

<b>REQUEST</b>	Current Zoning: MUDD(CD), mixed use development district, conditional Proposed Zoning: MUDD-O, mixed use development district, optional
<b>LOCATION</b>	Approximately 1.25 acres located on the southwest corner of Park Road and Heather Lane.
<b>SUMMARY OF PETITION</b>	The petition proposes a maximum 12,000 square foot two-story branch bank building or other office uses allowed in the MUDD zoning district.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Bank of the Ozarks Bank of the Ozarks Susanne Todd/Johnston Allison & Hord, PA-R
<b>COMMUNITY MEETING STATEMENT OF CONSISTENCY</b>	Meeting is required and has been held. Report available online. This petition is found to be consistent with the <i>Central District Plan</i> and to be reasonable and in the public interest by a unanimous vote of the Zoning Committee (motion by Commissioner Fallon seconded by Commissioner Phipps).

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted unanimously to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. Modified Note #2 under "Optional Provisions" to eliminate "Park Road". There is technically no parking or maneuvering between the building and Park Road.</li> <li>2. Changed the note under "Optional Provisions" to indicate that the "Petitioner is requesting the following variations as part of this <del>UMUDD-O</del> MUDD-O Application:"</li> <li>3. Provided a cross-walk across the internal drive-aisle out to the sidewalk along Heather Lane.</li> <li>4. Clarified Note #3 under "Optional Provisions" to indicate only one detached identification sign will be allowed and such sign shall have a maximum height of 5 feet and a maximum sign face area of 50 square feet. All other signs (i.e. wall, directional, etc.) shall comply with the MUDD signage regulations.</li> <li>5. Provided a note indicating the petitioner agrees to fund upgrading pedestrian traffic signalization located on the northeast corner of the site at the intersection of Park Road and Heather Lane, not to exceed \$2,500.00.</li> </ol>
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<b>VOTE</b>	Motion/Second:	Dodson/Firestone
	Yeas:	Dodson, Fallon, Firestone, Lipton, Phipps, and Rosenburgh
	Nays:	None
	Absent:	Walker
	Recused:	None

<b>ZONING COMMITTEE DISCUSSION</b>	<p>Staff presented the petition to the Zoning Committee and indicated all outstanding issues have been addressed.</p> <p>A Commissioner questioned the maximum height of the proposed</p>
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building. The site plan indicates the building will be a maximum of two stories and up to 60 feet. The elevations indicate a two story building with a hipped roof. The Commissioner was concerned with a height of 60 feet and if it should be reduced. Staff indicated that if there are conflicting notes on a plan, the more restrictive applies. In this case the more restrictive is two stories.

Another Commissioner asked how many driveways were being proposed for the site. Staff stated a drive is proposed off Heather Lane, a right-out drive onto Park Road, and a possible future connection to Drexel Place when the abutting property redevelops.

**STAFF OPINION**

Staff agrees with the recommendation of the Zoning Committee.

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**FINAL STAFF ANALYSIS**  
(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW****• Background**

The subject site was part of a larger 2.1-acre rezoning approved in 2008 (rezoning petition 2008-033). This previously approved rezoning allowed for 40,000 square feet of retail, office, and restaurant uses.

**• Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- A maximum 12,000 square foot branch bank building or other office uses allowed in the MUDD zoning district.
- Height limited to two stories and up to 60 feet.
- Building elevations along with a note indicating the predominant building material, on all four sides, shall be masonry (i.e. brick or stone).
- An eight-foot planting strip and eight-foot sidewalk to be installed along Park Road and an eight-foot planting strip and six-foot sidewalk to be installed along Heather Lane.
- A two-foot six-inch high masonry screen wall and plantings along portions of the Park Road frontage to screen parking and maneuvering.
- Detached lighting not to exceed 15 feet in height and to be a fully shielded cut-off fixture.
- No "wall pak" type lighting shall be allowed. Wall mounted decorative lighting fixtures such as sconces are permitted.
- A parking ratio of one space per 333 square feet.
- The existing driveway onto Park Road to remain open but limited to a right-out only movement.
- A cross-access easement to be provided to the abutting property to the south to allow for a possible future connection from Heather Lane to Drexel Place.
- Additional right-of-way to be conveyed along Park Road to include both the eight-foot planting strip and the eight-foot sidewalk, an additional five feet of right-of-way along Heather Lane, and a 30-foot radius at the intersection of Park Road and Heather Lane.
- Optional provisions to include:
  - Drive-through service lanes and windows permitted only as an accessory use to a bank or financial institution.
  - Parking and maneuvering between the building and Heather Lane.
  - Ground mounted detached sign to have a maximum sign face area of 50 square feet.

**• Public Plans and Policies**

- The *Central District Plan* (1993), as amended by rezoning petition 2008-033, recommends a mix of retail, office, and restaurant uses. This subject site will allow for office uses while the

remaining balance of the 2008 rezoning will continue to allow for retail, office, and restaurant uses.

- This petition is consistent with the *Central District 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 comments received.
  - **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 Department:** No comments received.
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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-Environment*.
    - This site meets minimum ordinance standards.
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**OUTSTANDING ISSUES**

- No issues.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- 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