

REQUEST	Current Zoning: R-3 (single family residential) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 1.53 acres located on the north side of Coltsgate Road between Sharon Road and Cameron Valley Parkway. (Council District 6 - Smith)
SUMMARY OF PETITION	The petition proposes to allow the construction of up to 200 residential dwelling units, including independent and dependent living units/beds, and up to 8,500 square feet of medical and general office uses on two undeveloped parcels within the SouthPark area.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Bissell Coltsgate, LLC and Silver Fox Farm, LLC Childress Klein Jeff Brown and Keith MacVean
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 14.

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to the building/parking envelope, screening, future back of curb, setbacks, and sign allowances.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>SouthPark Small Area Plan</i> recommendation of office or office-residential mixture.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The vision articulated in the <i>SouthPark Small Area Plan</i> calls for the SouthPark area to transition from a suburban shopping and business environment to a town center composed of a balanced mixture of land uses. • In addition, the <i>Centers, Corridors and Wedges Growth Framework</i> identifies SouthPark as a Mixed Use Activity Center, a priority area for intensification and urban, pedestrian-oriented development. • The petition proposes a mixture of residential and office use that is consistent with the area plan. • The petition provides architectural design commitments for the ground floor, street facing facades that encourages pedestrian activity and complements the pedestrian environment. • The site plan includes a new private street through the subject site, that when coupled with the adjacent rezoning provides a connection from Morrison Boulevard to Coltsgate Road, considered essential to the function of the adjacent rezoning proposal and important to providing alternative route choices in the area.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Permits the development of up to 200 residential dwelling units which could be independent and dependent living units or apartments and up to 8,500 square feet of medical and general office uses.
 - Limits the total number of buildings on the site to four.
 - Allows a cell tower on the site.
 - Provides two access points (Drives A and B) into the site from Coltsgate Road with proposed through street connection to the proposed Sharon United Methodist Church mixed use development (rezoning petition 2015-058). Drive A will be maintained as a private street with a public access easement. Drive B will provide access to parking and service areas located under the proposed building.
 - Provides a left-turn lane and one shared lane that will be a through lane and right lane combination, by restriping the eastbound approach to the intersection of Cameron Valley

- Parkway and Coltsgate Road.
- Provides a 22-foot setback along Coltsgate Road with an eight-foot planting strip and eight-foot sidewalk.
 - Provides numerous architectural and design commitments.
 - Requests the following optional provisions:
 - Allow staging and phasing of development on the site where surface parking may be allowed on portions of the site on an interim basis provided such parking areas will meet the required setbacks, streetscape and screening requirements. The Zoning Ordinance does not allow parking between buildings and streets.
 - Allow deviations from the sign regulations in the MUDD (mixed use development) district for increases to wall sign square footage, ground sign size and height, projecting sign length and encroachment and allowance for digital signs.
 - Allow doorways to not be recessed into the face of buildings when the abutting sidewalk is greater than 10 feet as opposed to recessing doorways regardless of the sidewalk width.
 - Allow long term bicycle parking to be located within parking decks to clarify that bicycle parking within a deck is considered covered as required by the ordinance.
 - Allow the use of innovative street design and non-standard cross-sections for the internal private street as generally depicted on the rezoning plan.
 - Allow the definition of “gross floor area” set forth in the development notes to be used and applied in the manner described clarifying; for example, that parking decks are not counted towards the allowing square footage maximums.
 - **Existing Zoning and Land Use**
 - The property is vacant and zoned R-3 (single family residential).
 - Abutting to the north is Sharon United Methodist Church zoned R-3 (single family residential), and proposed for rezoning to allow a mixed use development in petition 2015-058.
 - Abutting to the east is one remaining single family home in R-3 (single family residential) zoning. Further east are office properties in various office zoning classifications.
 - Abutting to the west are office buildings with some ground floor retail and restaurant uses, zoned MUDD-O (mixed use development, optional) and O-2 (office). Across Coltsgate Road to the south are office properties zoned O-6(CD) (office, conditional).
 - See “Rezoning Map” for existing zoning in the area.
 - **Rezoning History in Area**

Recent rezonings approved in the area include:

 - Petition 2015-053 rezoned 2.27 acres northwest of the subject site, on the east side of Sharon Road from O-2 (office) to MUDD-O (mixed use development, optional) for 105,000 square feet of office uses and ground floor retail uses, at a maximum height of 75 feet. The petition also included a provision to allow interim use and expansion of the small retail and office buildings on the site.
 - Petition 2015-054 rezoned 2.96 acres just west of the subject site, on the east side of Sharon Road, from O-1(CD) (office, conditional) to MUDD-O (mixed use development, optional) for 80,000 square feet of office uses and ground floor retail uses, at a maximum height of 75 feet.
 - In addition, within several blocks of the subject site there have been a number of other rezonings within the past five years to MUDD-O (mixed use development district, optional), to permit development of hotel, office, retail, and mixed use projects.
 - **Public Plans and Policies**
 - The *SouthPark Small Area Plan* (2000) recommends an office or office-residential mixed land use for this property.
 - The vision articulated in the *SouthPark Small Area Plan* calls for the SouthPark area to transition from a suburban shopping and business environment to a town center composed of a balanced mixture of land uses.
 - The church property to the north, rezoning case 2015-058, shows a proposed new street connecting through the subject site from Morrison Boulevard to Coltsgate Road, considered essential to the function of the two rezoning proposals.
 - The petition supports the *General Development Policies-Environment* by redeveloping an existing site in a developed area identified as an Activity Center, thereby minimizing further environmental impacts while accommodating growth.

