

---

<b>REQUEST</b>	Proposed Zoning: MUDD-O SPA, mixed use development district optional, site plan amendment
<b>LOCATION</b>	Approximately 5.75 acres located on the north side of Millerton Avenue near the intersection of West Morehead Street.
<b>SUMMARY OF PETITION</b>	The petition proposes a site plan amendment to increase the number of residential buildings while maintaining the same number of residential units at 270.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon resolution of outstanding issues. This petition is consistent with the <i>Bryant Park Land Use &amp; Streetscape Plan</i> .
<b>PROPERTY OWNER</b>	South Carolina Bank & Trust, N.A.
<b>PETITIONER</b>	Lomax Properties
<b>AGENT/REPRESENTATIVE</b>	Patrick Woods, Lomax Properties
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online.

---

#### **PLANNING STAFF REVIEW**

- **Background**

The subject property was part of a larger 36-acre rezoning approved in 2007 (rezoning petition 2007-058). This previously approved rezoning allowed for a mix of single family and multi-family residential units with an overall density of 16.6 dwelling units per acre (700 units) and up to 20,000 square feet of office and retail uses. The portion of the 2007 rezoning associated with this subject site plan amendment allowed one building with up to 270 multi-family units and 20,000 square feet of office and retail uses. The remaining balance of the previous rezoning remains undeveloped.

- **Proposed Request Details**

The site plan amendment contains the following changes:

- Increases the number of buildings from one mixed use building to four residential buildings along with additional accessory buildings.
- Eliminates 20,000 square feet of office and retail land uses.
- Reduces the maximum building height from 120 feet to 80 feet.
- Adds a CATS concrete passenger waiting pad along Millerton Avenue.

- **Existing Zoning and Land Use**

The subject property is currently vacant. Properties south and east of the subject site are zoned I-1 and contain industrial land uses. West of the site are properties zoned R-22MF that contain single family homes. The remaining balance of the original 2007 MUDD-O rezoning is located northwest of the subject property and is vacant. Northeast of the property is vacant I-1 zoned land owned by Mecklenburg County. This abutting property is identified as a future greenway corridor that will ultimately lead to the Uptown area.

- **Rezoning History in Area**

Recent rezonings approved in the area include:

- Petition 2010-024 rezoned approximately 0.28 acres located on the western corner of West Morehead Street and Freedom Drive from B-1 PED to B-1 PED-O. The optional request allowed an existing roof-mounted sign to remain on the building. This petition is approximately 0.5 miles east of the subject site.

- Petition 2007-068 rezoned approximately 20.98 acres located on the north side of Thrift Road between Freedom Drive and Jay Street from MUDD(CD) to MUDD-O. The petition allowed for a revised building and street layout to a previously approved mixed use development. This petition is approximately 0.5 miles northeast of the subject site.
  - **Public Plans and Policies**
    - The *Bryant Park Land Use & Streetscape Plan (2007)* recommends residential land uses up to 22 dwelling units per acre for this parcel.
    - The site plan amendment is consistent with the *Bryant Park Land Use & Streetscape Plan*. The density of the property included in the site plan amendment is approximately 47 dwelling units per acre. However, the overall density of the original rezoning from which this petition was a part will remain the same at 16.6 dwelling unit per acre.
- 

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

- **Charlotte Area Transit System:** No issues.
  - **Charlotte Department of Neighborhood & Business Services:** No issues.
  - **Transportation:** No issues.
    - **Vehicle Trip Generation:**
      - Current Zoning: 3,970 trips per day.
      - Proposed Zoning: 1,570 trips per day.
    - **Connectivity:** No issues.
  - **Charlotte Fire Department:** No issues.
  - **Charlotte-Mecklenburg Schools:** This site plan amendment will not impact the number of students attending local schools.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** Provide a greenway easement at the northern corner of the subject site, next to the future Stewart Creek greenway, to allow an entrance plaza to the greenway trail.
- 

#### **ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
  - Facilitates the use of alternative modes of transportation by providing a concrete CATS passenger waiting pad along Millerton Avenue.
  - Minimizes impacts to the natural environment by redeveloping an infill lot.

#### **OUTSTANDING ISSUES**

- The petitioner should:
  1. Delineate a six-foot sidewalk along Millerton Avenue rather than a five-foot sidewalk.
  2. Indicate internal sidewalks abutting parking areas will have a minimum width of seven feet.
  3. Eliminate the proposed sign.
  4. Provide an internal streetscape containing a minimum five-foot sidewalk and eight-foot planting strip on both sides of the internal private drive connecting Millerton Avenue to buildings #1 and #2.

5. Reorganize and consolidate the site plan notes within the standardized form. Place the following Development Data Summary notes under the appropriate headings.
    - a. Notes #1 and #6 under "General Provisions"
    - b. Eliminate Notes #2 thru #5, #9 and #10.
    - c. Notes #7 and #14 under "Transportation. Correct typos in Note #14.
    - d. Note #8 under "Fire Protection".
    - e. Note #11 under "Lighting".
    - f. The last sentence of Note #12 modified and placed under "Architectural Standards" to read "Direct sidewalk connections will be provided from the buildings that abut Millerton Avenue out to the public sidewalk".
    - g. Note #13 under "Streetscape".
    - h. Notes #15 and #16 under "Environmental Features".
    - i. Notes #17 and #18 under "Other".
    - j. Note #19 under "Parks, Greenways, and Open Space".
    - k. Notes #20 and #21 under "Architectural Standards".
    - l. Note 22 under "Optional Provisions".
    - m. Place "CDOT Notes" under "Transportation".
  6. Eliminate the reference of "total parking shown: 279".
  7. Eliminate the note under "Permitted Uses" and provide the following note "Up to 270 multi-family residential units and associated accessory uses".
  8. Relocate Note b under "Other" to "Architectural Standards". Modify this note to indicate the solid waste enclosure will have a roof.
  9. Provide typical building elevations of the proposed buildings to illustrate the scale and massing.
  10. Provide a note under "Streetscape" to state "The petitioner will provide a CATS concrete passenger waiting pad along Millerton Avenue per CATS standards".
  11. Address Mecklenburg County Parks and Recreation Department's comment.
- 

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

- Application
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Solid Waste Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

**Planner:** Shad Spencer (704) 353-1132