick, architectural metal, metal panels, storefront clear glass, spandrel glass, architectural metal and vinyl railings. Windows will be combination of clear vision glass, spandrel glass, and screened framed opening. Building entrances will have architectural metal or fabric canopies and awnings.
- Extension of Heath Court within the existing right-of-way up to the end of the project limits.
- Site access from Hawthorne Lane, Heath Court, and the existing public alley and a proposed alley widening. The proposed alley may be developed as a one-way or two-way alley.
- Optional Provisions:
 - The petitioner commits to exceed the minimum 50% retail requirement along the Hawthorne Lane building frontage and provide 100% of the frontage on Hawthorne Lane, with the exception of a stairwell and elevator lobby (which will not exceed 25% of the building length) as retail, personal services, and/or eating/drinking/entertainment establishments. Petitioner shall provide approximately 47 linear feet of the building frontage on Heath Court as retail, personal services, and/or eating/drinking/entertainment establishments. The sales office for the self-storage shall be located on Heath Court within the retail space area, as generally indicated on the rezoning plan. Relabeled potential retail/office and retail located along Heath Court, with a reference to Note 3A for specific provisions.
 - Streetscape requirements, including right-of-way dedication, planting strips, sidewalks, etc. along Heath Court would not be established in the area where the existing building is located.
- **Public Plans and Policies**
 - The *Plaza Central Pedscape Plan* (2003) was amended by rezoning petition 2003-110 to allow retail uses with a Pedestrian Overlay District.
 - The plan recommends that office and residential uses dominate this area, with retail and restaurant uses on the ground floors.
- **TRANSPORTATION CONSIDERATIONS**
 - This site is bordered by an existing minor thoroughfare and an existing major thoroughfare near a signalized intersection. CDOT has not identified any negative impacts to the transportation facilities in the area. The site plan as presented complies with CDOT transportation goals to preserve right of way along Hawthorne Lane for the future streetcar alignment, protect the extension of Heath Court for future connectivity, and improve the east-west connectivity by widening the existing alley way.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 760 trips per day (based on an 8,400-square foot eating/drinking/entertainment establishment).
 - Entitlement: 1,750 trips per day (based on 12,400 square feet of retail uses).
 - Proposed Zoning: 2,840 trips per day (based on 16,000 square feet of retail and 25,200 square

feet of office, and 124,800 square feet of warehousing within an enclosed building).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte Water:** 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.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

Planner: Sonja Strayhorn Sanders (704) 336-8327