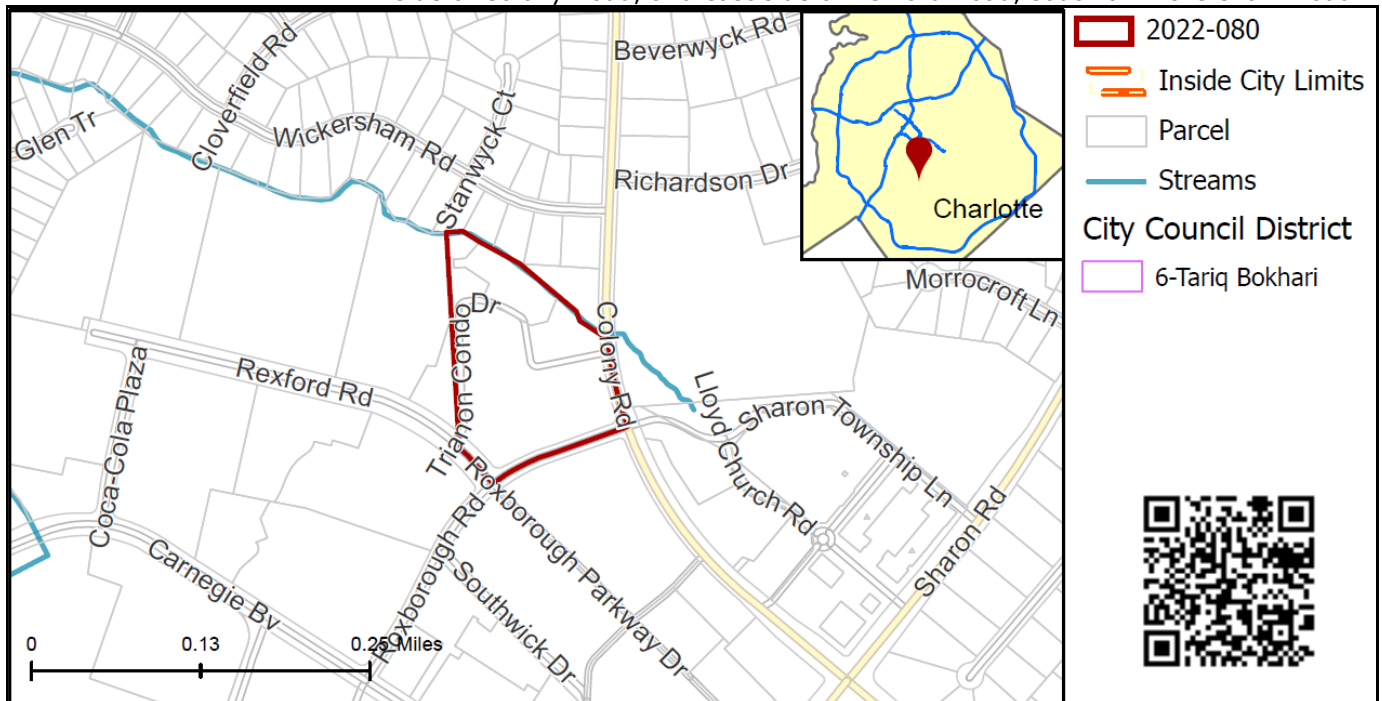


## REQUEST

Current Zoning: R-17MF (multi-family residential)  
Proposed Zoning: MUDD-O, 5-year vested rights (Mixed use development, optional, 5-year vested rights)

## LOCATION

Approximately 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.



## SUMMARY OF PETITION

The petition proposes to redevelop a group of condominiums with a mixed-use development including non-office commercial uses, eating/drinking/entertainment establishments, and residential uses located at the edge of South Park just south of the Barclay Downs neighborhood.

## PROPERTY OWNER

Trianon Condominium Association, Ltd.

## PETITIONER

RD Southpark, LLC

## AGENT/REPRESENTATIVE

Jeff Brown & Bridget Grant/ Moore & Van Allen

## COMMUNITY MEETING

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 89

## STAFF RECOMMENDATION

Staff recommends approval of this petition.

### Plan Consistency

The petition is **consistent** with the 2040 Policy Map recommendation for Neighborhood 2 place type for Development Areas C and **inconsistent** with the map recommendation for Development Areas A and B.

### Rationale for Recommendation

- Historically recognized as part of the South Park Activity Center, this site serves as an edge of the Regional Activity Center and existing single-family neighborhoods north of South Park.
- The site is located adjacent to the Regional Activity Center (RAC) place type to the south and west, and to the north by the Neighborhood 1 (N1) place type.

