

<b>REQUEST</b>	Current Zoning: R-17MF (multi-family residential) Proposed Zoning: MUDD-O (mixed use development, optional)
<b>LOCATION</b>	Approximately 27 acres located on the west side of Sharon Road between Morrison Boulevard and Colony Road. (Council District 6 - Smith)
<b>SUMMARY OF PETITION</b>	The petition proposes redevelopment of an existing apartment complex in the SouthPark Activity Center with a mixed use development of up to 990 residential units, 250,000 square feet of office, 300,000 square feet of retail, and 225 hotel rooms.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Associated Apartment Investors/Colony Limited Partnership Synco Properties Collin Brown & Bailey Patrick, Jr.
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 26.

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and requested technical revisions.</p> <p><u>Plan Consistency</u> The petition is inconsistent with the <i>SouthPark Small Area Plan</i>, which recommends multi-family with limited retail/service uses.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• While the proposed rezoning is inconsistent with the specific land uses recommended in the <i>SouthPark Small Area Plan</i>, the proposal is consistent with the larger vision articulated in the area plan and in the <i>Centers, Corridors and Wedges Growth Framework</i>, as well as recent development which has included a greater mix of uses than called for in the area plan.</li> <li>• The site plan for this proposal includes a vertical mix of uses and provides active residential and nonresidential uses that are located on the ground floors of buildings and oriented to the sidewalk network.</li> <li>• The site plan also provides wide setbacks along the existing public streets allowing for the opportunity to preserve existing mature trees and added green space.</li> </ul>
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**PLANNING STAFF REVIEW**

- **Background**
  - This site initially was submitted for rezoning under petition number 2015-034. That petition was withdrawn in September 2015, prior to going to public hearing and has since been resubmitted.
- **Proposed Request Details**  
The site plan accompanying this petition contains the following provisions:
  - The site is divided into four development areas:
    - Area A is located at the northeast corner of the site at the intersection of Colony and Roxborough Roads, and is proposed for up to 350 multi-family dwelling units in a building

- with a maximum height of 75 feet.
- Area B – is located at the southeast corner of the site at the intersection of Colony and Sharon Roads, and is proposed for commercial uses (including office, hotel, eating/drinking/entertainment establishments and retail), up to 250,000 square feet of office, 225 hotel rooms 100,000 square feet of retail, and building heights up to 75 feet along Sharon Road, 120 feet along Colony Road and 140 feet along Rexford Road.
  - Area C – is located at the northwest corner of the site at the corner of Roxborough and Rexford Roads and is proposed for up to 640 multi-family dwelling units, with building heights up to 85 feet along Roxborough Road and 160 feet along Rexford Road and Adair Court
  - Area D – is located at the southwest corner of the site at the corner of Rexford Road extension and Sharon Road and is proposed for commercial uses (office, retail and eating/drinking/ entertainment establishments), up to 200,000 square feet of retail or office uses, with building height up to 75 feet.
  - General provisions:
    - Allows up to 10% of the multi-family units to be transferred between the multi-family development areas provided the total does not exceed 990 dwelling units.
    - Provides a minimum 30-foot setback along Roxborough, Colony and Sharon Roads with a few exceptions along Roxborough Road as identified on sheet RZ-2 and within Area D where a colonnade is allowed to encroach up to 15 feet. Provides a 50-foot setback along the 120-foot height zone, south of Adair within Area B for the proposed office building.
    - Provides numerous on and off-site transportation improvements including but not limited to:
      - extensions of Rexford Road and Adair Court through the site;
      - funding contribution for future traffic signal at Roxborough Road and Rexford Road;
      - construction of a traffic signal at Adair Court and Colony Road;
      - construction of a directional crossover on Sharon and Rexford Roads;
      - a waiting pad for the existing bus stop on Sharon Road;
      - pedestrian crossings on Sharon Road at Rexford Road and on Colony Road at the drive connection within Area B; and
      - renovation and landscaping of medians along Colony Road between Runnymede Lane and Cloverfield Road.
    - Specifies numerous architectural and design commitments along with a descriptive design intent.
    - Prohibits commercial service and loading areas along Rexford Road, Adair Court, Roxborough Road, Colony Road and Sharon Road except within Development Area D where a service area may be provided along Adair Court if the area is screened by walls.
    - Commits to providing at least four acres of publicly accessible open space, including approximately two acres in the perimeter tree save edge along Roxborough, Colony and Sharon Roads and approximately two acres in the urban core, which includes a central plaza at the intersection of Adair Court and Rexford Road.
    - Commits to a workforce housing program for no fewer than five percent of the total number of residential units constructed on the site for a period not less than 15 years.
  - Requests optional provisions to allow:
    - A limited amount of short-term surface parking and drives between public or private streets as generally depicted on the site plan.
    - Up to three porte-cocheres and valet parking areas between buildings and streets.
    - Stormwater and water quality facilities within setbacks and beneath sidewalks.
    - Innovative sidewalk and planting designs along Roxborough, Sharon and Colony Roads in order to preserve existing trees.
    - Building entrances which are not recessed when adjacent sidewalks are at least ten feet wide.
    - Innovative street designs, non-standard cross-sections, alternative materials, planted medians and other features within portions of Rexford Road and Adair Court as generally depicted on sheet RZ-5.
    - Flexibility with regard to the definition of the “base” of a building (i.e. “base” of the building may be higher or lower than “the first three floors above street grade”).
    - Drive-through service windows as an accessory to one bank or financial institution. The service window shall not be visible from any public or private street and shall be internal to a building or structured parking facility.
    - Up to ten detached, ground-mounted signs in general locations indicated on the site plan. Signs in Area B and D will be no greater than 65 square feet and up to five feet in height. Signs at access points C and E will be no greater than 32 square feet and up to four feet in height.
    - Up to 200 square feet of sign surface per wall or up to 10% of the wall area for which they

