



Charlotte Planning, Design & Development
Charlotte-Mecklenburg Government Center
600 East Fourth Street, 8th Floor
Charlotte, NC 28202
Telephone: (704) 432-3013

ALTERNATIVE COMPLIANCE REVIEW COMMITTEE AGENDA

November 2, 2023 | 4:00 pm – 8:00 pm
CMGC Room 280

1. ACRC-2023-00002 – 1601 South Boulevard

- a. Alternative compliance from Section 15.2, Building Stepback and 15.3.3, Parking Structure Design Standards

ALTERNATIVE COMPLIANCE REVIEW COMMITTEE STAFF REPORT

Date: November 2, 2023
Item Number: ACRC-2023-00002
Applicant: Mitchell Drazkowski
Location: 1601 South Boulevard
Request: Alternative compliance from Section 15.2, Stepback and 15.3.3, Parking Structure Design
Date Application Received: October 5, 2023

REQUEST SUMMARY

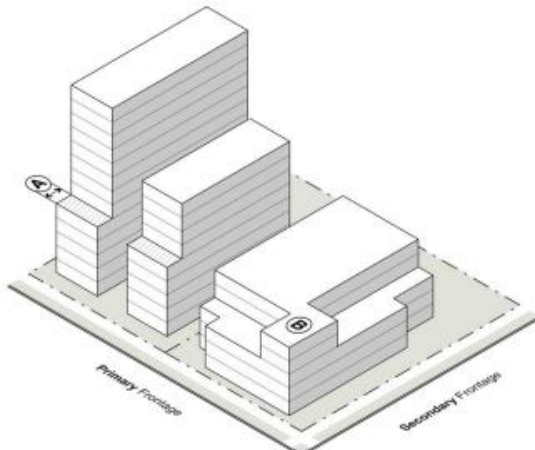
The subject property is located at 1601 South Boulevard and is zoned TOD-UC. The applicant is proposing to construct a mixed-use building with a parking deck. The applicant is requesting alternative compliance on Section 15.2, Building Stepback and 15.3.3, Parking Structure Design for the building façade along Park Avenue.

Park Avenue is classified as a Collector on the CDOT Streets Map, making it an Other Primary frontage. The TOD-UC district requires the following for Other Primary frontages-

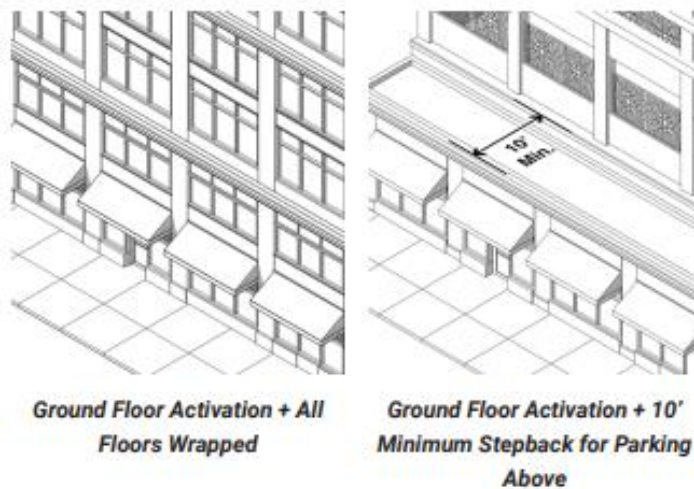
15.2 – Required Height Stepback – Height above 120’ requires a minimum stepback of 10’ from the building façade line. Such stepback shall occur above the ground story, and no higher than the 6th story.

D. Required Height Stepback

Required height stepback standards are intended to ensure the maintenance of light, air, and a comfortable pedestrian experience at ground level within Charlotte's TOD Districts.



15.3.3 – Parking Structure Design – Ground floor activation + all floors wrapped OR ground floor activation + 10' minimum stepback for parking above



In lieu of providing the required 10' stepback for parking above, the applicant is proposing:

- An additional 10' setback for the entire building facade along Park Avenue with an unenclosed usable outdoor space for users of the building within the additional 10' setback

STAFF RECOMMENDATION

Staff recommends denial of the request. The TOD requirements are intended to step back the building's massing and the parking structure façade along the Other Primary frontage. The proposed open space area does not meet the intent of the TOD Ordinance requirements.

See below for Alternative Compliance Design Standards for requests on alternative parking structure design.

ACRC ACTION ITEM

Using the Alternative Compliance Design Standards and exhibits below, the Committee shall recommend approval, approval with modifications, or denial of the request.

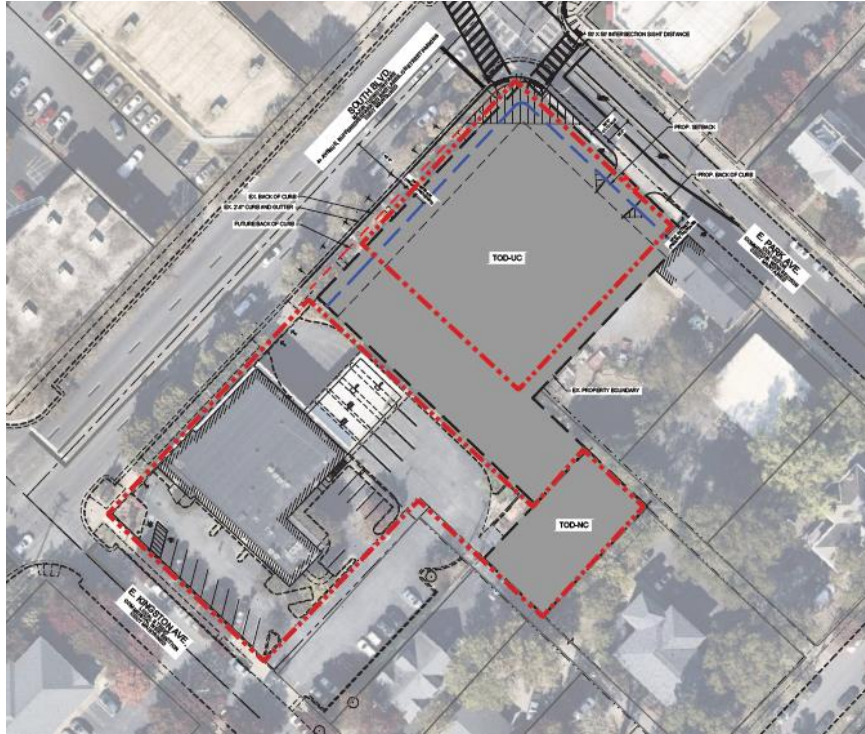
FINAL DECISION

Staff will forward the staff report with the ACRC's recommendation to the Planning, Design, and Development Director within five business days of the meeting. The Director will make the final decision on the request. If alternative compliance is denied by the Director, nothing precludes the applicant from pursuing alternative options through filing an appeal with the Zoning Board of Adjustment, rezoning to TOD-EX, or submitting a new request for alternative compliance.

