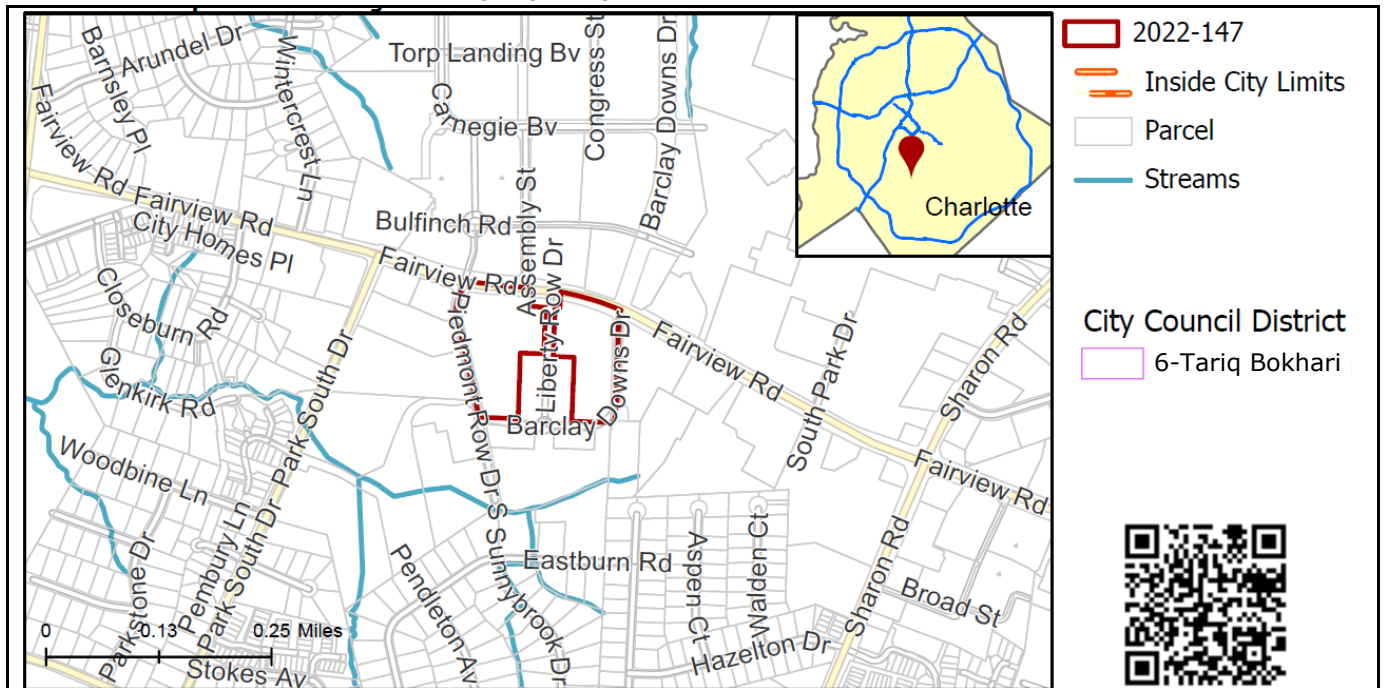


REQUEST

Current Zoning: OFC (office flex campus)
Proposed Zoning: MUDD-O (mixed used development, optional)

LOCATION

Approximately 9.94 acres bound by the south side of Fairview Road, east side of Piedmont Row Drive South, and the north and west side of Barclay Downs Drive.



SUMMARY OF PETITION

The petition proposes redevelopment of parking decks and modifications to existing development to accommodate additional mix of uses including residential, medical office and retail in addition to the existing EDEE use and office buildings on the site in South Park.

PROPERTY OWNER

SouthPark Towers PropCo, LLC

PETITIONER

SouthPark Towers PropCo, LLC

AGENT/REPRESENTATIVE

Collin Brown and Brittany Lins / Alexander Ricks

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 27

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

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

Rationale for Recommendation

- The site is developed with existing office towers with ground floor EDEE use and parking structures.
- The site is in the South Park Regional Activity Center a place type intended for high intensity mixed use development in a walkable form.
- The petition increases the mix of uses on the site.
- The petition would create more opportunities for residents in the area to work, eat and shop.

