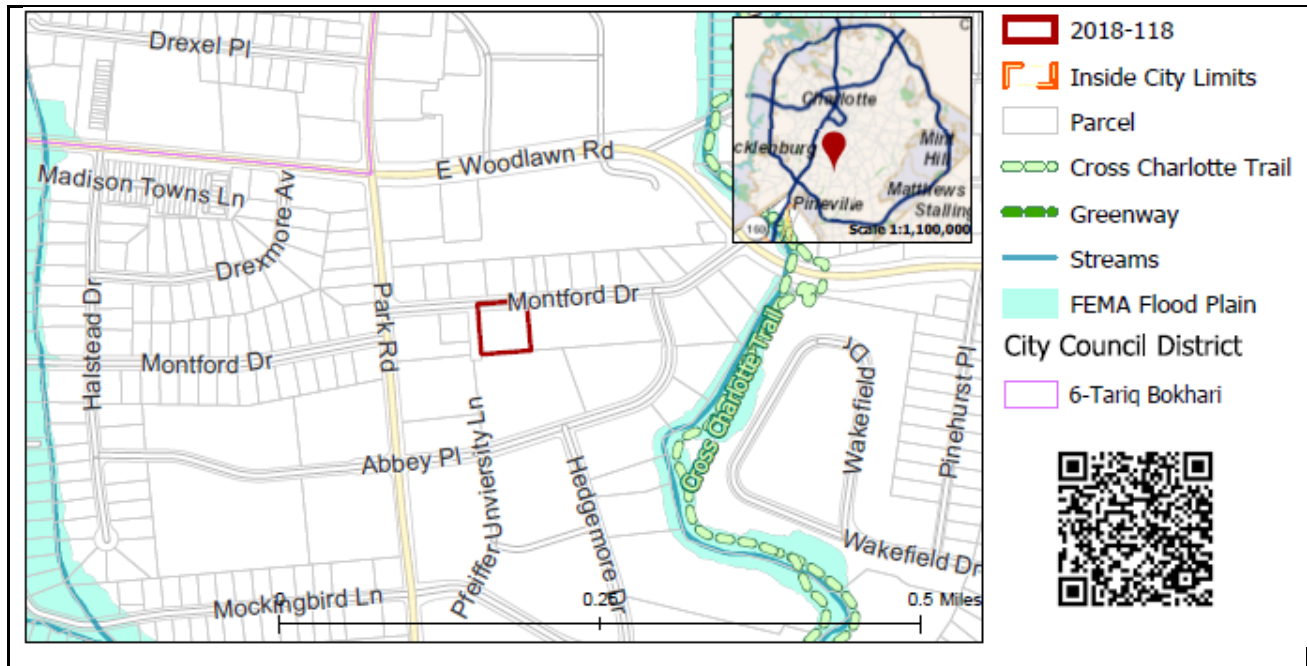


## REQUEST

Current Zoning: MUDD-O (mixed use development, optional)  
Proposed Zoning: MUDD-O SPA (mixed use development, optional, site plan amendment)

## LOCATION

Approximately 0.82 acres located on the south side of Montford Drive, east of Park Road  
(Council District 6 - Bokhari)



## SUMMARY OF PETITION

The petition proposes a site plan amendment to a previously approved site plan allowing redevelopment of an infill parcel for a mixed use commercial building in the Montford Park area south of the Park Road Shopping Center.

## PROPERTY OWNER

JKS Management 1600 Montford LLC

## PETITIONER

JKS Management LLC

## AGENT/REPRESENTATIVE

Russell W. Fergusson

## COMMUNITY MEETING

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 3.

## STAFF RECOMMENDATION

Staff recommends approval of this petition.

### Plan Consistency

The petition is consistent with the *Park Woodlawn Area Plan*, which recommends a mix of higher intensity uses (residential, retail and/or office) in a pedestrian-friendly form for the site.

### Rationale for Recommendation

- 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 Community 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.
- The proposal is consistent with the plan's Montford Drive streetscape concept and supports the City's future Montford Drive streetscape improvement project to enhance the pedestrian environment.
- The proposal preserves and improves an unnamed road segment along the site's west edge with on-street parallel parking, sidewalk and planting. This street segment is under study for an extension southward to Abbey Place, which would improve the area street network.

