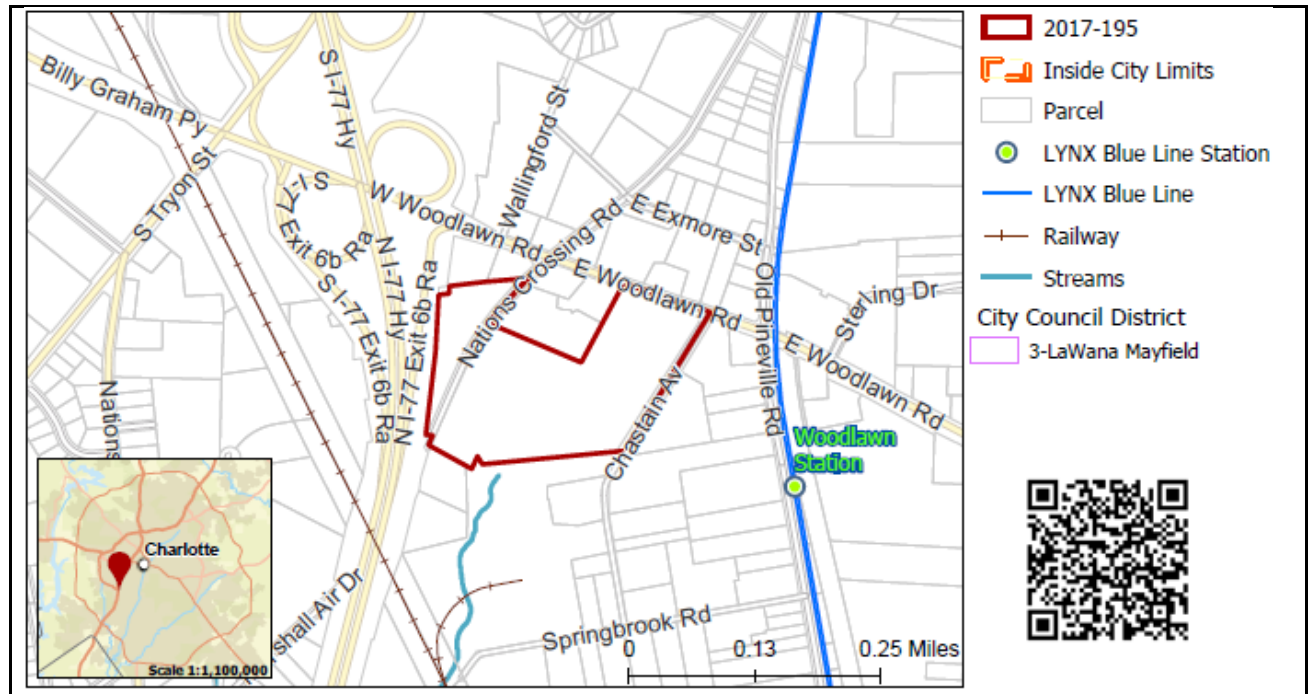


**REQUEST**

Current Zoning: I-2 (general industrial)  
 Proposed Zoning: TOD-MO (transit oriented development – mixed-use, optional) with five-year vested rights.

**LOCATION**

Approximately 19.78 acres located on the both sides of Nations Crossing Road, south of E. Woodlawn Road, east of I-77.  
 (Council District 3 - Mayfield)



**SUMMARY OF PETITION**

The petition proposes the redevelopment of all or portions of the existing office park to allow all uses allowed in the TOD-M (transit oriented development, mixed use) district.

**PROPERTY OWNER**

TAC Holdings LP

**PETITIONER**

Boulevard Real Estate Advisors, LLC

**AGENT/REPRESENTATIVE**

John Carmichael, Robinson Bradshaw & Hinson, P.A.

**COMMUNITY MEETING**

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

Number of people attending the Community Meeting: 10.

**STAFF**

**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

This petition is consistent with transit oriented development vision of the *Woodlawn Transit Station Area Plan* but inconsistent with the recommended employment-focused uses for the majority of the site. The petition is inconsistent with the plan recommendation for low to moderate intensity retail and office uses for the portion of the site west of Nations Crossing Road abutting I-77.