- The petition improves walkability in the area by installing SouthPark Loop trail along Piedmont Row Dr. and a multi-use path along Fairview Rd. and makes improvements to crosswalks at multiple locations.
- The petition could improve the pedestrian realm through redevelopment that meets MUDD standards, and the replacement of surface parking areas aging parking structures.
- There is bus service for two bus routes (19 and 57) adjacent to the site.
- The proposed increase in allowed building height from 120 ft to 220 ft is offset by commitments to additional open space and provisions for electric vehicle charging.
- Nearest single family home is over 450 ft away on Fairheath Rd.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion
 - 4: Trail & Transit Oriented Development
 - 5: Safe & Equitable Mobility
 - 6: Healthy, Safe & Active Communities

PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

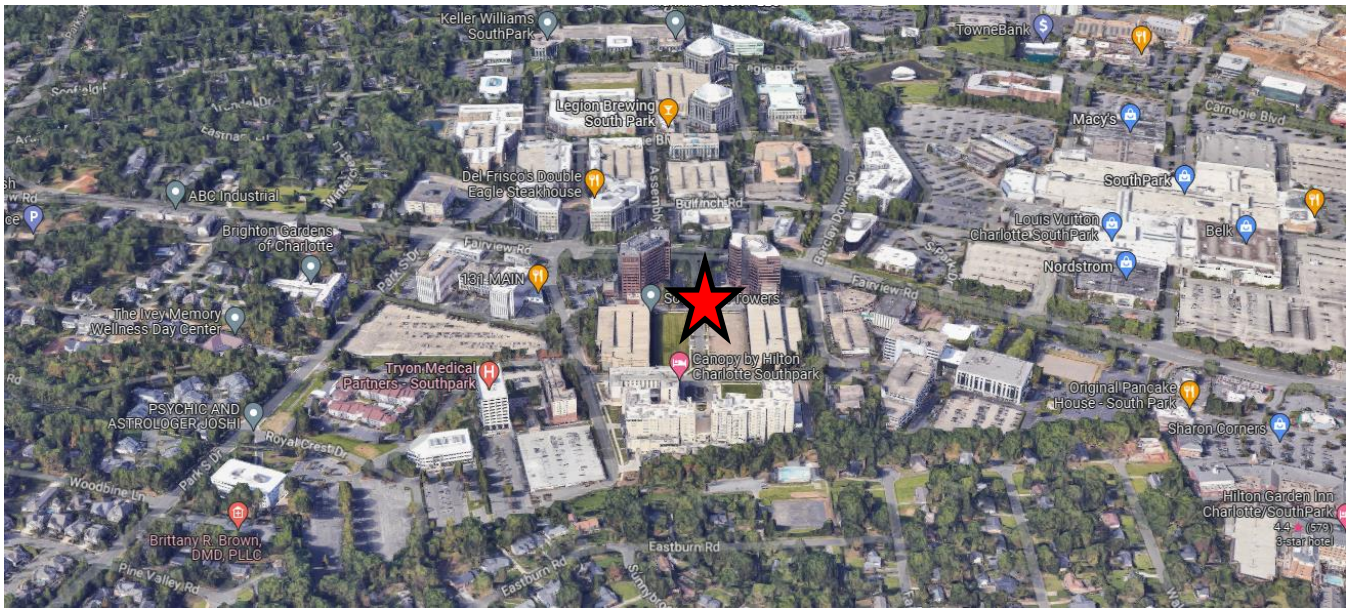
- Established 4 development areas (Areas A and B along Fairview Rd with existing office towers and EDEE use and Areas C and D to the rear with existing parking decks).
- Contains 535,000 sqft of existing office uses and 13,000 sqft of existing EDEE uses to remain in Areas A and B.
- Up to 112,000 sqft of medical office or 224 hotel rooms subject to conversions in Area A, 300 multi-family dwelling units in Areas C and/or D, 25,000 sqft of retail, EDEE, personal service or other commercial uses in Areas A, B, C and/or D.
- Allows conversion of unused medical space to lodging at a rate of 500 sqft to 1 room in Area A. Unused medical office may be converted to retail at a rate of 1 sqft of medical office to 1 sqft of retail, and if medical office is converted to lodging any unused lodging may be converted to retail at a rate of 1 room to 500 sqft of retail; however, the amount of retail converted shall not exceed 15,000 sqft.
- Prohibits car washes, automobile service stations, EDEEs with accessory drive-through service windows, and climate controlled self-storage.
- Vehicular access from existing access points indicated on the site plan along Piedmont Row Dr, Barclay Downs Dr and internal existing access easements connecting to Fairview Rd, Barclay Downs Dr. and Piedmont Row Dr.
- Commits to off-site transportation improvements per the traffic study including signal and crossing modifications at Fairview Rd/ Tyvola Rd/ Park Rd. intersection and signal modifications and LOOP branded crosswalks at Fairview Rd/ ~~Park S Dr.~~ **Piedmont Row Drive.** intersection **within 24 months of first building permit.**
- Installs SouthPark Loop (12 ft wide urban trail and 8 ft wide planting strip where feasible) along the site's frontage of Piedmont Row Dr. and may meander to avoid utilities and preserve existing trees.
- Installs 2 benches and a bike rack at Piedmont Row Dr and Fairview Rd.
- Commits to work with adjacent property owner on Loop segments and provides necessary easements along Barclay Downs Drive.
- Provides the following Loop Commitment Timing Triggers:
 - Petitioner shall provide a right-of-way easement for the Loop area commitments along Piedmont Row Drive and Fairview Road prior to the issuance of a new building permit or change of use permit within Development Area B for Retail/EDEE uses. As part of this easement, the Petitioner shall allow the City to install Loop-branded furniture on the Site near the corner of Fairview Road and Piedmont Row Drive, or as otherwise mutually coordinated through the City's funding and installation.
 - Prior to the issuance of a certificate of occupancy for new construction within Development Area A of less than or equal to 50,000 square feet of gross floor area (currently contemplated as a Retail/EDEE building), Petitioner shall fund crosswalk and traffic signal improvements at Piedmont Row Drive, including branded Loop design.
 - Prior to the issuance of a certificate of occupancy for new construction in Development Area C or D, or new construction exceeding 50,000 square feet of gross floor area in Development Area A (excluding renovations, modifications, or replacement of existing structures), Petitioner shall contribute funds sufficient to construct 770 linear feet of Loop improvements, payable to SouthPark Partners. Such contribution shall be based on a timely construction estimate provided by a third party contractor mutually agreed upon by the Petitioner and SouthPark Partners.

