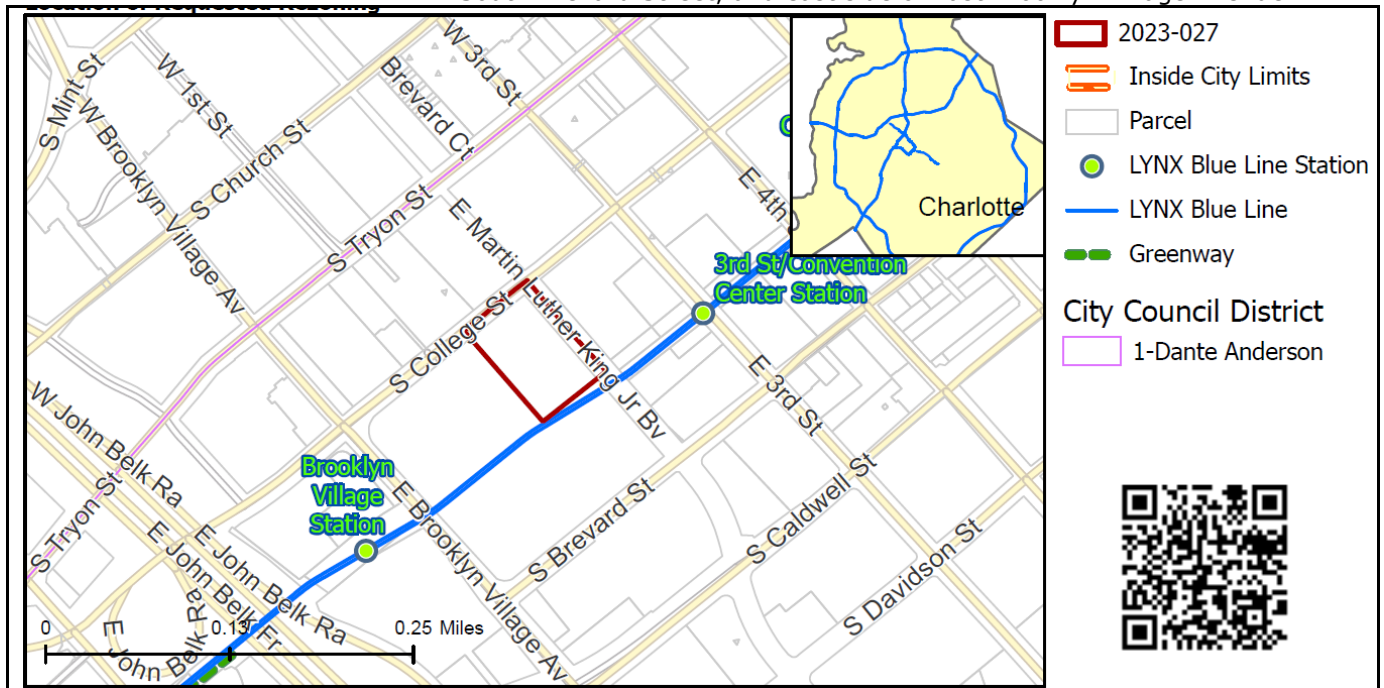


**REQUEST**

Current Zoning: UC (uptown core)  
Proposed Zoning: UMUD-O (uptown mixed-use development, optional)

**LOCATION**

Approximately 2.73 acres bound by the south side of South College Street, west side of East Martin Luther King Jr. Boulevard, north side of South Brevard Street, and east side of East Brooklyn Village Avenue.



**SUMMARY OF PETITION**

The petition proposes to allow all uses permitted by-right and under prescribed conditions in the UMUD zoning district on a parcel currently developed with office uses.

