

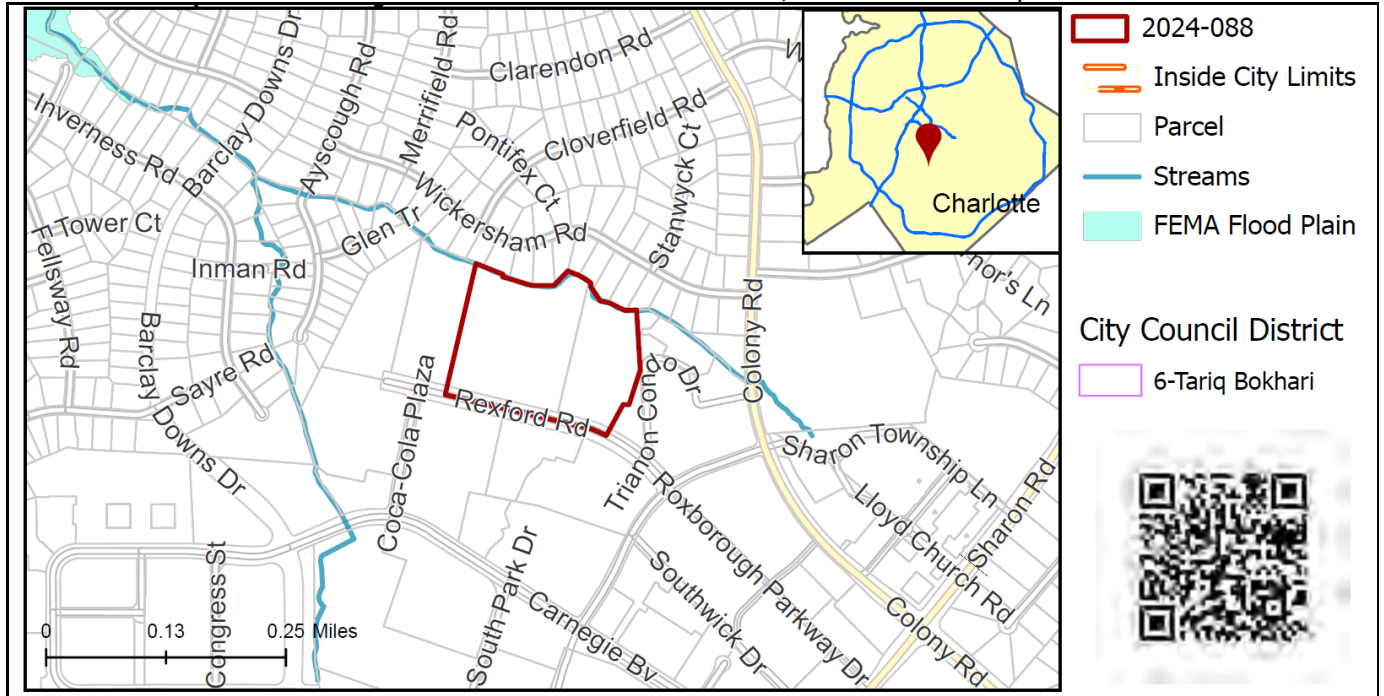
**REQUEST**

Current Zoning: O-15(CD) (Office, Conditional)

Proposed Zoning: RAC(EX) (Regional Activity Center, Exception)

**LOCATION**

Approximately 15.98 acres located along the north side of Rexford Road, south of Wickersham Road, and west of Colony Road.



**SUMMARY OF PETITION**

The petition proposes a mixed-use development including multi-family, office, and retail uses on a site that is currently developed with two office buildings.

**PROPERTY OWNER**

2101 Rexford Owner, LLC and Rexford Office Venture II, LLC

**PETITIONER**

Childress Klein

**AGENT/REPRESENTATIVE**

Bridget Grant, Moore & Van Allen, PLLC

**COMMUNITY MEETING**

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

Number of people attending the Community Meeting: 33

**STAFF RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the 2040 Policy Map recommendation for the Regional Activity Center Place Type.

