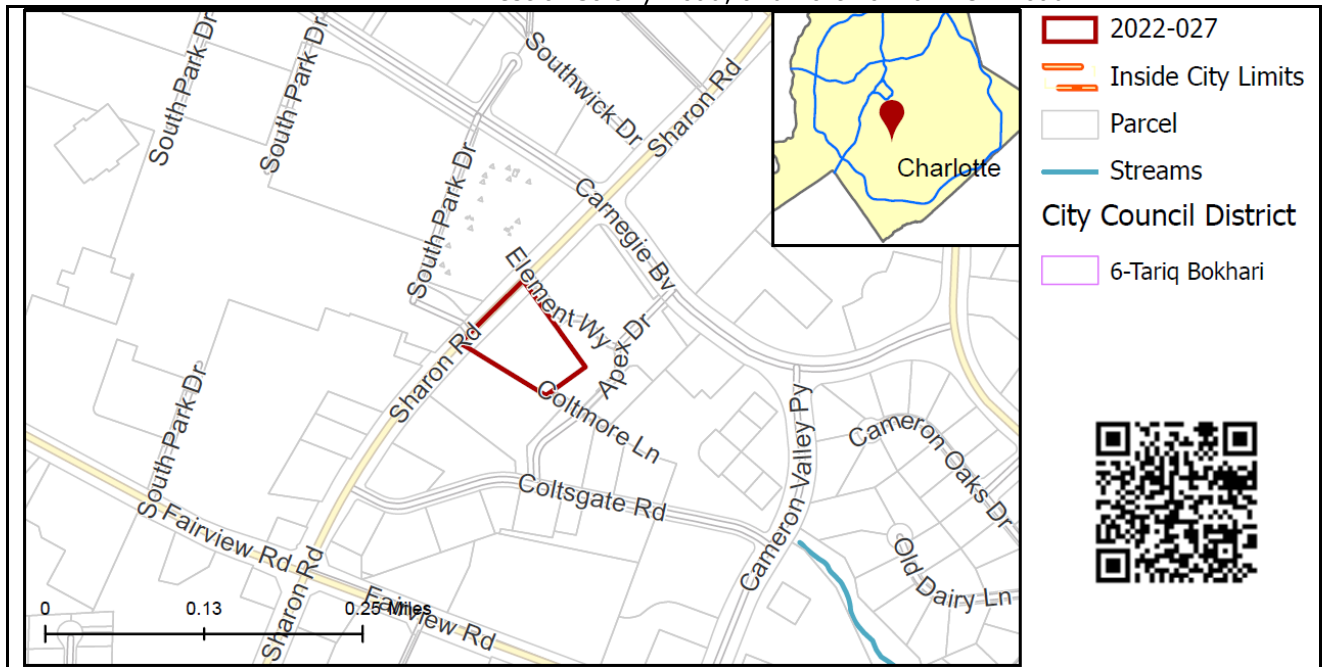


REQUEST

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

LOCATION

Approximately 2.27 acres located on the east side of Sharon Road, west of Colony Road, and north of Fairview Road.



SUMMARY OF PETITION

The petition proposes redevelopment of the site in the South Park area with up to 250,000 sqft of general and medical office, commercial and eating/drinking/entertainment establishment uses.

PROPERTY OWNER

CK Sharon Station, LLC

PETITIONER

Childress Klein

AGENT/REPRESENTATIVE

Bridget Grant/ Moore & Van Allen

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 4.

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the 2040 Policy Map recommendation for Regional Activity Center place type.

Rationale for Recommendation

- The petition supports the request for additional building height by providing the following:
- Tier 1 Basic LEED construction.
- EV installed parking for 3% of the spaces.
- EV capable parking for 7% of the spaces.
- South Park Cultural Loop commitments for either off site segment construction if over 120 ft and either an agreement with petitioner and City for offsite segment construction and reimbursement or \$100,000 dollar contribution.