**PROPERTY OWNER**

401 S. College St. NC, LLC and The City of Charlotte

**PETITIONER**

401 S. College St. NC, LLC

**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: 13

**STAFF RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

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

Rationale for Recommendation

- This rezoning would allow the redevelopment of the site with flexibility provided by the requested optional provisions.
- The existing courtyard in the rezoning boundary that resides between the current structures and adjacent Charlotte Convention Center would be improved through this rezoning with elements such public art, seating options, landscaping, and various pedestrian amenities.
- The proposal would improve the area’s pedscape and further the *2040 Comprehensive Plan’s* connectivity goals through a commitment to construct Rail Trail amenities along the abutting LYNX Blue Line **as well as**

- improvements to accessible ramps and the reservation of space for a future bus stop.
- Development under the UMUD zoning district would be consistent with the dense land uses and site design elements outlined in the Regional Activity Center Place Type.
  - The petition could facilitate the following *2040 Comprehensive Plan Goals*:
    - 1: 10 Minute Neighborhoods
    - 4: Trail & Transit Oriented Development
    - 5: Safe & Equitable Mobility
    - 6: Healthy, Safe & Active Communities

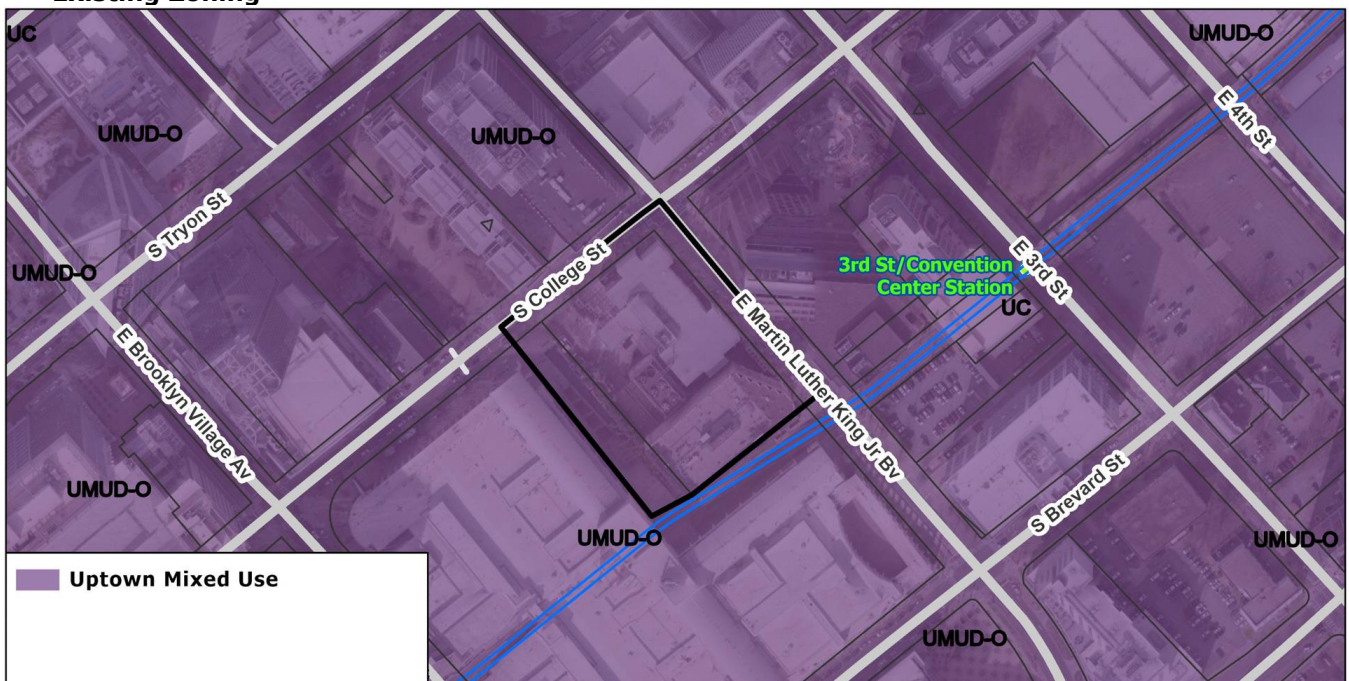
**PLANNING STAFF REVIEW**

• **Proposed Request Details**

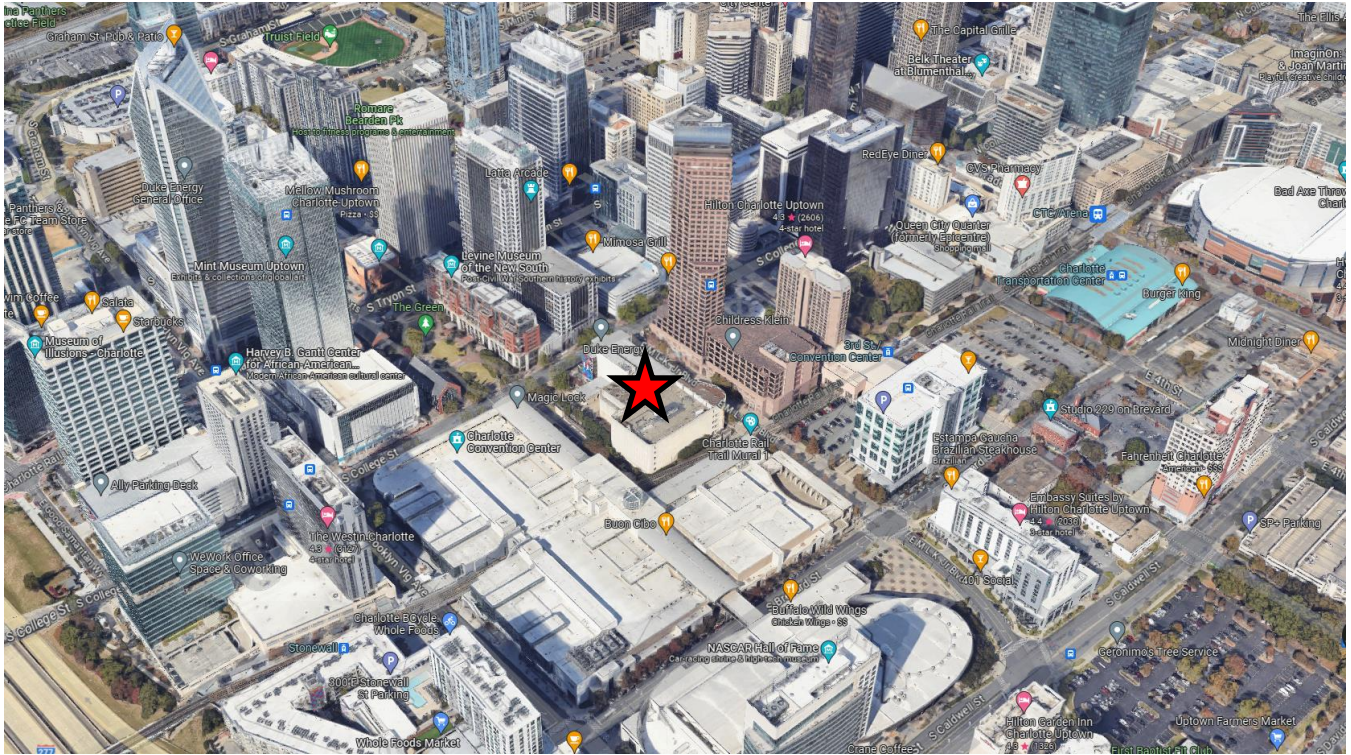
The site plan accompanying this petition contains the following provisions:

- Requests to allow all uses permitted by-right and under prescribed conditions in the UMUD zoning district along with the following optional provisions:
  - Allow maneuvering in the setback along public streets for valet services at a maximum of one valet parking service per street frontage. Design of such maneuvering will be determined by CDOT during permitting.
  - Allow a 50% reduction in the required number of loading docks.
  - Allow the site to not required adherence to street wall provisions on temporary walls and/or rated walls between phases. Temporary landscaping and/or murals will be utilized along such walls to complement pedestrian-scale interest and activity between development phases.
  - Allow urban open space requirements to be met anywhere inside of the rezoning boundary. Urban open space will comply with ordinance design standards and will incorporate improvements such as seating, decorative lighting, public art, or other pedestrian amenities.
- Commits to construct a portion of the Rail Trail along the site's frontage. ~~contingent upon the Convention Center removing utility boxes from the corridor and the Convention Center constructing the portion of the Rail Trail from the Convention Center to the existing terminus as Brooklyn Village Avenue.~~
- Commits to improve accessible ramps at all four corners of College Street and Martin Luther King JR. Blvd. and will install accessible pedestrian signals at the intersection subject to right-of-way availability.
- Provides space for a future bus stop within the pedestrian amenity zone on South College Street.
- Notes that streetscape and roadway improvements will occur in tandem with development along each frontage.