Rationale for Recommendation

- The site is designated as the Regional Activity Center (RAC) Place Type by the 2040 Policy Map. The RAC Place Type calls for a mix of uses such as office, multi-family residential, and retail and is characterized by urban form with mid-to high-rise commercial and residential buildings.
- The site is currently developed with two aging office buildings, one of which will be retained, and most of the site's land area is built as underutilized surface parking lots.
- The site is primarily surrounded by nonresidential developments and the immediate area has relatively little housing. The proposed plan would increase the number and variety of housing types in the area.

- Three public benefits are proposed as part of this Exception (EX) request under the categories of sustainability, public amenity, and city improvements including: a commitment that new residential buildings will be built to National Green Building Standards (NGBS), or equivalent. A publicly accessible open space, that exceeds the ordinance requirements, will be constructed. And dedication of funds to a community organization to be used for public improvements.
- The site is within a short walk, bike, or bus ride of dining, shopping, and groceries within the surrounding Regional Activity Center.
- The site is adjacent to the proposed route of the SouthPark Loop trail.
- The site is served by the number 20 CATS local bus providing service between the Charlotte Transit Center and Quail Corners Shopping Center. The site is also located within walking distance of the SouthPark Community Transportation Center providing service to the 19, 28, 30, 57 CATS buses.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
  - 1: 10 Minute Neighborhoods
  - 4: Trail & Transit Oriented Development
  - 5: Safe & Equitable Mobility

## PLANNING STAFF REVIEW

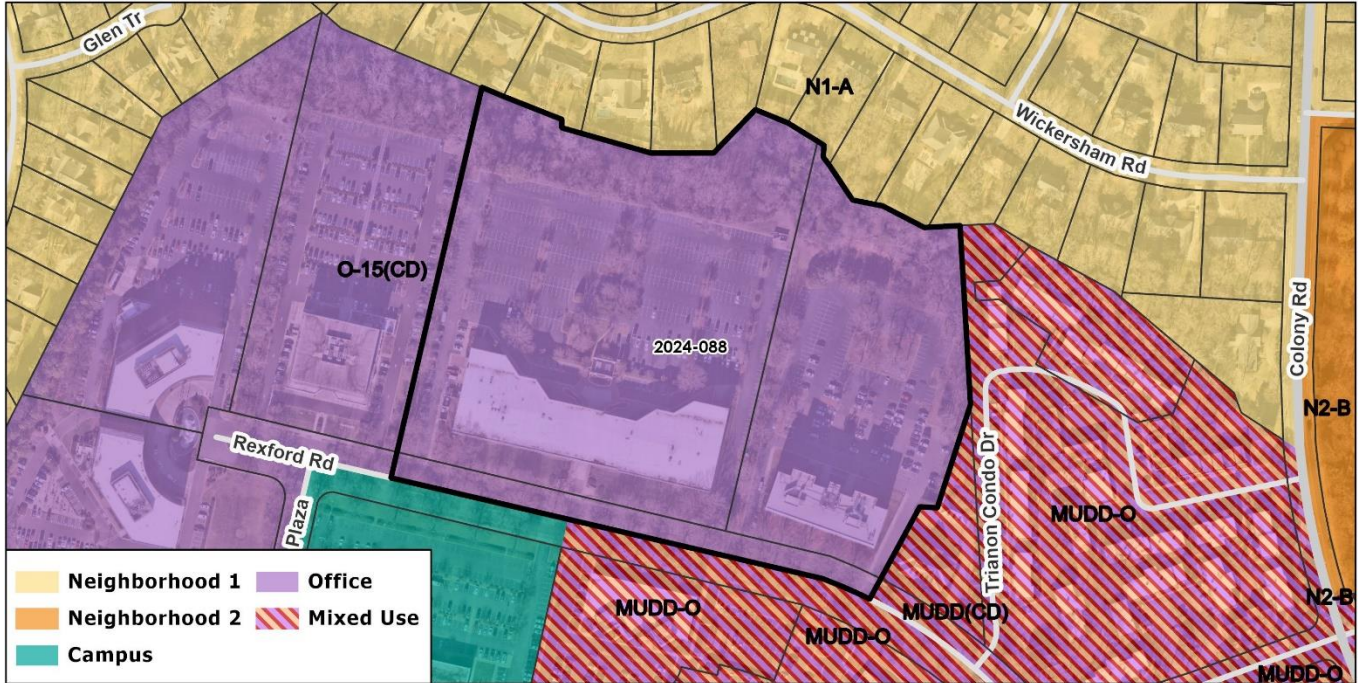
### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