- The site is located in the core of South Park Regional Activity Center an area intended for higher density development with a mix of uses in a pedestrian oriented form.
- The proposal provides a mix of non-residential uses with a building oriented to Sharon Rd. and parking provided in a deck to the rear of the site.
- Constructs 14 ft wide sidewalk along Sharon Rd and 8 ft wide sidewalk along Colmore Lane Ext. and relocates an existing crosswalk across Sharon Rd to improve pedestrian connectivity and safety in and around the site.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 5: Safe & Equitable Mobility
 - 8: Diverse & Resilient Economic Opportunity

PLANNING STAFF REVIEW

• Proposed Request Details

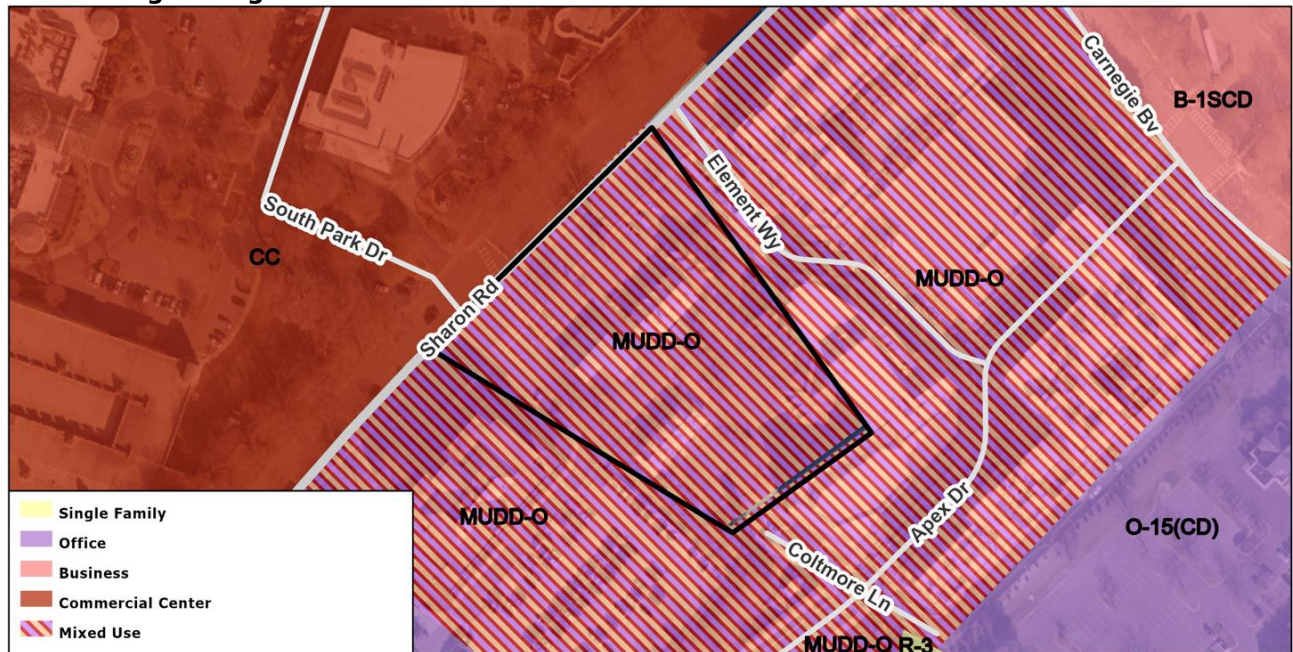
The site plan amendment contains the following changes:

- Increases the allowed maximum building height from 75 ft to 225 feet.
- Increases the maximum square footage from 105,000 sqft with up to 20,000 sqft of retail/ EDEE uses to the following:
 - Up to 250,000 sqft with up to 20,000 sqft of commercial/EDEE uses.
 - Medical office, if provided is limited to 30,000 sqft with a maximum of 150,000 sqft of general office.
- Increases the 20 ft setback/8 ft planting strip/6 ft sidewalk to a 22 ft setback from the back of curb along Sharon Rd. with a 8 ft planting strip and 14 ft sidewalk.
- Reduces the number of driveways on Sharon Rd. by utilizing access to Element Way instead of a driveway on the site.
- Adds the following optional provisions:
 - Allow a maximum building height up to 225 feet.
 - Parking between the buildings and street until redevelopment occurs
 - Streetscape to remain until redevelopment occurs
 - Drive through windows for existing bank branches to remain until redevelopment occurs
 - Allow accessory drive through lane for ATM.
- Added access from Element Way and Colmore Lane.
- Reconstructs a portion of the signalized driveway on Sharon Rd. and extends Colmore Lane through the site to Sharon Road.
- Relocates existing crosswalk across Sharon Rd to the south side of the intersection at South Park Dr. and Colmore Ln.
- Commits to perform a TTM prior to permitting to analyze the traffic signal at Sharon Rd and South Park Drive.
- Provides the following commitments in the event building height exceeds 120 feet:
 - High Performance Construction – Tier 1 (Basic LEED)
 - 3% of parking spaces shall be EV installed
 - 7% of parking spaces shall be EV capable
- Adds the following commitments for the SouthPark Loop Trail:
 - In the event the building height exceeds 120 ft, the petitioner shall construct the loop trail within the right-of-way along the frontage of parcel 18317705 and 150 ft along frontage of parcel 18317704 to the intersection of Cameron Valley Py.
 - In the event the building height is 120 ft or below the petitioner shall make good faith efforts to enter an agreement with the City with the following terms: 1) petitioner to construct Loop segment described above and contribute up to \$100,000 toward design and construction 2) City to pay for costs above \$100,000 through reimbursement of the petitioner or other mechanism agreed upon 3) within 6 months of approval City will demonstrate funding available and 4) in the event funding is not available the petitioner shall not have obligation to construct loop segment.
 - If the Petitioner and City do not enter an agreement as described above the petitioner shall contribute \$100,000 to the City for the purpose of design/construction of sidewalk and/or pedestrian connections associated with the Loop Trail.

Maintains the following conditions and provisions from the previous rezoning:

- Maintains optional provisions to allow:
 - An expansion of no more than 2,500 sqft until redevelopment occurs

- Drive through windows for existing bank branches to remain until redevelopment occurs
 - Existing wall and detached signs to remain until existing buildings are demolished and redevelopment occurs.
 - Maintains provisions that the 6 existing buildings may continue to be used for general office, medical office and bank branch uses with accessory drive throughs until the site is redeveloped. Up to 11,000 sqft of the existing buildings may undergo a change of use for retail, business, service and EDEE use. Any EDEE use will not have a drive through.
 - Maintains architectural standards related to clear glass windows, exterior building materials, location of parking structure, up to 2 new buildings allowed in redevelopment and commitment for 4 sided architecture.
- **Existing Zoning and Land Use**



The site was previously rezoned from O-2 to MUDD-O per rezoning petition 2010-053 to allow up to 105,000 sqft of office, medical office, commercial and EDEE uses.

| Existing Zoning | Translated Zoning | Recommended Place Type |
|--|-------------------------------------|--------------------------------|
| MUDD-O (mixed use development, optional) | Not applicable (conditional zoning) | RAC (regional activity center) |



The site (indicated by red star above) is located in the core of the South Park regional activity center. There is a mix of uses including commercial, office and multi-family dwellings in the area



The site is developed with a mix of uses including a financial institution, an eating/drinking/entertainment establishment (EDEE), and office and personal service uses.



North of the site, across Sharon Rd. is the SouthPark Mall.



East of the site is multi-family, EDEE, religious institution uses in a mixed use development.

