

<b>REQUEST</b>	Current Zoning: B-1 (neighborhood business) Proposed Zoning: MUDD-O (mixed use development, optional)
<b>LOCATION</b>	Approximately 0.82 acres located on the south side of Montford Drive east of Park Road. (Council District 6 - Smith)
<b>SUMMARY OF PETITION</b>	The petition proposes the redevelopment of an infill parcel for a mixed use commercial building in the Montford Park area south of the Park Road Shopping Center.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	JKS Management 1600 Montford LLC JKS Management 1600 Montford LLC Russell W. Fergusson
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 5.

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition.</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 (retail and/or office) 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"> <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 proposal is consistent with the design guidelines in the adopted area plan, and supports specific recommendations from the plan for walkability by placing a building along the Montford Drive street frontage with street level entrances and activity, and locating parking and circulation primarily behind the building.</li> <li>• The proposal is consistent with the plan's Montford Drive streetscape concept and supports the City's future Montford Drive streetscape improvement project by enhancing the pedestrian environment by providing a 20-foot setback from back of curb along Montford Drive, incorporating a 12-foot walkway and eight-foot amenity zone with street trees, and installing on-street parallel parking along the full street frontage.</li> <li>• The proposal preserves and improves an unnamed street segment along the site's west edge with on-street parallel parking, sidewalk and planting. This street segment is under study for a possible future extension southward to Abbey Place, and if constructed, this connection would improve the area street network.</li> <li>• This petition is consistent with other recent, nearby rezonings to MUDD (mixed use development) to accommodate and achieve the urban, pedestrian-oriented form envisioned by the adopted plan.</li> </ul>
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**PLANNING STAFF REVIEW**

- **Proposed Request Details**  
The site plan accompanying this petition contains the following provisions:
  - Allows any use or combination of uses and accessory uses as permitted in the MUDD (mixed use development) district, including but not limited to eating/drinking/entertainment establishments (EDEEs), brewery uses, patios and outdoor dining. **Prohibits residential uses on the ground floor.**
  - Allows a maximum of 27,500-square foot building with a minimum height of 22 feet and maximum height of 60 feet.
  - Identifies a building/patio envelope that may be any combination of multi-story or single story patio and building located along the Montford Drive frontage.

- Provides vehicular access to the site from an unnamed side street off Montford Drive.
- Provides both on-street parking and off-street parking. Off-street parking shall be provided at a minimum rate of one space per 500 square feet of gross floor area and shall be located behind the building fronting Montford Drive.
- Provides a 20-foot setback along Montford Drive that shall include an eight-foot planting strip with hardscape sections, a two-foot utility easement and a minimum ten-foot sidewalk extending to the building façade. Provides a 16-foot setback along the unnamed side street that shall include an eight-foot planting strip with hardscape sections covering portions of the planting strip and connecting the curb to the sidewalk. The setback also includes an eight-foot wide sidewalk which may extend to the building façade.
- Indicates that street trees between the building and the side street toward the curb, away from the building, will be placed in a planting strip with hardscape sections, so that the trees have room to grow away from the building.
- Proposes possible bench locations within the setback along Montford Drive.
- Commits to a number of architectural design standards related to building placement, facades facing the streets, percentage of windows and doors on each frontage elevation, building materials, operable door spacing, blank walls, and articulation.
- **Existing Zoning and Land Use**
  - The subject site and properties to the east, west, and north along Montford Drive are zoned B-1 (neighborhood business) and developed with a mixture of retail, eating/drinking/entertainment establishment (EDEE), office and other business uses.
  - The property abutting to the south is zoned O-1 (office) and occupied by a medical office building, with additional office buildings and a branch bank facility adjacent.
  - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
  - There have been a number of rezonings to MUDD(CD) (mixed use development, conditional) and MUDD-O (mixed use development, optional) north, south and west of the site, within the Park Road/Woodlawn Road Mixed Use Activity Center, to allow residential, commercial and mixed use developments.
- **Public Plans and Policies**
  - The *Park Woodlawn Area Plan* (2013) recommends a mix of retail and/or office land uses for the area in which the site is located.
  - The plan recommends that new development follow Community Design guidelines to enhance the area's pedestrian experience with improved sidewalks, public spaces, and street trees. The plan also has specific recommendations for the Montford Drive streetscape concept, to be implemented by a Montford Drive Streetscape improvement project to be completed in the future.
- **TRANSPORTATION CONSIDERATIONS**
  - This site is located near the unsignalized intersection of local streets. The site plan commits to the Montford Drive cross section as envisioned by the City's Montford Drive Streetscape project. CDOT requests that the site plan provide adequate sidewalk width along the unnamed street frontage and cross-connectivity to the adjacent parcel to comply with the area plan recommendations.
  - See Outstanding Issues, Notes 2-4 and Requested Technical Revision, Note 5.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 670 trips per day (based on 7,400 square feet of restaurant).
      - Entitlement: 1,430 trips per day (based on 8,200 square feet of retail).
    - Proposed Zoning: 2870 trips per day (based on 26,500 square feet of retail).