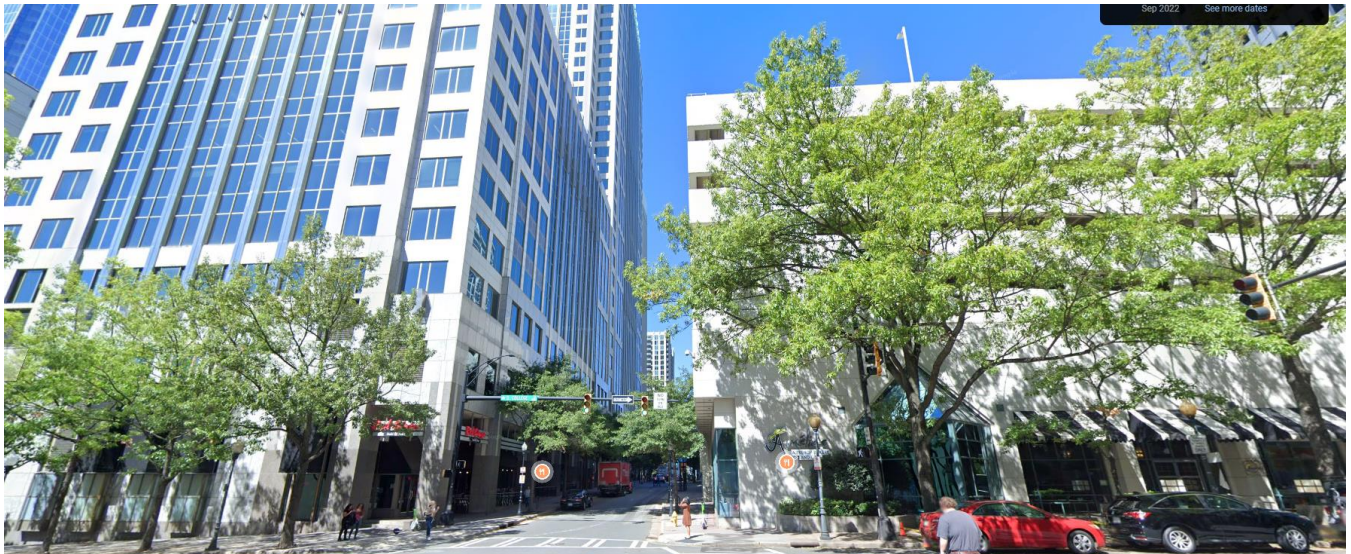
• **Existing Zoning**



- The site is currently zoned UC and is in an area with UC and UMUD-O zoning.



- The subject site is denoted with a red star and is in an area with various mixed-use developments including office, residential, retail, and institutional uses.



- North of the site are developments with primarily office uses but that have some commercial uses on the ground floor.



- East of the site is the One Wells Fargo Center.