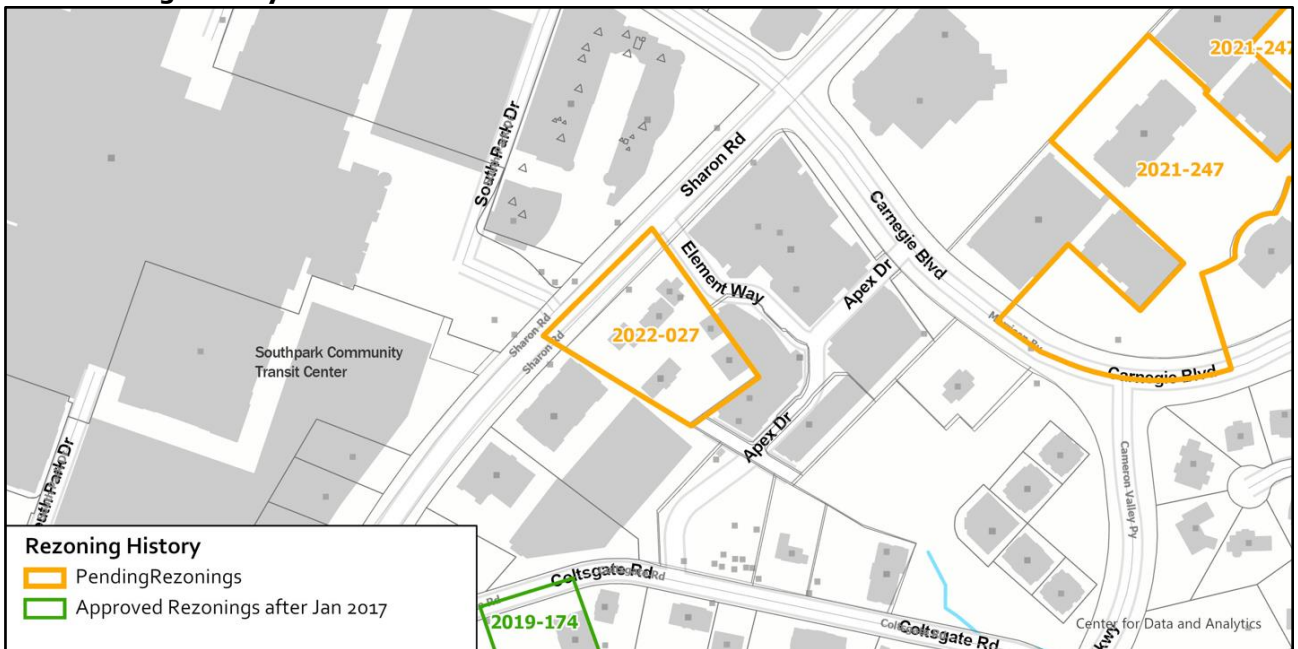


South of the site is a religious institution and a hotel.