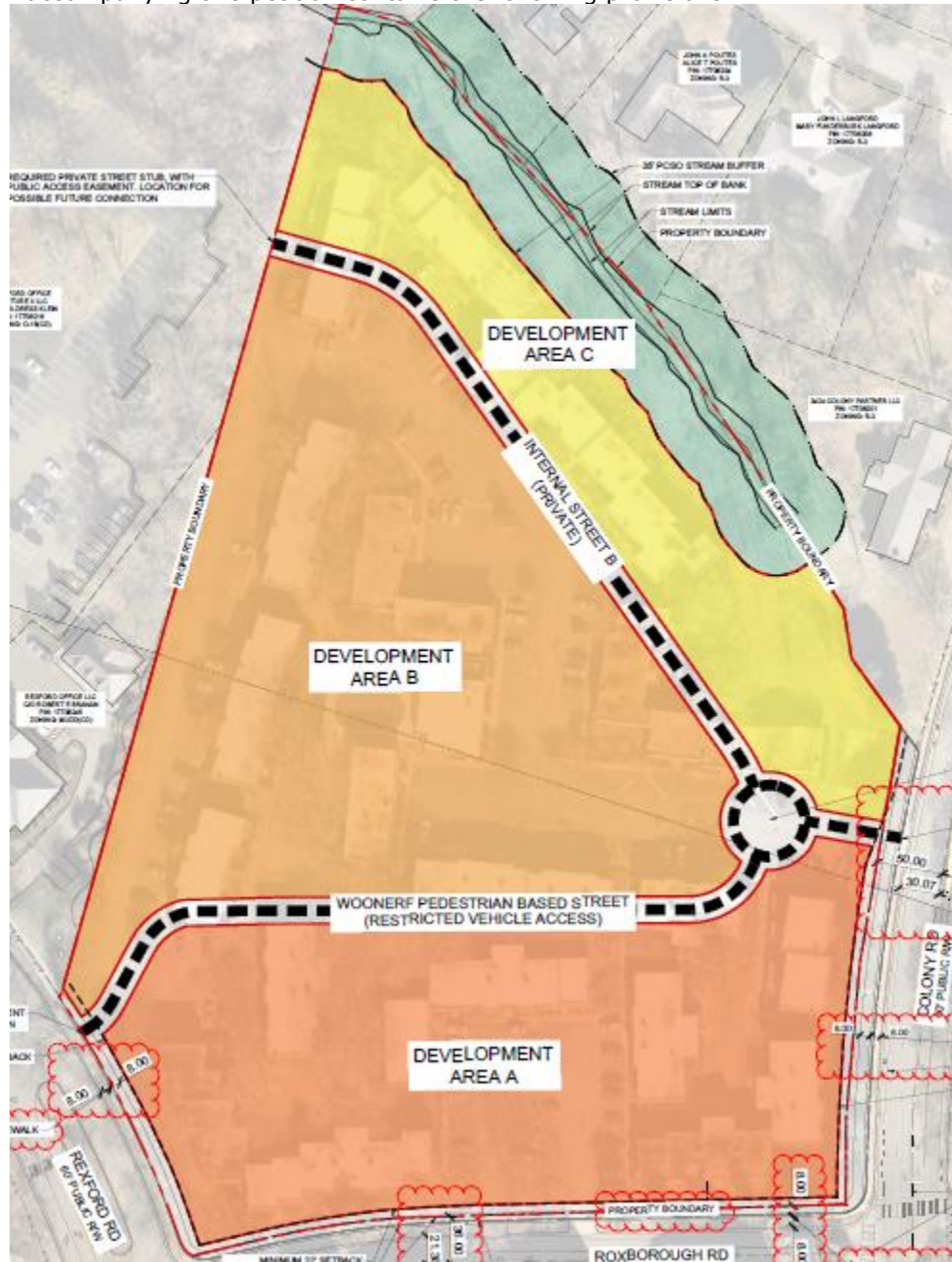
- The Neighborhood 2 (N2) and Community Activity Center (CAC) place types that would result should this petition be approved would provide appropriate transition from the more intense RAC along Rexford Rd. and Roxborough Rd. to the intersection with Colony Rd., and to the N1 to the north.
- Given the contextual sensitivities in the area around the site, this petition commits to height stepdowns, and transitions the proposed land use intensities by focusing the tallest portions of buildings and most intense uses away from the abutting single family and towards the Regional Activity Center. More specifically:
  - Locates commercial uses along Rexford, Roxborough and the proposed woonerf (pedestrian focused street), multi-family use is focused in the center of the site and townhome styled units are proposed between the new east/west street and the northern property line abutting single family zoning.
  - The site transitions the proposed building heights in Development Area A from a maximum of **92 feet along the Colony Road frontage**, (Maximum of 85 ft at the corner of Roxborough and Colony), **for a distance of at least 30 ft from the building face**. Stepping up to **102 ft for a distance of at least 120 ft**, to a maximum of ~~169 ft~~ **179 ft** (maximum of ~~164 ft~~ **174 ft** at the corner of Rexford and Roxborough).
  - In Area B the maximum building height is ~~119~~ **100 ft**. and steps down to a maximum of ~~60 ft~~ **80 ft** at the northwest corner of the building towards the existing residential uses.
  - Development Area C, adjacent to single family residential, is limited to a maximum of 48 ft.
- Preserves existing vegetation within the stream buffer along the northern property line adjacent to single family zoning and commits to providing supplemental plantings based on Urban Forestry review during permitting.
- Provides a mix of uses designed in walkable, pedestrian friendly form consistent with development found in activity centers including a central woonerf with ground floor uses, outdoor dining, and open space amenities.
- Provides a number of public benefits including contributions to the South Park Loop project, provision of at least 3 public art installations and a contribution of \$500,000 to the Housing Trust Fund.
- The site is adjacent to bus Route 20 and 1/3 mile walk to Routes 19, 28, 30 and 57 at the Southpark Community Transit Center.
- There are parcels abutting single family residential in South Park recommended for Regional Activity Center (RAC), a more intense place type than the CAC place type that a portion of the site would change to if the rezoning is approved.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 1: 10 Minute Neighborhoods
  - 2: Neighborhood Diversity & Inclusion
  - 5: Safe & Equitable Mobility
  - 6: Healthy, Safe & Active Communities
  - 7: Integrated Natural & Built Environments