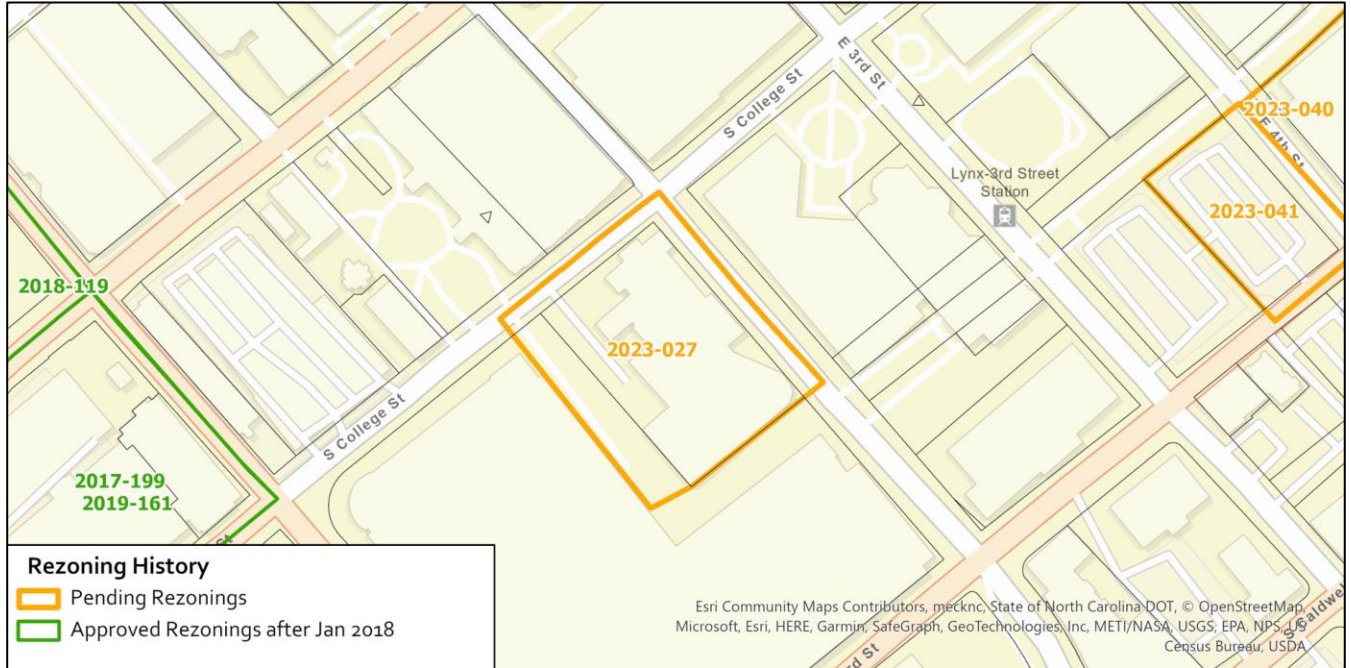


- Directly south of the site is the LYNX Blue Line, and the Charlotte Convention Center just along the other side of the light rail.



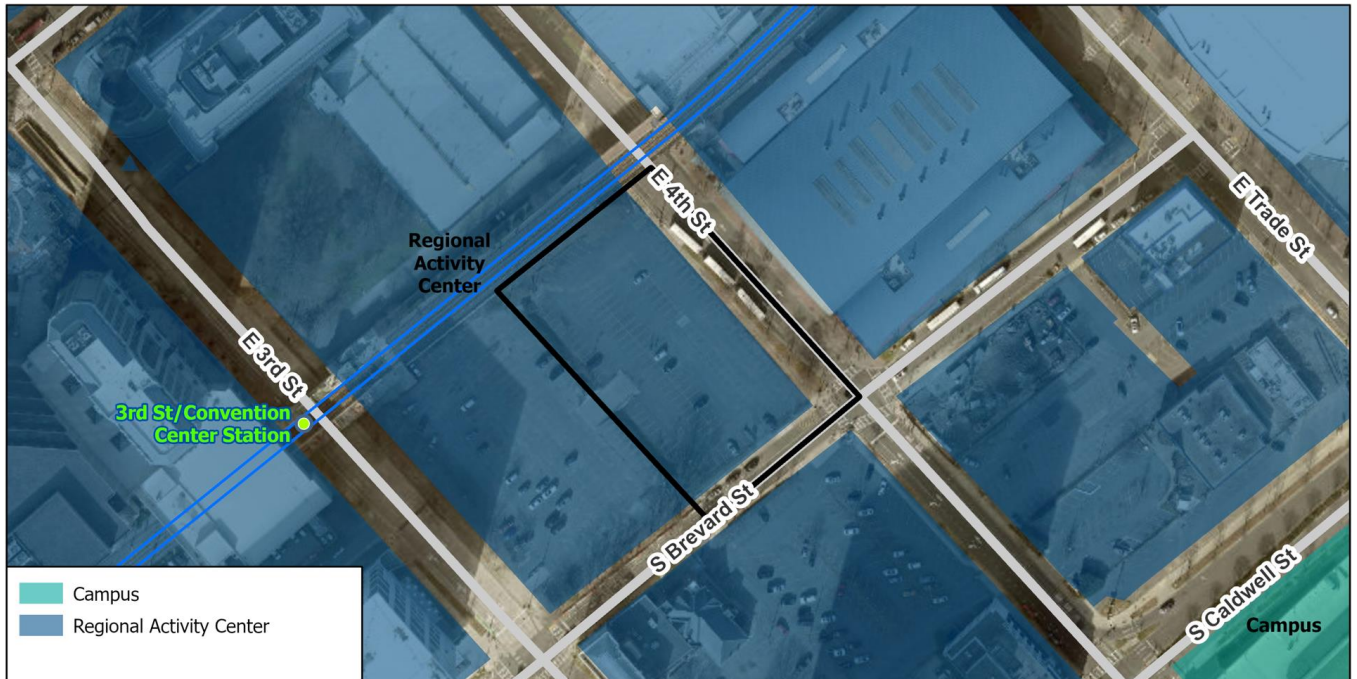
- West of the site is the Charlotte Convention Center.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-199	Rezoned 3.5 acres from UMUD to UMUD-O.	Approved
2018-119	Rezoned 2.18 acres from UMUD to UMUD-O.	Approved
2019-161	Rezoned 2.4 acres from UMUD and UMUD-O to UMUD-O and UMUD-O SPA.	Approved
2023-040	Rezoning 2.57 acres from UMUD-O to UMUD-O SPA.	Pending
2023-041	Rezoning 1.18 acres from UC to UMUD-O.	Pending