are attached whichever is less for wall signs within Area B and D. Only one sign in excess of the requirements of the Zoning Ordinance shall be permitted along the sites frontage on Colony Road.

- **Existing Zoning and Land Use**

- The subject property is zoned R-17MF (multi-family residential) and is developed with apartments built in about 1972.
- Abutting to the southwest across Southwick Drive are a series of individual retail and office properties fronting Morrison Boulevard, in B-1SCD (business shopping center), O-3(CD) (office, conditional), and MUDD-O (mixed use development, optional) zoning.
- To the southeast across Sharon Road is the Morrocroft Village retail development, zoned B-1SCD (business shopping center district).
- To the northeast across Colony Road is the Governor Morrison multi- use development, incorporating retail, midrise residential, and hotel uses, in MUDD-O (mixed use development, optional).
- To the east diagonally across Sharon and Colony Roads is the Foxcroft single family neighborhood in R-3 (single family residential).
- To the northwest across Roxborough Road is the Trianon Condominium property zoned R-17MF (multi-family residential) and office buildings fronting Rexford Road (in various office zoning districts).
- See "Rezoning Map" for existing zoning in the area.

- **Rezoning History in Area**

- Recent rezonings approved in the area include:
  - Petition 2013-082 rezoned 7.95 acres north of the subject site on Sharon Road between Morrocroft Lane and Sharon Township Lane. This was a site plan amendment for MUDD-O (mixed use development, optional) from the earlier Governor Morrison project rezoning 2004-015. It provided for 398 dwelling units, 25,000 sq. ft. of retail and/or office uses, and building heights stepping up to a maximum 140 feet.
  - Petition 2012-093 rezoned 1.41 acres north of the subject site at Colony Road and Roxborough Road from R-17MF (multi-family residential) to MUDD-O (mixed use development, optional). It provided for 100 multi-family dwelling units in a building not to exceed 75 feet.