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from Neighborhood 2 to Community Activity Center for Development Areas A and B.

## PLANNING STAFF REVIEW

### • Proposed Request Details

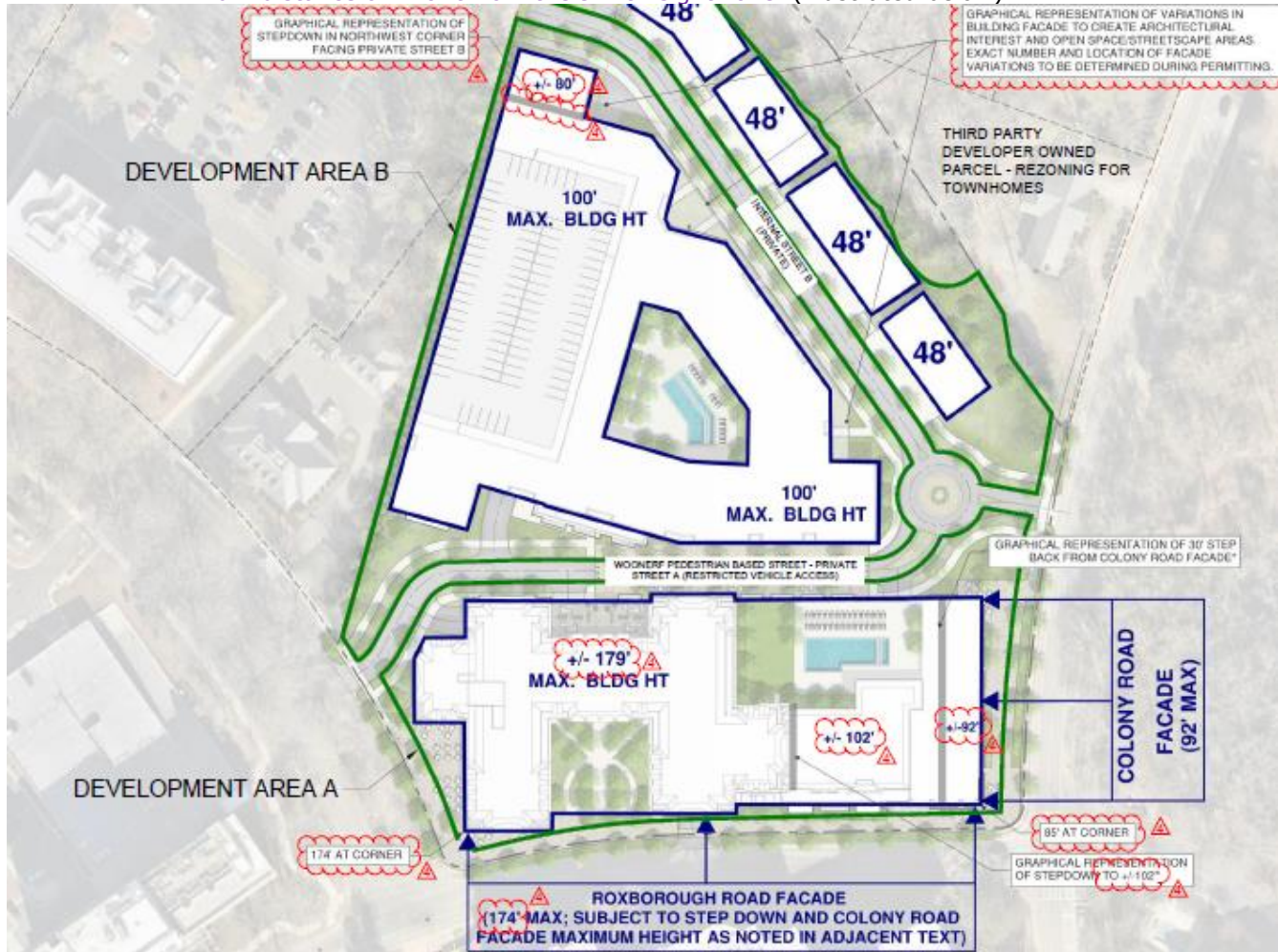
The site plan accompanying this petition contains the following provisions:



- As illustrated above, the proposal divides the site into 3 development areas. Area A – located along Roxborough Rd., Area B – internal to the site along the western property line, and Area C – located along the northern property line abutting single family residential uses.
- Proposed uses:
  - Area A and B – a minimum of 10,000 and up to 60,000 sqft of non-office commercial uses, retail, eating/drinking/entertainment establishments (EDEE) and personal service uses and up to 730 multi-family residential dwelling units.
  - Area C – Up to 24 townhome designed residential dwelling units.
  - Allows conversion of non-office commercial uses at a ratio of 50 sqft to 1 residential unit and vice-versa up to a total of 1,500 sqft of non-office commercial and 30 residential units.
  - Prohibits car washes, automobile service stations, convenience stores with gasoline sales, [climate controlled self-storage](#), and EDEEs and financial institutions with drive through windows.
- Building heights:
  - Area A – Maximum of ~~169 ft~~ [179 ft](#) with a maximum of ~~164 ft~~ [174 ft](#) at the corner of Rexford and Roxborough Rd. with step down as the development approaches Colony Rd.



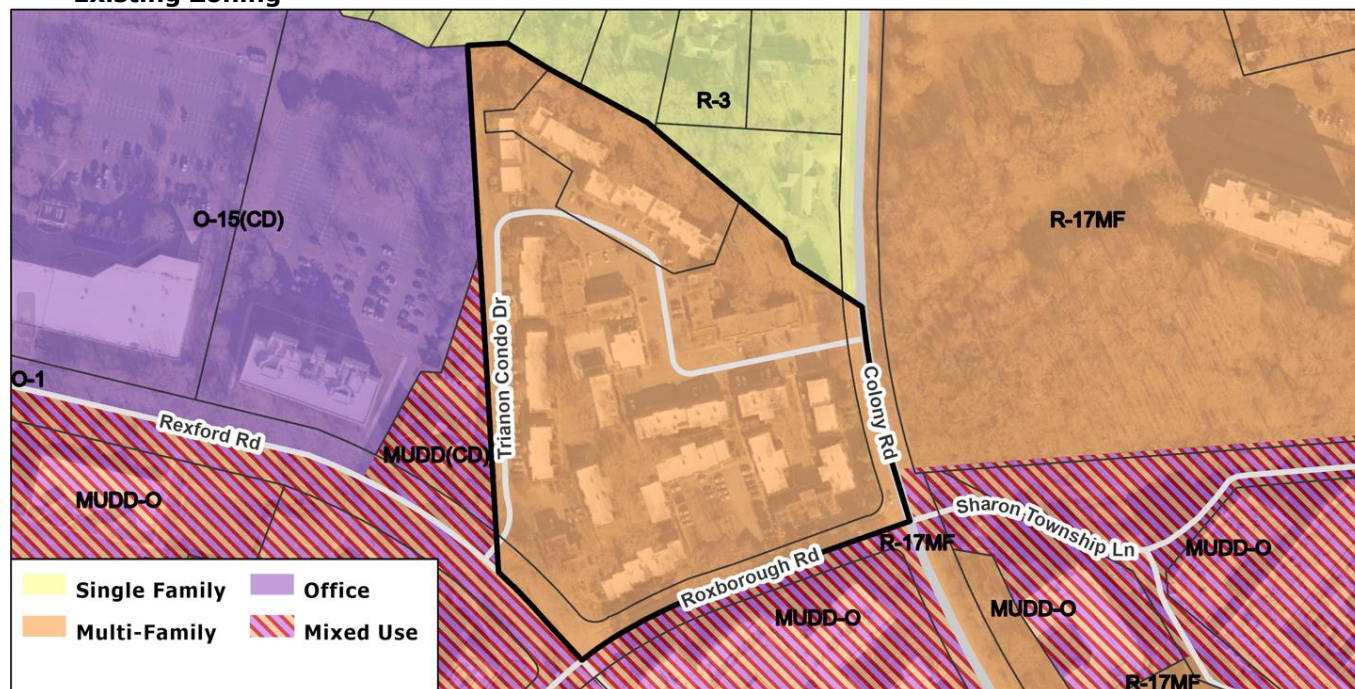
Maximum height of 92 ft for a minimum distance of 30 ft from building face along Colony Rd. (a maximum of 85 ft at the corner of Roxborough and Colony). A maximum height of 102 ft for a minimum distance of 120 ft from the 92 ft height zone. (illustrated below)



