

REQUEST	Current Zoning: MUDD(CD) (mixed use development, conditional) Proposed Zoning: MUDD-O (mixed use development, optional) with five-year vested rights
LOCATION	Approximately 5 acres located on the south side of Mockingbird Lane between Park Road and Hedgemore Drive. (Council District 6 - Smith)
SUMMARY OF PETITION	The petition proposes to allow redevelopment of a university campus building in the Park/Woodlawn area with a mixed-use building with up to 17,000 square feet of nonresidential uses, 360 multi-family dwelling units and a wrapped parking structure.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	The Campus at Pfeiffer, LLC Johnson Development Associates, Inc. Jeff Brown and Keith MacVean
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 11
STATEMENT OF CONSISTENCY	<p>The Zoning Committee found this petition 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 uses (residential, office, and/or retail) in a walkable form. <p>Therefore, this petition was 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 site is located in the Park/Woodlawn Mixed Use Activity Center, which is a priority area to accommodate future growth in a walkable form; and • 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 Activity Center; and • 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 • The development supports walkability by committing to a mix of residential and non-residential components with street level access; and • The proposal enhances connectivity by adding a new street, which will supplement the existing network; <p>By a 5-0 vote of the Zoning Committee (motion by Wiggins seconded by Dodson).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 5-0 to recommend APPROVAL of this petition with the following modifications:</p> <p><u>Site and Building Design</u></p> <ol style="list-style-type: none"> 1. Added a note committing to a minimum of 12,000 square feet of space designed and constructed for commercial use at the ground floor near Park Road and Mockingbird Lane intersection. 2. Added a note that ground floor residential units along Mockingbird Lane will be designed to have entrances or provide access from each unit and/or private patio to the public right-of-way. 3. Committed to amending Notes 6d and 6l. by removing the last portion of each note excluding units four feet above the street grade and add that porches, stoops and stairs may be located within the transition zone between the sidewalk and the building. 4. Staff rescinded the request to add a note that cars and deck
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lighting on all levels of a structured parking facility must be screened from view from the street and adjacent properties because the petitioner added a note that cars will be screened from view and lighting located on the upper level will be designed to full cut-off type fixture and because the adjoining building is an unoccupied, multi-story, self-storage facility that screens the parking structure from Park Road.

5. Added an optional provision to not require screening between the existing shared parking areas as generally depicted on the schematic site plan.
6. Staff rescinded the request to amend the private street planting strip and sidewalk location adjacent to the proposed building so that the planting strip is located at the back of curb with the 10-foot sidewalk behind the planting strip because the topography would create the need for large retaining walls and steps up to the building.
7. Provided recessed on-street parking on the east side of the private street; indicated an eight-foot planting strip to be provided by future development.
8. Provided a public access easement for the private street that allows movement along the street and site access from the street to future development.
9. Amended Note 1.d to specify the maximum number of principal buildings on the site is one.

Site and Building Design

10. Amended Optional Provision Note 2.e by adding "with a width less than required by the Ordinance" after the words "allow the use of a 'green screen'" and add the word "similar" before the word "treatments" in both sentences.
11. Added a note under Streetscape, Buffer, Landscaping Open space and screening to specify the setback along the new private street.
12. Revised Note 6(d) to include "and ground level residential units located on Mockingbird Lane."
13. Revised Note 6(g) (iii) to be "horizontal variation of a minimum of 8" and vertical variations of a minimum of 24 inches in wall planes;" and (iv) to be "or utilize enclosed balconies."
14. Revised Note 6(h) (ii) by adding "accompanied with a change in material"; struck item (iii) and added "Planning Director or designee" at the end of the note.
15. Revised Note 6(l) by adding "Individual ground floor residential" and "and have direct sidewalk connections to public right of way provided the units are not more than four feet above the grade of the public street right-of-way."
16. Amended the labels for the planting strip location on the east side of the private street.
17. Committed to amending Note 6h. to clarify in the last sentence the phrase "(including all of h above?)."

Transportation

18. Amended note 4.III.d to change the word "planting strip" to "planting strip."
19. Committed to adding a note that the petitioner will dedicate any additional right-of-way necessary to include the proposed planting strip and sidewalk. Note will also indicate sidewalks may be located within an easement with approval of Planning and CDOT staff during construction plan review.
20. Committed to providing an eight-foot sidewalk at the southeast corner of the site around the angled parking to the eastern property line with a transition to match up with a future eight-foot planting strip and eight-foot sidewalk on east side of the private street.