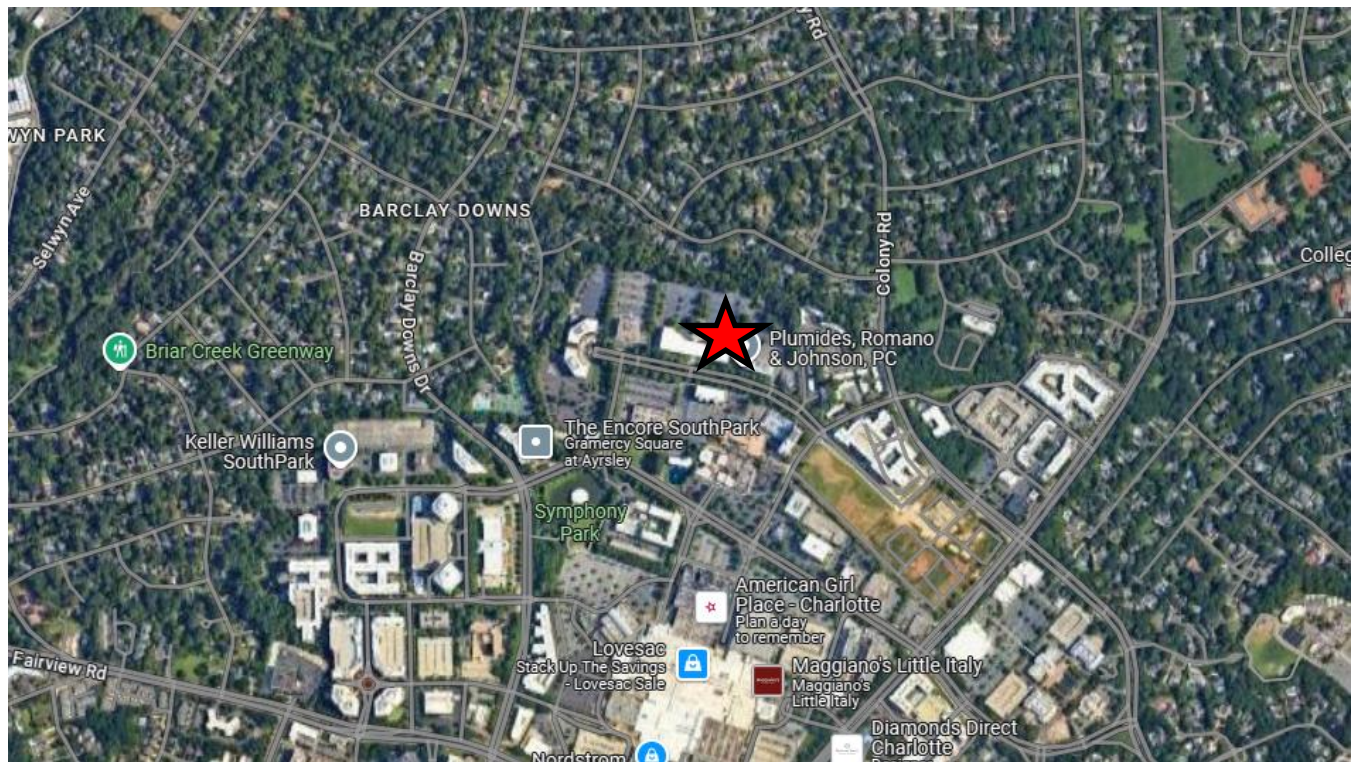
- Proposes to allow uses permitted in the Regional Activity Center (RAC) zoning district including up to 675 multi-family residential units and 277,000 square feet of office **with office to residential conversion rights**, as well as up to 3,000 square feet of commercial uses including restaurant.
- **Conversion rights, if utilized would permit up to 200,000 sq.ft. of office to be converted into 300 residential units.**
- The petitioner is requesting 5-year vested rights.
- The site is divided into 4 Development Areas: Blocks 1, 2, 3, and 4.
  - Blocks 1, 2, and 3: may allow up to 675 multi-family dwelling units and a portion of the 3,000 square feet of commercial uses as subject to the permitted uses, development limitations, and conversion rights as outlined on the conditional plan (see additional detail below).
  - Block 1: may contain up to 200,000 square feet of office or utilize conversion provisions to develop as multi-family, the site shall not exceed **975 dwelling units if conversion rights are utilized.**
  - Blocks 2 and 3: will be limited to multi-family and a portion of the commercial space.
  - Block 4: contains an existing 77,000 sq.ft. office building which will remain.
- Proposes to allow the conversion of uses as follows:
  - Up to 200,000 square feet of office may be converted into up to 300 multi-family dwelling units at a rate of 1 dwelling unit per 667 square feet of office space.
    - Office to residential conversions shall be limited to Block 1.
    - **The conversion of office to residential use in Block 1 may not occur within 5 years from the rezoning approval date.**
- Requests Exception (EX) provisions and specifies that the required public benefits will include sustainability, public amenity, **and city improvements** as outlined by Article 37 of the UDO:
  - The petitioner will construct new residential buildings to National Green Building Standards (NGBS), or equivalent, and;
  - Create a publicly accessible open space that exceeds the ordinance requirements.
  - **Contribute \$10,000 to SouthPark Community Partners to support mobility, public art and/or open space initiatives.**
- The following exceptions are requested:
  - EX provision to Article 12.3.D (table 12-3 A): Block 4 is bound by three frontages and all three frontages will be allowed to utilize the provision that open space may substitute for the building width as a percentage of lot width along a frontage.
    - Open space will be a minimum of 50 feet in depth along Public Street A and 20 feet in depth along Rexford Road and Public Street B. However, if a retaining wall is required along Public Street B this may be reduced to 10 feet when accompanied by enhanced landscaping.
  - EX provision to Article 12.3.D (table 12-3 E): the minimum ground floor height of residential buildings may be reduced from 12 feet to 10 feet 8 inches.