ALTERNATIVE COMPLIANCE DESIGN STANDARDS

Section 15.3.3: Parking Structure Design			
Standard	Meets Standard		
	Y	N	N/A
The design maintains compatibility with adjacent developments and surrounding land uses	X		
The design maintains pedestrian safety and walkability	X		
The use of horizontal design elements, the palette of building materials, and other alternative methods continue to provide interest and break down the scale of the building facade	X		
Alternative building entry design connects public interior spaces along the ground floor, such as lobbies or commercial spaces, to the outdoor environment and makes such interior spaces visible from the street through the use of fenestration design and connections to outdoor seating or dining areas	X		
When alternative compliance is applied for parking structure design, the following must be met:			
Meets the overall intent of the parking structure design regulations		X	
Maintains a ground floor design that engages the pedestrian environment	X		
Continues to screen the interior circulation components of the parking structure	X		
Maintains pedestrian safety at vehicle ingress/egress points	X		
When alternative compliance is applied for building setback, the following must be met:			
When alternative compliance is applied for building setback standards (Section 15.2.1.F), the design maintains privacy for adjacent residential neighborhoods and is compatible with adjacent structures. New structures and additions to existing structures shall not create substantial shadows on open spaces and public paths. In determining the impact of shadows, the following factors should be taken into account: the amount of area shaded, the duration of shading, and the importance of sunlight to the type of open space being shadowed.	X		

ZONING MAP



SURROUNDING PROPERTIES

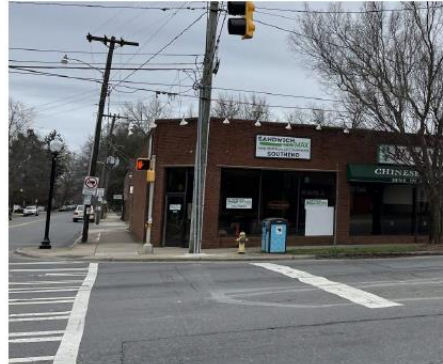
A - SE CORNER OF SOUTH BLVD. & PARK AVE.



B - PARK AVE., LOOKING NORTH



C - SE CORNER OF SOUTH BLVD. & PARK AVE.





ALTERNATIVE COMPLIANCE REVIEW COMMITTEE (ACRC)

APPLICATION FOR ALTERNATIVE COMPLIANCE

APPLICANT		PROJECT / PROPERTY	
Name	Mitchell Drazkowski	Project Name	1601 South Boulevard
Address	South End 1, LLC	Parcel ID(s)	123-073-01, 123-073-08, 123-073-12,
City, State	333 N. Green - Suite 1100	Address	123-073-13, 123-073-14, 123-073-15,
Phone	Chicago, IL 60607	Zip Code	123-073-16
	763-587-8002	Submission #	1601 South Boulevard
Email	mdrazkowski@sterlingbay.com		Charlotte, NC 28203
			LDUTOD-2023-00015

ELIGIBLE REGULATIONS FOR WHICH ALTERNATIVE COMPLIANCE IS REQUESTED

- ☒ **Section 15.2 – Dimensional Standards** (e.g. Minimum Building Height, Stepback, and Building Articulation)
- ☒ **Section 15.3 – Design Standards** (Section 15.3.3.A - activated ground floor area not fully enclosed.)
- ☐ **Section 15.6 – Landscape and Screening Standards** (Section _____)

ZONING DESIGNATION OF SUBJECT PARCEL(S)

Transit Oriented Development (TOD) – Urban Center (UC), Neighborhood Center (NC), Community Center (CC), or Transition (TR)

☒ **TOD-UC** ☐ **TOD-NC** ☐ **TOD-CC** ☐ **TOD-TR**

BRIEFLY DESCRIBE WHY ALTERNATIVE COMPLIANCE IS REQUESTED

Alternative compliance is requested for the composition and extent of the active ground floor space along Park Ave. Due to constraints on driveway placement and required vehicular sight triangles, the amount of available enclosed ground floor space is prohibitively small. By making this unenclosed space, it can be larger, better tie into the podium and tower facade design, and maintain sight triangles for pedestrian and vehicular safety.

BRIEFLY DESCRIBE THE METHODS OF ALTERNATIVE COMPLIANCE PROPOSED

(ADDITIONAL SHEETS MAY BE USED AS NECESSARY)

(Refer also to the attached letter dated 10/5/23)

- **Compatibility with adjacent developments and surrounding land uses.** Providing usable outdoor space for the users of the building helps make the building more compatible with the neighboring buildings further south on Park Ave., which have front yards and open space in front of the principal structure.
- **Maintains pedestrian safety and walkability.** This design maintains sight triangle visibility between 30-72 inches above the ground, and also provides buffer space between building entry doors and the sidewalk. This helps minimize collisions between pedestrians exiting the building and those walking along the sidewalk.
- **Building stepback standards (Sec. 15.2.1.F).** As shown in the site plan diagram, the required sight triangles greatly reduce the amount of frontage available for 1st floor space along Park Ave. Although the proposed design is not enclosed, the low planter height allow the area to extend into the sight triangles without disrupting pedestrian visibility. This allows the design to both capture more active frontage along Park Ave. than a fully enclosed design would be able to do, and more cohesively tie into the façade rhythm of the building behind.
- **Use of design elements to provide interest and break down the scale of the façade.** The proposed design is effectively an 'arcade' or 'gallery' as defined in Sec. 15.4.10 and Table 15.2, Section 2. Furthermore, it provides façade variety and articulation, which distinguishes it from the floors above.
- **Alternative design of parking structures meets the overall intent of design regulations, maintains a ground floor that engages the pedestrian environment, continues to screen the interior circulation components of the parking structure, and maintains pedestrian safety at vehicle ingress/egress points.** The proposed design does not interfere with the parking screening above – which incorporates perforated metal screen in front of a 42" ht concrete crash wall to block headlights.

Property Owner / Agent of Property Owner
Mitchell Drazkowski
Printed Name

10/4/2023
Date

October 5, 2023

Kirsty Sanchez
City of Charlotte – Planning, Design, and Development
Charlotte Development Center
600 East 4th Street – 1st Floor
Charlotte, NC 28202
RE: 1601 South Blvd – LDUTOD-2023-00015

Dear Kirsty,

This letter accompanies the Application for Alternative Compliance for the project at 1601 South Blvd (LDUTOD-2023-00015).

Alternative compliance is requested for the composition and extent of the active ground floor space along Park Ave. Due to constraints on driveway placement and required vehicular sight triangles, the amount of available enclosed ground floor space is prohibitively small. By making this unenclosed space, it can be larger, better tie into the podium and tower facade design, and maintain sight triangles for pedestrian and vehicular safety.