- Area B – Maximum of ~~119~~ 100 ft with a maximum of ~~60~~ 80 ft at the northwest corner of the building (illustrated above).
  - Area C – Maximum of 48 ft
- Transportation commitments:
  - Commits to install Loop branding crosswalks at the intersection of Rexford and Roxborough Rds.
  - Contributes up to \$250,000, less the cost of the branded crosswalks, to the Loop project.
  - Constructs 2 new private streets with public access easements, both accessed from Colony Rd at the same point, extending west through the site described as the following: a woonerf, pedestrian-based street with restricted vehicle access, between Areas A and B connecting to Rexford Rd. and Private street B to the western property line between Areas B and C.
  - Restricts the ingress/egress at the private street and Colony Rd to right-in/right-out.
  - Full movement intersection of the private woonerf street at Rexford Rd.
  - One full movement access drive on Roxborough Rd. to align with The Colony deck access.
  - Provides a number of transportation improvements as a result of the findings of the TIS, including lane and signal modifications, [installation of a traffic signal at Roxborough Rd & Rexford Rd/Roxborough Py](#), installs pedestrian signals and ramps and implementation of TDM (traffic demand management) strategies.
  - Specifies that the petitioner in coordination with and approval of CDOT and Planning staff may utilize alternative transportation improvements or payment in lieu of construction of transportation improvements if the improvements cannot be made in the event right-of-way is not available.
- Setbacks and Streetscape:
  - Minimum 22 ft setback with 8 ft planting strips and 8 ft sidewalks along public street frontages.
  - Minimum of 16 ft setback with 8 ft planting strips or street trees in grates or planters and minimum of 8 ft sidewalks along the site's internal private streets.
- Architectural Standards:
  - Illustrates locations of ground floor uses along both sides of the woonerf and along portions of Rexford, Roxborough and Colony Rds.

- Illustrates locations of publicly accessible urban open space along the woonerf, at corner of Rexford and Roxborough Rds., corner of Roxborough and Colony Rds. and the corner of the private street and Colony Rd.
- Provides architectural standards and conceptual renderings of key design elements of the proposal. Commits to a minimum of 20,000 sqft of open space areas which may contain dining and seating areas, landscaping and hardscape elements.
- Provides a number of architectural standards related to building orientation, focus on public open space, ground floor architectural treatment, façade composition and allowed façade materials.
- Restricts detached lighting along the streets to 26 ft, lighting provided on the top floor of exposed parking garage decks limited to 15 ft in height and specifies that rooftop architectural details extending above occupied space shall not be illuminated.
- Provides architectural design standards to reduce the visual impact of garages by setting back garage doors from the face of the structure, using translucent windows and protecting elements of door openings, or doors with windows and lighting on either side/above the door or painting doors in color other than white. Specifies the maximum number of townhome style units per building is 6 and that pedestrian entry doors will have a porch or stoop with a minimum depth of 4 ft.
- Additional commitments:
  - Preserves existing vegetation where possible along the stream buffer running along the northern property line and commits to additional plantings based on Urban Forestry input during permitting.
  - Commits to install 3 public art installations, at least 2 shall be visible from adjacent public streets.
  - Contributes \$500,000 to the City of Charlotte's Housing Trust Fund prior to the first C.O.
- Requested optional provisions related to:
  - related interim surface parking between buildings and streets during construction phases
  - ⊕ up to 4 porte-cocheres and valet parking service areas between buildings and Roxborough Rd and the Woonerf private street. and streets
  - building heights exceeding 120 ft as described above
  - location of stormwater facilities within setbacks
  - reduction of sidewalk width to 6 ft in locations along Rexford and Roxborough Rds. to preserve existing trees
  - innovative street design for internal private street to accommodate proposed woonerf
  - definition of base of building so that the base may be higher or lower the first 3 floors above grade
  - a master signage package to be submitted during permitting
  - not requiring recessed doors when abutting sidewalks with widths 10 ft or greater