• **Public Plans and Policies**



- The 2040 Policy Map (2022) calls for Regional Activity Center.

- **TRANSPORTATION SUMMARY**

- The site is located at the intersection of College Street, a City-maintained major throughfare, and Martin Luther King Jr. Boulevard, a City-maintained major throughfare. The petitioner committed to doing a Comprehensive Transportation Review (CTR) resulting in making improvements at the intersection of Martin Luther King Boulevard and College Street regarding pedestrian infrastructure and construction of the Rail Trail. Site plan and/or conditional note revisions are needed to commit to remove callout and conditional note regarding relocation by others for construction of Rail Trail.

- **Active Projects:**

- Uptown Cycle Link
  - Construct a network of dedicated, separate bike lanes in the center city, linking together other bikeways into and across the center city, making the overall network more continuous and navigable.
  - This segment of the connector will link pedestrians and bicyclists between the Little Sugar Creek Greenway/Cross Charlotte Trail and Irwin Creek Greenway through uptown Charlotte. The project begins at the intersection of Pearl Park Way and Kenilworth Avenue and continues along Baxter Street, in tandem with the Pearl Street Park/Pappas Properties development. The project continues up McDowell Street, under I-277 and ends at the intersection of East Stonewall Street and McDowell Street.

- **Transportation Considerations**

- No outstanding issues

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 2,505 trips per day (based on 242,016 square feet of office uses).

Entitlement: Too many uses to determine trip generation.

Proposed Zoning: Too many uses to determine trip generation.

## DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** ~~See Outstanding Issues, Note 1.~~ No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** This zoning district allows 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 12-inch water distribution main located along S College St and an existing 8-inch water distribution main located along E. Martin Luther King Jr Blvd. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 10-inch gravity sewer main located along S College St. No outstanding issues.
- **Erosion Control:** No comments submitted.
- **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)
- **Storm Water Services:** No comments submitted.
- **Urban Forestry / City Arborist:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)

## OUTSTANDING ISSUES

### Transportation

- ~~1. Commit to reserve space for a future bus stop within the pedestrian amenity zone on South College Street.~~ **Addressed**
- ~~2. Commit to specific uses so that CDOT may determine if a TIS is needed.~~ **Addressed**
- ~~3. Revised site plan and conditional notes to commit to 40' of ROW from the road centerline on South College Street. Label and dimension the ROW from the road centerline for all frontages.~~ **Addressed**
- ~~4. Add a conditional note specifying, "A Right of Way Encroachment Agreement is required for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City-maintained street right-of-way by a private individual,~~

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group, business, or homeowner's/business association. An encroachment agreement must be approved by CDOT prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements." **Addressed**

5. ~~Label site access location points and types.~~ **Addressed**

6. ~~Add a conditional note specifying, "the Petitioner shall dedicate and convey in fee simple all rights-of-way to the City before the site's first building certificate of occupancy is issued. CDOT requests rights-of-way set at 2' behind back of sidewalk where feasible."~~ **Addressed**

7. ~~Add a conditional 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."~~ **Addressed**

8. ~~Remove site plan callout and other references stating that the existing convention center facilities along the Rail Trail corridor will be relocated by others.~~ **Addressed**

#### **REQUESTED TECHNICAL REVISIONS**

##### Transportation

9. ~~Show proposed locations of valet parking on the site plan.~~ **Addressed**

##### Infrastructure

10. ~~Clarify in the conditional notes what portion of the rail trail the petitioner will construct and what pedestrian improvements will be incorporated.~~ **Addressed**

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

**Planner:** Holly Cramer (704) 353-1902