Below is a summary of how the design submitted in this application satisfies the requirements for alternative compliance, which is shown in the accompanying drawings:

- ***Compatibility with adjacent developments and surrounding land uses.*** Providing usable outdoor space for the users of the building helps make the building more compatible with the neighboring buildings further south on Park Ave., which have front yards and open space in front of the principal structure.
- ***Maintains pedestrian safety and walkability.*** This design maintains sight triangle visibility between 30-72 inches above the ground, and also provides buffer space between building entry doors and the sidewalk. This helps minimize collisions between pedestrians exiting the building and those walking along the sidewalk.
- ***Building setback standards (Sec. 15.2.1.F).*** As shown in the site plan diagram, the required sight triangles greatly reduce the amount of frontage available for 1st floor space along Park Ave. Although the proposed design is not enclosed, the low planter height allow the area to extend into the sight triangles without disrupting pedestrian visibility. This allows the design to both capture more active frontage along Park Ave. than a fully enclosed design would be able to do, and more cohesively tie into the façade rhythm of the building behind.
- ***Use of design elements to provide interest and break down the scale of the façade.*** The proposed design is effectively an ‘arcade’ or ‘gallery’ as defined in Sec. 15.4.10 and Table 15.2, Section 2. Furthermore, it provides façade variety and articulation, which distinguishes it from the floors above.
- ***Alternative design of parking structures meets the overall intent of design regulations, maintains a ground floor that engages the pedestrian environment, continues to screen the interior circulation components of the parking structure, and maintains pedestrian safety at vehicle ingress/egress points.*** The proposed design does not interfere with the parking screening above – which incorporates perforated metal screen in front of a 42” ht concrete crash wall to block headlights.



For these reasons, it is HPA's opinion that the proposed design satisfies the requirements for Alternative Compliance with the Zoning Ordinance. I am happy to discuss this further with you, so please do not hesitate to contact me with any questions or clarifications. Thank you.

Sincerely,

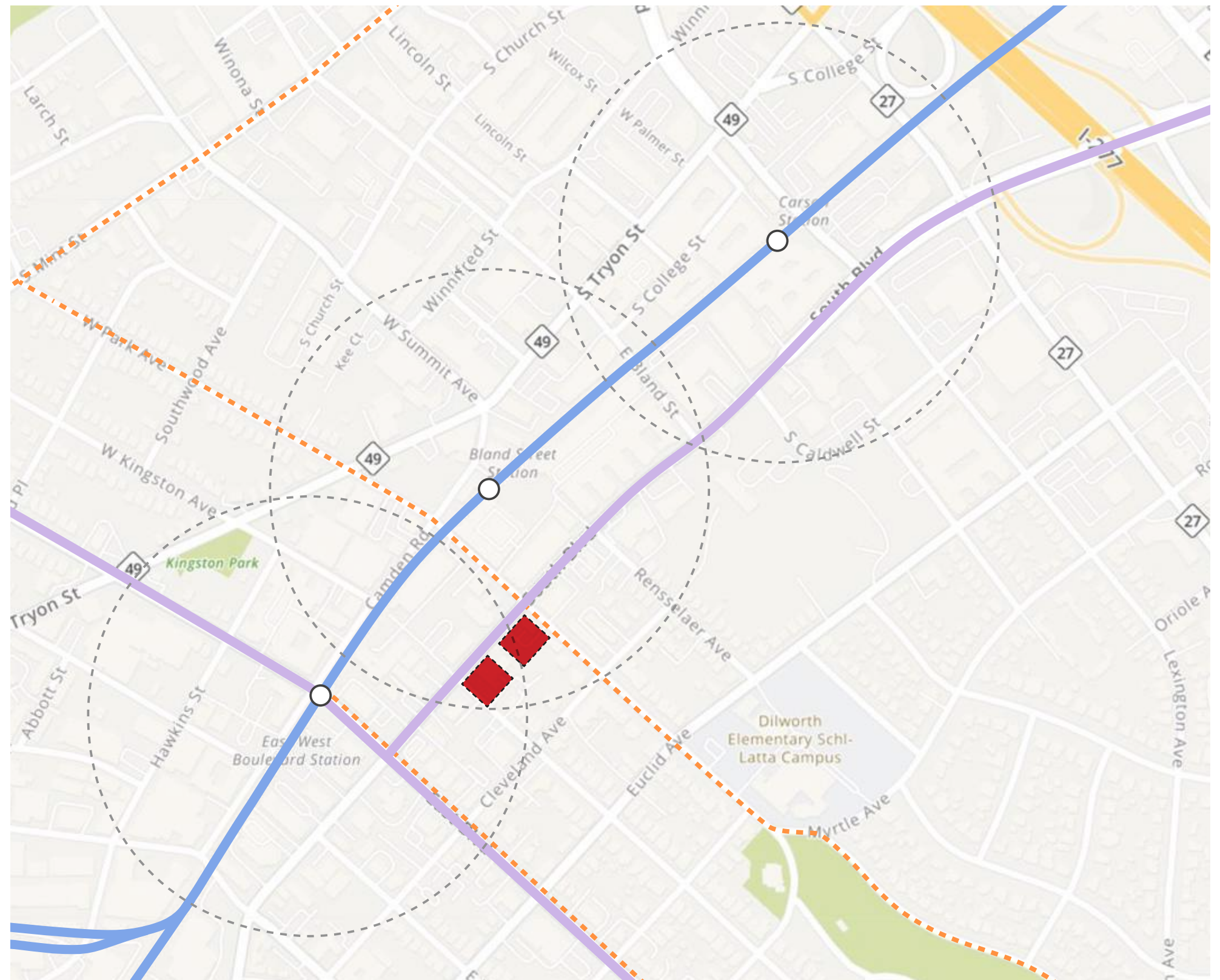
John Mitchell
Hartshorne Plunkard Architecture

cc:

Sterling Bay –Brian Bezanis, Peter Gudonis, Mitchell Drazkowski
Hartshorne Plunkard Architecture – Tom Pope, Ed Falkowski, Nandin Dashdondog
Land Design – Dan Melvin, Cassidy Franklin
Little – Eddie Portis, Chris Hoyt