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

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Housing and Neighborhood Services:** No issues.
- **Charlotte Fire Department:** No on-street parking on streets less than 26 feet clear in width.
- **Charlotte-Mecklenburg Schools:** No comments received.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing six-inch water distribution main located along Montford Drive. 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:**
  - **Arborist:** The location of structures/driveways/other items illustrated on the site plan are conceptual in nature and do not confirm or imply authorization by the City to remove any City trees located in street right-of-way. No trees can be removed from the right-of-way without explicit authorization from the City Arborist or his designee. Contact the City Arborist's office for a planting permit if trees will be planted in the right-of-way on a City of Charlotte maintained street. Contact the City Arborist's office to discuss trees species to be planted in the right-of-way on a City of Charlotte maintained street; species must be approved before planting. The petitioner must submit a tree survey for all trees two inches or larger located in the rights-of-way.
  - **Erosion Control:** No issues.
  - **Land Development:** No issues.
  - **Storm Water Services:** No issues.
  - **Urban Forestry:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

## OUTSTANDING ISSUES

### Land Use

1. ~~Add a note prohibiting residential uses or note that any residential uses must be located above ground floor commercial uses.~~ **Addressed**

### Transportation

2. ~~Revise the site plan and conditional notes to provide an eight-foot hardscape amenity zone behind the curb line on the side street and provide eight-foot sidewalk per the local streets cross section in the *Park Woodlawn Area Plan*.~~ **Addressed. Rescinded the request for two-foot buffer between back of sidewalk and building envelope because there will be both sidewalk and hardscape from the curb to building face. If back of curb sidewalk is maintained (not preferred by CDOT and needs confirmation from Urban Forestry reviewer), sidewalk width should be increased to nine feet to accommodate shy distance/door swing from parking spaces. Trees between the buildings and the side street should be moved toward the curb away from the building, possibly placed in grates, so that the trees have room to grow away from the building.** **Addressed**
3. ~~Revise the site plan and conditional notes to stub a cross access drive to the adjacent parcel (PID 17514501) per Transportation Policy T-4 in the *Park Woodlawn Area Plan*.~~ **Rescinded because the petitioner declined to provide the stub because the adjacent parcel is not under the petitioner's control and a cross access stub would eliminate parking for the project.**
4. ~~Revise the conditional notes to include a \$25,000 contribution (prior to the issuance of the first certificate of occupancy) for the Montford Drive Streetscape Project being developed by the City.~~ **Rescinded because the petitioner declined to include a contribution because they are improving the street frontages abutting their site according to the plan recommendations along both Montford Drive and the unnamed street.**

## REQUESTED TECHNICAL REVISIONS

### Transportation

5. ~~Revise the site plan to add a note specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued. CDOT requests right-of-way set at two feet behind back of sidewalk where feasible.~~ **Rescinded because the existing right-of-way includes the on street parking and most of the planting strip/ hardscape amenity zone and the petitioner has added a note committing to achieving CDOT approval before placing benches within the hardscape amenity zone and the sidewalk, located on the site, would extend from the hardscape zone to the edge of the building envelope.**

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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 Housing and Neighborhood Services Review
  - Charlotte Department of Solid Waste Services Review
  - Charlotte Fire Department Review
  - Charlotte Water Review

- Engineering and Property Management Review
  - City Arborist
  - Erosion Control
  - Land Development
  - Storm Water
  - Urban Forestry
- Mecklenburg County Parks and Recreation Review
- Transportation Review

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