- Installs a 12 ft multiuse path and 8 ft planting strip along the Fairview Rd. and a minimum of 8 ft planting strip and 5 ft wide sidewalk along Barclay Downs Dr. to meander to avoid utilities and preserve existing trees.
- Upgrades ramps and crosswalks across Fairview Rd and Piedmont Row Dr to match multi-use paths.
- Constructs new ADA compliant CATS bus pad at current bus stop location.
- Provides design guidelines for new construction on the site including specifying allowed building materials, activating facades fronting public streets, screening for exposed multi-level parking decks, locating solid waste facilities internal to the structures or screening from view from network required public/private streets.
- Petitioner will make effort to design and construct buildings following green building guidance and commits to installing EV charging in new parking decks at a ratio of 2% of spaces provided and provisions for future charging stations at a ratio of 5% of total parking spaces.
- Provides two times the amount of open space required for new buildings over 50,000 sqft. Open space may be phased with the completion of each new building over 50,000 sqft.
- Requests the follow optional provisions:
 - Increase the maximum height from 120 ft to 220 ft.
 - Allow existing parking and maneuvering to remain in Area A until the parking area is redeveloped.
 - To not require existing parking structures to meet MUDD standards.

• **Existing Zoning**



- The site is currently zoned OFC, developed with office buildings. In the area is additional office flex campus zoning, MUDD zoning and commercial center zoning developed with a range of residential, office and commercial uses.



The site (indicated by red star above) is in an area with a mix of uses including office, retail, residential, all part of the South Park area.



The site is developed with two office towers and supporting parking structures. The construction seen in the center of the image above is entitled through an adjacent MUDD-O zoning petition 2006-166.



North of the site, across Fairview Rd., are office, medical office and financial institution uses.



East of the site, across Barclay Downs Dr, is a financial institution and parking structure.

