

REQUEST	Text amendment to Table 9.101 and Sections 9.8503, 9.903, 9.1206, 10.811, 10.905, and 12.544 of the Zoning Ordinance
SUMMARY OF PETITION	The petition proposes to allow breweries with an associated restaurant, nightclub, bar or lounge in the MUDD, UMUD, TOD-E and TOD-M zoning districts and in the PED and TS Overlay zoning districts, with prescribed conditions.
PETITIONER AGENT/REPRESENTATIVE	Charlotte-Mecklenburg Planning Department Charlotte-Mecklenburg Planning Department
COMMUNITY MEETING	Meeting is not required.
STATEMENT OF CONSISTENCY	This petition is found to be consistent with the Community Vision adopted in the <i>Centers, Corridors and Wedges</i> document and therefore to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Eschert seconded by Commissioner Nealon).

ZONING COMMITTEE ACTION	The Zoning Committee voted unanimously to recommend APPROVAL of this petition.
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VOTE	Motion/Second: Allen/Nealon
	Yeas: Allen, Eschert, Johnson, Labovitz, Lathrop, Nealon and Walker
	Nays: None
	Absent: None
	Recused: None

ZONING COMMITTEE DISCUSSION	<p>Staff provided a summary of the text amendment. A question was asked about the reasoning behind two different maximum sizes for establishments. Staff responded that we are not trying to create new, large manufacturing uses in urban areas, but we are trying to encourage the reuse of older, vacant buildings. A CVS drugstore is an example of a use that is typically around 15,000 square feet in size.</p> <p>A question was asked about why the year 1980 was selected as the date for older buildings. Staff responded that the date was selected because most of the buildings in South End and Plaza Midwood were constructed prior to 1980. Brewery owners are looking in these areas for older buildings where they may have the ability to expand, but may not need the entire area of the building when they open.</p> <p>A Commissioner asked if it was allowable for a brewery and associated use to occupy an older building built in 1950 with 15,000 square feet and later seek to expand the building, adding up to another 10,000 square feet to make 25,000 square feet. Would that be allowed? Staff responded yes, if the required parking could be met.</p> <p>Another Commissioner asked about how the distribution of beer will change what is currently allowed. Staff stated that the current regulations do not allow a local brewery with a restaurant to distribute off-site, unless it is located in an industrial zoning district. This text amendment would allow small breweries to distribute off-site, with an impact that would not be greater than is expected from a restaurant or bakery. Small breweries can't produce enough to fill a semi-truck. Distribution is usually done with smaller size mini-vans.</p>
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A question was asked about how other communities were regulating breweries with associated uses. Staff responded that local breweries and associated tap rooms have been an emerging trend in other cities.

A Commissioner asked if there is a document that contains the community vision statement. Staff responded that the community vision or guiding principles are in the *Centers, Corridors and Wedges Framework* document and includes economic development and creating thriving areas for diverse populations.

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

- **Background**

- A microbrewery citizen advisory group (CAG) was formed in early 2013 to review regulations allowing breweries. The CAG met four times, and two text amendments were filed.
- The first text amendment, petition 2013-039, was adopted March 25, 2013, and allows breweries in the U-I, I-1, and I-2 zoning districts, with prescribed conditions.
- This is the second text amendment, supported by the CAG, which proposes to allow breweries combined with an associated restaurant, nightclub, bar or lounge, to locate in the MUDD, UMUD, TOD-E, TOD-M, PED and TS urban zoning districts.

- **Proposed Request Details**

The text amendment contains the following provisions:

- Allows breweries in the urban zoning districts of MUDD, UMUD, TOD-E, TOD-M, PED and TS only when combined with a restaurant, nightclub, bar or lounge component located in the same building, when the following prescribed conditions are met:
 - Maximum size of the brewery and all associated uses:
 - 15,000 square feet, or 25,000 square feet if located in a building constructed prior to 1980. A larger size is permitted to encourage the adaptive reuse of older, under-utilized buildings.
 - Requirements for the associated restaurant, nightclub, bar or lounge component:
 - Minimum size: 20% of the total square footage for the brewery and all associated uses, or 1,500 square feet, whichever is less.
 - Visibility and accessibility:
 - If the brewery is located on a public right-of-way, private street, or rapid transit line, the associated restaurant, nightclub, bar or lounge use shall have fenestration through vision glass, doors or active outdoor spaces along 30% of the building side that fronts the public right-of-way, private street, or rapid transit line.
 - If the building architecture or site prohibits meeting the above condition, the Planning Director or designee may approve alternative approaches.
 - All prescribed conditions associated with the restaurant, nightclub, bar or lounge in the Zoning Ordinance shall be met, including separation distances. Any text amendment modifications to the restaurant, nightclub, bar or lounge prescribed conditions that are an outcome of the citizen advisory group underway will apply to this use.
 - Off-site distribution of manufactured beer is permitted from Class II (limited access arterial), Class III (major arterial), Class III-C (commercial arterial), Class IV (minor arterial), Class V-C (commercial street), or by a commercial cul-de-sac.
 - All development and urban design standards required in the zoning district shall be met.

- **Public Plans and Policies**

- The petition is consistent with the community vision.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Not applicable.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:**
 - There is no site plan associated with this text amendment.
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OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review

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