

REQUEST	Current Zoning: MUDD-O, mixed-use development, optional Proposed Zoning: MUDD-O SPA, mixed-use development, optional, site plan amendment
LOCATION	Approximately 7.95 acres located on the north side of Sharon Road between Morrocroft Lane and Colony Road.
CENTER, CORRIDOR OR WEDGE	Center
SUMMARY OF PETITION	This petition proposes a site plan amendment to accommodate flexibility in the development of a portion (Tract 3) of a larger 23.396-acre project. The site plan amendment: <ol style="list-style-type: none"> 1) includes the option to convert approved residential units to continuing care retirement units; 2) allows the previously approved fitness center to be expanded and broadened to accommodate potential health or medical uses; and 3) allows 20,000 square feet of ground floor retail and/or office uses.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. This petition is consistent with the <i>SouthPark Small Area Plan</i> .
Property Owner	Morrison Place, LLC
Petitioner	Grubb Properties, Inc.
Agent/Representative	Bailey Patrick/Laura Simmons, K & L Gates
Community Meeting	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- **Background**

This site (Tract 3) was part of a larger rezoning approved in 2004 (Rezoning Petition 2004-015). Approval of Rezoning Petition 2004-015 and the associated site plan accommodated the construction of a mixed-use project. The approved site plan contains the following conditions for Tract 3:

- Up to 195 for-sale residential units and a fitness center open to the public containing up to 10,000 square feet.
- Provision of a 30-foot setback along Sharon Road with streetscape treatment.
- Edge treatment along the Village of Morrocroft property line to include a 20-foot Class "C" landscape strip, minimum 45-foot rear yard setback, and construction of a six-foot high brick or stone veneer wall.
- Height restrictions based upon proximity to adjacent residential development.
- Surface or structured parking (with open space on upper terrace).
- Right-in/right-out driveway with ground mounted sign.

- **Proposed Request Details**

The site plan amendment contains the following changes:

- The option to convert undeveloped residential units (195 for sale residential units previously approved) to continuing care retirement units and/or beds. The option allows conversion at a rate not to exceed two independent living units for each for sale residential unit not developed or transferred from Tract 3 (up to a maximum of 298 units); and three assisted living/skilled nursing units and/or beds for each for sale residential unit not developed or transferred from Tract 3 (up to a maximum of 66 units or beds).
- Increase in the size of previously approved fitness center from 10,000 square feet to 30,000 square feet, and expanded uses to include health/medical/wellness activities.

Introduction of up to 20,000 square feet of ground floor retail and/or office uses on the site, with no one individual retail establishment exceeding 8,500 square feet of floor area. Retail uses to be limited to portions of buildings primarily adjacent to Sharon Township Lane.
Increase in maximum 120-foot building height restriction to 140 feet for a portion of a building adjacent to Sharon Township Lane.
Shifting of approved location of proposed right-in/right-out driveway with two ground mounted signs at entrance, and one additional ground mounted sign for existing driveway.
Modifications to previously approved storm water notes at the request of Storm Water Services.

Existing Zoning and Land Use

The subject property is currently developed with the Park South Apartments, constructed in 1977. Construction of the mixed-use development approved on the remaining acreage zoned MUDD-O is almost complete and consists of residential, office, and commercial uses. The properties to the north, east, and west are zoned R-3, R-17MF, and R-20MF and primarily developed with single family homes and some apartments. Morrocroft commercial development and SouthPark Mall are located to the south and southwest on properties zoned B-1SCD and CC, respectively.

Rezoning History in Area

City Council approved Rezoning Petition 2007-015 on March 19, 2007, rezoning approximately 2.29 acres located on the north side of Morrison Boulevard between Adair Court and Roxborough Road from B-1SCD to O-3(CD), to allow a bank with a drive-through window in an existing 120,200 square foot office building. There have been no other recent rezonings in the immediate area.

Public Plans and Policies

The *SouthPark Small Area Plan (2000)*, as amended by Rezoning Petition 2004-015, recommends a mixed/multi-use center including multi-family residential condominiums, retail uses, and a fitness center.

This petition is consistent with the *SouthPark Small Area Plan*.

PUBLIC INFRASTRUCTURE (see full department reports online)**Vehicle Trip Generation:**

Current Zoning: 1,500 trips per day.

Proposed Zoning: 4,500 trips per day.

CDOT: No issues.

Charlotte Fire Department: No issues.

CATS: No issues.

Connectivity: No issues.

Schools: CMS does not comment on MUDD petitions because of the wide range of uses permitted.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

Storm Water: No issues.

LUESA: The petitioner should submit a Solid Waste Management Plan prior to initiating land clearing, demolition and/or construction activities.

SITE DESIGN: The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies*.

Facilitates the use of alternative modes of transportation by providing a ten-foot wide trail/bike path and internal pedestrian system connecting different uses.

Protects/restores environmentally sensitive areas and minimizes impacts to the City's tree

canopy by providing a minimum 20-foot edge treatment (Class “C” buffer) along the Village of Morrocroft property line. This exceeds the requirement for landscaping at this location.

OUTSTANDING ISSUES

The petitioner should:

1. Add a note to the site plan stating that in the event medical office and restaurant uses are established, parking will be provided at a rate of one space per 225 square feet for medical offices, and one space per 125 square feet for restaurants.
 2. Provide conceptual elevations for all buildings facing public right-of-way. The building wall expanse seems to be excessive and needs to be broken down by either façade articulation or building massing.
 3. Address the LUESA item noted above.
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Attachments Online at www.rezoning.org

Application
CATS Review
CDOT Review
Charlotte Fire Department Review
Community Meeting Report
LUESA Review
Site Plan
Storm Water Review

Planner: Claire Lyte-Graham (704) 336-3782