

REQUEST	Current Zoning: O-2 (office) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 0.39 acres located on the northwest corner at the intersection of Park Road and Montford Drive. (Council District 6 - Smith)
SUMMARY OF PETITION	The petition proposes reuse of the existing building and parking for eating/drinking/entertainment establishment, art gallery, office, retail, barbershop and/or beauty shop uses in the Park/Montford area.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Medical Specialists Properties, LLC Chen Development, LLC (c/o Jeff Watson) John Carmichael (Robinson Bradshaw)
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 6.

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issue related to site design and other technical revisions.</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 for the area in which the site is located.</p> <p><u>Rationale for Recommendation</u></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 an urban, pedestrian-oriented development form. • The proposal is consistent with the design guidelines recommended in the adopted area plan by reusing the existing building which orients to Park Road and locating parking and circulation primarily behind the building; additionally, the existing building's scale and height of 24 feet is compatible with the adjacent single family neighborhood. • The site plan supports walkability by committing to retail space at the corner of Park Road and Montford Drive, with street level entrances and outdoor dining along the street edge. • The proposal also enhances the pedestrian environment by providing a 13-foot planting strip, including five feet for a future bike lane, and an eight-foot sidewalk along Park Road. Additionally, the site plan provides an eight-foot planting strip and eight-foot sidewalk along Montford Drive.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Allows the following uses: eating/drinking/entertainment establishments (type 1 and 2), art galleries, general offices, medical offices, retail sales, beauty shops, and barbershops.
 - Reuses the existing 2,500-square foot building and allows a maximum 720-square foot addition for an outdoor patio.
 - Limits the maximum building height to 24 feet.
 - Prohibits accessory drive-through service windows, building expansions except for the patio, and outdoor live, recorded or broadcast music between the hours of 10 p.m. and 10 a.m.
 - Access to the site from an existing right-in/right-out driveway on Park Road and full movement driveway on Montford Drive.
 - Provides a 13-foot planting strip, including five feet for a future bike lane, and eight-foot sidewalk along Park Road and an eight-foot planting strip and eight-foot sidewalk along Montford Drive.

- Limits the height of detached lighting to 21 feet.
- Requests the following Optional Provisions:
 - Allow the northern and western property lines to not be required to meet the parking lot screening requirements. This request is to facilitate the reuse of the existing parking facilities.
 - Allow the existing structure and any renovations to not be required to meet the urban design and development standards of Section 9.8506 of the Zoning Ordinance. The request is to facilitate the reuse of the existing building.
 - Allow the existing parking lot to remain in place and not be required to meet Section 9.8507 which prohibits surface level parking in the setback and between the use and setback. This is to facilitate the reuse of the existing parking facilities.
- **Existing Zoning and Land Use**
 - The subject site and properties to the north along Park Road are zoned O-2 (office) and are developed with low-scale office uses.
 - Across Park Road, to the east, are properties in B-1 (neighborhood business) zoning and developed with a mixture of retail, eating/drinking/entertainment establishment (EDEE), office and other business uses.
 - The property to the south across Montford Drive is zoned MUDD(CD) (mixed used development, conditional) with an EDEE and retail building under construction; further south are properties in O-2 (office) zoning developed with office uses.
 - Properties west of the site are zoned R-4 (single family residential) and are developed with single family homes in the Madison Park neighborhood.
 - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
 - Recent rezonings approved in the area include:
 - Petition 2016-030 rezoned five acres southeast of the subject site, located on the south side of Mockingbird Lane between Park Road and Hedgemore Drive, from MUDD(CD) (mixed use development, conditional) to MUDD-O (mixed use development, optional) to allow 360 residential units, plus 17,000 square feet of retail/commercial uses.
 - Petition 2015-120 rezoned 10.7 acres southeast of the subject site, located on the southeast corner of Park Road and Abbey Place, from O-1 (office) to MUDD-O (mixed use development, optional) to allow up to 600,000 square feet of commercial uses, including 228,324 square feet of existing office, and 450 residential units, with a hotel conversion provision, with building height of up to 120 feet
 - Petition 2015-053 rezoned 0.37 acres south 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 southwest 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 southeast 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 south 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) 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.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is at the unsignalized intersection of a major thoroughfare and a local street. The nearest signalized intersection is 500 feet north at Park Road and Woodlawn Road. The proposed site is located in an Activity Center and within the limits of the *Park Woodlawn Area Plan*.
 - See Requested Technical Revisions, Note 4.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 90 trips per day (based on 2,475 square feet of medical office).

Entitlement: 150 trips per day (based on 5,726 square feet of office).

Proposed Zoning: 620 trips per day (based on 2,500 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 issues.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via existing six-inch water distribution mains located along Park Road and Montford Drive. There is also an eight-inch water distribution main located along Park Road. Charlotte Water has sewer system availability for the rezoning boundary via an existing eight-inch gravity sewer main located along Montford Drive.
- **Engineering and Property Management:** See Requested Technical Revisions, Note 3.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Site and Building Design

1. Commit to a minimum parking ratio for eating/drinking/entertainment establishment uses that is more restrictive than the standard MUDD (mixed use development) requirement.
2. Amend Optional Provision 2B to specify which subsections of Section 9.8506 are requested to be opted out of.

REQUESTED TECHNICAL REVISIONS

Environment

3. Show all right-of-way trees to be protected on plans.

Transportation

4. Revise the site plan to add a note specifying all transportation improvements will be constructed and approved before the site's first building certificate of occupancy is issued.

Other

5. Reorient the site plan so that north is at top of page, matching the vicinity map.
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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 Fire Department Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

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