

**REQUEST**

Current Zoning: B-1 (general business), TOD-M (transit oriented development – mixed-use), and MUDD-O (mixed use development, optional)  
Proposed Zoning: TOD-MO (transit oriented development – mixed-use, optional) with five-year vested rights

**LOCATION**

Approximately 2.3 acres located in South End, within a block of the Bland Street LYNX station, on the west side of South Tryon Street between West Park Avenue and Camden Road.  
(Council District 3 - Mayfield)

**SUMMARY OF PETITION**

The petition proposes to allow the redevelopment of a single story commercial block, surface parking and vacant property for up to 285,000 square feet of office and ground floor commercial/retail designed to be transit supportive.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**

Various  
Cousins Acquisition Entity, LLC  
Jeff Brown & Keith MacVear/ Moore & Van Allen, PLLC

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.

**STATEMENT OF**  
**CONSISTENCY**

The Zoning Committee found this petition to be consistent with the *South End Transit Station Area Plan*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends a mix of transit oriented uses with the greatest intensity of development within ¼ mile of the transit station.

Therefore, 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:

- Significant employment uses support the mixed use goal of the *South End Transit Station Area Plan*; and
- Includes street level pedestrian activation with neighborhood-serving retail uses and urban open spaces; and
- Strengthens Camden Road as South End's "Main Street"; and
- Building height is attenuated by stepping the building back on two sides. The building mass on the southern half of the site is consistent in scale with surrounding buildings;

By a 6-0 vote of the Zoning Committee (motion by Commissioner Wiggins seconded by Commissioner Labovitz).

**ZONING COMMITTEE**  
**ACTION**

The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition with the following modifications:

1. A minimum of 15,500 square feet will be provided for retail, eating/drinking/entertainment establishments and personal services.
2. Optional sign requests have been modified for 50 square foot ground mounted sign and wall signs to allow up to 200 square feet.
3. Optional request "d" has been modified as requested.
4. The detail has been modified showing doors to allow access from the proposed plaza area along South Tryon Street and Camden Road.
5. A note has been added to address the pedestrian plaza along South Tryon Street.
6. The plaza area along Camden Road has been modified to provide for a possible festival street.
7. A detail has been provided showing retail entrances along South

Tryon Street.

8. The South Tryon Street elevation has been updated with the proposed materials and appearance.
9. Elevations for the three public streets have been provided.
10. The Camden Road crosswalk has been removed from the plans.
11. The proposed cross section of the festival street has been provided.
12. Notes have been added for the festival street.
13. The planting area between the back of West Park Avenue has been removed.
14. Notes have been added to the site plan to address the concern of the change of grades for the site.
15. A note has been added that the proposed commercial space along South Tryon Street will be marketed for 18 months but will have the base equipment such intake and exhaust hoods, grease trap connections, and fire suppression systems for a possible EDEE. After 18 months the space may be used for active uses associated with the proposed office building.
16. A note has been added that the grade falls and will only have a difference of 24 inches between the building and the Camden Road.
17. Note 5B has been modified and landscaping has been removed as the only option for screening.
18. Note 5b has been modified to read that decorative screening and landscaping will be used to meet the required screening requirements.
19. The minimum of 4,000 square feet of open space area has been provided.
20. The proposed building elevations have been modified.
21. The table on RZ-3 has been modified to show the overall request.

#### **VOTE**

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

#### **ZONING COMMITTEE DISCUSSION**

Staff presented this item and noted that all the outstanding issues had been addressed. There was no further discussion of the petition.

#### **STAFF OPINION**

Staff agrees with the recommendation of the Zoning Committee.

### **FINAL STAFF ANALYSIS**

(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

#### **PLANNING STAFF REVIEW**

##### **• Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Multi-story office building with commercial ground floor uses (restaurant, retail, and personal services) and structured parking.
- 285,000 square feet of gross floor area, including the ground floor commercial uses.
- A minimum of 15,500 square feet for retail, eating/drinking/entertainment establishments and personal services.
- A minimum of 4,000 square feet of open space area.
- Six to seven floors of structured parking, 1-1/2 or 2 floors of which will be underground.
- Seven floors of office above the ground floor commercial uses for a total of eight stories.
- A 16-foot setback from curb line along South Tryon Street, West Park Avenue, and Camden Road with sidewalk and trees in grates.
- Building elevations showing, height, scale, and location of plaza areas and access to ground floor retail.
- New streetscape improvements on all adjacent streets, including on-street parking on South Tryon Street and Camden Road.
- Camden Road streetscape to be built as a curbside "festival street" which will accommodate potential temporary block closures for festivals and events.

- Outdoor seating and plazas areas.
- Optional Provisions for the following allowances:
  - Additional building height in excess of the TOD (transit oriented development) height plane. The primary building component will be approximately 156 feet tall and the allowable TOD height for this property is 71 feet due to the proximity of single family zoning across South Tryon Street in the nearby Wilmore neighborhood. This represents a height optional request of 85 feet.
  - To not count rooftop mechanical screening toward building height.
  - To not require at least 50% of the structured parking on the West Park Avenue side to be composed of active uses.
  - 50 square feet for monument signs instead of the TOD-permitted 20 square feet; and 10 percent of wall area up to 200 square feet for wall mounted signs, instead of the TOD-permitted 5 percent of wall area up to a maximum of 100 square feet.
- **Public Plans and Policies**
  - The *South End Transit Station Area Plan* (2005) recommends a mix of transit oriented uses with the greatest intensity of development within ¼ mile walk of the transit station. The plan also recommends neighborhood-serving retail uses on Camden Road, which is envisioned to be South End's "Main Street."
- **TRANSPORTATION CONSIDERATIONS**
  - No issues

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte-Mecklenburg Schools:** No comments received.
- **Engineering and Property Management:** No issues.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.
- **Charlotte Fire Department:** No comments received.

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**OUTSTANDING ISSUES**

- No issues.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

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