- **Public Plans and Policies**

- The *SouthPark Small Area Plan* (2000) shows the property as multi-family with limited retail/service use.
- 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 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 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 Fairview Road and along Sharon Road. Also, the three major streets with fronting residential uses, Park South Drive, Barclay Downs Drive and Colony Road all experience high volumes of traffic given their residential character. Therefore, the primary transportation goals for this site are to a) mitigate impacts of traffic by the development where possible, b) ensure high quality urban design and street connectivity to improve pedestrian and bicycle access, and c) identify and implement any measures that can reduce the impact to residential properties fronting these streets. This rezoning proposal addresses these goals as described below:
  - Traffic mitigation – the following traffic mitigations are included under the rezoning proposal:
    1. Installation of a signalized pedestrian crossing and directional left-over on Sharon Road between Colony Road and Morrison Blvd.
    2. Construction of a second southbound left-turn lane from Sharon Road onto Morrison

- Blvd.
3. Construction of an eastbound right-turn lane from Colony Road onto Sharon Road.
  4. Construction of a westbound right-turn lane on Morrison Boulevard at Roxborough Road.
  5. Construction of a northbound right-turn lane on Barclay Downs at Fairview Road.
  6. \$250,000 contribution to the City to be used for signalization on Roxborough and Rexford, or other minor projects within the SouthPark area.
- **Pedestrian and Bicycle Access and Connectivity**
    1. Extension of two new internal streets to create smaller more walkable blocks for improved pedestrian, bicycle, and vehicular mobility within the site.
    2. Installation of a new signalized pedestrian crossing of Sharon Road between Colony and Morrison.
    3. Installation of a traffic signal at Adair Court and Colony Road.
    4. Construction of a pedestrian refuge median on Colony Road and Governor Morrison Street.
    5. Construction of a pedestrian refuge median on Roxborough Road.
    6. Modification of the existing signalized access at Sharon Road and the main entrance to SouthPark mall.
  - **Colony Road Improvements**
    1. Installation and maintenance of various improvements to the appearance of the existing Colony Road medians near Runnymede through hardscape and landscaping.
    2. Various pedestrian refuge median improvements along Colony Road.
  - The combined effects of the increased traffic and proposed mitigations will have a net negative impact on congestion; however, the petition commits to all improvements requested by CDOT.
  - See Outstanding Issue, notes 1 and 2.
  - **Vehicle Trip Generation:**  
 Current Zoning: 2,350 trips per day (based on multi-family use)  
 Proposed Zoning: 24,000 trips per day

#### **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 63 students, while the development allowed under the proposed zoning will produce 151 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 88 students. The proposed development is projected to increase the school utilization (without mobile classroom units) as follows:
  - Sharon Elementary from 146% to 161%
  - Alexander Graham Middle from 116% to 119%
  - Myers Park High from 113% to 115%.
- **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 comments received.

#### **OUTSTANDING ISSUES**

##### Transportation

1. Remove inset images on Sheet RZ-8 related to the connection through Area B to Colony Road.
2. Work with planning and CDOT staff to amend Note 6d to accurately describe the pass through connections through Areas B and C, and then amend the Design Intent and any diagrams or images to match.

#### **REQUESTED TECHNICAL REVISIONS**

1. Amend Note 3b to read "allow up to three porte-cocheres and valet parking service areas on the site between buildings and streets."
2. Amend the last sentence in Note 3j because access points are not lettered on the site plan.

3. Amend Note 8l to change "connection" to "connections" in the second sentence.
  4. Amend Note 8m to read "except as specified in Paragraph (l) above..."
  5. Amend the words "Tree Save Edge" on sheet RZ-8 to "Perimeter Tree Zone" and amend Note 9b to change "tree save areas" to "perimeter tree zone."
  6. Ensure that the Development Notes and the Design Intent are consistent with one another throughout.
  7. Amend Note 8j and 8k and the Design Intent to specify that the setback is measured from the future back of curb. State that except in locations where widening is proposed as part of the transportation improvements described in the notes, the existing and future back of curb are the same.
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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
  - Transportation 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

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