

REQUEST	Current Zoning: O-2, office Proposed Zoning: MUDD-O, mixed use development district, optional
LOCATION	Approximately 2.27 acres located along the east side of Sharon Road between Morrison Boulevard and Coltsgate Road.
SUMMARY OF PETITION	The petition proposes the following two development scenarios: The "Existing Development/Alteration" scenario will allow for the continued use of the six existing buildings with an allowance for up to 11,000 square feet to be converted to retail or restaurant uses and allow for building expansions of up to 2,500 square feet. The "Redevelopment" scenario will allow for a 105,000 square foot multi-story office building with retail and restaurant uses limited to the lesser of i) 20,000 square feet or ii) the ground floor of the principal building(s).
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding site plan issues. The petition is inconsistent with the <i>SouthPark Small Area Plan</i> . However, the office component is consistent while the ground floor retail uses are inconsistent with the specific uses listed in the plan, but consistent with the mixed use goal of the plan.
Property Owner	Bissell Porter Two, LLC; C/O The Bissell Companies, Inc.
Petitioner	The Bissell Companies, Inc/Sharon Station
Agent/Representative	Jeff Brown and Keith MacVean, King & Spalding, LLP
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions for the "Existing Development/Alteration" scenario:

- Optional provisions to remain until such time as the existing buildings are demolished and the "Redevelopment" scenario occurs:
 - Streetscape requirements not applicable.
 - Existing parking and maneuvering areas allowed to remain between the existing buildings and Sharon Road.
 - Prohibition of accessory drive-through windows not applicable.
 - Existing wall and detached signs to remain or be replaced with signs of the same size or that comply with MUDD standards.
 - Placement of two additional detached signs that comply with MUDD standards within the setback behind the existing sidewalk along Sharon Road.
 - New and existing signs allowed in the 20-foot setback if located between the building and the back of sidewalk.
- Uses within the six existing buildings limited to professional business, general and medical office uses, and two branch banks with drive-through windows.
- Up to 11,000 square feet of the existing buildings to be converted into retail establishments, personal services, and restaurants (restaurants will not have drive-through windows).
- Up to 2,500 square feet to be added to the existing buildings.
- Off-street parking provided at the following ratios:
 - Professional business and general and medical office – one space per 300 square feet
 - Retail (non-restaurant) – one space per 600 square feet
 - Restaurant – one space per 125 square feet
 - Other non-residential – one space per 600 square feet

The site plan accompanying this petition contains the following provisions for the “Redevelopment” scenario:

- Optional provision:
 - Allow detached signs within the 20-foot setback between the back of sidewalk and building(s).
 - Uses limited to professional business, general and medical office uses, retail establishments, personal services, and restaurants.
 - Maximum floor area of 105,000 square feet.
 - Maximum building height of 75 feet.
 - Retail, business, restaurants, and personal service uses limited to the lesser of i) 20,000 square feet or ii) the ground floor of the principal building(s).
 - Access provided by two driveways from Sharon Road, and one driveway off Coltsgate Road.
 - Parking structures located on the site designed to allow pedestrian and vehicular access to Sharon Road through the parking facilities from the southeastern portion of the property.
 - Minimum 80 percent of each building façade constructed of pre-cast, pre-cast stone, stone, simulated stone, or brick.
 - Parking structure constructed of the same or similar materials as principal building(s) and architecturally treated to screen parking from adjacent properties.
 - Up to four principal buildings constructed on the site.
 - A 20-foot landscape setback, measured from back of curb, along Sharon Road.
 - Dumpster and recycling enclosures constructed of same material as the principal building(s).
 - Meter banks hidden from public view.
 - Off-street parking provided at the following ratios:
 - Professional business and general and medical office – one space per 300 square feet
 - Retail (non-restaurant) – one space per 600 square feet
 - Restaurant – one space per 125 square feet
 - Other non-residential – one space per 600 square feet
 - Detached lighting limited to 25 feet and no wall pak lighting allowed.
 - **Existing Zoning and Land Use**

The subject site is currently zoned O-2 and occupied by six small office uses. The surrounding properties are zoned R-3, O-1(CD), and CC and are occupied by a church and an office building with SouthPark Mall across Sharon Road.
 - **Rezoning History in Area**

No rezonings in the immediate area have occurred in recent years.
 - **Public Plans and Policies**
 - The *SouthPark Small Area Plan* (2000) recommends office or an office-residential mixture for the site.
 - The petition is inconsistent with the *SouthPark Small Area Plan*. However, the office component is consistent while the ground floor retail uses are inconsistent with the specific uses listed in the plan, but consistent with the mixed use goal of the plan.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Department of Transportation:**
 - **Vehicle Trip Generation:** With the array of uses allowed in O-2 and MUDD-O zoning categories, a wide range of trip generation is possible for either the existing or proposed zoning scenarios. Given the size of the site and its proximity to the good street network in the area, there should only be minor impacts to the transportation system resulting from this rezoning.
 - **Connectivity:** CDOT has provided the petitioner with suggested wording for the conditional notes to insure that a permanent access easement is identified from Sharon Road to the site's southeastern property line. Therefore, if redevelopment occurs between the site and Coltsgate Road, access to Sharon Road could be provided. See memorandum online for more information.

- **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation:** No comments received.
 - **Urban Forestry:** Request preservation of the existing 46" oak tree along Sharon Road just outside the setback.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies*.
 - Site meets minimum ordinance standards.
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OUTSTANDING ISSUES

- The petitioner should:
 1. Address CDOT issues by modifying the wording of the conditional notes to insure a permanent access easement is provided from Sharon Road to the site's southeastern property line.
 2. Clarify Note 2.a. that the optional provision to allow accessory drive-through windows applies only to branch banks.
 3. Define "professional business" and "personal services".
 4. Modify Note 5.c. by changing the word "may" to "shall".
 5. Replace the word "principle" with "principal" in Notes: 3.b., 5.b., and 5.f.
 6. Address Urban Forestry's request to preserve the existing 46" oak tree along Sharon Road.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

Planner: Shad Spencer (704) 353-1132