Rationale for Recommendation

- The subject site is within a 1/2-mile walk of the Woodlawn Road Station on the LYNX Blue Line.
- The proposed transit oriented development zoning is generally consistent with the long-term vision for the area to provide a high intensity mix of uses within walking distance of the transit station, although without a specified requirement for office use. The use of the more generalized TOD-M (transit oriented development –

mixed) zoning allows for more flexibility to meet changes in market demand as the station area transforms.

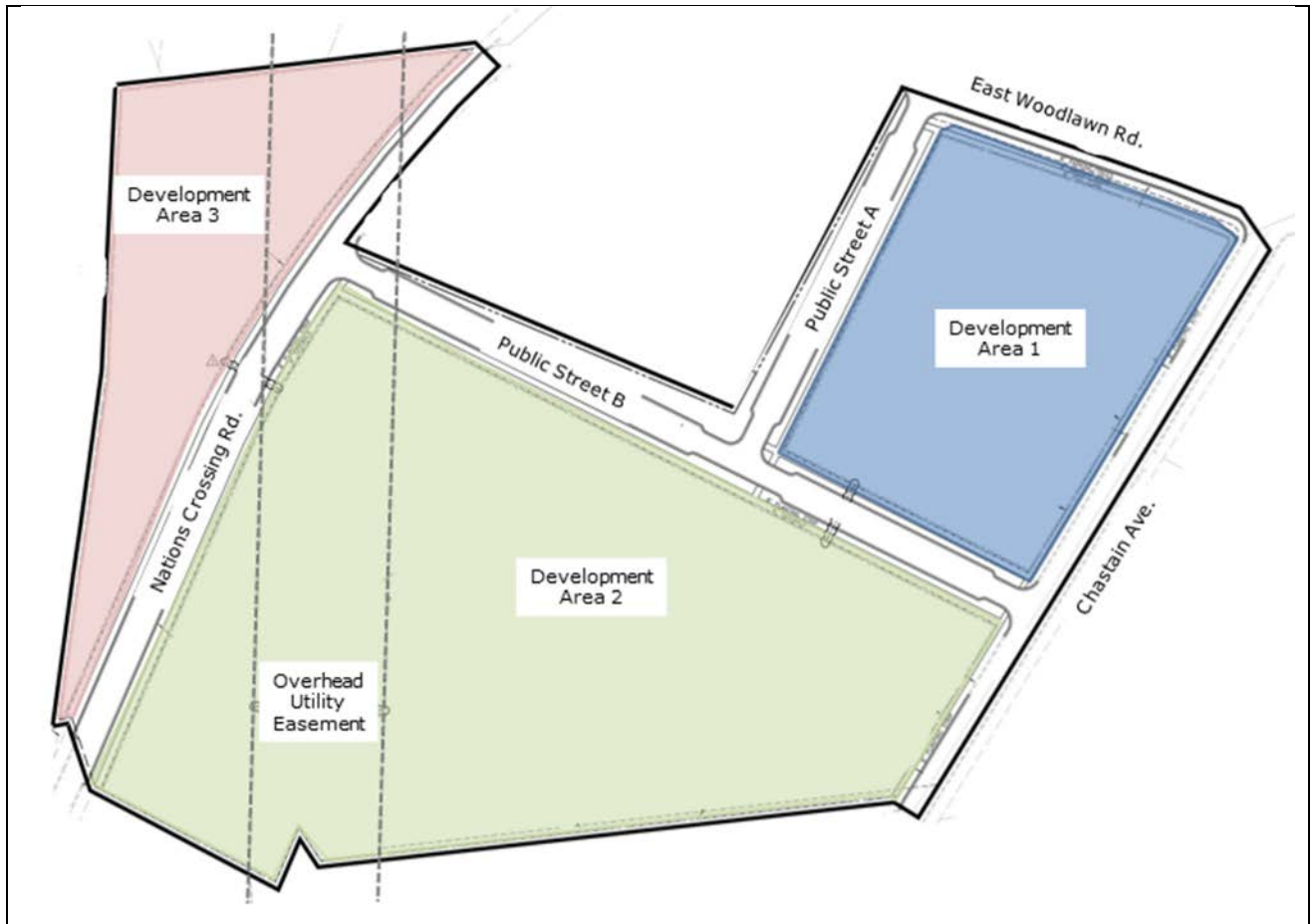
- The portion of the site west of Nations Ford Road represents a minor extension of the larger property, and can be integrated into the design for the larger site without negative impacts on other properties.
- The site plan supports increased connectivity by providing new east/west and north/south street connections and the petition will help support the transition of the area to a more walkable transit district.
- Use of conditional TOD-MO (transit oriented development, mixed-use, optional) zoning applies standards and regulations consistent with the form and intensity of transit supportive development, while also allowing development scenarios that could include the reuse of existing buildings.

### PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows all uses permitted in the TOD-M (transit oriented development - mixed-use district)
- Separates the site into three development areas as depicted below:



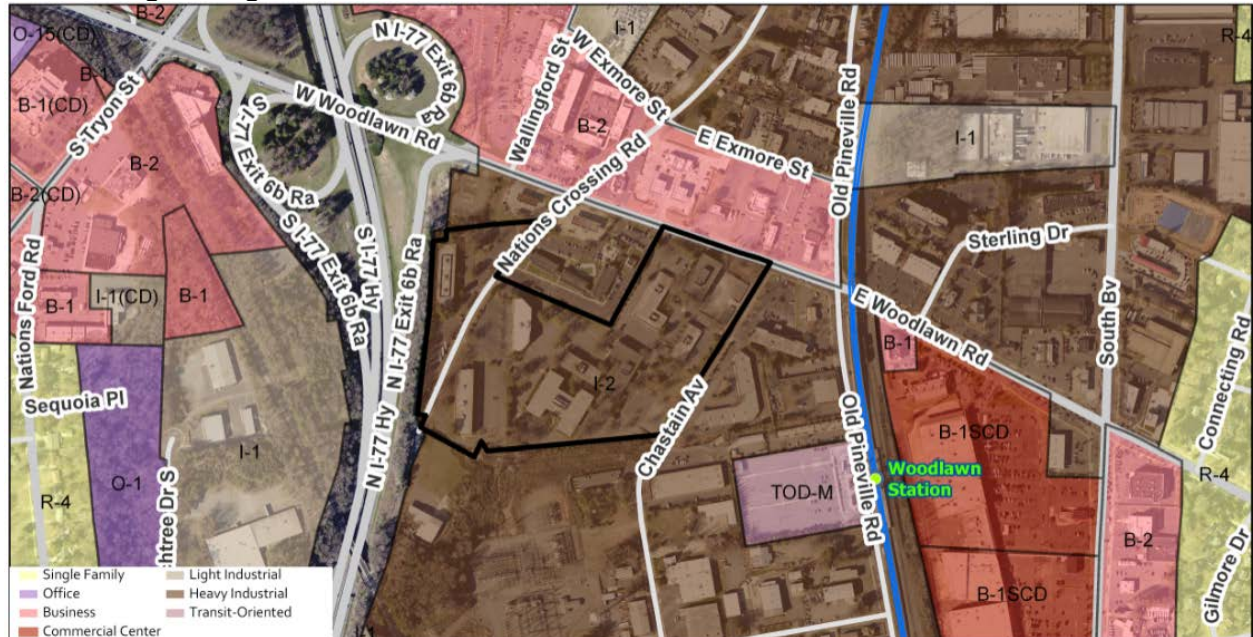
- Proposes two development options. One option contemplates redevelopment of the entire site. The second option would allow three existing buildings to be rehabilitated and reused while redeveloping the remainder of the site.
- Commits to the construction of two internal public streets, Streets A and B as shown above; both to be completed prior to the issuance of the first certificate of occupancy for a new building on the site. The connection of Street A is subject to NCDOT/ CDOT approval provided no offsite improvements other than those located at the intersection of Street A and Woodlawn are required.