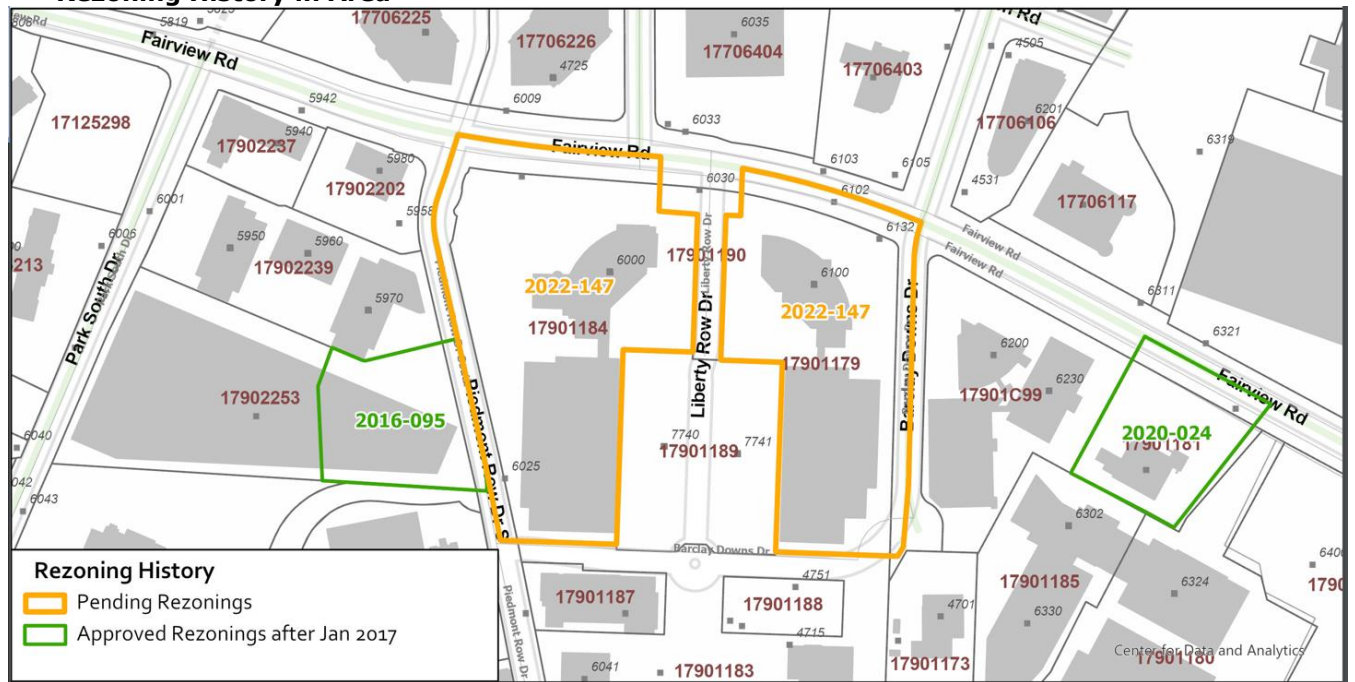


South of the site along Liberty Row and across Barclay Downs Dr. are residential, commercial and hotel uses approved by petition 2006-166. The buildings in the background are complete, the buildings in the foreground are under construction.



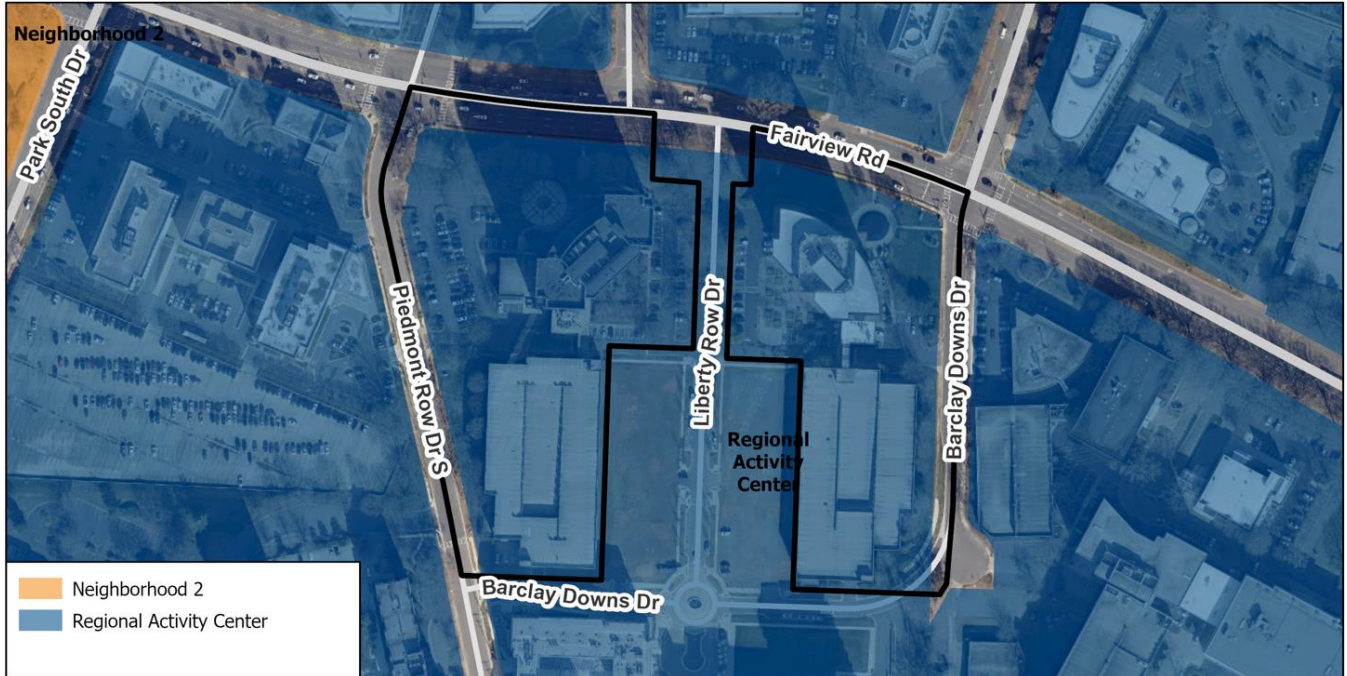
West of the site, across Piedmont Row Dr. are office, EDEE and financial institution uses.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2016-095	1.62 acres west of the site, across Piedmont Row Dr S. to MUDD-O to allow redevelopment of a portion of an existing parking structure for a hotel and retail use, up to 150 ft in height	Approved
2020-024	1.82 acres east of the site, on Fairview Rd. to MUDD-O to allow up to 325 dwellings and 1,500 sqft of non-residential, up to 185 ft in height	Approved