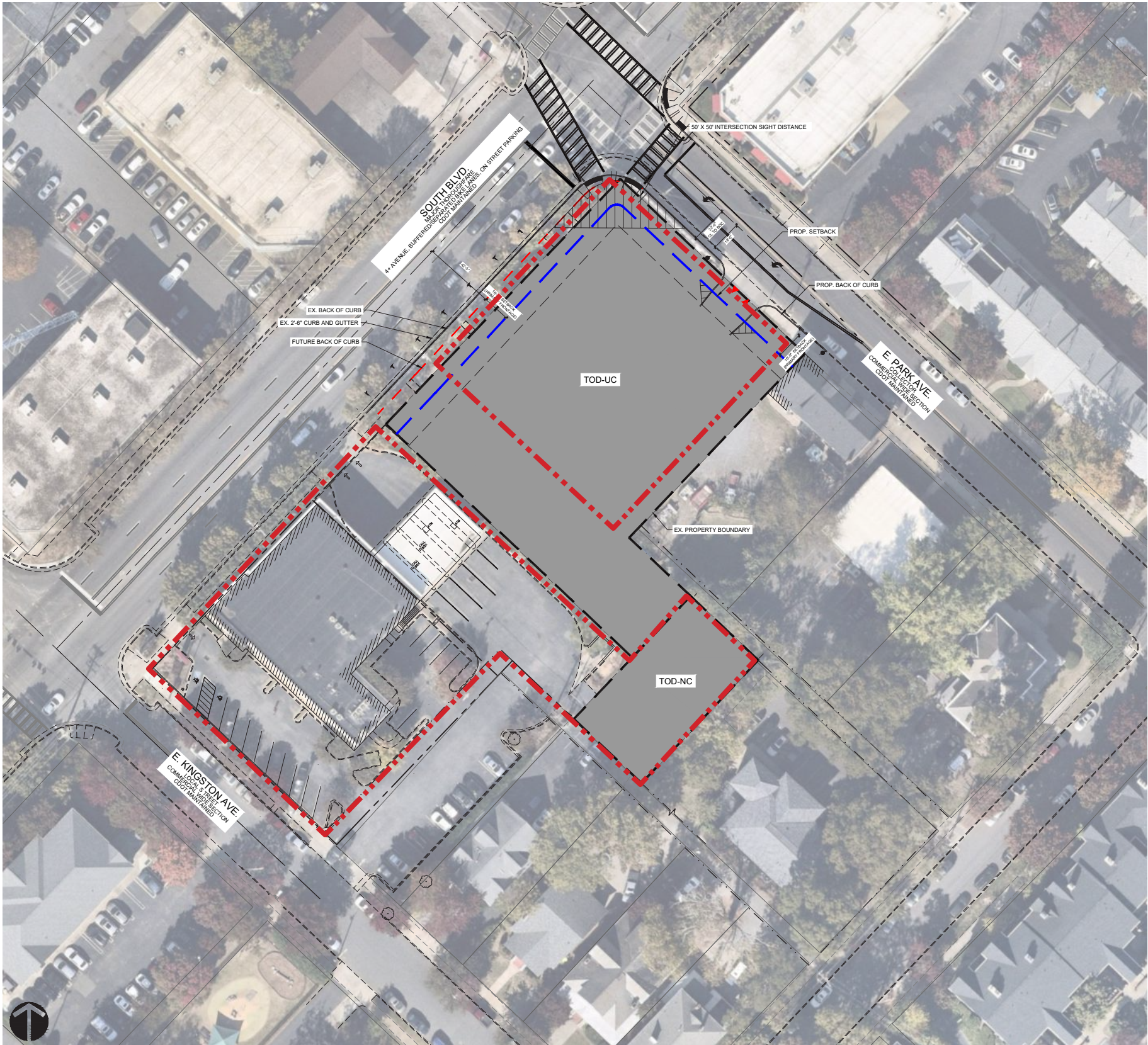
SITE MAP - EXISTING CONDITIONS

- DEVELOPMENT SITE IS THE SOUTH CORNER OF SOUTH BOULEVARD AND PARK AVENUE AND THE EAST CORNER OF SOUTH BOULEVARD AND KINGSTON AVENUE
- WITHIN A 1/4 MILE RADIUS OF TWO BLUE LINE STATIONS
- ON BUS ROUTE 10 & 19
- ON A DEDICATED BIKE LANE



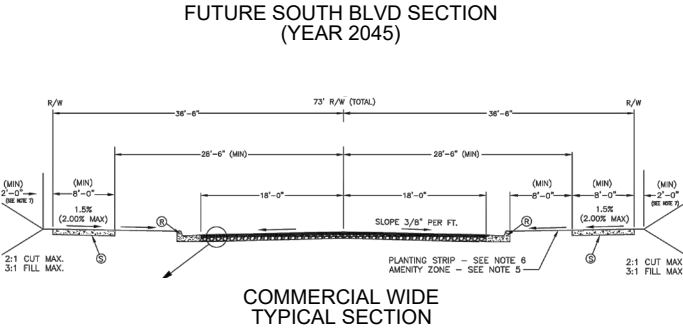
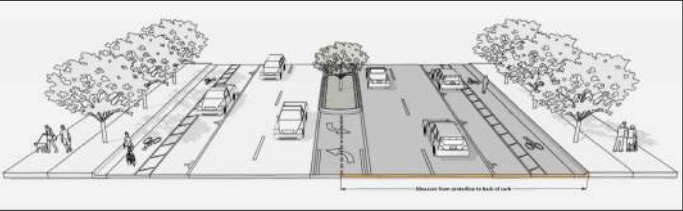
TRAIN BUS BIKE

SITE ZONING



DEVELOPMENT SUMMARY

- 1. TAX PARCEL NUMBERS:
 - 123-073-12
 - 123-073-13
 - 123-073-14
 - 123-073-15
 - 123-073-08
- 2. SITE JURISDICTION:
 - CITY OF CHARLOTTE
- 3. EXISTING ZONING
 - TOD-NC
 - TOD-UC
- 4. PROPOSED USES:
 - TBD
- 5. TOTAL SITE SF (ACREAGE)
 - ± 37,989 SF (± 0.87 AC)
- 6. DIMENSIONAL REQUIREMENTS (MINIMUM)
 - SOUTH BLVD - 16' SETBACK - MEASURED FROM FUTURE BACK OF CURB
 - E PARK AVE - 16' SETBACK - MEASURED FROM FUTURE BACK OF CURB



Building Siting					
		TOD-UC	TOD-NC	TOD-CC	TOD-TR
Required Setback Line by Frontage Type (From Future Back of Curb) * **, ****					
A	Frontage Type				
	Main Street	18'			
	4+ Lane Ave/ Blvd***	24' for 4-5 Lane, 30' for 6+ Lane			
	Other - Primary	Transit corridor - 20'			
	Other - Secondary	Public path - 24'			
	Limited Access	Other frontage type - 16'			
	Limited Access	10' measured from right-of-way			
Build-To Zone (From Setback Line) ****					
B	Frontage Type				
	Main Street				
	4+ Lane Ave/ Blvd***	0-10'	0-20'	0-10'	0-20'
	Other - Primary				
	Other - Secondary				
	Limited Access	N/A			
Minimum Build-To Percentage					
C	Frontage Type				
	Main Street	100%		80%	
	4+ Lane Ave/ Blvd***	80%	60%	80%	60%
	Other - Primary	80%			
	Other - Secondary	60%	40%	60%	40%
	Limited Access	N/A			
D	Side Setback Line	None, unless abutting single-family residential zoning, then: 10' for TOD-UC & TOD-CC 15' for TOD-NC & TOD-TR			
E	Rear Setback Line	None, unless abutting single-family residential zoning, then 20'			

* In all cases, the required setback line and build-to-zone shall be at or behind the required pedestrian facilities and planting strip/amenity zone.

B. Building Siting

Building siting standards govern the placement of buildings on lots, and are intended to facilitate the creation of vibrant, pedestrian-oriented places within Charlotte's TOD Districts.