## PLANNING STAFF REVIEW

### • Proposed Request Details

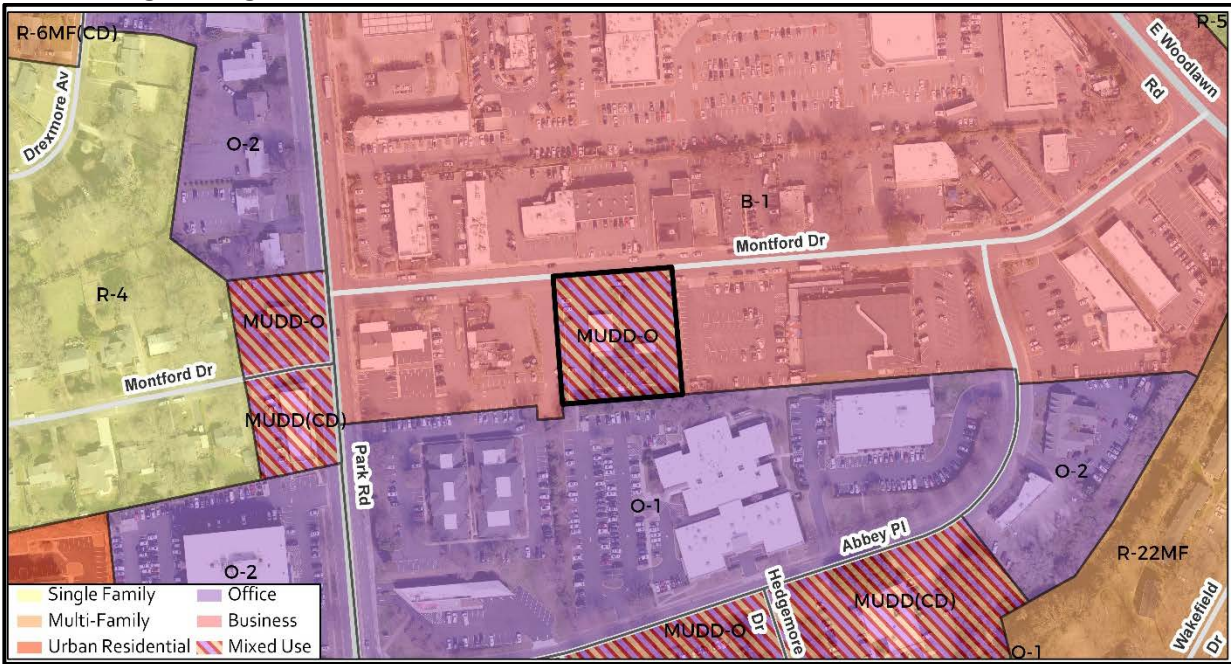
The site plan amendment contains the following changes:

- Replaces the proposed surface parking (shown on the previously approved site plan) to the rear of the building with a parking structure at the rear of the building. Specifies the parking structure will not exceed the height of the building.
- Increases the maximum height of the building from 60 feet to 85 feet.
- Removes the 27,500-square foot maximum building square footage cap. The proposed building would be located within the building envelope depicted on the site plan.
- Removes a previously approved optional provision allowing parking to extend past the building façade on the unnamed side street.
- Provides bump out on Montford Drive at the unnamed street.

The site plan maintains the following provisions from the previously approved rezoning:

- 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.
- 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. The Zoning Ordinance would require one space per 600 square feet of floor area.
- Provides a 20-foot setback along Montford Drive that will 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.
- 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 was rezoned by petition 2017-116 to MUDD-O (mixed use development, optional) to allow for a mixed use commercial building.
- Properties to the east, west, and north along Montford Drive are developed with a mixture of retail, eating/drinking/entertainment establishment (EDEE), office and other business uses.
- The property to the south is occupied by a medical office building, additional office buildings, and a branch bank facility.



The subject property is developed with a EDEE.



Properties to the north along Montford Drive are developed with a mix of retail and EDEEs.



Properties to the south along Abbey Place are developed with office and medical uses.

