

REQUEST	Current Zoning: O-1(CD), office, conditional Proposed Zoning: MUDD-O, mixed use development district, optional
LOCATION	Approximately 2.96 acres located along the east side of Sharon Road between Morrison Boulevard and Coltsgate Road extending to abut Coltsgate Road.
SUMMARY OF PETITION	The petition proposes to allow business, general and medical office, retail, and restaurants, with retail, business, and restaurants, uses limited to the ground floor of either the existing building or a new building.
Property Owner Petitioner Agent/Representative	Bissell Porter Siskey, LLC; C/O The Bissell Companies, Inc. The Bissell Companies, Inc/Sharon Station Jeff Brown, Keith MacVean, King & Spalding, LLP
Community Meeting	Meeting is required and has been held. Report available online.

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted unanimously to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Provided a concrete waiting pad at the existing bus stop located along Sharon Road in front of this subject site. 2. Replaced the word "principle" with "principal" in the in the site data table and Notes 3.a. and 3.c. 3. Modified the list of permitted uses so they better align with those defined in the Zoning Ordinance by eliminating the terms "professional business" and "personal services".
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VOTE	<table border="0"> <tr> <td>Motion/Second:</td> <td>Lipton /Firestone</td> </tr> <tr> <td>Yeas:</td> <td>Dodson, Fallon, Firestone, Lipton, and Rosenburgh</td> </tr> <tr> <td>Nays:</td> <td>None</td> </tr> <tr> <td>Absent:</td> <td>Phipps and Walker</td> </tr> <tr> <td>Recused:</td> <td>None</td> </tr> </table>	Motion/Second:	Lipton /Firestone	Yeas:	Dodson, Fallon, Firestone, Lipton, and Rosenburgh	Nays:	None	Absent:	Phipps and Walker	Recused:	None
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Nays:	None										
Absent:	Phipps and Walker										
Recused:	None										

ZONING COMMITTEE DISCUSSION

Staff reviewed the specifics of the proposed development including the requested optional provisions. Staff clarified that the concrete waiting pad requested by CATS was for pedestrians and that it had been addressed along with all other outstanding issues. In conclusion, staff noted that the retail uses within the request are inconsistent with the *SouthPark Small Area Plan*. However, the office component is consistent and the overall development meets the mixed use goal of the plan.

A commissioner asked why the retail and restaurant uses are limited to the ground floor of the building(s). Staff stated that the petitioner made the request to limit those uses to the ground floor and they are typically located on the ground floor for visibility and to activate the streetscape. Staff could possibly support retail and restaurant uses located within additional floors of a building in future rezonings.

STATEMENT OF CONSISTENCY

This petition is found to be inconsistent with the *SouthPark Small Area Plan* but to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Fallon seconded by Commissioner Dodson).

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS

(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW**• Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Optional provisions:
 - Allow new and existing detached signs within the 20-foot setback between the back of sidewalk and building.
 - Allow the existing wall signs and the ground mounted detached sign located at the corner of Sharon Road and the shared driveway to remain.
 - Allow the existing 5-foot planting strip and 5-foot sidewalk to remain along Coltsgate Road.
- Uses limited to general and medical office uses, retail establishments, and restaurants.
- Maximum floor area of 80,000 square feet.
- Maximum building height of 75 feet.
- Retail, business, and restaurants uses limited to the ground floor of the principal building.
- Access provided by three shared driveways; two from abutting properties to Sharon Road and another from Coltsgate Road.
- A 20-foot landscape setback, measured from back of curb, along Sharon and Coltsgate Roads.
- Dumpster and recycling enclosure constructed of same material as the principal building(s).
- Meter banks hidden from public view.
- Off-street parking provided at the following ratios:
 - 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 site lighting limited to 25 feet and no wall pak lighting allowed.

• 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 *South Park 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.

• STAFF RECOMMENDATION (Updated)

- Staff agrees with the recommendation of the Zoning Committee.
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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:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** No issues
- **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.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** No issues.
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OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- 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
- Application
- Site Plan
- Pre-Hearing Staff Analysis

Planner: Shad Spencer (704) 353-1132