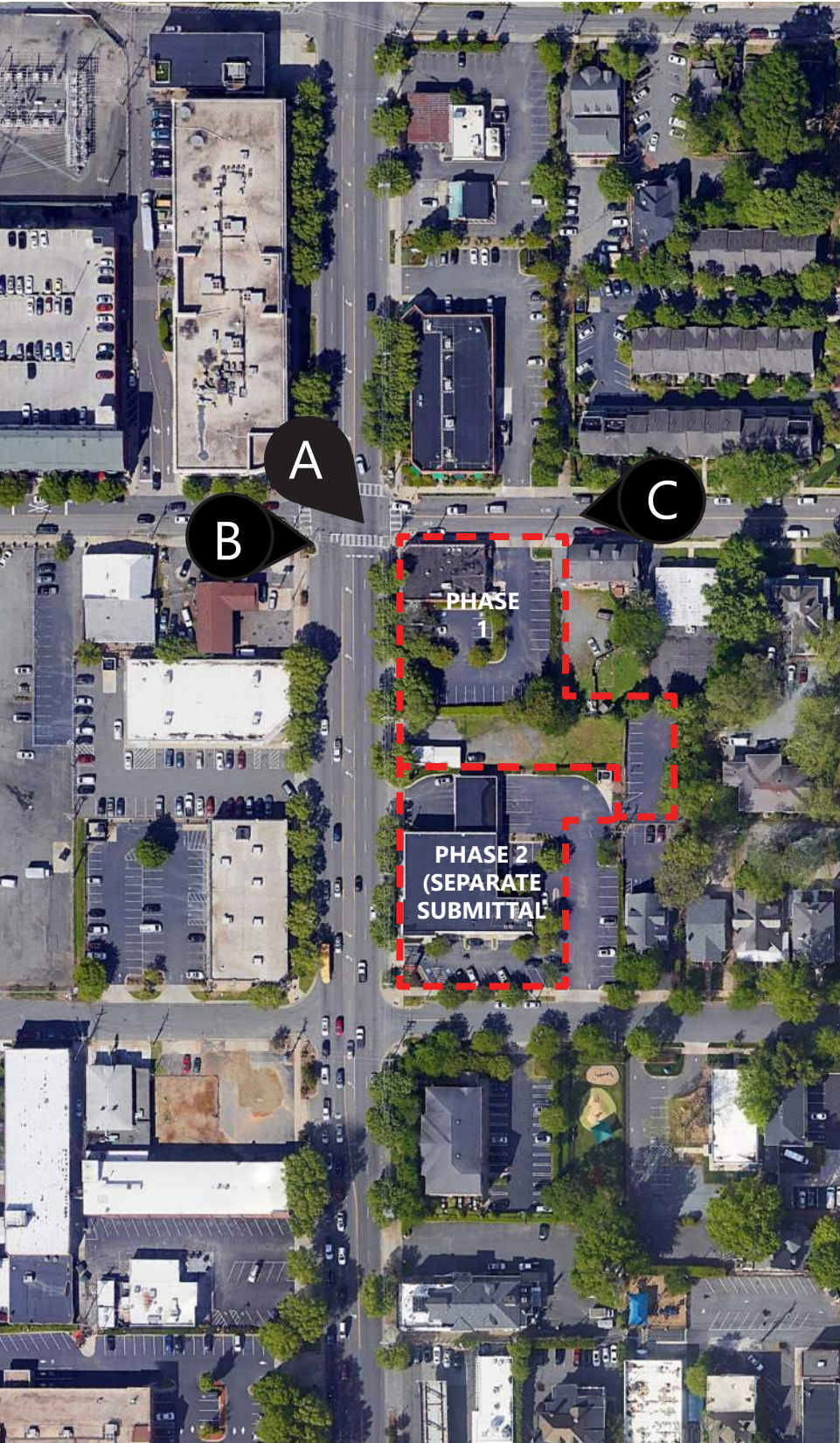
*** For property fronting on a transit corridor or greenway that is a primary or secondary frontage, the building setback line shall be based on an adopted plan. If there is no adopted plan, the Planning Director, in consultation with the CATS Director and/or Mecklenburg County Park and Recreation, will determine the location of the building setback line. The required setback line may need to be increased in some cases to accommodate shared required streetscape elements.

**** With recessed parking, setback calculation begins at back of curb adjacent to travel lane.

***** The build-to zone begins at the required frontage type setback line. If no frontage type setback applies, a setback of 16' from the back of curb is applied and the build-to zone begins at such line.

***** Stoops and steps may encroach into the setback up to 8', but shall be behind the required sidewalk.

SITE PHOTOS - EXISTING CONDITIONS



A - SE CORNER OF SOUTH BLVD. & PARK AVE.



B - PARK AVE., LOOKING NORTH



C - SE CORNER OF SOUTH BLVD. & PARK AVE.



CURRENT DESIGN (LDP SUBMITTAL) - VIEW FROM SOUTH BLVD. AND PARK AVE.



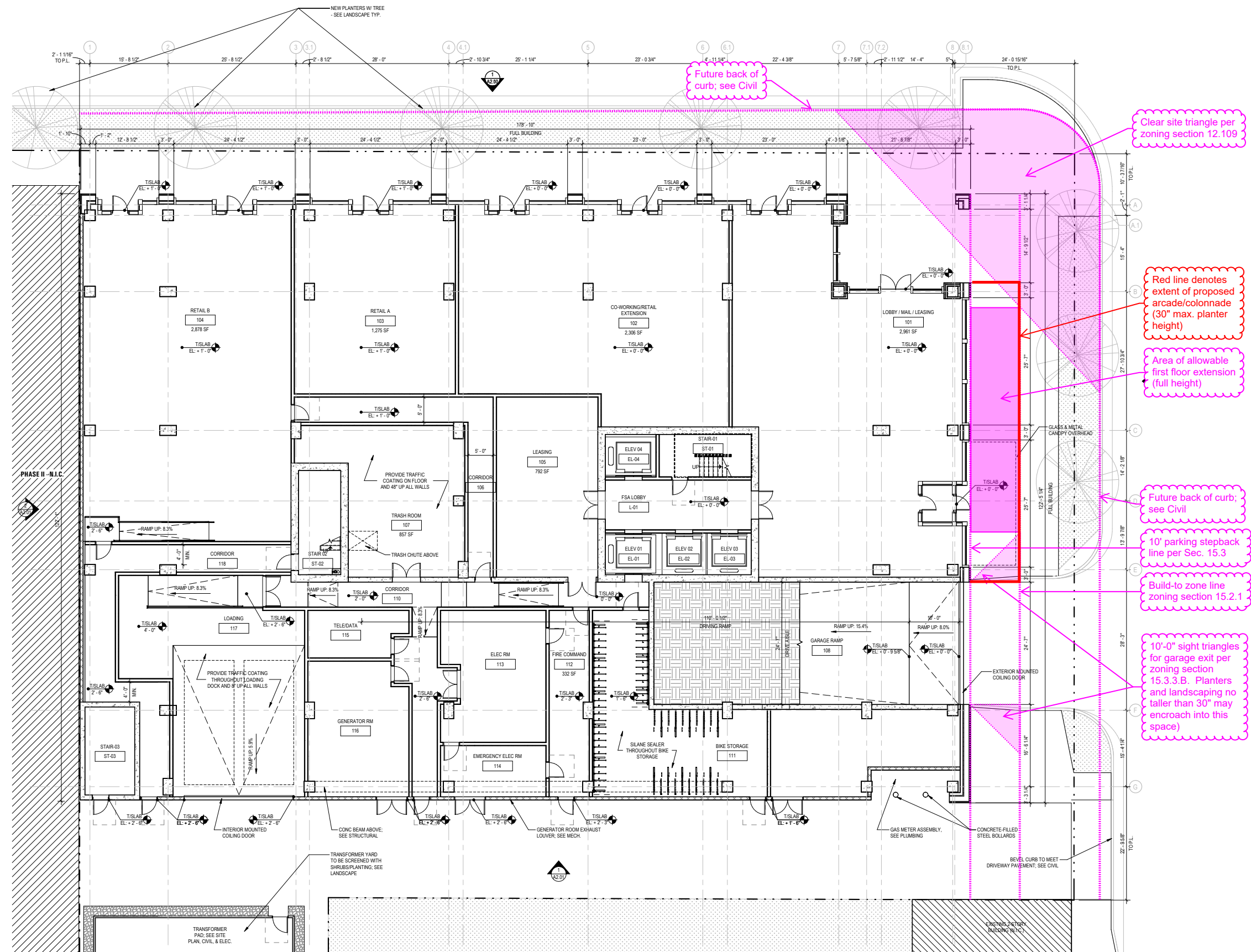
CURRENT DESIGN (LDP SUBMITTAL) - STREET VIEW FROM SOUTH BLVD. AND PARK AVE.