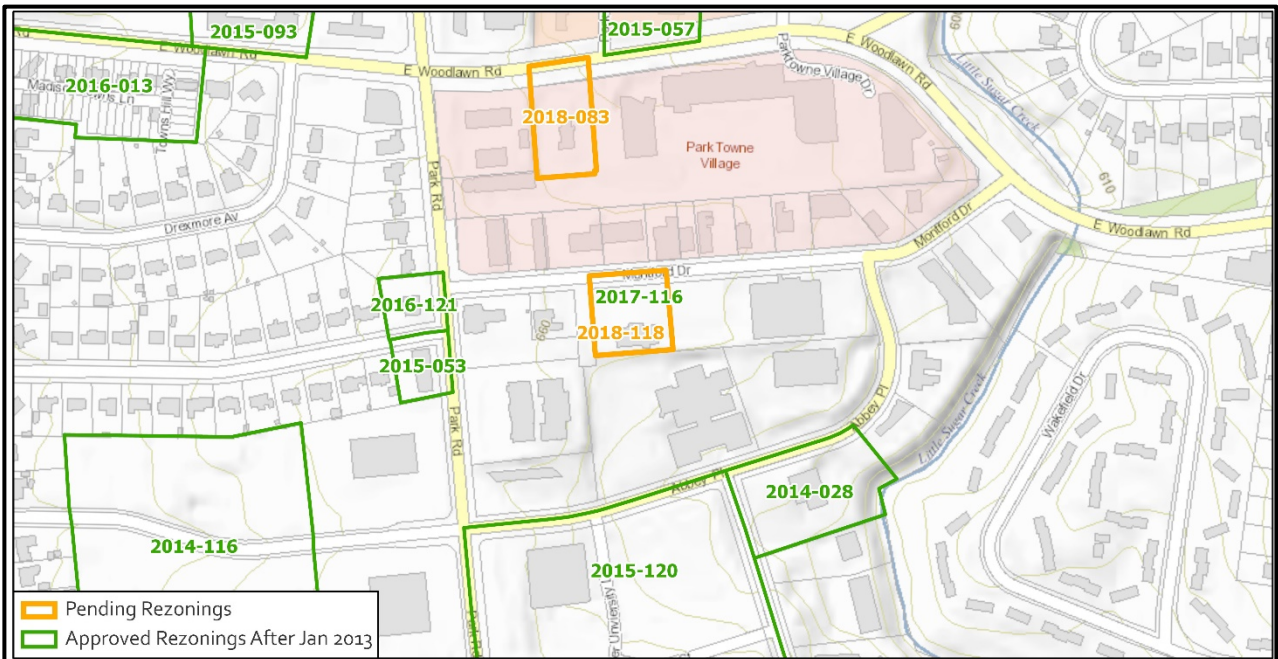


Properties to the west along Montford Road are developed with EDEEs and retail uses.



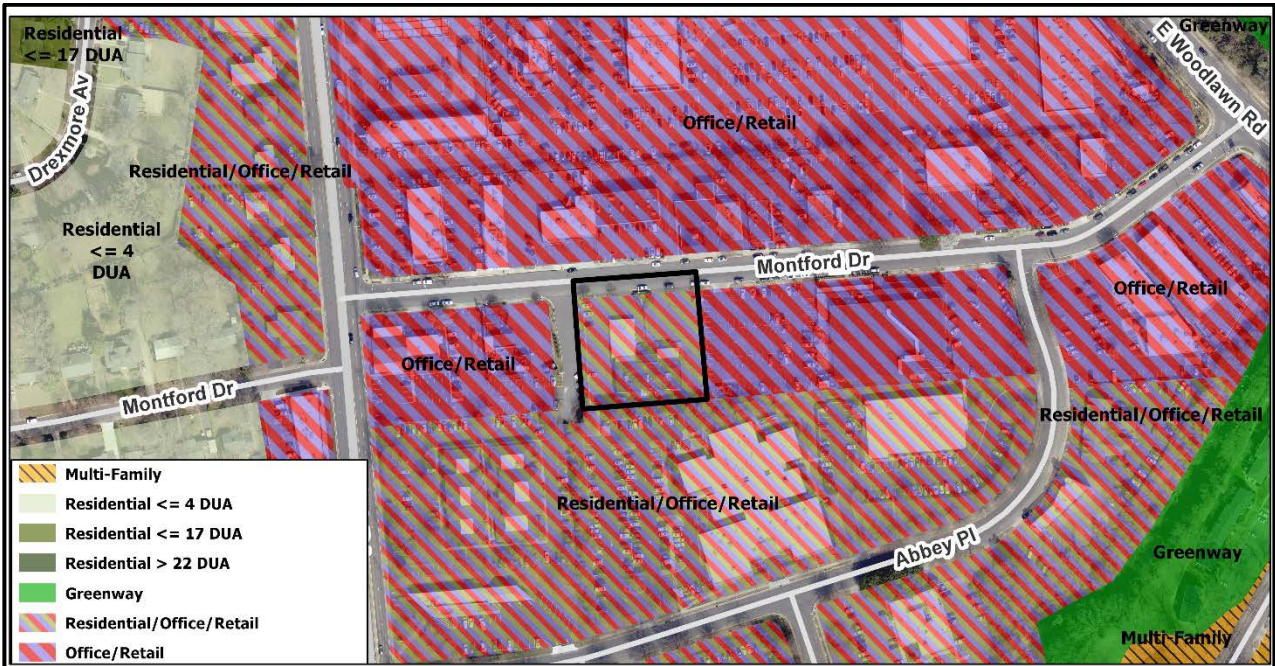
Properties to the east along Montford Road are developed with EDEEs.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2014-028	Rezoned 1.68 acres to MUDD-O (mixed use development, optional) to allow a multi-family building with ground floor retail.	Approved
2014-116	Rezoned 9.07 acres to UR-2(CD) (urban residential, conditional) to allow a multi-family development.	Approved
2015-053	Rezoned .37 acres to MUDD(CD) (mixed use development, conditional) to allow a mixed use commercial building.	Approved
2015-057	Rezoned 1.14 acres to NS (neighborhood service) to allow all uses in permitted in the district.	Approved
2015-093	Rezoned 2.9 acres to MUDD-O (mixed use development, optional) to allow a multi-family residential development.	Approved
2015-120	Rezoned 10.7 acres to MUDD-O (mixed use development, optional) to allow a mixed use development.	Approved
2016-013	Rezoned 2.47 acres to UR-2(CD) (urban residential, conditional) to allow a townhome development.	Approved
2016-121	Rezoned .39 acres to MUDD-O (mixed use development, optional) to allow the reuse of an existing office building for commercial uses.	Approved
2018-083	Proposes rezoning to B-2(CD) to allow the existing fast food restaurant to be replaced with a restaurant with drive through, pick up window and outdoor patio and no indoor seating.	Pending