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- EX provision to Article 12.3.G.2 (table 12-7): due to topography 15% of the residential ground floor entrance within 10 feet of the back of sidewalk will not be between 1 and 5 feet above, or 1 to 3 feet below, sidewalk grade. 85% of the entrance will comply with this standard.
  - EX provision to Article 19.6.A.2.A (table 19-4 Part 2): surface parking located within Block 4 will be located behind open space, as outlined in the first EX provision (to Article 12.3.D Table 12-3 A), rather than behind the established setback as Block 4 is the site of an existing building.
  - EX provision to Article 19.7.C.2: Block 1 will have 30% ground floor activation along the secondary frontage (Public Street A) and Block 3 will have 30% ground floor activation along both the primary (Public Street B) and secondary (Public Street G) frontages. The UDO requires 90% ground floor activation along a primary frontage and 60% along a secondary.
  - Proposes the following site and building design standards:
    - Maximum building heights are as follows:
      - Buildings shall be limited to 65 feet in height within 200 feet of the abutting Neighborhood 1 Place Type along the site's northern boundary.
      - Blocks 2 and 3 are limited to 100 feet in height.
      - Blocks 1 and 4 shall meet the standards for the UDO.
    - The petitioner will provide a minimum 0.5 acre publicly accessible open space containing outdoor dining areas, seating areas, and a retail kiosk in addition to other private green areas and open space.
      - Grass will be planted in the publicly accessible open space prior to the first certificate of occupancy (CO) for a new building on the site. The open space will be fully developed prior to the second CO for a new building on the site.
    - The number of principle buildings will not exceed 4, including the existing building located within Block 4.
    - A minimum 20-foot setback with an 8-foot sidewalk/8-foot planting strip will be provided along the site's frontage on Rexford Road.
    - A minimum 20-foot setback will be provided along the primary frontages and a 16-foot setback along the secondary frontages of the site's internal network required streets as depicted on the site plan. These setbacks will include an 8-foot sidewalk and either an 8-foot planting strip or an 8-foot amenity zone.
    - A 100-foot no build zone/potential green area will be provided within 100 feet of the site's northern boundary abutting the Neighborhood 1 Place Type.
    - A 25-foot Class B Landscape yard will be provided along the site's eastern boundary adjacent to the abutting Neighborhood 2 Place Type.
  - Proposes the following transportation improvements:
    - Access to the site will be primarily provided from Rexford Road as generally depicted on the site plan.
    - All required rights-of-way and external transportation improvements will be completed and dedicated to CDOT prior to the issuance of the first certificate of occupancy (CO).