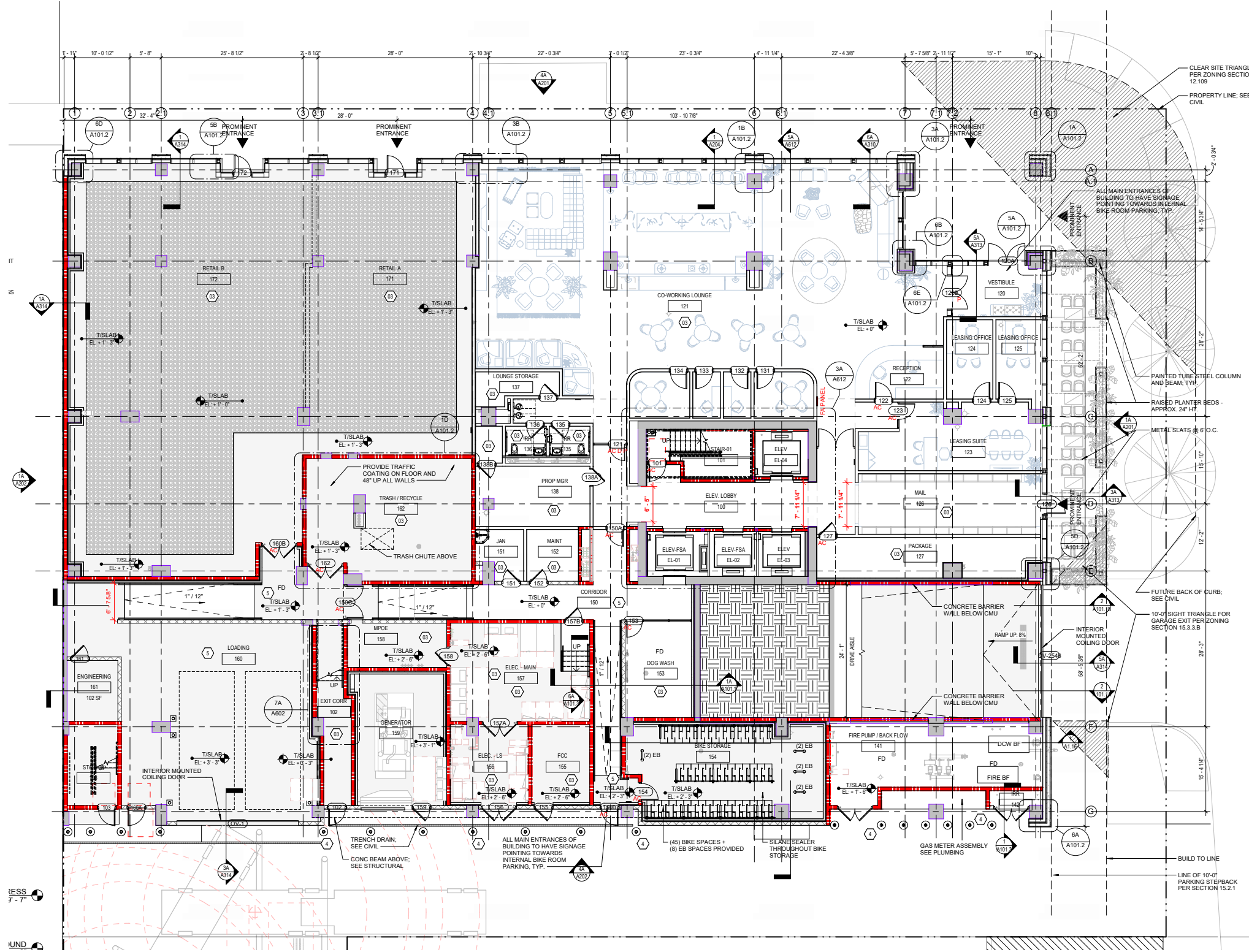
CURRENT DESIGN (LDP SUBMITTAL) - AERIAL VIEW FROM WEST



