

<b>REQUEST</b>	Current Zoning: O-1 (office) Proposed Zoning: MUDD-O (mixed use development, optional) with 5-year vested rights
<b>LOCATION</b>	Approximately 10.7 acres located on the southeast corner at the intersection of Park Road and Abbey Place. (Council District 6 - Smith)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow 600,000 square feet of commercial uses, including a minimum of 5,000 square feet and a maximum of 35,000 of ground floor retail space, and 450 multi-family dwelling units. The existing office buildings totaling 228,324 square feet will remain until the particular areas are redeveloped. The site is located in the Park/Woodlawn Mixed Use Activity Center and within walking distance of the Park Road Shopping Center and Montford Drive.
<b>PROPERTY OWNER</b>	4601 Park Charlotte Office, LLC, 1515 Mockingbird Charlotte Office, LLC and Park Charlotte Declarant, LLC
<b>PETITIONER AGENT/REPRESENTATIVE</b>	Grubb Properties, Inc. Collin Brown and Bailey Patrick, Jr.
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 17.

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition upon resolution of technical revisions and outstanding issues related to land use, site and building design, transportation and other minor issues.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>Park Woodlawn Area Plan</i>, which recommends a mix of higher intensity uses (residential, office, and/or retail) in a pedestrian friendly form.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• The site is located in the Park/Woodlawn Mixed Use Activity Center, which is a priority area to accommodate future growth in an urban, pedestrian-oriented development form.</li> <li>• The proposed development supports the goal of the plan to reduce the amount of surface parking lots and establish the area as part of the core of the Mixed Use Activity Center.</li> <li>• The site plan implements the desired mixed-use development concept by committing to ground floor retail space at the corner of Park Road and Mockingbird Lane and by allowing additional ground floor retail space within office and multi-family buildings.</li> <li>• The development supports walkability by committing to a mix of residential and non-residential components with street level access.</li> <li>• It also improves pedestrian mobility by providing a pedestrian crosswalk at Park Road and Mockingbird Lane and a network of internal sidewalks connecting the sidewalk along the public streets to buildings, dwelling units and the centralized public open space.</li> <li>• The proposal enhances connectivity by adding new streets, which will supplement the existing network.</li> </ul>
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**PLANNING STAFF REVIEW****• Proposed Request Details**

- The proposed site plan takes the parcel with two existing office buildings and large surface parking lots, bounded by Park Road, Abbey Place, Hedgemore Drive, and Mockingbird Lane and divides the site into five development areas. The plan proposes an internal street network and a pedestrian-oriented, mixed use development with a commitment to ground floor retail space at the corner of Park Road and Mockingbird Lane. Ground floor retail within office and multi-family buildings is encouraged, dwelling units are oriented to the streets, and publicly accessible open space with pedestrian scale amenities is generally located at the center of the site.
- The entire site may redevelop overtime; however, in the near term the existing office buildings are proposed to remain and a multi-family building with a parking deck would be constructed along Abbey Place between the existing office building and Hedgemore Drive.
- Establishes five development areas (A-E).
- Allows up to 600,000 square feet of commercial uses (office, retail, eating/drinking/entertainment establishments and other commercial uses), exclusive of street level retail, integrated into office and multi-family buildings.
- Commits to a minimum of 5,000 square feet of ground floor space designed and constructed to accommodate retail type uses. The space cannot be used for leasing, office, fitness centers, lobbies, and other accessory uses associated with office and residential uses.
- Allows up to 450 multi-family dwelling units. The total may be increased with a conversion of commercial space to dwelling units at a rate of 1,000 square feet of commercial area per dwelling unit.
- Permits the conversion of commercial square footage to hotel rooms at a rate of 500 square feet per hotel room in the event a hotel is developed on the site.
- Limits retail uses to a maximum of 35,000 square feet, exclusive of street level retail integrated into office and multi-family buildings.
- Specifies that existing development and conditions may remain until such time as it is redeveloped. In the event that the building in Area A is demolished and redeveloped, only limited surface parking will be permitted between Park Road and the building.
- Provides numerous on-site and off-site transportation improvements.
- Provides numerous architectural and building design commitments at the street level.
- Commits to specific building design at identified focal points at the corner of Park Road and Mockingbird Lane and at Abbey Place and the new internal private drive.
- Limits the exposure of parking structures and surface parking to public and private streets as generally depicted on the site plan.
- Commits to at least 10,000 square feet of publicly accessible, amenitized open space centrally located on the site, as generally depicted on the site plan.
- Provides a four-foot transition zone between the sidewalk and the buildings along 75% of the frontage of the site.
- Requests the following optional provisions:
  - Allow surface parking and maneuvering areas between existing buildings and public and private streets in areas generally depicted on the site plan. The total number of surface parking spaces shall not exceed 100.
  - Allow up to three porte-cocheres or valet parking service areas between buildings and a street.
  - Allow existing wall mounted and detached signs as identified in the Note II c. to remain. Existing signs may be updated provided the overall size is not increased.
  - Allowances for signage beyond the standards for signs permitted in the MUDD (mixed use development) district.
  - Allow doors not to be recessed when the abutting sidewalk width is greater than 12 feet. Recessed doors shall be provided along Park Road.
  - Permit long term bicycle parking to be located within parking structures.
  - Allow water quality and stormwater detention facilities to be located beneath sidewalks.
  - Allow backflow prevention devices to be located within buildings if permitted by City and County Departments during the building permit review process. Exposed devices shall be screened.
  - Permit the "base" of building requirements to be satisfied by providing taller architecturally differentiated ground floors that distinguish the ground floor levels from upper stories.