• Existing Zoning



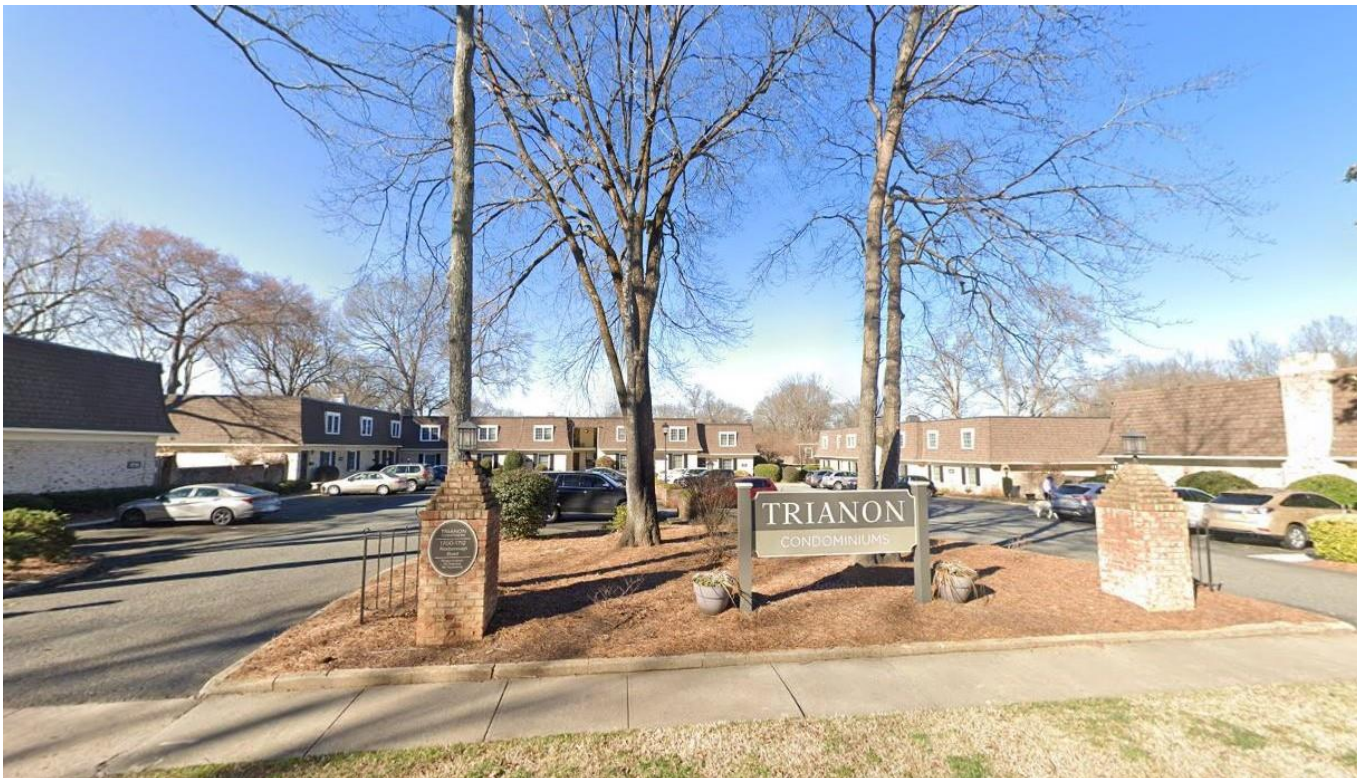
The site is currently zoned O-15(CD) (Office, Conditional) and is adjacent to other sites zoned O-15(CD) to the west, MUDD-O (Mixed-Use Development District, Optional) to the east and south, MUDD(CD) (Mixed-Use Development District, Conditional) to the east, OFC (Office Flex Campus) to the south, and N1-A (Neighborhood 1-A) to the north.



