

**REQUEST**

Current Zoning: MUDD-O (mixed use development, optional)  
Proposed Zoning: MUDD-O(SPA) (mixed use development, optional, site plan amendment)

**LOCATION**

Approximately 1.68 acres located on the northwest corner at the intersection of East Seventh Street and North Caswell Road.



**SUMMARY OF PETITION**

The petition proposes to amend the previously approved site plan to allow office and retail uses on the site, and associated structured parking.

**PROPERTY OWNER**

Faison-Seventh Street, LLC

**PETITIONER**

Crescent Communities

**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: 58

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and technical revisions.

Plan Consistency

The petition is **consistent** with the *Elizabeth Area Plan* recommendation for a mix of residential, office and retail uses in the area in which the site is located.

Rationale for Recommendation

- The proposed development will provide a mix of office and retail uses that will reinforce Seventh Street as Elizabeth's primary retail corridor.

- The proposed site plan includes nonresidential uses on the ground floor that are oriented to the sidewalk network which will enhance the pedestrian environment in the area.
- The petition provides architectural design commitments for the building that break up the massing and create four distinct sections of the structure to enhance the overall streetscape, encourage pedestrian activity, and complement the pedestrian environment.
- The proposed maximum building height of 60 feet for the building at the corner of East Seventh Street and Caswell Road is consistent with the plan to include an iconic architectural design that would enhance this signature intersection as recommended in the plan.
- The project will provide more than the required parking for the office and retail uses on-site, and the parking on-site will be accessible to the public, which will help alleviate a general lack of parking in this area.
- The project will provide pedestrian improvements in the area to enhance pedestrian safety.

## PLANNING STAFF REVIEW

### • **Proposed Request Details**

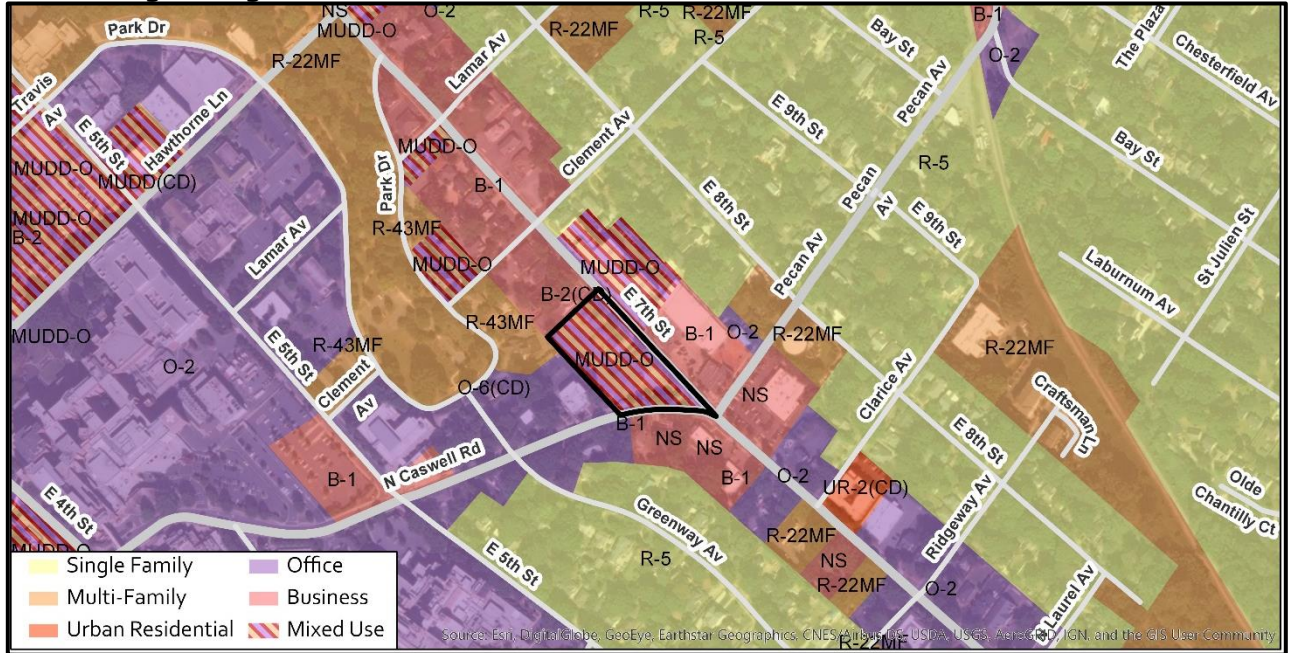
The site plan accompanying this petition contains the following provisions:

- 1 principal building (inclusive of the parking structure) on the site to allow up to 103,500 SF of gross floor area (GFA) with no more than 23,000 SF of GFA devoted to retail and/or EDEE uses
- Maximum building height of 65 feet as measured per the ordinance with a not to exceed height of 60 feet at the corner of 7<sup>th</sup> & Caswell Road.
- Parking provided at a rate of 3 spaces per 1,000 SF of GFA, which exceeds the minimum parking requirements.
- Parking will be accessible to the public.
- Plaza area at the corner of 7<sup>th</sup> Street & Caswell Road.
- Pedestrian improvements to include 8-foot sidewalk and 8-foot planting strip on Caswell Road.
  - A mid-block pedestrian crossing area and HAWK signal for additional safety.
  - ADA Accessible ramps and associated pedestrian signals at Caswell & 5th, and Caswell and 7th to meet ADA requirements (contingent upon NCDOT and CDOT approval)
  - Pedestrian refuge island at the southwest corner of Caswell and 5th Street.
- Architectural standards that create the appearance of four distinct yet complementary sections, and design elements that will enhance the character of the building, activate the streetscape, and incorporate elements of public art or a water feature at the corner of 7<sup>th</sup> Street & Caswell Road.
- Transportation and access commitments as outlined in the conditional notes.

### • **Optional Provisions include:**

- Upper level balconies may encroach up to 5 feet into the setbacks from E. 7<sup>th</sup> Street & N. Caswell Road above the second story.
- Outdoor plaza at the corner of E. 7<sup>th</sup> Street & Caswell Road, and similar terraced entry features along 7<sup>th</sup> Street may encroach into the setbacks, and portions of the plaza may encroach into the right-of-way subject to obtaining encroachment agreements.
- To not require doorways to be recessed into the face of the building(s) when the width of the sidewalk maintains an 8-foot clear zone and/or when it is an emergency exit.
- To allow the use of opaque and spandrel glass per section 5 in the conditional notes.
- To allow wall signs to have up to 200 SF of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less.
- To allow a 6-foot minimum planting strip and/or trees in grates on public streets as further described in section 6 of the conditional notes.

• **Existing Zoning and Land Use**



The current zoning of the property is MUDD-O (mixed use development, optional). The area surrounding this property is a mix of zoning districts to include commercial zoning/uses, office zoning/uses, and multi-family residential.



The subject property is vacant and noted by the red star.





The properties to the northeast along East 7<sup>th</sup> Street are a mix of retail and residential.

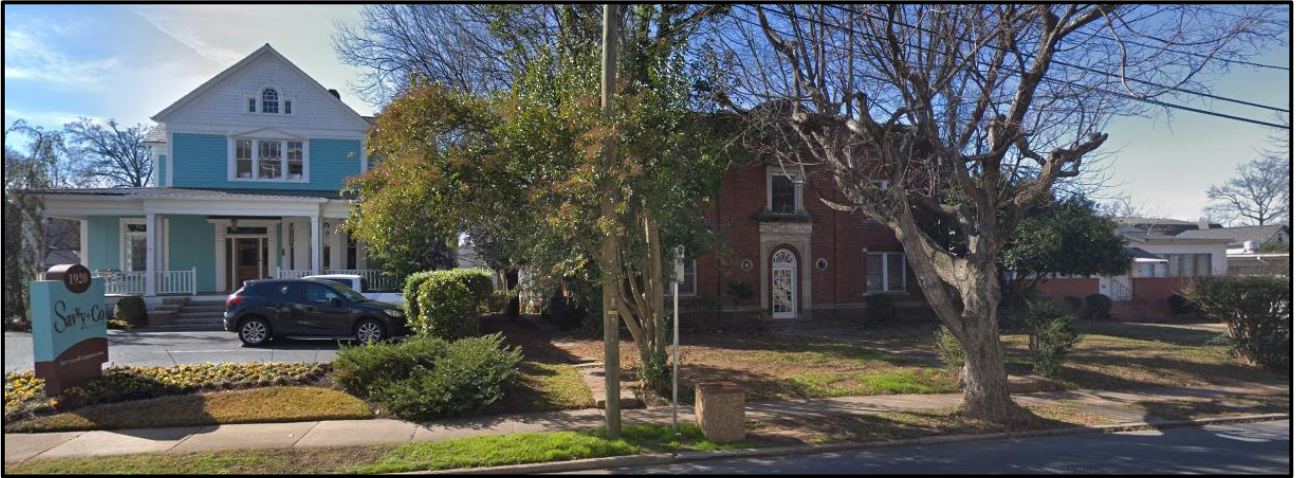


The properties to the south along North Caswell Road are developed with a mix of office, retail and an EDEE.