- 
- Provides striping within the public right-of-way from the rezoning site across Chastain Avenue to provide a pedestrian connection to an existing pedestrian access way to the Woodlawn Transit Station.
  - Commits to the installation of ADA pedestrian ramps at the intersection of Nations Crossing Road and Woodlawn Road.
  - Provides the streetscape improvements along Development Area 2's frontage on Chastain Avenue prior to issuance of first certificate of occupancy for a new building in Area 2.
  - Redevelopment/New building (Option 1):
    - Proposes the demolition of all existing buildings and parking facilities. New buildings and parking shall be located within the building/parking envelopes depicted on the rezoning plan.
    - Provides the streetscape improvements along Development Area 1's frontage on East Woodlawn Road and Chastain Avenue prior to issuance of first certificate of occupancy for a new building in Area 2.
    - Provides the streetscape improvements along Development Area 2's frontage on Nations Crossing Road prior to issuance of first certificate of occupancy for a new building in Area 2.
    - Provides the streetscape improvements along Development Area 3's frontage on Nations Crossing Road prior to issuance of first certificate of occupancy for a new building in Area 3.
  - Reuse/Rehabilitation (Option 2):
    - Proposes the option to retain, renovate and reuse the existing buildings and parking facilities that are identified on the rezoning plan. Any buildings and parking not rehabilitated would be demolished and new buildings and parking would be located within the building/parking envelopes depicted on the rezoning plan.
    - Provides the streetscape improvements along Development Area 2's frontage on Nations Crossing Road prior to issuance of first certificate of occupancy for a new or renovated building in Area 2.
    - Provides the streetscape improvements along Development Area 3's frontage on Nations Crossing Road prior to issuance of first certificate of occupancy for a new or renovated building in Area 3.
  - Optional Provisions for Option 1 and 2:
    - Allow parking and maneuvering between buildings and setbacks along Nations Crossing Road on development areas 2 and 3 due to the overhead electrical utility easement.
    - Allow parking and maneuvering space to be located between the buildings and setbacks along Public Street A, Public Street B, East Woodlawn Road and Chastain Avenue until such time that the buildings proposed to be located adjacent to these streets are developed.
    - ~~Allow the site to not be required to meet the minimum residential density and/or minimum floor area ratio requirements.~~
    - ~~Allow parking to exceed the maximum number of off-street parking spaces for the TOD-M district.~~
  - Optional Provisions for Option 1:
    - Allow the portions of Nations Crossing Road adjacent to the Site to be improved to the Local Office/Commercial Wide street type/cross-section. Allow the center line of Nations Crossing Road to be relocated to accommodate preservation of the existing curb on the west side of Nations Crossing Road, and the petitioner may use alternative screening without a five-foot buffer to screen any surface parking facilities on Development Area 3 from Nations Crossing Road.
    - Allow the site to not be required to meet the minimum residential density and/or minimum floor area ratio requirements for individual phases.
  - Optional Provisions for Option 2:
    - Allow the portions of Nations Crossing Road adjacent to the Site to be improved to the Local Office/Commercial Wide street type/cross-section. However, if the petitioner preserves the existing building and parking in Area 3, then the center line of Nations Crossing Road may be relocated to accommodate preservation of the existing curb and adjust the planting strip width on the west side of Nations Crossing Road and the petitioner may use alternative screening without a five-foot buffer to screen any surface parking facilities on Development Area 3 from Nations Crossing Road.
    - Allow the portions of the sidewalk and planting strips located along Development Area 1's frontages of East Woodlawn Road and Chastain Avenue to be of a width that does not require the removal or modification of any portion of the existing buildings and parking facilities.
    - Allow dedication of right-of-way that does not require the removal or modification of any portions of the existing buildings, surface parking and/or structured parking to be retained on the site.
    - Allow the setbacks for existing buildings, surface parking and structured parking facilities to be the established setback and allow them to encroach into the setbacks specified under the Ordinance.



- Allow parking located to the sides of the structures to cover more than 35% of the frontage on an individual lot along Chastain Avenue. The parking will not cover more than 35% of the site's total frontage along Chastain Avenue.
- Allow the site to not be required to meet the minimum residential density and/or minimum floor area ratio requirements.
- Allow parking to exceed the maximum number of off-street parking spaces for the TOD-M district.

• **Existing Zoning and Land Use**



- The subject site is developed with an office park built in the 1970's. A couple of the buildings are occupied while the others are vacant.



The subject property is developed with the Woodlawn Green Office Park.





Aerial view of the office park.



Properties to the north are developed with a mix of retail, restaurants, and gas stations.