The site (indicated by red star above) is located along the north side of Rexford Road, south of Wickersham Road, and west of Colony Road.



View of the site looking north from Rexford Road. The site is developed with two office buildings.



View of the Trianon condominiums located east of the site at the intersection of Roxborough and Rexford Road. The site is zoned MUDD-O and is proposed to be redeveloped as a mixed-use development per approved rezoning Petition 2022-080.



View of an apartment building located in a mixed-use development located east of the site at the corner of Roxborough and Colony Roads. This represents a shift in the area from primarily single-use sites to more mixed-use developments.

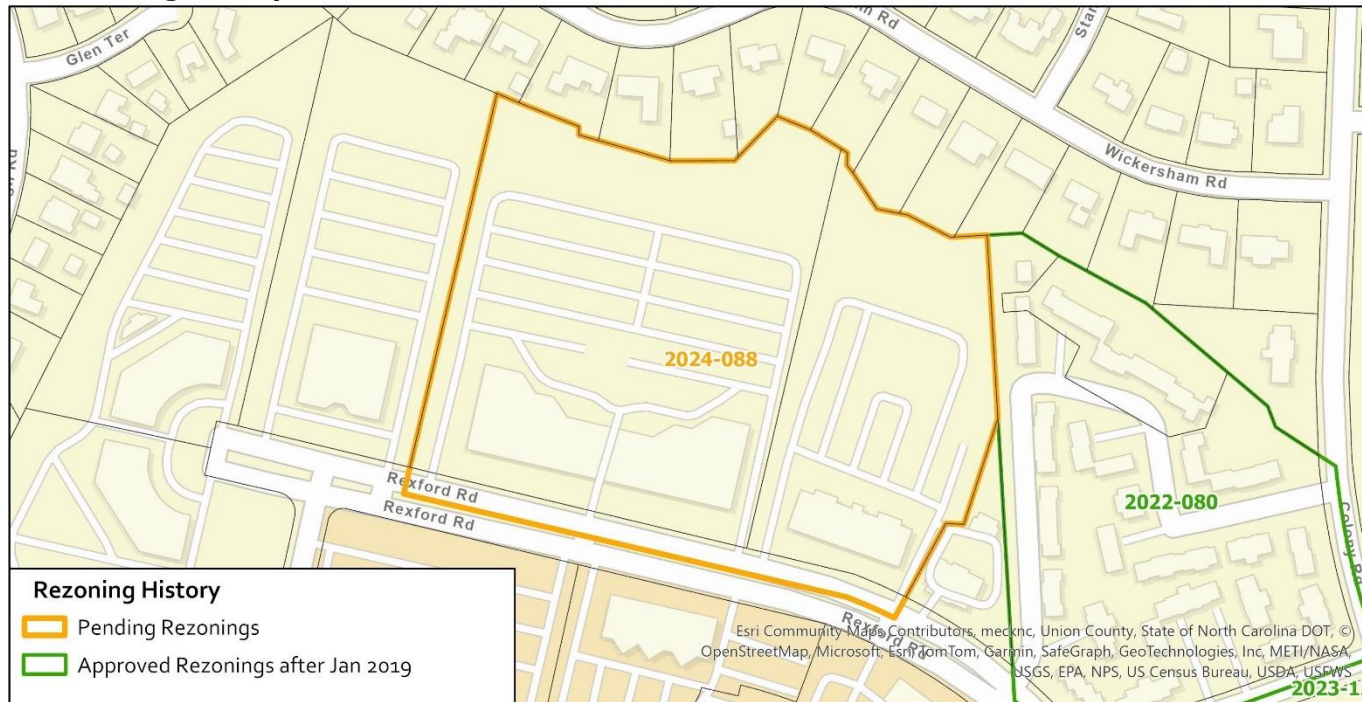


View of the AC Hotel located southeast at the corner of Rexford and Roxborough Roads.