#### • Existing Zoning



- The site is currently zoned R-17MF, multifamily residential. The site is surrounded by a mix of zoning with mixed use to the south, office to the west, multi-family to the east and single family to the north.

Existing Zoning	Translated Zoning	Recommended Place Type
R-17MF	N2-B	Neighborhood 2





The site (indicated by the red star above) is located on the northern side of the South Park area and is surrounded by a mix of land uses with mixed use developments to the south, offices to the west, multi-family and mixed use development to the east and single family residential to the north.



The site is currently developed with condominiums.



North of the site are single family homes along Wickersham Rd. (top) and a single family home fronting Colony Rd. (lower) that is pending rezoning as described below in the rezoning history section.





East of the site, across Colony Rd., is Morrocroft Apartments



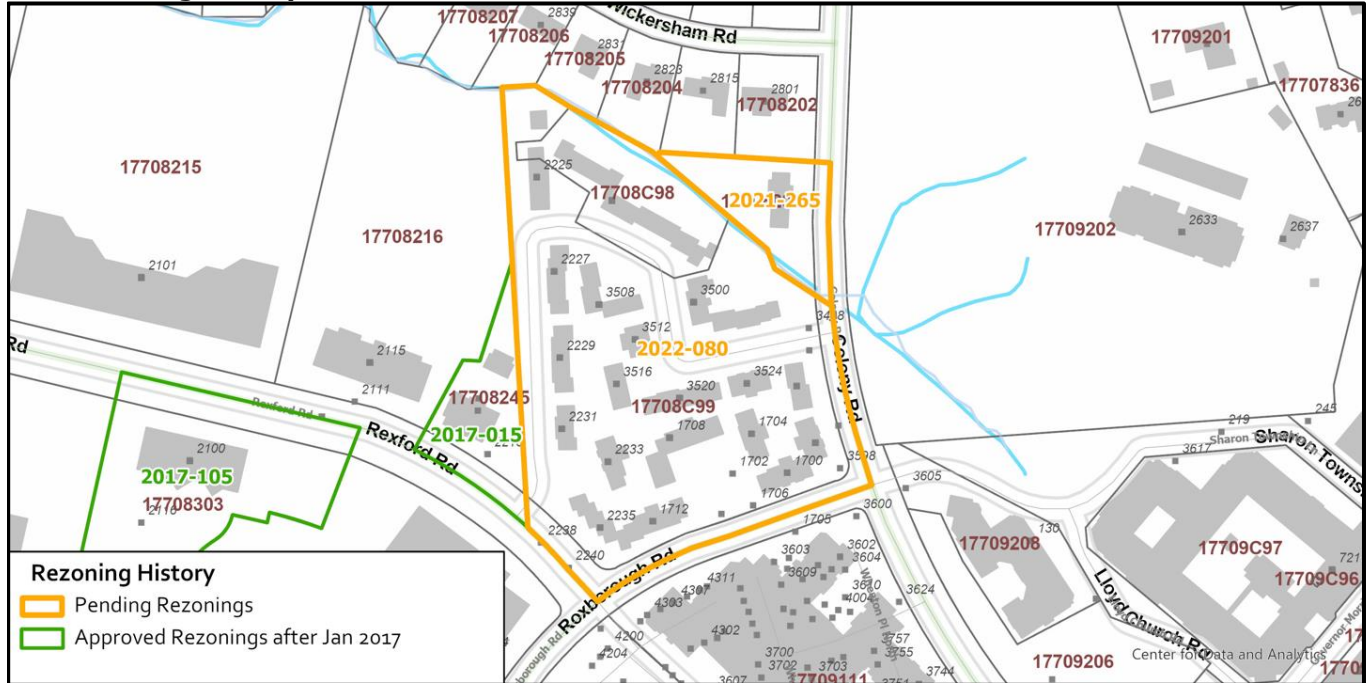
South of the site, across Roxborough Rd. is The Colony Apartments, part of a larger mixed-use development between Roxborough Rd., Colony Rd., Sharon Rd. and Southwick Dr.