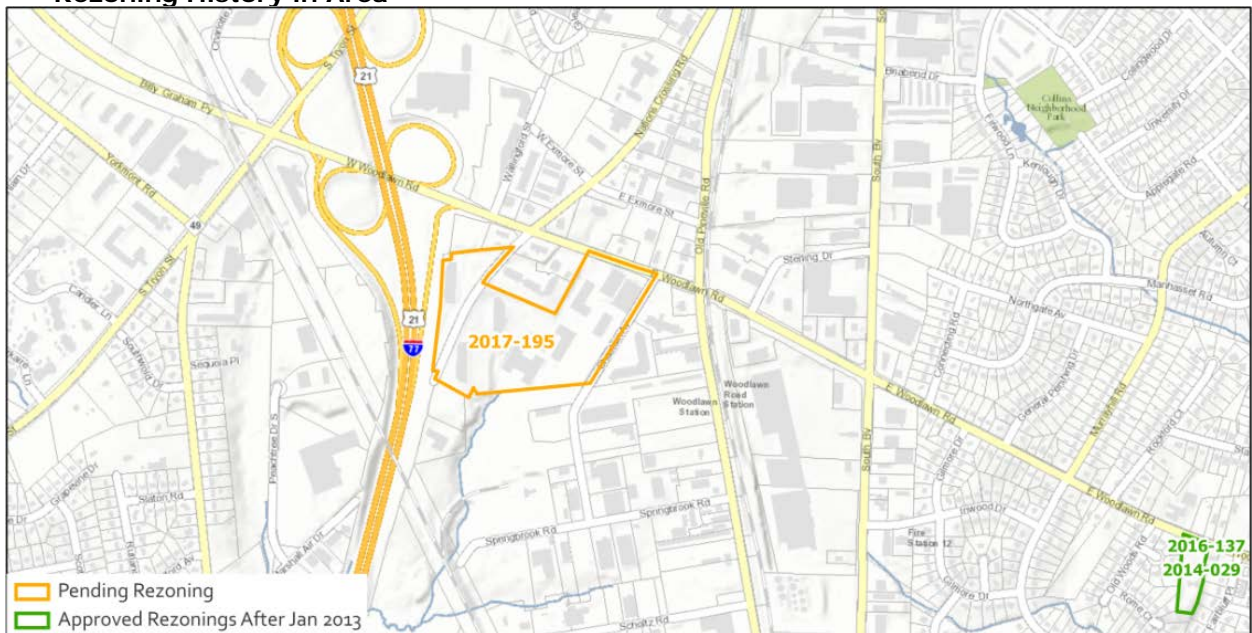
Properties to the east are developed with a mix of retail, restaurants, hotels, and office uses.





The property to the south is developed with utility, industrial and warehouse uses.

- Rezoning History in Area**



| Petition Number | Summary of Petition   | Status   |
|-----------------|---|----------|
| 2014-029        | Rezoned 1.57 acres to UR-2(CD) (urban residential, conditional) to allow a residential development with 12 multi-family units and two single family detached units. | Approved |
| 2016-137        | Rezoned 1.57 acres for a UR-2(CD) (urban residential, conditional) site plan amendment to allow 11 townhome units.  | Approved |

- **Public Plans and Policies**



- The *Woodlawn Transit Station Area Plan* (2008) recommends employment-focused transit supportive development for the majority of the subject site east of Nations Crossing Road. The plan recommends low to moderate intensity retail and office uses for parcel west of Nation Crossing Road, between Nations Crossing Road and I-77, because of its interstate highway accessibility.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located on a major thoroughfare/commercial arterial and between local streets. The development committed to provide traffic studies for the future development phases in order to provide infrastructure to support the development.
  - See Outstanding Issues, Note 7-9. Addressed.
  - **Vehicle Trip Generation:**  
Current Zoning:  
Existing Use: 3,340 trips per day (based on 341,500 square feet of office use).  
Entitlement: 3,340 trips per day (based on 341,500 square feet of office use).  
Proposed Zoning: Allows for a wide variety of uses.