• **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends Regional Activity Center for the site.

• **TRANSPORTATION SUMMARY**

- The petition is located on the south side of Fairview Road, a City maintained major throughfare east of Piedmont Road Drive, a private-maintain local street. The Traffic Impact Study has been completed for this site. The site plan commits to installing LOOP branded Multi-Use Path to assist with the CNIP Southpark project, 12-foot multi-use path along Fairview Road, LOOP branded furnishings, and incorporates mitigations from the TIS. There are no further outstanding comments.

• **Active Projects:**

- Cultural Loop Implementation P3 Opportunities (South Park CNIP)
 - Funding set aside for public/private partnerships to construct projects within the SouthPark CNIP Area. Potential projects include The LOOP and Symphony Park.

• **Transportation Considerations**

- See Outstanding Issues, Note 1 and 2: [Addressed](#)

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 4,140 trips per day (based on 431,244 sqft of office).

Entitlement: 1,645 trips per day (based on 149,100 sqft of office).

Proposed Zoning: 6,870 trips per day (based on 112,000 sqft medical office, 25,000 sqft retail and 300 multi-dwelling units).

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 146 students, while development allowed with the proposed zoning may produce 103 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is 0 students.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Sharon Elementary from 154% to 164%
 - Alexander Graham Middle from 108% to 109%
 - Myers Park High from 120% to 121%.

- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Fairview Road, an existing 8-inch water distribution main located along Barclay Downs Drive, and an existing 8-inch water distribution main located along Piedmont Row Drive South. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Fairview Road. See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Stormwater Services Land Development Engineering:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

1. ~~Revise site plan and conditional note(s) to commit to dedicate 63 feet of right-of-way from the Fairview Road centerline. The site plan shall label and dimension the right-of-way from the road centerline. Addressed~~
2. ~~Update conditional note V.d.ii.iii. to change "WB" to "EB" as the southern crosswalk is along the eastbound direction on Fairview Road. Addressed~~

Site and Building Design

3. ~~Design standards are inadequate. If the petitioner does not want to incorporate new UDO standards, reference and incorporate standards from RZP 2020-059 as a baseline. Addressed~~
4. ~~Amend Design guideline note b.7 to specify a building height in feet for stepbacks rather than stories. Addressed~~
5. ~~Amend references to "primary building façade" throughout the design guidelines and use "elevations facing public rights-of-way" or define primary building façade and highlight locations on the site plan. Addressed~~
6. ~~Remove or amend the last sentence of Transportation note V.d. related to trigger Loop commitments. Addressed.~~

REQUESTED TECHNICAL REVISIONS

Site and Building Design

7. ~~Amend the optional provision #2 related to existing parking to include Area B as there is existing parking between the building and Barclay Downs Dr. Addressed~~
8. ~~Include note that any changes to the existing buildings will not increase their degree of nonconformity. Addressed~~

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org

Planner: John Kinley (704) 336-8311