

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.
STATEMENT OF CONSISTENCY	<ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> • The plan 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. • 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: <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; and • 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; and • 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; and • 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; <p>By a 6-0 vote of the Zoning Committee (motion by Wiggins seconded by Watkins).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-0 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. Committed to a minimum parking ratio for eating/drinking/entertainment establishment uses at a rate of 1 space per 160 square feet which is more restrictive than the standard MUDD (mixed use development) requirement of 1 space per 600 square feet. 2. Amended Optional Provision 2B to specify subsections 2(a) and 2(h) of Section 9.8506 related to street walls and building entrances are requested to be opted out of. 3. Amended Optional Provision 2A requesting to opt out of screening
------------------------------------	--

	<p>requirements of Section 12.303 to also include Section 9.8506(2) (b) along the northern and western property lines.</p> <p><u>Environment</u></p> <p>4. Showed all right-of-way trees to be protected on the plan.</p> <p><u>Transportation</u></p> <p>5. Revised the site plan to add a note specifying all transportation improvements will be completed and approved prior to issuance of a certificate of occupancy for any new use to be located in the building on the site.</p> <p><u>Other</u></p> <p>6. Reoriented the site plan so that north is at top of page, matching the vicinity map.</p>
--	--

VOTE

Motion/Second: Majeed / Watkins
 Yeas: Eschert, Labovitz, Majeed, Wiggins, Watkins, Spencer
 Nays: none
 Absent: none
 Recused: Lathrop

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that the rezoning is consistent with the adopted area plan. A commission member asked if there are plans to provide a safe crossing for pedestrian to cross Park Road at Montford Drive. CDOT staff responded that a rezoning on the other side of Park Road had committed to install a crossing and this petition would provide a crosswalk ramp for the crossing. 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:
 - 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.
 - Provides access to the site from an existing right-in/right-out driveway on Park Road and full movement driveway on Montford Drive.
 - Provides a minimum parking ratio for eating/drinking/entertainment establishment uses at a rate of 1 space per 160 square feet. The standard MUDD requirement is 1 space per 600 square feet.
 - Provides a 13-foot planting strip, including five feet for a future bike lane and an 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 of Sections 12.303 and 9.8506(2)(b). 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 2(a) and 2(h) 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.
- **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*.
 - **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:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
-

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 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

Planner: John Kinley (704) 336-8311