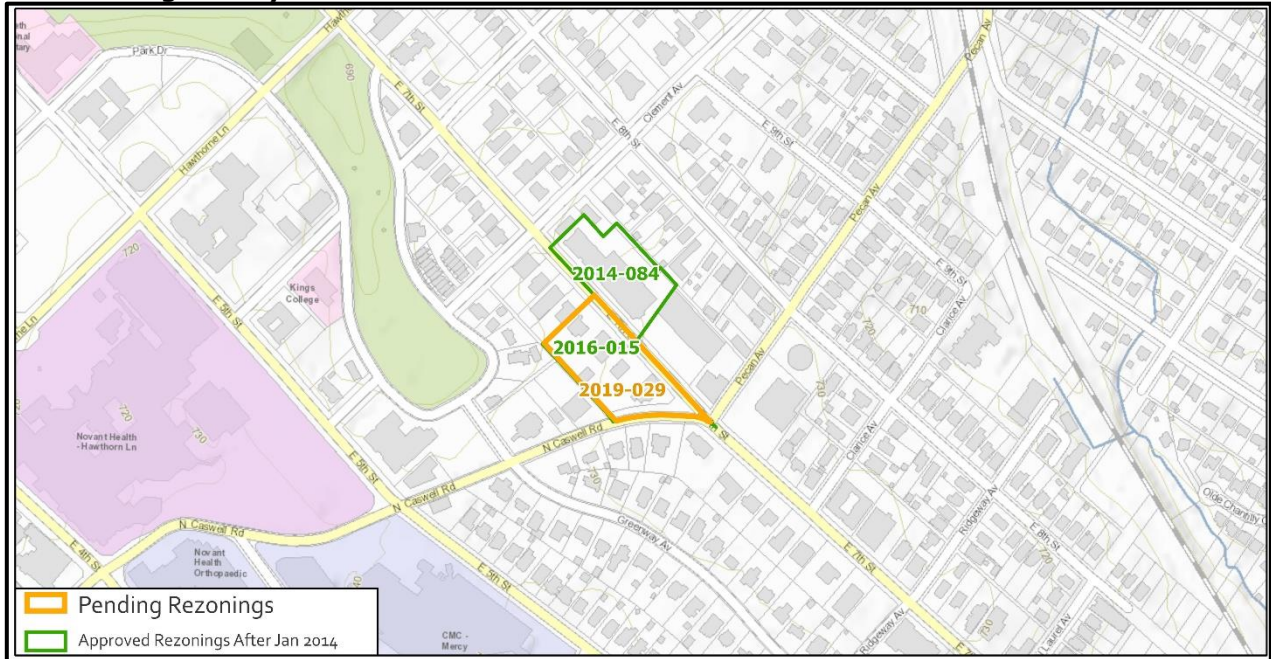
The property to the southwest along North Caswell Road is developed with medical offices and a preschool.





The property to the northwest along East 7<sup>th</sup> Street is developed with office and residential.