View of office buildings located west of the site at the intersection of Rexford Road and Coca-Cola Plaza. The development pattern is typical of the area.

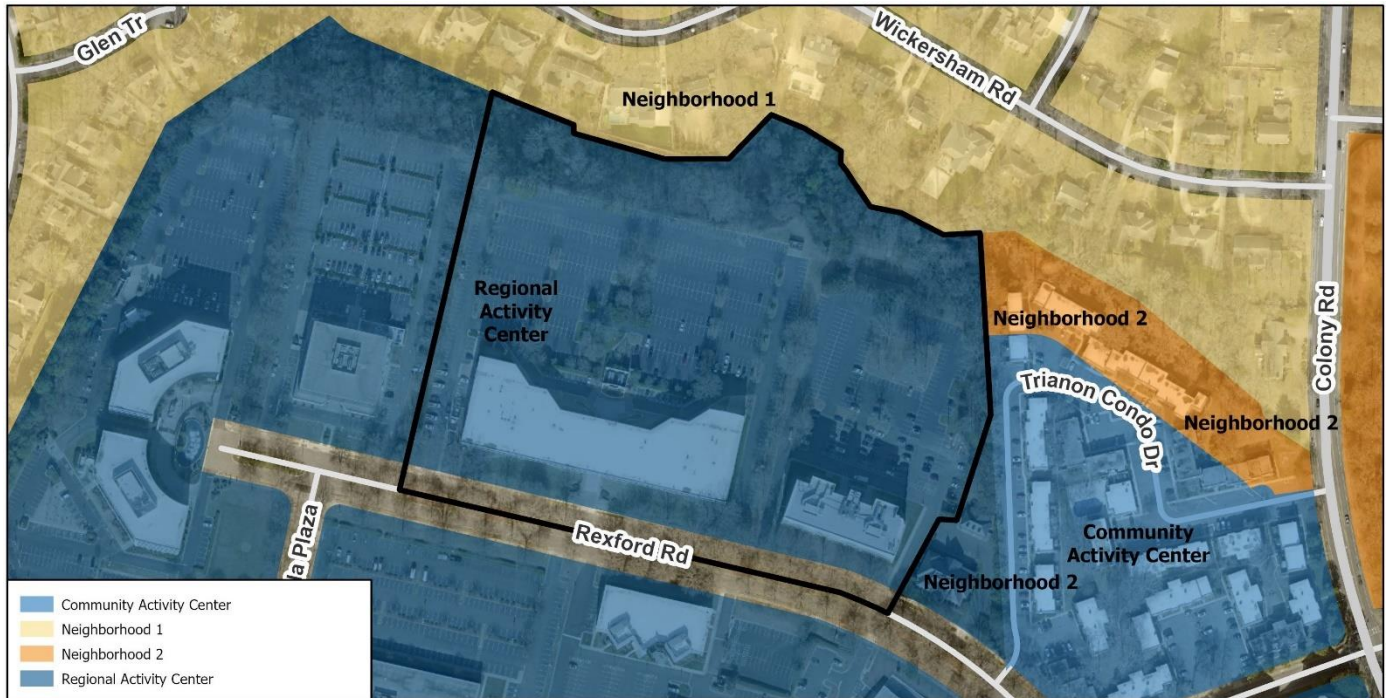
• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2022-080	9.13 acres bound by the north side of Roxborough Road, west side of Colony Road, and east side of Rexford Road, south of Wickersham Road. Permitting up to 60,000 sq.ft. of commercial and 754 residential units plus conversion rights. From R-17MF to MUDD-O.	Approved

2023-128	27 acres located along the southeast side of Roxborough Road, the southwest side of Colony Road, and the northwest side of Sharon Road. From MUDD-O to MUDD-O SPA.	Approved
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- **Public Plans and Policies**



- The 2040 Policy Map (2022) calls for the Regional Activity Center Place Type for this site.