## • Public Plans and Policies



- The *Park Woodlawn Area Plan* (2013) recommends a mix of residential, retail and/or office land uses for the site.
- 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 as capital project in the future.

## • TRANSPORTATION CONSIDERATIONS

- The site is located along a local road. ~~CDOT is requesting the streetscape along the "unnamed street" be updated to reflect the previously approved rezoning. CDOT is also requesting the petitioner create curb extensions on Montford Drive for proposed on street parking. The *Park Woodlawn Area Plan* calls for cross access within the property, and CDOT is requesting petitioner create cross access in site.~~

- ~~See Outstanding Issues, Note 1 and Notes 3-4.~~ Addressed

### • Vehicle Trip Generation:

Current Zoning:

Existing Use: 670 trips per day (based on 7,400 square feet of restaurant).

Entitlement: 2830 trips per day (based on 27,500 square feet of retail).

Proposed Zoning: Too many uses and intensity to determine trips per day.

## DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing six-inch water distribution main located along Montford Drive. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing eight-inch gravity sewer main located along Montford Drive.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.

- **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

## OUTSTANDING ISSUES

### Site and Building Design

1. ~~Amend the sidewalk and planting strip shown along the unnamed side street to match what is stated in Note 5.a. specifying a 16-foot setback with an eight-foot planting strip, with hardscape sections connecting the curb to the sidewalk a minimum eight-foot sidewalk which may extend to the building façade.~~ Addressed.
2. ~~Amend the label for the setback on the unnamed side street to specify if it is existing or future back-of-curb.~~ Addressed, the existing curb line is specified because the curb is in the future location.

### Transportation

3. ~~Revise the site plan and conditional notes to stub across access drive to the adjacent parcel (PID 17514501) per Transportation Policy T-4 in the *Park Woodlawn Area Plan*.~~ Staff rescinded this request. The petitioner has stated that cross access would impede the proposed parking structure and that the neighboring property does not support cross access. The prior rezoning did not include cross access.
4. ~~Revise the site plan to create bump-outs for on-street parking on Montford Drive.~~ Addressed; the petitioner has committed to provide a bump out on Montford Drive at the unnamed street. The petitioner has stated that there is not infrastructure at this location to deal with potential water runoff issues from additional bump outs along Montford. The petitioner will further discuss these matters at permitting should the infrastructure exist at that time. During the prior rezoning similar stormwater issues along Montford Road were discussed. The proposed streetscaping is the same as approved by Council with staff support.

## REQUESTED TECHNICAL REVISIONS

### Land Use

5. ~~For clarity, under Note 3 Permitted Uses, add that, "No accessory drive-through windows shall be permitted."~~ Addressed.

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## Attachments Online at [www.rezoning.org](http://www.rezoning.org)

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Pre-hearing staff analysis
- Post hearing staff analysis
- Zoning Committee Recommendation
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Fire Department Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review