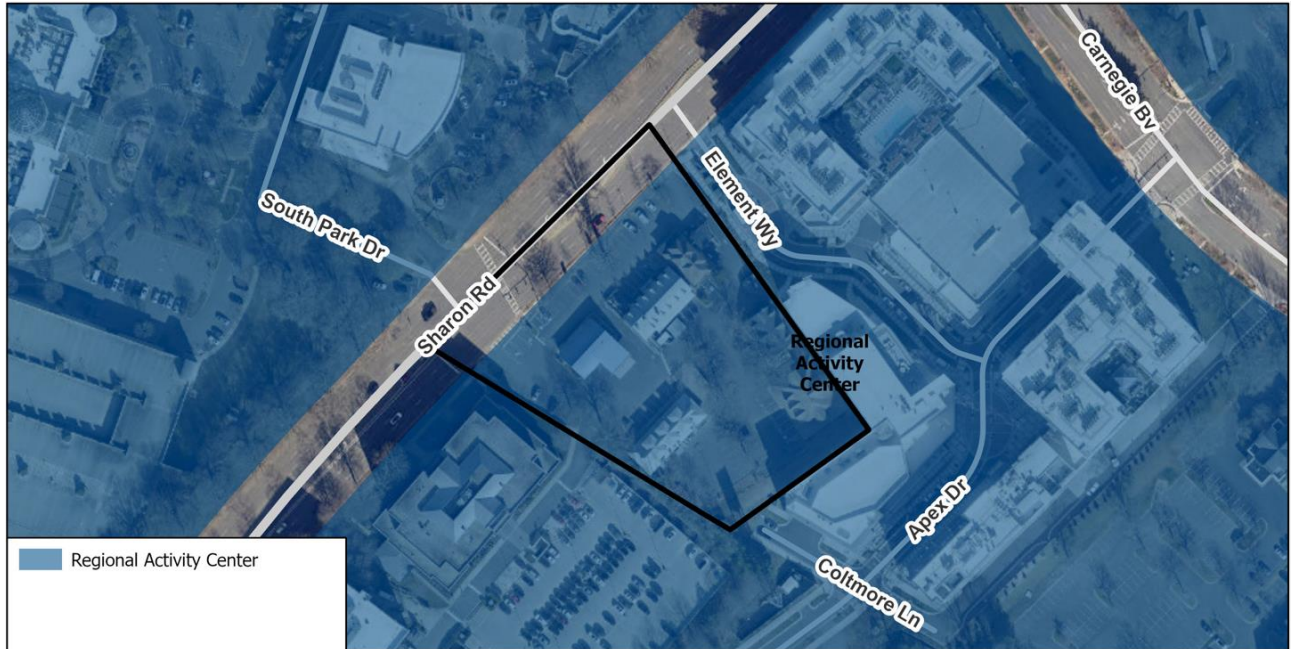
West of the site are office, EDEE, retail and personal service uses.

- Rezoning History in Area**



| Petition Number | Summary of Petition | Status |
|-----------------|--|----------|
| 2019-174 | 1.2 acres south of the site on Coltsgate Rd. to MUDD-O to allow 96,000 sqft of floor area with up to 92,500 sqft of office with up to 25,000 sqft of medical office and 3,500 sqft of non-office uses. | Approved |
| 2021-247 | 7.56 acres east of the site at Colony Rd to MUDD-O to allow up to 150,000 sqft of office uses and 14,000 sqft of retail, EDEE, personal service and commercial uses. | Pending |

- **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Regional Activity Center place type for the site.

- **TRANSPORTATION SUMMARY**

- The site is located on a Sharon Road, a City-maintained major thoroughfare (Class III Commercial Arterial) in between Coltsgate Road, a City-maintained local street and Element Way, a private local street. The petitioner commits to extending Coltsmore Lane, relocating a crosswalk at the existing traffic signal and associated signal timing changes, and completion of a TTM prior to permitting.

- **Active Projects:**

- SouthPark CNIP – The Loop

- **Transportation Considerations**

- ~~See Outstanding Issues, Note 4~~ Addressed

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 1,425 trips per day (based on drive-in bank, fine dining EDEE, & general office).
Entitlement: 4,635 trips per day (based on 20,000 sqft of retail and 85,000 sqft of medical/dental office).

Proposed Zoning: 3,810 trips per day (based on 120,000 sqft office, 30,000 sqft medical/dental office, 14,000 sqft retail, 6,000 sqft fine dining restaurant).

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 Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **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 24-inch water distribution main located along Sharon Rd. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Sharon Rd. No outstanding issues.
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** No outstanding issues.

OUTSTANDING ISSUESSite and Building Design

1. ~~Provide additional commitments to support the proposed height increase above base standards in MUDD.~~ Addressed
2. ~~Although ATM's are allowed in MUDD, add an optional provision to clarify the allowance of an accessory drive through lane for the ATM/Teller station.~~ Addressed
3. ~~Remove Note 13 Unified Development in its entirety or amend the note to remove references to parcels not included in the rezoning. Parcels not part of the proposed development plan cannot be considered as part of a unified development furthermore the parcels are owned by different parties from the petitioner.~~ Addressed

Transportation

4. ~~Revise conditional note 12.ii. to commit the developer to contributing the first \$100k towards design and construction of the loop segment in the event that the developer and City are able to enter into an agreement.~~ Addressed.

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

Planner: John Kinley (704) 336-8311