

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	Various
PETITIONER	Cousins Acquisition Entity, LLC
AGENT/REPRESENTATIVE	Jeff Brown & Keith MacVean/ Moore & Van Allen, PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 53

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>South End Transit Station Area Plan</i>, which recommends a mix of transit oriented uses with the greatest intensity of development within ¼ mile of the transit station. The plan calls for residential and office development within walking distance of transit stations with local serving retail uses to support and enhance the employment and residential uses.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The petition is providing significant employment uses immediately adjacent to the Bland Street LYNX station in South End, supporting the mixed use goal of the <i>South End Transit Station Area Plan</i> which envisions living and working options within station areas. • The petition supports the station area plan's goal of street level pedestrian orientation by activating all three street frontages (Camden Road, South Tryon Street and West Park Avenue) with ground floor, neighborhood-serving retail uses and publically accessible urban open spaces. • The petition supports the station area plan's vision of Camden Road as South End's "Main Street" by concentrating street level retail uses along Camden Road. • The requested 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.
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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.
- 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.

- 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 curbless “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 option 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.
 - 75 square feet for monument signs instead of the TOD-permitted 20 square feet; and, 10 percent of wall area up to 220 square feet for wall mounted signs, instead of the TOD-permitted 5 percent of wall area up to a maximum of 100 square feet.
- **Existing Zoning and Land Use**
 - Rezoning petition 2000-036 rezoned the majority of the subject property bounded by South Tryon Street, Camden Road, and Park Avenue (approximately 1.8 acres) from I-2 (general industrial) and B-1 (neighborhood business) to MUDD-O (mixed use development, optional). A portion of the property zoned MUDD-O is occupied by 3,384 square feet of office and 13,926 square feet of retail uses, in buildings constructed in the early 1930s. The majority of the property zoned MUDD-O is vacant.
 - Two parcels are zoned TOD-M (2010-041). One of these parcels contains retail uses in a structure built in 1937, and the other parcel is used for surface parking.
 - The vacant portion of the site is formerly utilized for the Food Truck Friday event held every Friday.
 - Surrounding properties are zoned a mixture of TOD-M (transit oriented development – mixed-use), MUDD (mixed use development), I-1 (light industrial), I-2 (general industrial), B-1 (neighborhood business) and B-2 (general business). Some of these properties have converted to primarily residential transit oriented development, while other properties remain developed with commercial and industrial land uses or are vacant.
 - See “Rezoning Map” for existing zoning in the area.
- **Rezoning History in Area**
 - Recent rezonings approved in the area include:
 - Rezoning petition 2010-041 rezoned two parcels (approximately 0.31 acres), one located at the intersection of South Tryon Street and Camden Road and the second located along Camden Road between South Tryon and Park Avenue, from I-2 (general industrial) to TOD-M (transit oriented development – mixed-use). The parcel located at the intersection is occupied by 7,903 sq. ft. of retail built in 1937. The second parcel is vacant.
 - There have been numerous other rezonings to TOD-M (transit oriented development – mixed-use), MUDD (mixed use development), and MUDD(CD) (mixed use development, conditional) in the area to support transit supportive uses.
- **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.”
 - The petition supports the *General Development Policies-Environment* by concentrating new development around rapid transit facilities in order to accommodate growth while minimizing impacts to undeveloped areas.
- **TRANSPORTATION CONSIDERATIONS**
 - CDOT supports intense development in close proximity to rail transit stations. Continuous pedestrian and bicycle connectivity to the transit station is provided via the signalized crossing at Tryon/Camden and sidewalks along the Trolley Museum property. The primary transportation goals for this site are to improve the quality of the pedestrian environment and to provide for safe vehicular access to the site. The site plan improves conditions for pedestrians by implementing the area plan-recommended streetscape improvements. In order to ensure safe and efficient access for the site, the petitioner completed a traffic operational study and implemented the recommendations by adding a left-turn lane along Park Avenue, consolidating

the truck and car access into a single driveway, and locating the driveway as far as possible from South Tryon Street.

- **Vehicle Trip Generation:**

Current Zoning: The existing zoning allows for a wide variety of uses.

Proposed Zoning: 2,450 trips per day.

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 comments received.
- **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.

OUTSTANDING ISSUES

Site and Building Design

1. Provide a minimum square footage for retail, eating/drinking/entertainment establishments and personal services.
2. Remove optional request for signage.
3. Replace optional request "d" with the following language " To opt out of Section 9.1208(6)(l)(1) of the Ordinance by allowing less than 50% of the linear street level frontage of the parking structure on West Park Avenue to be devoted to active uses, as generally shown on Sheets RZ-1 and RZ-5.
4. Remove Note 3C related to "S. Tryon Street Retail Leasing Commitment" and all references to it from the site plan.
5. Provide a note stating that all ground floor commercial space will be accessible and open to the public.
6. Modify Note 1G to remove fitness studios from the allowed uses.
7. Modify proposed lobby area to include retail space that can be accessed from the Plaza area proposed at South Tryon Street and Camden Road.
8. Modify the proposed plaza area/outdoor seating area along Camden Road to provide more usable space.
9. Provide retail entrances along South Tryon Street.
10. Modify wood screen along South Tryon Street to allow for clear glass or decorative features.
11. Add clear glass into the rear wall of the Camden Road outdoor seating area.
12. Provide full elevations similar to that shown on Sheet RZ-8 for all sides of the proposed project.

Streetscape and Transportation

13. Modify the proposed stairs and plaza area along Camden Street. The stairway is inconsistent with the "festival street" concept. The proposed retail finish floor should step down with the sidewalk grade to be generally flush with the public sidewalk to the back of curb.
14. Remove Camden Road crosswalk from site plans.
15. Include cross-section diagram for proposed festival street.
16. Depict and add notes to plan to ensure the festival street concept can be constructed.
17. Eliminate the narrow planting area between the back of the Park Avenue sidewalk and the building face.
18. Lessen the sidewalk grade near the corner retail area on the South Tryon Street side near Park Avenue.

REQUESTED TECHNICAL REVISIONS

1. Modify Note 5B under "Parking Areas, Access and Circulation Design Guidelines" and remove that screening of cars will be done with landscaping.
2. Modify note 5B under "Parking Areas, Access and Circulation Design Guidelines" and state screening of ground level parking will be achieved by using decorative screening and can be supplemented by landscaping.
3. Add a note committing to a minimum of 3,500 square feet of open space and plaza area.

4. Modify elevations to match and be consistent with what is shown on the proposed site plan.
 5. Modify "Description of Building Height" table on sheet RZ-3 by changing the heading of the sixth column from "Variance Requested Due To Residential Zoning" to "Optional Height Requested Above TOD Height Plane".
 6. Modify "Description of Building Height" table on sheet RZ-3 by changing the heading of the last column from "Variance Requested Above TOD Max Building Height" to "Total Building Height" and populate the column with the actual building height above average grade for each area A-E.
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Attachments Online at 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
 - Transportation 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

Planner: Solomon Fortune (704) 336-8326