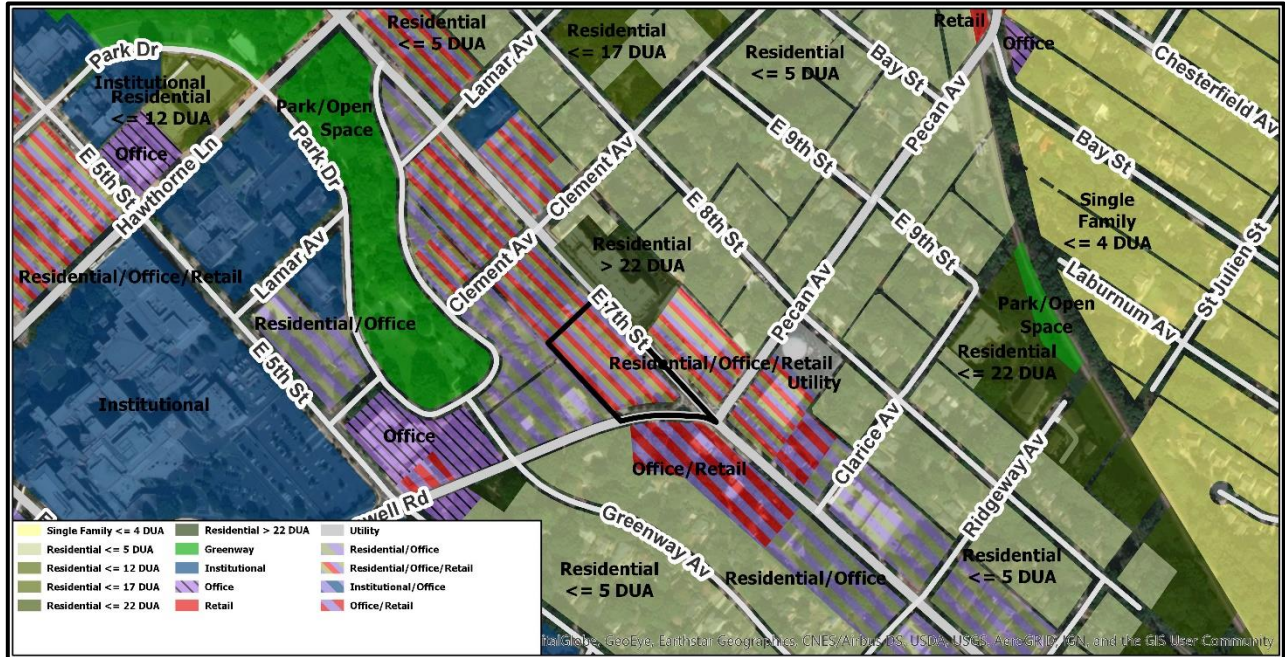
- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2014-084	Allow the development of up to 95 multi-family residential dwelling units, at a density of 63 units per acre, with related amenities and accessory uses.	Approved
2016-015	Allows redevelopment of the subject property in the Elizabeth neighborhood with a mixed use development to include residential, retail, eating/drinking/entertainment establishments (EDEEs), and office uses.	Approved



### • Public Plans and Policies



- The *Elizabeth Area Plan* calls for a mix of residential/office/retail uses for this site. Ground floor retail serving the neighborhood, along with office uses above are recommended in this area of the *Plan*. The *Plan* also calls for height restrictions along 7<sup>th</sup> Street.(40 feet), with an increased height of 60 feet at the corner of 7<sup>th</sup> & Caswell Road so long as the corner is treated with an iconic structure.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located at the intersection of a major thoroughfare and a minor thoroughfare. The site plan commits to improving the streetscape in the form of wide planting strip, and wide sidewalk to meet current City standards. The petitioner commits to implementing pedestrian intersection improvements at of E. 7<sup>th</sup> Street and N. Caswell Road, and 5<sup>th</sup> Street and N. Caswell Road. In addition, the petitioner commits to funding a pedestrian signal on E. 7<sup>th</sup> Street to enhance pedestrian mobility to the land uses on both sides of the street, as well as providing access to CATS bus stops.
  - A traffic study is required for this project and is currently being reviewed by NCDOT and CDOT.
  - See Outstanding Issues, Notes 1-2.
  - **Vehicle Trip Generation:**
    - Current Zoning: MUDD-O
    - Existing Use: 0 trips per day (based on vacant site).
    - Entitlement: 2,310 trips per day (based on 150 multi-family dwellings and 30,000 SF of retail).
    - Proposed Zoning: 3,070 trips per day (based on 80,500 SF of office and 23,000 SF or retail 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 Department of Solid Waste Services:** No outstanding issues.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.

- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along East 7<sup>th</sup> Street. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along East 7<sup>th</sup> Street.  
No outstanding issues.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No comments submitted.
  - **Land Development:** No comments submitted.
  - **Storm Water Services:** Advisory comments submitted. See rezoning.org for additional information.
  - **Urban Forestry:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**Transportation

1. Revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.

**REQUESTED TECHNICAL REVISIONS**Site and Building Design

2. Revise the conditional notes to provide a dimension and clarification of the encroachment of the Plaza features.

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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Dave Pettine (704) 336-4566