**• Existing Zoning and Land Use**

- The subject is zoned O-1 (office), and is a full large block developed with two multi-story office buildings (6 and 10 stories) with extensive surface parking.
- To the north across Abbey Place are medical offices and a branch bank in O-1 (office) zoning, with the Montford restaurant strip zoned B-1 (neighborhood business) just beyond.

- To the east across Hedgemore Drive are small office and multi-family buildings in O-1 (office) and R-22MF (multi-family) zoning, and a multi-family site recently rezoned to MUDD(CD) (mixed use development district, conditional), petition 2014-028.
- To the south across Mockingbird Lane is Pfeiffer University property which was rezoned to MUDD(CD) (mixed use development district, conditional) in 2006. The approved site plan allows a mix of university buildings, medical office and multi-family residential; however, the property has not yet redeveloped. The previously existing single story university building remains on the site. A portion of the site is proposed for rezoning to MUDD-O (mixed use development, optional) by Petition 2016-030.
- To the west across Park Road are office uses zoned O-2 (office), and a small retail use zoned MUDD-O (mixed use development district, optional) in petition 2012-095.
- See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**  
Recent rezonings approved in the area include:
  - Petition 2015-053 rezoned 0.37 acres northwest of the subject site, on the southwest corner of Montford Drive and Park Road, from O-2 (office) to MUDD(CD) (mixed use development, conditional) to allow 4,700 square feet of retail uses.
  - Petition 2014-116 Rezoned 9.07 acres west of the subject site, located on the north and south sides of Abbey Place west of Park Road from R-17MF (multi-family residential) to UR-2(CD) (urban residential, conditional) to allow 265 new multi-family dwelling units.
  - Petition 2014-028 rezoned 1.6 acres east of the subject site, located on the southeast corner of Abbey Place and Hedgemore Drive from O-1 (office) to MUDD(CD) (mixed use development, conditional) to allow 150 multi-family dwelling units.
  - Petition 2012-095 rezoned 0.35 acres west of the subject site, located on the northwest corner of Mockingbird Lane and Park Road from O-2 (office) to MUDD-O (mixed use development, optional) to allow 9,052 square feet of retail uses.
- **Public Plans and Policies**
  - *The Park Woodlawn Area Plan (2013)* shows the subject property as a mix of uses (residential, office, and/or retail) in a pedestrian oriented form. The area plan provides for limitations on building height to the west of Park Road due to proximity to single family neighborhoods. It imposes no such limitation to the east of Park Road where the subject property lies.
  - 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. Generally, CDOT supports greater density in these 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 Park Woodlawn Activity Center experiences congestion today, mostly concentrated along Park Road at its intersection with Woodlawn Road. Therefore, the primary transportation goals for this site are to a) mitigate impacts of traffic by the development where possible, and b) improve street connectivity to provide more route choices and improve pedestrian and bicycle access. This rezoning proposal addresses these goals through the following improvements:

- Extending the northbound dual left-turn storage on Park Road at Woodlawn;
- Extending the southbound left-turn storage on Park Road at Abbey;
- Adding a pedestrian refuge median on Park Road at Montford;
- Installing a traffic signal at Park Road and Mockingbird;
- Installing a left-turn lane from Montford onto Abbey;
- Partially funding a signal at Woodlawn and Montford (subject to NCDOT approval); and
- Providing \$150k towards a future northbound right-turn lane on Park Road at Woodlawn.