West of the site are office uses located along Rexford Rd.

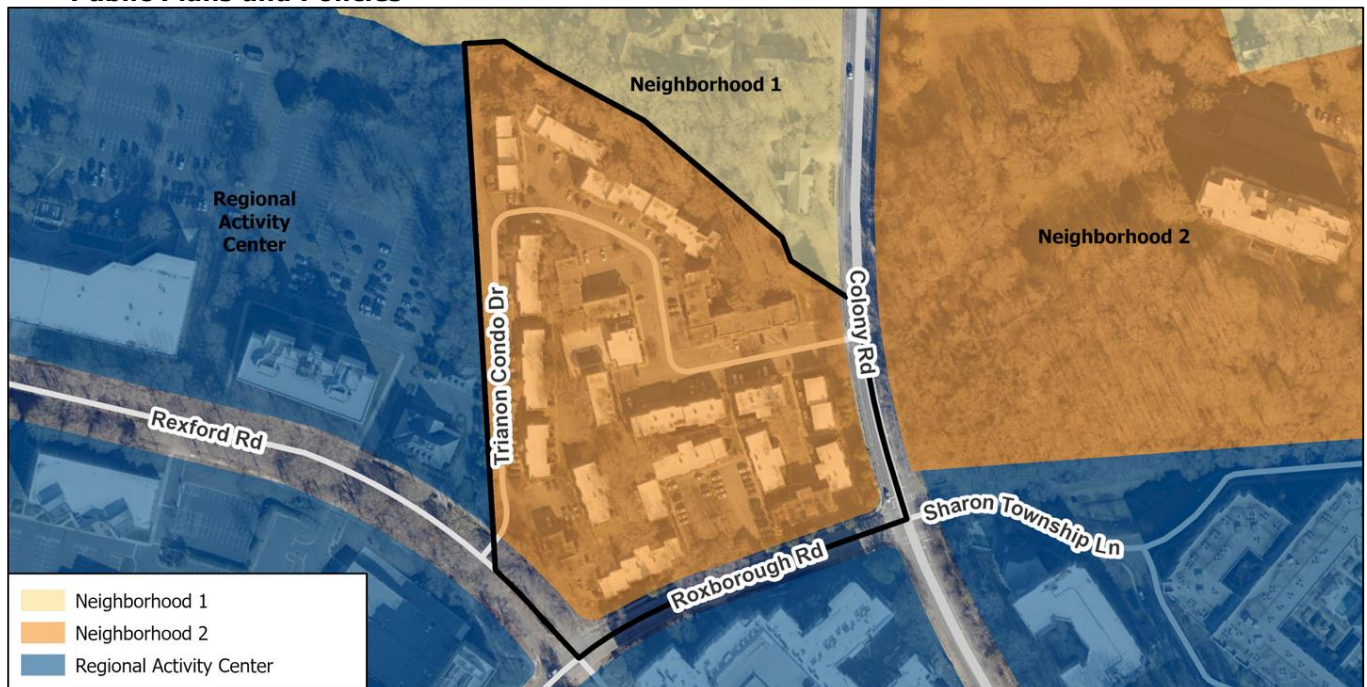


- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-015	1.07 acres, abutting the site to the west, on the north side of Rexford Rd. to MUDD(CD) to allow redevelopment of the site with a new office.	Approved
2017-105	3.24 acres, southwest of the site, on the south side of Rexford Rd. to MUDD-O to allow expansion and renovation of the existing office.	Approved
2021-265	0.89 acres, abutting the site to the north, on the west side of Colony Rd. to UR-2(CD) to allow up to 9 single family attached dwelling units.	Pending

- Public Plans and Policies**



- The 2040 Policy Map (2022) recommends Neighborhood 2 place type for the site.



## • TRANSPORTATION SUMMARY

- The petition is located on the west side of Colony Road, a city-maintained minor throughfare north of Roxborough Road, a City-maintained major collector. A Traffic Impact Study (TIS) has been completed by this site on 1-12-23. The site plan commits to dedicating right of way, committing to constructing 8-foot planting strip with an 8-foot sidewalk along public roads, and agreed upon traffic mitigations from approved Traffic Study. CDOT has no further outstanding issues.
- **Active Projects:**
  - No active projects in vicinity of the site.
- **Transportation Considerations**
  - ~~See Requested Technical Revisions, Notes 16 and 17.~~ Addressed
- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 850 trips per day (based on 118 single family attached dwelling units).  
Entitlement: 695 trips per day (based on 155 multi-family dwellings).