TRANSPORTATION CONSIDERATIONS

- This site is located within a Mixed Use Activity Center as identified in the *Centers, Corridors and Wedges Growth Framework*. Generally CDOT supports greater density in Mixed Use Activity Centers since the mixture of uses yields shorter vehicle trip lengths that are less impactful than accommodating the same uses spread over greater distances. Further, if the design of the

development sites can be done with safe, comfortable, and convenient facilities for pedestrians and cyclists, the rate of automobile usage per square foot of development can be reduced.

- The SouthPark Activity Center experiences significant congestion today, mostly concentrated along Sharon Road and Fairview Road. The primary transportation goals for this site are to improve street connectivity to provide more route choices and improve pedestrian and bicycle access, and coordinate the site with the adjacent site to the north. The street connection through the site is part of an important north-south local street that could one day connect between Fairview Road and Colony Road. The site plan will improve conditions for pedestrians through the creation of more local street network and construction of new sidewalks along Coltsgate Road.
- See Outstanding Issues, Note 9.
- **Vehicle Trip Generation:**
Current Zoning: 40 trips per day (4 dwellings under current zoning).
Proposed Zoning: 1,645 trips per day (200 dwellings and 8,500 square foot office).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate two students, while the development allowed under the proposed zoning will produce 27 students. The proposed development is projected to increase the school utilization (without mobile classroom units) as follows:
 - Sharon Elementary from 141% to 143%
 - Alexander Graham Middle from 112% to 113%
 - Myers Park High to remain at 115%.
- **Charlotte-Mecklenburg Storm Water Services:** 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.

OUTSTANDING ISSUES

Site and Building Design

1. Provide a note describing the building/parking envelope. Parking shall not be visible from Coltsgate Road and along the private street for the portion of the building near Coltsgate Road.
2. Expand Note 5.b to provide additional screening and design standards for parking visible from the private open space and private street at the rear of the site.
3. Amend the plan drawings to match Note 6.a reflecting a 22-foot setback from the future back of curb along Coltsgate Road.
4. Amend the plan drawings to match Note 6.b reflecting a 16-foot setback along the private street, as measured from the back of curb.
5. Remove Note 2.e related to digital signs.
6. Identify if a cell tower could be placed on the site per the Zoning Ordinance standards and add an optional request to allow a cell tower on the site if necessary.
7. Eliminate the optional provision to allow an alternate definition of "gross floor area."

Transportation

8. Modify Note 4 III.b to state that Private Street 1 will be designed to meet the office commercial wide street cross-section. However, the petitioner may request to use innovative street design and non-standard cross-sections during construction permitting review subject to the approval of Subdivision and CDOT staff.
9. Add a note under Note 4.I committing to the construction of the private street stubbed to the property line to be completed by the petitioner prior to the issuance of the first certificate of occupancy. Amend the intersection of Private Street 1 and Coltsgate Road so that the connection is perpendicular (90 degrees).
10. Eliminate optional provisions related to the design of the private street. Optional provisions on a rezoning site plan cannot be used to vary Subdivision Ordinance requirements.

REQUESTED TECHNICAL REVISIONS

11. Remove the second paragraph of Note 4.I.

12. Remove Note 2.i related to gross floor area.
 13. Remove Note 2.h because the cross-section for the street is addressed in Note 4. III.b.
 14. Amend all optional request notes to describe what is requested to be modified.
 15. Amend Note 10.a to say that the private open space/plaza area will be located at ground level.
 16. Remove the definition of "gross floor area" as the zoning ordinance standard will be used.
 17. Revise the schematic site plan so that the proposed building is not shown across the side yard and property line at the southeast corner of the site.
 18. Label the setbacks and yards on sheet RZ-2.
 19. Amend the "side setback" label to say "side yard" and provide a "rear yard" label on Sheet RZ-1.
 20. Amend sheet RZ-2 to show the potential cell tower relocation from adjacent parcel.
 21. Amend the label for the open space/plaza area to say "Private open space/ plaza area."
 22. Amend the cell tower location on Sheet RZ-1 to indicate a potential relocation of a tower from the adjacent property.
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Attachments Online at www.rezoning.org

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

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