The site plan also proposes new street connections to help reduce the overall block sizes and improve the walkable character of the area. The site is not served by bicycle facilities to or from the site; however, the site plan preserves space for a future Park Road cross-section that will include bike lanes per the adopted area plan.

- See Outstanding Issues, Transportation Notes 8 through 10.

- **Vehicle Trip Generation:**

Current Zoning: 2,500 trips per day (based on office with 228,324 square feet).

Proposed Zoning: 10,600 trips per day (based on 450 dwellings, 228,300 square feet office, and

371,600 square feet retail).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** See Outstanding Issues, Note 11.
- **Charlotte Department of Neighborhood & Business Services:** See Outstanding Issues, Notes 4 through 7.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 18 students, while the development allowed under the proposed zoning will produce 62 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 44 students. The proposed development is projected to increase the school utilization (without mobile classroom units) as follows:
  - Selwyn Elementary from 180% to 187%
  - Alexander Graham Middle from 116% to 118%
  - Myers Park High from 113% to 114%.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** See Requested Technical Revisions, Note 8.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

**OUTSTANDING ISSUES**

Land Use

1. Provide development maximums for residential dwellings and hotel rooms.

Site and Building Design

2. Amend Development Areas and Conversion Rights Note d to state that the retail area will be located at the corner of Park Road and Mockingbird Lane as generally depicted on the site plan.
3. Amend Note IX.c to clarify the "perimeter of the site" is the existing public street frontages.
4. Amend Note II. c. to say that existing nonconforming signage is allowed to remain, however shall be removed upon a change of use or demolition of the existing buildings and may be updated provided "size and height is not increased."
5. Reduce ground mounted signs allowed in Note II. g. from two signs to one sign and 150 square feet and 15 feet height to 100 square feet and 12 feet height.
6. Amend Note II.h. to say "to allow one (1) detached, ground mounted sign per street front for each development area. The detached signs may be up to five (5) feet in height and contain up to 60 square feet of sign area. These signs shall not be located on Park Road."
7. Eliminate Note II.i related to digital signs.

Transportation

8. Install new back of curb at a location 34.5 feet from centerline of existing roadway per the *Park Woodlawn Area Plan*. Measure the setback based on this back of curb location. Amend the cross section for Park Road with the curb located according to the above mentioned dimension.
9. Revise the proposed typical section for all roads with on-street parking to reflect Charlotte Land Development Standards for on street parking (CLDS 50.09C). The proposed typical section shows a seven-foot dimension from back of curb which would result in a 6.5-foot wide parking space. The minimum width for on-street parking is seven feet.
10. Remove the proposed on-street parking on Abbey Place between Park Road and the proposed "North Street."
11. Provide a Note indicating that the existing bus shelter pad on Park Road will be retained or replaced. If replaced the petitioner will construct the stop according to the waiting pad with box shelter standard detail 60.08A

**REQUESTED TECHNICAL REVISIONS**

1. Add Section numerals for "Permitted Uses" and "Development Areas and Conversion Rights."
2. Remove reference to retail use in Note II. e.
3. Amend Note II.g to say "each containing."
4. Remove "and private streets" in Note XI.b.
5. Clarify that Notes II. e., g., and h. are or are not exclusive of the existing signs allowed in Note II.c.
6. Delete the word "other" in Note II.m.
7. Amend Note II.l to say "located beneath sidewalks, but outside of the right-of-way."

8. Show all right of way and setback trees protected and add a note stating "The site shall comply with the requirements of the City of Charlotte Tree Ordinance. If buildings are demolished, 15% tree save will be required."
  9. Amend sheet RZ-1 to reflect setbacks measured from the future back-of-curb along the existing streets.
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**Attachments Online at [www.rezoning.org](http://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
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

**Planner:** John Kinley (704) 336-8311