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

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** No on-street parking on roads less than 26 feet clear width.
- **Charlotte-Mecklenburg Schools:** The proposed development would allow a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing twelve-inch water distribution main located along Nations Crossing Road and via an existing six-inch water distribution main located along Chastain Avenue. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing eight-inch gravity sewer main located within the rezoning boundary. Final development may have significant impact on the existing sanitary sewer system. Development is encouraged to contact Charlotte Water's New Services Group to discuss a Willingness to Serve application or a Capacity Assurance Program application as early as feasible in the development process.
- **Engineering and Property Management:**
  - **Arborist:** No trees can be removed from nor planted in the right-of-way of any existing (Nations Crossing Road and Chastain Avenue) or newly created City maintained street without explicit permission of the City Arborist's office. No trees can be removed from the right-of-way without explicit authorization from the City Arborist or his designee.  
Trees cannot be removed from or planted in the right-of-way of any state maintained streets (E. Woodlawn Road) without permission of NC Department of Transportation and the City Arborist's



office. Trees must be planted to meet NCDOT planting guidelines. Contact the City Arborist's office for a tree planting permit before planting trees in the NCDOT right-of-way once plans have been approved by the City and before planting trees in the NCDOT right-of-way.

~~See Requested Technical Revisions Note 13.~~ **Addressed.**

- **Erosion Control:** No outstanding issues.
- **Land Development:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

## OUTSTANDING ISSUES

### Site and Building Design

1. ~~Combine the two sets of development standards and clarify when there are specific notes for one development option or the other.~~ **Addressed.**
2. ~~Add a note to the plan that describes the site as a whole and that the commitments of the rezoning plan apply regardless of any subsequent sale of portions of the property.~~ **Addressed.**
3. ~~Amend the optional provisions for the new building development option to limit the application of the optional allowing parking and maneuvering space between the building and setbacks to only where the utility easement is present.~~ **Addressed, the petitioner also added an optional provision to allow parking and maneuvering between buildings and streets due to development phases.**
4. ~~Remove the optional provision to allow the site to not be required to meet the minimum density and FAR requirements under the new building option. This optional provision is only acceptable for the rehabilitation option.~~ **Addressed, the petitioner amended the provision to only apply to rehabilitation or individual development phases.**
5. ~~Remove the optional provision to allow the site to exceed the maximum number of off-street parking under the new building option. This optional provision is only acceptable for the rehabilitation option.~~ **Addressed.**
6. ~~Remove the optional provision to allow the Chastain Avenue frontage to not meet the frontage requirements under the new building option. This optional provision is only acceptable for the rehabilitation option.~~ **Addressed.**

### Transportation

7. ~~Add the following note to the Transportation section: "The petitioner shall complete a TIS and submit it to CDOT and NCDOT for review prior to any permits for new development, redevelopment or change of use, under either development option, that triggers 100 peak hour trips in the AM or PM."~~ **Addressed, the petitioner in cooperation with CDOT and Planning developed standards for a trigger for the completion of a TIS once more than 79,526 square feet of the existing buildings are reused or up to 25,000 square feet of retail and/or EDEE uses occur.**
8. ~~Revise both site plan options to show the future curb line at 38 feet from the centerline along Woodlawn Road as envisioned by the area plan with updates to the bike facility width in compliance with the recently adopted Charlotte BIKES Bicycle Plan.~~ **Addressed.**
9. ~~Revise both site plan options to show and add conditional note to commit to enhanced crossing features at Woodlawn Road and Nations Crossing Road.~~ **Addressed, the petitioner committed to install ADA compliant ramps on the southwest and southeast corners of the intersection of Nations Crossing Road and W. Woodlawn Road and to restripe the crosswalk as necessary.**

## REQUESTED TECHNICAL REVISIONS

### Site and Building Design

10. ~~Add a label to the site plan pointing to the area for proposed screening in the right-of-way abutting adjacent parcels and reference the specific notes in the development standards.~~ **Addressed.**
11. ~~Remove parcel 16903206 from being depicted as part of the rezoning on the site plans because this parcel is not included in the rezoning.~~ **Addressed.**
12. ~~Change the "a new building" to "any new building" under Transportation notes 4, I and M.~~ **Addressed.**

### Environment

13. ~~Provide a tree survey for all trees two inches in diameter at breast height (DBH) or larger located in the public right-of-way.~~ **Addressed.**



**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Pre-hearing Staff Analysis
- Post Hearing Staff Analysis
- Zoning Committee Recommendation
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Housing and Neighborhood Services Review
  - Charlotte Fire Department Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - City Arborist
    - 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