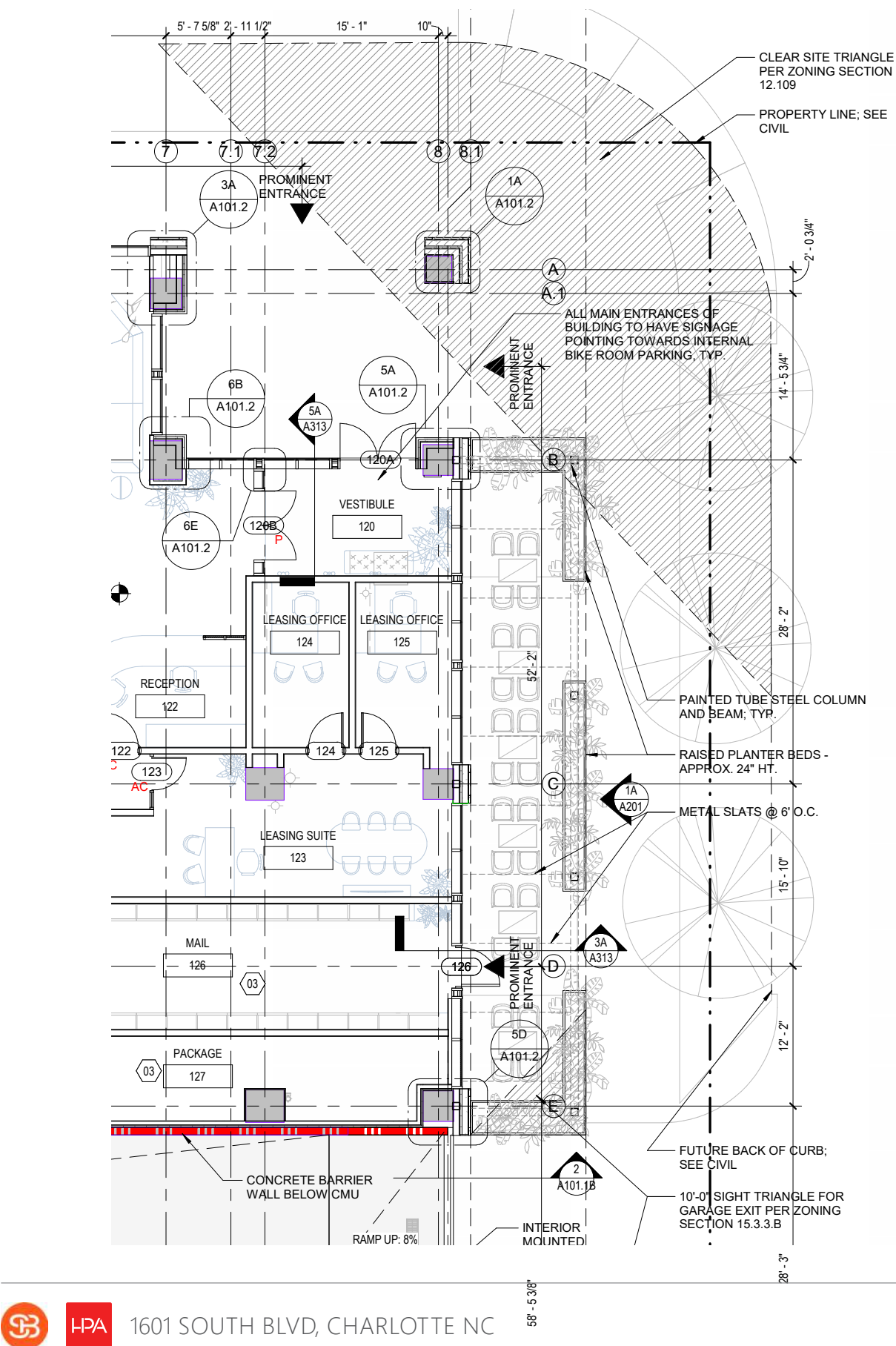
SITE PLAN - ZONING REQUIREMENTS (ACTIVE GROUND FLOOR + 10' PARKING STEPBACK PER SEC. 15.3)



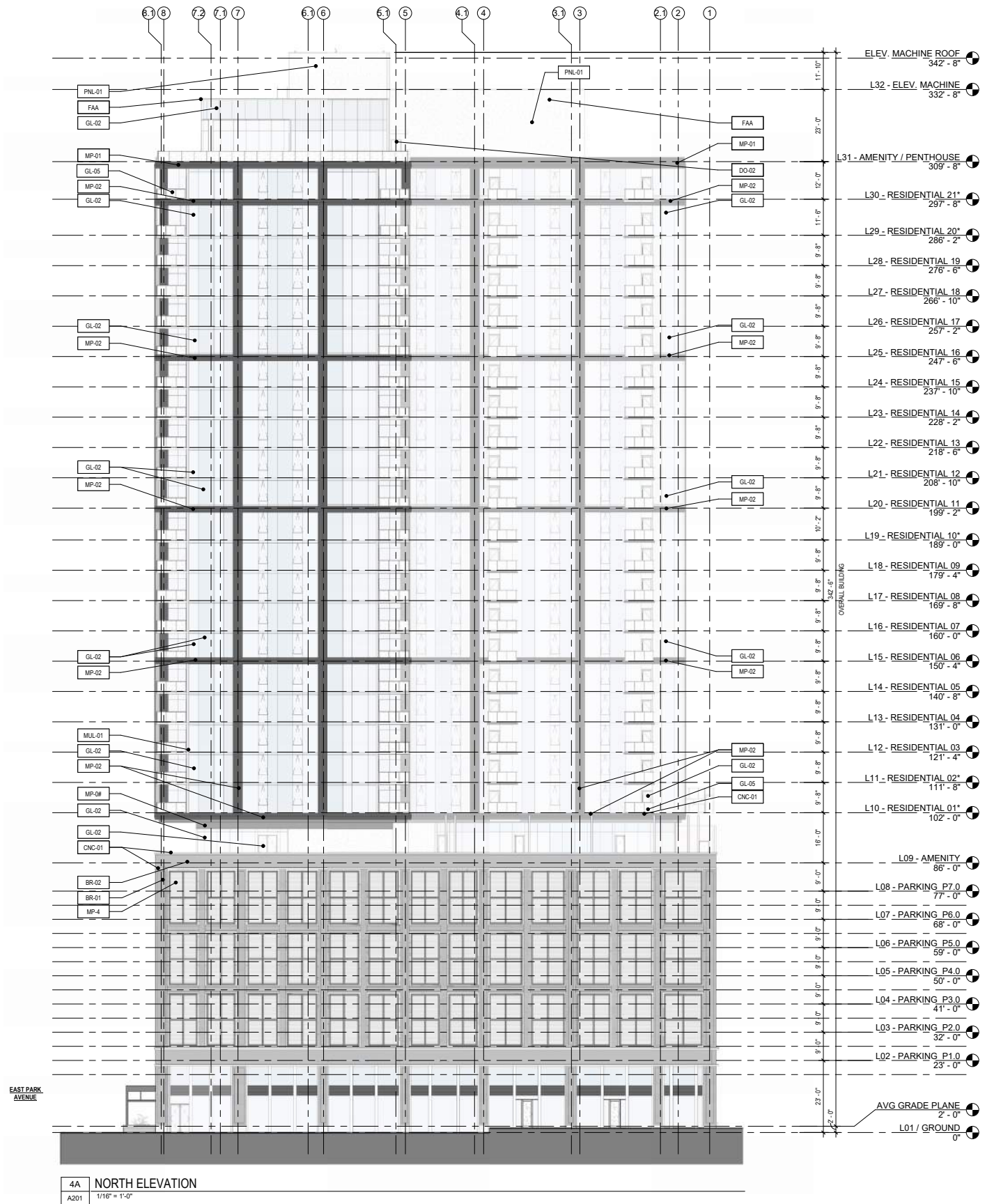
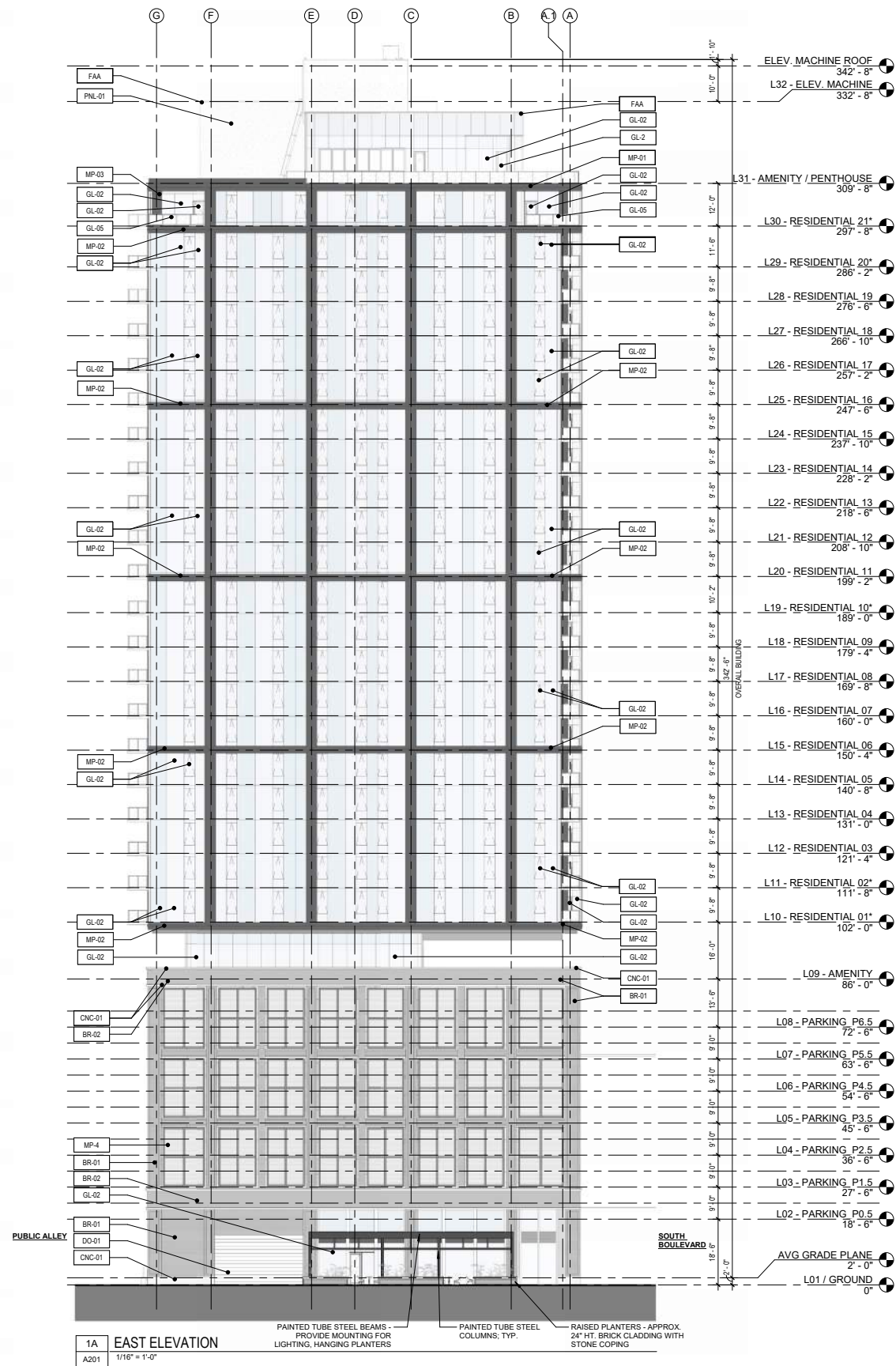
PROPOSED SITE/ 1ST FLOOR PLAN



