

<b>REQUEST</b>	Current Zoning: I-2 (general industrial) Proposed Zoning: MUDD-O (mixed use development, optional)
<b>LOCATION</b>	Approximately 5.1 acres located on the west side of Old Pineville Road between Yancey Road and Southside Drive. (Council District 3 - Mayfield)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow the reuse of three existing industrial warehouse buildings with a total of 74,877 square feet near the Scaleybark Station, for all uses allowed in the MUDD (mixed use development) district. Allowed uses in MUDD generally include retail, office, residential, institutional, and eating/drinking/entertainment establishments (EDEE).
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	H.L. Bowers Company, Inc., and by Merger, Bowers Fibers Inc. WP Yancey, LLC Walter Fields
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 9
<b>STATEMENT OF CONSISTENCY</b>	<ul style="list-style-type: none"> <li>• The Zoning Committee found this petition to be inconsistent with the <i>Scaleybark Transit Station Area Plan</i>, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> <li>• The plan recommends low to moderate intensity office, industrial and warehouse-distribution uses for the subject property.</li> </ul> </li> <li>• However, 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"> <li>• The area is transitioning from an industrial/warehouse area as originally called for in the adopted area plan to a more mixed-use entertainment area; and</li> <li>• The site will provide ample parking for the proposed use and area; and</li> <li>• The proposed pedestrian and bike path will provide alternate transportation choice for the area instead of the proposed street noted in the adopted area plan;</li> </ul> </li> </ul> <p>By a 6-0 vote of the Zoning Committee (motion by Wiggins seconded by Majeed).</p>

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 6-0 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <p><u>Site and Building Design</u></p> <ol style="list-style-type: none"> <li>1. The petitioner has agreed to show and label the required 16-foot setback along Old Pineville Road.</li> <li>2. The petitioner modified the optional request to allow the building along Yancey Road to encroach into the required setback.</li> <li>3. An optional request has been added to allow the existing streetscape and sidewalk along Old Pineville Road to remain.</li> <li>4. A possible access drive has been shown on the site plan.</li> <li>5. Two possible locations for one 12-foot pedestrian/bicycle path have been show on the site plan.</li> </ol>
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<b>VOTE</b>	Motion/Second: Majeed / Watkins
	Yeas: Labovitz, Lathrop, Majeed, Spencer, Watkins, and Wiggins
	Nays: None
	Absent: Eschert

Recused: None

#### **ZONING COMMITTEE DISCUSSION**

Staff presented this item to the Zoning Committee, noting several changes were made to the plan after the public hearing. Staff also stated that there were still several outstanding issues and due to those issues staff was not recommending approval of this petition. Staff noted that this petition is inconsistent with the *Scaleybark Transit Station Area Plan*. Several committee members asked about the proposed street connection that staff requested. Staff responded that the street connection was identified in the area plan, and would break up the block length, and possibly provide relief at the intersection of Yancey Road and Old Pineville Road. One Commissioner asked if staff was in opposition due to the inconsistency with the adopted area plan. Staff responded that the request was inconsistent but staff could support the use if the outstanding issues were addressed since we supported other petitions in the area that have been approved. There was no further discussion of this petition.

#### **STAFF OPINION**

Staff disagrees with the recommendation of the Zoning Committee. Staff feels that the requested street connection would allow for vehicular, bicycle and pedestrian mobility through an area that is converting existing warehouse uses to an entertainment district. The connection would support the City's policy goal of increased connectivity and a denser street network in transit station areas. The design details requested for the pedestrian plazas and motor court/drop off would allow staff to evaluate the deviation from the required streetscape standards along Yancey Road.

