

<b>REQUEST</b>	Current Zoning: O-3(CD) (office) Proposed Zoning: MUDD-O (mixed use development, optional) with five-year vested rights
<b>LOCATION</b>	Approximately 1.621 acres located on the east side of Park South Drive between Fairview Road and Pine Valley Road (Council District 6 - Smith)
<b>SUMMARY OF PETITION</b>	The petition proposes the redevelopment of a portion of a parcel developed with a parking structure with a 180-room hotel and up to 7,500 square feet of retail space in the SouthPark area.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Fairview Plaza Buildings, LLC Fairview Plaza Buildings, LLC John Carmichael (Robinson Bradshaw)
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 9.

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition upon resolution of outstanding issues and requested technical revisions related to site and building design and transportation.</p> <p><u>Plan Consistency</u> The hotel use is consistent with the <i>SouthPark Small Area Plan</i> recommendation for office or office/residential mixture. However, the retail component is not consistent with the plan recommendation.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• The <i>Centers, Corridors and Wedges Growth Framework</i> identifies SouthPark as a Mixed Use Activity Center, a priority area for intensification and urban, pedestrian-oriented development.</li> <li>• The more specific vision articulated in the <i>SouthPark Small Area Plan</i> calls for the SouthPark area to transition from a suburban shopping and business environment to a town center composed of a balanced mixture of land uses.</li> <li>• Since the plan was adopted, various rezonings have occurred in the area resulting in a more thorough mix of uses.</li> <li>• Although the proposed retail component is not strictly consistent with the plan recommendation, it complements the larger existing office development and proposed hotel, and is an appropriate element in the mix of uses on and around the site.</li> <li>• The proposed site plan intensifies the subject site by redeveloping a portion of a two-level parking garage with a hotel and retail uses.</li> <li>• The new hotel and retail use will enhance the pedestrian environment by providing active, ground floor uses oriented to the public sidewalk on Piedmont Row Drive South.</li> </ul>
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**PLANNING STAFF REVIEW**

- **Proposed Request Details**  
The site plan accompanying this petition contains the following provisions:
  - Allows up to two buildings on the site.
  - Allows a hotel with up to 180 rooms and a maximum of 7,500 square feet of non-hotel commercial uses including retail, eating/drinking/entertainment establishments (EDEE), personal service use, and structured parking decks as an accessory use. EDEE accessory to the hotel will not count towards the 7,500 square feet of non-hotel uses.
  - Prohibits automotive service stations, convenience stores with or without gasoline sales and drive-through service windows accessory to any use.
  - Specifies that structured parking may be located beneath the buildings.
  - Proposes access points from a private drive along the northern boundary of the site, a private

- street along the southern boundary of the site, and Piedmont Row Drive South.
- Commits to provide a 20-foot setback with an eight-foot planting strip and eight-foot sidewalk along the southern boundary adjacent to the private street.
  - Provides a 30-foot setback with an eight-foot planting strip and eight-foot sidewalk with a 14-foot “green ribbon” (an area of extended building setback to provide space for landscaping, outdoor dining, or other pedestrian scale amenities) within the site frontage along Piedmont Row Drive South. Provides an eight-foot planting strip and six-foot sidewalk from the northern edge of the site to the driveway on the northern side of the adjacent office buildings also along Piedmont Row Drive South.
  - Commits to request the adjacent property owner(s) dedicate to the City as public right-of-way the existing private street located to the south of the site. The petitioner’s only obligation is to make the request; failure or refusal of the adjoining property owner(s) to dedicate should not cause delay or withholding of the permitting or certificate of occupancy for the site.
  - Limits the maximum building height of Building A, on the western and southern edge of the site, to 150 feet. Limits the maximum height of Building B along Piedmont Row Drive South to 25 feet. If building A and building B are combined the maximum height is 150 feet.
  - Specifies buildings will have prominent pedestrian entrances and be oriented to Piedmont Row Drive South.
  - Provides a number of building design and architectural standards related to percentage of doors and windows, ground floor elevations, blank walls, wall projections and recesses, differentiation between first floor and upper floors, screening of mechanical equipment and dumpster enclosures.
  - Specifies that the 14-foot “green ribbon” is a transition area that will contain hardscape and landscaping and may contain chairs, tables, seat walls and other seating elements provided a minimum eight-foot clear sidewalk is maintained.
  - Requests the following optional provisions:
    - Allow an increase in the allowable height from 120 feet to 150 feet.
    - Allow valet service, a driveway, an entrance into the structured parking facility or motor court to be located between building A or buildings on the site and the required setback along Piedmont Row Drive South as parking and maneuvering is not permitted between building and the required setback.
    - Allow hardscape, landscaping, tables, chairs, and other seating to be located within the inner 14 feet of the 30-foot setback along Piedmont Row Drive South.
- **Existing Zoning and Land Use**
    - The subject property was rezoned to O-3(CD) (office, conditional) in 1995 as part of a larger multi-story office development incorporating a parking structure. The subject site is a portion of the parking structure. The office buildings and the western portion of the parking structure are not a part of this application, and are to remain. Another portion of the larger development along the Fairview Road frontage was rezoned in 2008 to allow for retail and bank uses along the street edge.
    - The site is zoned O-3(CD) (office, conditional) and is developed with a parking structure.
    - Property to the north, across Fairview Road is zoned MUDD-O (mixed use development, optional), incorporating office, retail, restaurants, and residential elements.
    - Adjacent to the east across Piedmont Row Drive South is a high-rise office development with associated parking structures zoned O-3 (office) and surface parking lot and vacant land zoned MUDD-O (mixed use development, optional).
    - To the south are office and hotel properties in O-1 (office) zoning.
    - To the west across Park South Drive are several properties including a six-story Charlotte Housing Authority property zoned MUDD-O (mixed use development, optional), an assisted living facility zoned R-22MF(CD) (multi-family residential, conditional), an adult day care facility zoned UR-C (urban residential commercial), and a townhome community zoned R-8MF(CD) (multi-family residential, conditional)
    - See “Rezoning Map” for existing zoning in the area.
  - **Rezoning History in Area**
    - There have been a number of rezonings to MUDD-O (mixed use development, optional) west, south and east of the site, within the SouthPark Mixed Use Activity Center, to allow residential, commercial and mixed use developments.
  - **Public Plans and Policies**
    - The *SouthPark Small Area Plan* (2000) shows the property as office or office/residential mixture.
    - The vision articulated in the *SouthPark Small Area Plan* calls for the SouthPark area to transition from a suburban shopping and business environment to a town center composed of a balanced mixture of land uses.