VOTE

Motion/Second: Eschert / Wiggins
 Yeas: Dodson, Eschert, Majeed, Sullivan, and Wiggins
 Nays: None

	Absent:	Labovitz
	Recused:	Lathrop
ZONING COMMITTEE DISCUSSION	Staff provided a summary of the proposed rezoning and noted that the petitioner had committed to address the outstanding issues noted in the agenda. Staff also pointed out that the petition is consistent with the adopted land use plan.	
	There was no further discussion of the petition.	
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:

Land Use:

- Allows the development of up to 360 multi-family residential dwelling units and up to 17,000 square feet of floor area devoted to retail, eating/drinking/entertainment establishments, general/medical office and personal service uses.
- Limits the building height to a maximum of six stories, not to exceed 80 feet.
- Allows a maximum of one principal building on the site.
- Specifies that the allowed non-residential uses will be located on the ground floor of the building located at the intersection of Park Road and Mockingbird Lane.
- Prohibits the following uses: gasoline service stations with or without a convenience store and car washes (except as an amenity/accessory car wash for the residents of the site.)

Building Design:

- Specifies building materials and provides a rendering reflecting the intended architectural style of the building.
- Specifies that non-residential uses along Park Road and Mockingbird Lane will have entrances oriented toward the streets. Ground floor residential uses will have entrances or provide access to the public right-of-way.
- Provides numerous building design standards.
- Specifies the petitioner will create a point of interest at the corner of Park Road and Mockingbird Lane in order to stimulate pedestrian activity and interest at this location and will provide at least 12,000 square feet of space designed and constructed for retail activity at the corner of the building.

Transportation/Streetscape:

- Commits to contributing \$25,000 towards a future signal at the intersection of Mockingbird Lane and Park Road prior to the issuance of the first certificate of occupancy. If the signal is fully funded or installed at the time the contribution is required then CDOT may utilize the money to fund other roadway improvements in the Park Road/Woodlawn area.
- Commits that the petitioner will modify the existing median in westbound Mockingbird Lane to create a combined left-thru lane and modify the westbound left-turn lane to a right-turn lane with 225 feet of storage.
- Provides access to the site via an existing drive off Park Road, a new drive off Mockingbird Lane and a new private street with a public access easement along the eastern property line.
- Provides a new private street with on-street parking on both sides and a public access easement along the eastern property line. Commits to an eight-foot planting strip next to the proposed building and a 10-foot sidewalk between the planting strip and on-street parking along the west side and indicates an eight-foot planting strip and six-foot sidewalk to be provided when adjacent property develops along the east side on the new street.
- Provides parallel on-street parking along Mockingbird Lane.
- Provides 16-foot setback with a 13-foot planting strip and eight-foot sidewalk along Park Road and a 16-foot setback with an eight-foot planting strip, eight-foot sidewalk and a five-foot transition zone for a total building setback of 21 feet along Mockingbird Lane.
- Provides a CATS bench pad along Park Road. CATS will be responsible for the installation and maintenance of the bench.
- Provides notes limiting construction access and the timing of construction.
- Requests the following optional provisions:
 - Allows wall signs to have up to 200 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less.

- Allows one detached ground mounted sign per street front with a maximum height of 12 feet and containing up to 100 square feet of sign area.
 - To not require doorways to be recessed into the face of the building when the width of the sidewalk is at least ten feet.
 - To not require surface/structured parking areas, outdoor dining areas, and loading dock areas to be counted as part of the allowed gross floor area maximum.
 - Allows the use of a "green screen" or other treatments as approved by the Planning Department to meet the screening requirements of the Ordinance for surface parking areas.
 - To not require screening between the existing shared parking areas as generally depicted on the schematic site plan.
- **Public Plans and Policies**
 - *The Park Woodlawn Area Plan (2013)* recommends the subject property for a mix of uses (residential, office, and/or retail) in a walkable pedestrian form.
 - *General Development Policies-Environment*: 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 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:

- \$25,000 towards a future signal at Park Rd. and Mockingbird Lane
- Modifications to the eastern leg of this same intersection to accommodate turn lanes for the future signal
- Internal streets that will setup connectivity opportunities now and in the future for vehicles and pedestrians
- Installation of eight-foot sidewalks along Park Rd.
- **Vehicle Trip Generation:**
 - Existing Use: 800 trips per day (53,000 square foot office)
 - Current Zoning: The existing zoning allows a wide variety of uses and land use intensities; therefore, trip generation under the current entitlements cannot be determined.
 - Proposed Zoning: 3,900 trips per day (360 apartments and 17,000 square feet of retail).

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 22 students, while the development allowed under the proposed zoning will produce 50 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 28 students. The proposed development is projected to increase the school utilization (without mobile classroom units) over the existing conditions as follows:
 - Selwyn Elementary from 170% to 176%
 - Alexander Graham Middle from 112% to 114%
 - Myers Park High from 115% to 116%.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** See Advisory Comments, Note 1.
- **Engineering and Property Management:** See Advisory Comments, Note 2.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

ADVISORY COMMENTS

1. Charlotte Water has water system availability via the existing six-inch water mains located along Park Road and Mockingbird Lane and sewer system availability via the existing eight-inch gravity sewer main located along Park Road.
 2. Development of the site shall comply with the requirements of the City of Charlotte Tree Ordinance.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - 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 Parks and Recreation Review
 - Transportation Review

Planner: John Kinley (704) 336-8311