- **TRANSPORTATION SUMMARY**

- The site is located adjacent to Rexford Road, a City-maintained local street, west of Sharon Rd, a City-maintained boulevard. A Comprehensive Transportation Review (CTR) is required for this site due to the site falling within the medium to high intensity development. Based on the 1,542 daily trips, this will trigger a Tier 3 multimodal assessment and Tier 3 transportation demand management (TDM). Site plan and/or conditional note revisions are tried to commit to dedicating ROW and SUE.

- **Active Projects:**

- CIP: Cultural Loop Vision Framework Plan (SouthPark CNIP)
  - Location Description: SouthPark Area
  - Project Description: Create a framework plan laying out the vision and programming for a bicycle and pedestrian path that will connect neighborhoods, shops, restaurants, hotels, and parks in the SouthPark activity center.
  - Project Type: Public-Private Partnership
  - Project Phase: Complete
  - Anticipated Completion Date: Mid 2019
  - PM: Natalie King – Natalie.King@charlottenc.gov

- **Transportation Considerations**

- See Outstanding Issues, Note 1.

- **Vehicle Trip Generation:**

Current Zoning: O-15(CD)  
 Existing Use: 2,937 trips per day (based on 290,750 sq.ft. of general office).  
 Entitlement: 2,937 trips per day (based on 290,750 sq.ft. of general office).  
 Proposed Zoning: RAC(EX). 3,819 trips per day (200,000 sq.ft. general office and 675 dwelling units).

**DEPARTMENT COMMENTS**

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.



- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Development allowed with the proposed zoning may produce 231 students.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Selwyn Elementary from 90% to 105%
    - Alexander Graham Middle from 100% to 104%
    - Myers Park High from 119% to 121%.
- **Charlotte Water:** Accessible water system infrastructure for the rezoning boundary via an 8-inch water distribution main located along Rexford Rd. Accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located inside parcel 17708216. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No outstanding issues.
- **Long Range Planning:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.
- **Stormwater Services Land Development Engineering:** See advisory comments at [www.rezoning.org](http://www.rezoning.org).
- **Urban Forestry / City Arborist:** No outstanding issues.

#### OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING

##### Transportation

1. ~~CDOT: Revise site plan and conditional note(s) to commit to dedicate right-of-way from the road centerline to the back of 8' sidewalk. The proposed future right-of-way should be dimensioned on plans and SUE should be added from the back of 8' sidewalk to 2' behind sidewalk.~~ **Addressed**

##### Site and Building Design

2. ~~Entitlement Services: the number of public benefits should be increased, such as city benefits like new construction or improvements to existing streets, medians, pedestrian pathways, bike paths, pedestrian drop-off areas, or transit stops to better match the number and scope of the requested exception (EX) provisions.~~ **Addressed**
3. ~~Entitlement Services: the proposed open space public benefit should be developed prior to the issuance of a Certificate of Occupancy (CO) for the first new building rather than the second new building.~~ **Addressed**
4. ~~Entitlement Services: the percentage of ground floor activation should be increased beyond the proposed 30% where feasible as requested by EX provision V.~~ **Addressed**
5. ~~Entitlement Services: the conversion of all 200,000 square feet office proposed for Block 1 is too much. A mix of uses should be maintained in Block 1 if the office use is converted to residential.~~ **Addressed**

#### REQUESTED TECHNICAL REVISIONS PRIOR TO PUBLIC HEARING

##### Site and Building Design

6. ~~Entitlement Services: the NGBS acronym should be spelled out a "National Green Building Standards."~~ **Addressed**

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**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**  
**Planner:** Maxx Oliver 704-336-3818