**• TRANSPORTATION CONSIDERATIONS**

- The site's primary access will be served from Piedmont Row Drive South, and the site's parking deck access will be served from South Executive Park Drive (a private street with public access rights). The proposed parking deck will provide internal access to two private streets. The petitioner is also extending, connecting and improving sidewalks along the west side of Piedmont Row Drive South to enhance pedestrian walkability in the area. CDOT continues to request an updated traffic analysis to clarify impact, and determine if offsite mitigations are needed, and reservations to accommodate the envisioned street network.
- See outstanding issues 3 through 8.
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Use: 0 trips per day (based on parking structure)
    - Entitlement: 0 trips per day (based on parking structure per 1995-017)
  - Proposed Zoning: 2,700 trips per day (based on 180 room hotel and 7,500 square feet of retail).

**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 Water:** Charlotte Water has water system availability for the rezoning boundary via existing eight-inch water distribution mains located Park South Drive and Piedmont Row Drive South. The proposed rezoning is located in an area that Charlotte Water has been determined to have limited sanitary sewer system capacity.
- **Engineering and Property Management:**
  - **Arborist:** No issues.
  - **Erosion Control:** No issues.
  - **Land Development:** No issues.
  - **Storm Water Services:** No issues.
  - **Urban Forestry:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

**OUTSTANDING ISSUES**Site and Building Design

1. Amend note 6K to either remove the first three sentences related to exterior dumpster enclosures and change the word "may" to "will" in the fourth sentence related to dumpster locations in the parking structure or amend the site plan to show the possible exterior dumpster enclosure location.

Land Use

2. Amend note 4C to specify a cap for the amount of retail and EDEE uses associated with the hotel.

Transportation

3. Provide a Technical Traffic Memorandum that includes the revised trip generation, trip distribution, and mitigation measures associated with the revised plan.
4. Reserve 18 feet (eight-foot planting strip, eight-foot sidewalk and two-foot maintenance buffer) for future public right-of-way along the site's southern property line from Piedmont Row Drive South to Park South Drive to provide space for a portion of a planned east-west public connection street along the site's southern property line. The conditional notes should state that the petitioner will retain the reserved property until such time the City requests this property for public use. When future right-of-way is requested the petitioner shall dedicate this reservation in fee simple to the City.
5. Reserve a local commercial narrow half-street section along the site's western boundary for a future north-south private street. The conditional notes should state that the petitioner will retain the reserved property until such time the City requests this property for public use. When future right-of-way is requested the petitioner shall dedicate this reservation in fee simple to the City.
6. Construct/convert the drive-aisle along the site's northern boundary to a local office commercial wide half-section with recessed parallel on-street parking along the site's northern boundary.
7. Clarify the petitioner's intent to construct an eight-foot planting strip and six-foot sidewalk behind

- the existing Piedmont Row Drive South westerly curblin, north of the site to the next drive aisle.
8. Revise the site plan (cross section A-A) and conditional note 5.C.1 to local office/commercial "narrow" street section

**REQUESTED TECHNICAL REVISIONS**Site and Building Design

9. Delete the existing conditions survey sheet.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte-Mecklenburg Schools Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - City Arborist Review
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

**Planner:** John Kinley (704) 336-8311