

REQUEST	Current Zoning: O-15(CD) (office, conditional) Proposed Zoning: MUDD-O (mixed use development, optional), with five-year vested rights.
LOCATION	Approximately 3.15 acres located on the northeast corner at the intersection of Providence Road, Sardis Road, and Fairview Road. (Council District 6 - Smith)
SUMMARY OF PETITION	The petition proposes a maximum of 35,000 square feet of commercial floor area, with up to two drive-through service windows.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The proposed use is consistent with the <i>South District Plan</i> .
PROPERTY OWNERS	Cynthia Smith, Robert Suther, Sarah Pollock, Erin Cole, Shannon Martin and Lynda Fagan
PETITIONER AGENT/REPRESENTATIVE	Merrifield Patrick Vermillion, LLC Collin Brown/Bailey Patrick, Jr., KL Gates
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 5

PLANNING STAFF REVIEW

- **Background**
 - The subject property was rezoned via Petition 1976-53 to allow a 2,500-square foot financial institution.
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

 - Maximum 35,000 square feet of floor area for commercial uses, including all principal and accessory uses permitted in the MUDD (mixed use development) district.
 - Maximum of five buildings.
 - Two accessory drive-through service windows allowed except prohibited as an accessory to an eating, drinking, entertainment establishment.
 - Portion of Old Sardis Road to be abandoned.
 - A new CATS Park-and-Ride facility, with up to 41 spaces to replace the existing facility located within the Old Sardis Road right-of-way, will be located on an adjacent property located north of Old Sardis Road identified as rezoning petition 2007-95. An administrative amendment will be submitted to accommodate the new facility.
 - Existing CATS bus stop located on Providence Road to remain.
 - Vehicular access to site via Old Sardis Road. Existing driveways on Sardis Road and Providence Road to be removed. Additional site access is proposed from the adjacent shopping center located north of Old Sardis Road.
 - A pedestrian refuge island will be located within the right-of-way on Providence Road and Sardis Road.
 - Exterior building materials consist of brick, stone, precast concrete, cementitious siding, stucco, EIFS and metal panel. Building elevations are provided.
 - Roof mounted mechanical equipment will be screened from view from public rights-of-way and abutting properties as viewed from grade.
 - An eight-foot wide planting strip, with an additional five feet dedicated for a future bike lane, and a six-foot sidewalk will be provided along the frontage on Sardis Road. Sidewalk may meander to save existing trees.
 - Existing sidewalk along frontage on Providence Road to be widened to six feet. The existing planting strip is to remain.
 - A 19-foot setback on Sardis Road and a 20-foot setback on Providence Road.
 - A wall or landscaping will be provided along both street frontages.
 - Detached lighting not to exceed 20 feet in height.
 - Request for five-year vested rights.

- Optional provisions include:
 - Allow two drive-through service windows, which will be screened from public streets by a wall or buildings. Drive-through service windows are prohibited as an accessory to restaurant uses.
 - Maintain existing planting strip and sidewalk location along frontage on Providence Road.
 - Allow parking and vehicle maneuvering between the buildings and Providence Road.
 - Exempt signage on the site for CATS facilities that may be located on or near the site from the amount of signage allowed under the MUDD (mixed use development) standards.
- **Existing Zoning and Land Use**
 - The subject property is currently developed with a single story bank that includes four drive-through lanes. Surrounding properties are zoned NS (neighborhood services), B-1(CD) (neighborhood business, conditional), INST(CD) (institutional, conditional), R-17MF and R-12MF (multi-family residential), and R-3 (single family residential) and developed with office and commercial uses, a religious institution, and single family and multi-family dwellings.
- **Rezoning History in Area**
 - Petition 2013-023 rezoned 36 acres located on the southwest corner of Providence Road and Strawberry Hill Drive from R-12 MF (multi-family residential) to R-17MF (CD) (multi-family residential, conditional) to allow the redevelopment of the Pinehurst Apartment with up to 580 multi-family dwelling units.
 - Petition 2012-76 rezoned 1.66 acres located on the northeast corner of the intersection of Providence Road and Mammoth Oaks Drive from INST(CD) (institutional, conditional) to B-1(CD) (neighborhood business, conditional) to allow a free-standing surface parking lot associated with an adjacent religious institution.
 - Petition 2007-95 rezoned 9.4 acres located on the northeast corner of Providence Road and Sardis Road from R-12MF (multi-family, residential) and B-1(CD) (neighborhood business, conditional) to NS (neighborhood services) to allow a 37,700-square foot expansion of the existing Strawberry Hill shopping center.
- **Public Plans and Policies**
 - *South District Plan* (1993) recommends retail use on the subject property.
 - The petition is consistent with the *South District Plan* and is compatible with adjoining uses.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** CATS requests the following amendments to the note under heading Old Sardis Road Right-of-Way/CATS Park-and-Ride Facility:
 - In order to accommodate the abandonment, it would be necessary for the petitioner to provide an alternate CATS park-and-ride facility within permanent easement to replace the one currently located within the Old Sardis Road right-of-way.
 - It is understood that no development activity can take place within the Old Sardis Road right-of-way unless and until that area is abandoned by the City of Charlotte, and a replacement park-and-ride facility is established for CATS.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Vehicle Trip Generation:**
 - Current Zoning: 370 trips per day.
 - Proposed Zoning: 1,750 trips per day.
 - **Connectivity:** 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.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No comments received.
-

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*.
 - Minimizes impacts to the natural environment by building on an infill lot.

OUTSTANDING ISSUES

- The petitioner should:
 1. Show proposed dumpster and recycling location. Note that trash receptacles may not be temporarily located behind buildings on Providence Road or Sardis Road.
 2. Provide detail of proposed wall and landscape screening that may be provided along public streets.
 3. Change "restaurant" to "eating, drinking, and entertainment establishment."
 4. Delete Note 2(d).
 5. Correctly number items under Note 2 and Note 4.
 6. Delete Note 12.
 7. Amend Note 10 to state "signage as allowed by the Ordinance will be provided."
 8. Address CATS comments.
-

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

Planner: Sonja Sanders (704) 336-8327