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### **FINAL STAFF ANALYSIS** (Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

#### **PLANNING STAFF REVIEW**

##### **• Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Renovate and repurpose three existing buildings, totaling 74,877 square feet for all uses permitted in the MUDD (mixed use development) district.
- Permitted uses in MUDD generally include retail, office, residential, institutional, and eating/drinking/entertainment establishments (EDEE).
- Building modifications will allow for a new pedestrian plaza and a covered exterior courtyard.
- An eight-foot planting strip, eight-foot amenity area and eight-foot sidewalk that transitions to an eight-foot sidewalk and eight-foot planting strip along Yancey Road.
- A possible access drive from Yancey Road to the southern edge of the site for possible connectivity.
- Two possible locations for one 12-foot pedestrian/bicycle path have been shown on the plan.
- Optional Provisions for the following:
  - Parking and maneuvering between the existing building and street frontages on Yancey Road and Old Pineville Road to accommodate motor court and existing loading space.
  - Minor modifications of the proposed streetscape along Yancey Road that may need to be modified once plans are fully developed. Sidewalk deviation will accommodate the existing buildings and possible plaza areas. The adopted area plan calls for an eight-foot planting strip, eight-foot sidewalk, and eight-foot amenity zone for an overall setback of 24 feet from the back of curb.
  - Optional request to allow the existing building along Yancey Road to encroach into the required setback.
  - Request to allow the existing streetscape and sidewalk along Old Pineville Road to remain.
- **Public Plans and Policies**
  - The *Scaleybark Transit Station Area Plan* (2008) recommends the continuation of low to moderate intensity office, industrial, and warehouse-distribution uses.
  - The cross section recommended for Yancey Road proposes a 24-foot setback with an eight-foot planting strip, eight-foot amenity zone, and eight-foot sidewalk.
  - The plan recommends a new street connection from Old Pineville Road through the proposed site to Dewitt Lane.

**• TRANSPORTATION CONSIDERATIONS**

- The *Scaleybark Transit Station Area Plan's* stated transportation goal is to provide new street network connections and improve the pedestrian and bicycle environment. Additional street connections are needed to support high density development desired in the transit station area, to provide additional travel routes for vehicular congestion relief, and block spacing better suited for pedestrian-friendly walking routes.
- The area plan recommends a public street connecting through this site. Since the petition proposes reuse of existing buildings, it is not possible to implement this specific area plan recommendation. It does appear possible to break the block into two smaller blocks by incorporating a street connection through the area depicted for surface parking. This would support the City's policy goal for block sizes in a transit station area.
- See Outstanding Issues, Notes 3 and 4.
- **Vehicle Trip Generation:**  
Current Zoning:  
Existing Use: 400 trips per day (based on 112,317 square feet of warehouse uses).  
Entitlement: 3,300 trips per day (based on 25,000 square feet of retail uses and 30,000 square feet of office uses with 19,000 square feet unused due to lack of required parking).  
Proposed Zoning: 5,630 trips per day (based on 74,877 of retail uses).

**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 comments received.
  - **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 eight-inch water distribution main located on Yancey Road and twelve-inch water distribution main located along Old Pineville Road. Sewer system availability through an existing eight-inch gravity sewer main located along Yancey Road.
  - **Engineering and Property Management:** The site shall comply with the requirements of the City of Charlotte Tree Ordinance.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
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**OUTSTANDING ISSUES**Site and Building Design

1. Provide a detail showing location of requested option to modify and deviate from the required streetscape standards along Yancey Road.
2. Provide a detail of the pedestrian plazas and motor court/drop off.

Transportation

3. Revise the site plan to incorporate a future street alignment section that mimics the intent of the future street alignment between Old Pineville Road and Dewitt Lane as shown in the *Scaleybark Transit Station Area Plan*. Per this area plan, street connections in the transit station area are the highest priority as these connections are needed to support high density development and to provide additional travel routes to relieve vehicular congestion and provide additional pedestrian friendly walking routes. CDOT can work with the petitioner to find an alignment that fulfills the intent of the area plan alignment without affecting the existing buildings that the petitioner proposes to retain and re-use.
4. CDOT is seeking additional information from the petitioner regarding the possible intensity of the site if it were developed under existing conditions.

**Attachments Online at [www.rezoning.org](http://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-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

**Planner:** Solomon Fortune (704) 336-8326