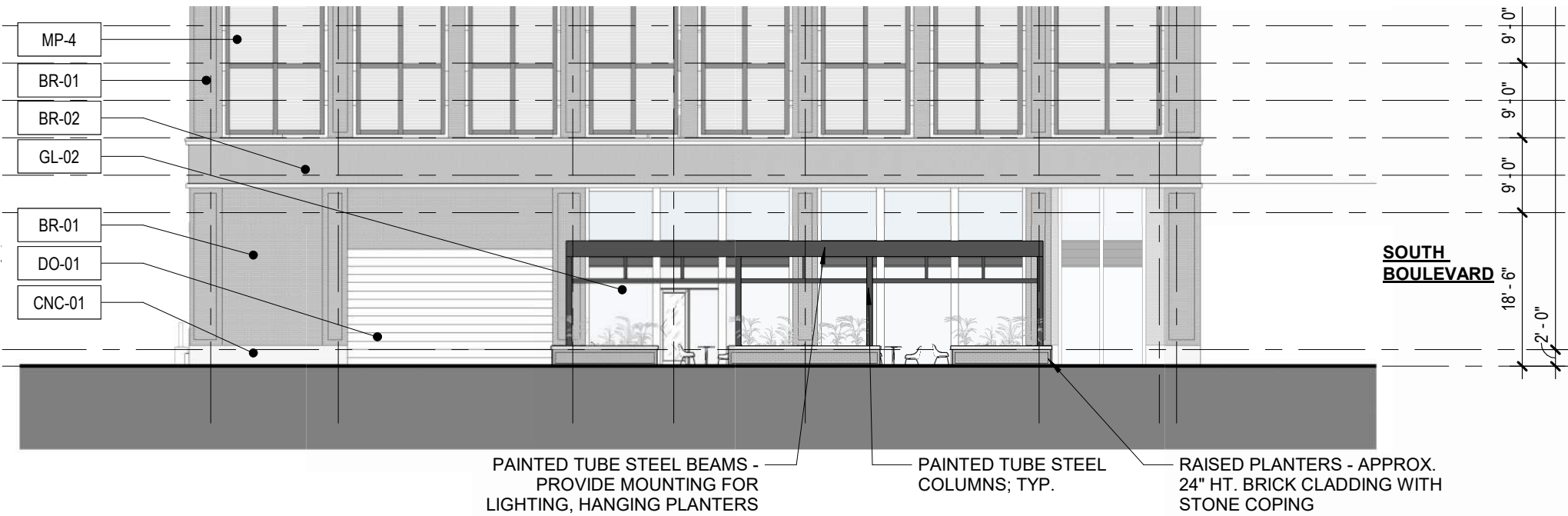
ENLARGED PROPOSED SITE/ 1ST FLOOR PLAN AND DESIGN INSPIRATION



PROPOSED ELEVATIONS



ENLARGED PROPOSED ELEVATIONS



EAST (PARK AVE.) ELEVATION



NORTH (SOUTH BLVD.) ELEVATION

AXONOMETRIC VIEW FROM SOUTH BLVD. & PARK AVE.



PERSPECTIVE VIEW FROM SOUTH BLVD. & PARK AVE.