Proposed Zoning: 6105 trips per day (based on 730 mid/high rise, multi-family dwellings, 24 low rise, multifamily dwellings, 40,000 sqft of retail, 17,000 sqft of fine dining, 3,000 sqft drinking place).

## 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:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 39 students, while development allowed with the proposed zoning may produce 259 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is 220 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 179%
    - Alexander Graham Middle from 108% to 112%
    - Myers Park High from 120% to 122%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution mains located in Rexford Rd, Roxborough Rd and Colony Rd. Charlotte Water has sanitary sewer system infrastructure near for the rezoning boundary via an existing 8-inch gravity sewer mains in Rexford Rd Roxborough Rd and Colony Rd. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** 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 outstanding issues.
- **Stormwater Services Land Development Engineering:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Urban Forestry / City Arborist:** ~~See Outstanding Issues, Note 6.~~ Addressed

## OUTSTANDING ISSUES

### Site and Building Design

1. ~~Remove the optional provision to allow height to be measured differently than the defined in the current Zoning Ordinance applicable to this petition. Height should be measured per MUDD zoning in the current Ordinance. Remove all references to UDO on all sheets.~~ Addressed, the petitioner amended the optional provision to define building height as the vertical distance between the average grade at the base of the structure and the highest point of the structure, excluding roof equipment, stair/elevator towers, roof top screening and parapet walls. Average grade is determined by measuring the grade at the outermost corners of each elevation and calculating the average or by measuring the grade at intervals of 5 ft or less around the perimeter of the structure and calculating the average.

2. Clarify the building height and stepdown locations for Areas A and B, where will they be located and at what dimensions. For example, where does the building along Roxborough go down to the lower height approaching Colony and where are taller sections of the building in Area B. It is not clear which parts of the building may be up to 169 ft in Area A and up to 119 ft in Area B. **Addressed.**
3. Provide a site section from the townhomes across the stream buffer to the homes along Wickersham. **Addressed**
4. Provide architectural standards for townhome-styled units for garages facing private street B and provide notes committing to signage instructing residents and visitors to not block the sidewalk in front of the townhomes. **Addressed, the petitioner provided design standards to minimize the visual impact of garages and limited the maximum number of units per building to 6. Staff rescinded the request for signage as developer will be responsible for parking enforcement along the private street.**
5. Add Climate Controlled Self storage to the list of prohibited uses. Storage space accessory to the proposed residential use would be permitted. **Addressed.**

#### Environment

6. Provide a tree survey of trees wholly and partially within the City ROW. **Addressed**

### **REQUESTED TECHNICAL REVISIONS**

#### Site and Building Design

7. Amend architectural note f.ii. to clarify "corner lots". Maybe should say building corners abutting intersections of private and/or public streets. **Addressed.**
8. Remove height range label "165' 90' MAX. BLDG HT AS MEASURED BY THE UDO" on sheet RZ-2.01 for the Roxborough building because the maximum height is 169' and the lowest height is 85' at the corner of Roxborough and Colony, and the height should be measured using the current zoning ordinance standards. **Addressed.**
9. Provide scales for sheets RZ-2.0 and RZ-2.01 **Addressed.**
10. Label the private street B on sheets RZ-2.0 and RZ-2.01 and label the woonerf street on RZ-2.01. **Addressed**
11. Amend Permitted Uses note 3.b to clearly say what is allowed in Area A and B and then C. **Addressed**
12. Amend General Design note 10.c to clarify if the requirement is to have only 1 principal entrance per building or façade. Are multiple principal entrances required along a façade? **Addressed**
13. Amend optional provision b. for valet and porte cocheres to clarify which streets. **Addressed**
14. Amend optional provision e. for sidewalk widths for tree preservation that it will be coordinated with Urban Forestry and CDOT staff during permitting. **Addressed**
15. Amend option provision i. to specify doors will not be permitted to swing into sidewalks regardless of sidewalks width. **Addressed**
16. Please clarify any height transitions in Development Area B. **Addressed**

#### Transportation

17. Clarify that private street B will be built to public standards and label appropriate CLDSM cross section. **Addressed**
18. Remove "wood pole installation" from Note I.5. **Addressed**

**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** John Kinley (704) 336-8311