

REQUEST	Current Zoning: O-2 (office) Proposed Zoning: MUDD(CD) (mixed use development, conditional)
LOCATION	Approximately 0.37 acres located on the southwest corner at the intersection of Montford Drive and Park Road. (Council District 6 - Smith)
SUMMARY OF PETITION	The petition proposes to allow 4,700 square feet of retail uses.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Rudolph Investments LLC Lat Purser & Associates Lat H. Purser
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 2
STATEMENT OF CONSISTENCY	<p>This petition is found to be consistent with the <i>Park Woodlawn Area Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The plan recommends a mix of residential, office and/or retail land uses for the area in which the site is located. <p>Therefore, this petition is found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The development provides a nonresidential use; and • The development implements the non-residential community design guidelines recommended in the plan; <p>By a 7-0 vote of the Zoning Committee (motion by Commissioner Nelson seconded by Commissioner Ryan).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications and petitioner's commitment to address the additional outstanding issues:</p> <ol style="list-style-type: none"> 1. Provided pedestrian ramps on the east and west side of the driveway along Montford Drive. Design should be coordinated with CDOT during the construction review process. 2. Amended the proposed zoning under the development summary to specify MUDD(CD) rather than MUDD. 3. Amended Note 4 to reduce the height of freestanding lighting to 20 feet. Removed language about "wall pak" lighting and replaced with the following "All lighting within the site shall be designed and shielded such that direct illumination does not exceed past any property line and shall be consistent with the zoning ordinance requirements." 4. Expanded Note 7 to indicate the existing landscaping. 5. Relocated the area proposed for roll-out waste bins onto the site. 6. Provided screening for the area set aside for roll-out waste bins. 7. Eliminated the signage from the building elevations/renderings. 8. Committed to removing the "retail" label from the building and replace with "proposed building." 9. Committed to working with the planning staff to address the location of the waste facilities. 10. Committed to labeling the landscape along the western property line (i.e. existing hedge to remain). 11. Committed to amending the Development Summary (Proposed Uses and Development Totals) or Note 3. so the proposed/allowed uses match. 12. Committed to confirming that all parking spaces in the middle of
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the site are within 40 feet of a tree by showing tree islands or trees near the spaces.

13. Committed to amending renderings to reflect the provision of recessed doors along Park Road per Section 9.8506(2)(h) of the Zoning Ordinance.

VOTE

Motion/Second: Ryan/Sullivan
 Yeas: Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan, and Walker
 Nays: None
 Absent: None
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff briefed the committee on the rezoning petition and went over changes since the public hearing and the remaining outstanding issues. Staff indicated that the petitioner was working on item number 2(9) and that the petitioner has stated that items 1, 3, 4, 5, and 6 have been addressed and are ready to be submitted on a final site plan.

One Commissioner asked about the proposed location of the dumpster enclosure on Montford Drive. Staff explained that planning staff requested the waste receptacles be located on-site rather than offsite. Another Commissioner asked why the dumpster could not be located offsite. Staff stated that a cross access easement in perpetuity could be provided to allow the dumpster to be located offsite.

A commissioner asked about the trip generation increase. CDOT staff explained that a composite number is determined based on the proposed use. Retail uses can produce a range of trips so it is difficult to determine the actual trip generation.

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:

- Allows a 4,700-square foot commercial building located at the corner of Park Road and Montford Drive with no parking and/or maneuvering between the building and the streets.
- Limits detached lighting to 20 feet in height.
- Provides access to the site via one existing driveway on Montford Drive and one cross access easement driveway to the office parcel to the south.
- Provides a minimum five-foot wide landscaped screen will incorporate the existing hedge with a six-foot high wood fence along the western property line, adjacent to the single family home.
- Provides a 21-foot setback along Park Road that includes a 13-foot wide planting strip with five feet for a future bike lane and an eight-foot wide sidewalk.
- Specifies that doors along Park Road will be recessed.
- Provides a 16-foot setback along Montford Drive including an eight-foot wide planting strip and an eight-foot wide sidewalk.
- Provides renderings specifying proposed building materials, clear glass windows and operable entries.

• **Public Plans and Policies**

- The *Park Woodlawn Area Plan* (2013) recommends a mix of residential, office and/or retail land uses for the area in which the site is located.
- The plan recommends that sites adjacent to the single family neighborhood and those that front on Park Road should adhere to the “Non-residential Community Design” guidelines. The guidelines state that shallow depth lot redevelopment along Park Road should relate to the single family neighborhoods behind, buildings should orient to Park Road with parking and circulation behind buildings, and scale and height should transition with respect to the single

family neighborhood. The petition proposes to orient the building to Park Road with parking and circulation behind, limits the size of the building to 4,700 square feet and a maximum of 40 feet in height.

- The petition is consistent with the *Park Woodlawn Area 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.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** No issues.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte Water:** 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 issues.
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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*.
 - Minimizes impacts to the natural environment by redeveloping an infill lot.
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OUTSTANDING ISSUES

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

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

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