

REQUEST	Current Zoning: I-2 (general industrial) Proposed Zoning: I-2 (TS-O) (general industrial, transit supportive, optional)
LOCATION	Approximately 9.52 acres located on the east side of South Tryon Street between Yancey Road and East Peterson Drive. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to allow the expansion of the existing uses associated with the Olde Mecklenburg Brewery which is located near the Scaleybark Station on the LYNX Blue Line.
PROPERTY OWNER	MACA Properties LLC OMB Property Holdings LLC
PETITIONER AGENT/REPRESENTATIVE	The Olde Mecklenburg Brewery LLC Jeff Brown, Keith MacVean and Bridget Dixon; Moore & Van Allen, PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 2

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>Scaleybark Transit Station Area Plan</i> recommendation for low to moderate intensity office, industrial and warehouse-distribution uses.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The site is located within a ½ mile walk of the Scaleybark Transit Station on the LYNX Blue Line. • However, the <i>Scaleybark Transit Station Area Plan</i> did not identify the area in which the site is located as a location for transit supportive development typically found in transit station areas. • Instead the plan anticipated maintenance of the office, industrial and warehouse-distribution uses that were in place at the time of the plan development. • Since the adoption of the plan, the area in which the site is located has begun to transition from office, industrial, and warehouse-distribution uses to eating/drinking/entertainment establishments and retail uses. • The proposal will continue to use two buildings for manufacturing and office and will add a new building for manufacturing, consistent with the area plan. • The site also will be enhanced by adding a new biergarten to the existing eating/drinking/entertainment use, which is part of the evolving entertainment district located near the Scaleybark Station. • As a result of the rezoning, the development will provide sidewalk and buffers which will improve both safety and the pedestrian experience.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Expansion of the existing brewery, eating/drinking/entertainment establishment and office uses.
 - Retention of the existing 29,083-square foot building and 37,704-square foot building.
 - Proposes a 52,200-square foot outdoor dining/open gathering space (“Biergarten”) that will connect to the existing 29,083-square foot building.
 - Proposes a 13,400-square foot future manufacturing/office building that will face South Tryon

- Street.
- Provides primary access from Yancey Road with service access from South Tryon Street.
 - Provides 16-foot setback as measured from the future back-of-curb along Yancey Road and South Tryon Street.
 - Provides an eight-foot sidewalk at the back of existing curb along Yancey Street. The existing sidewalk on South Tryon Street will remain in its current form until such time driveway access is utilized and the future building is developed. At such time an eight-foot planting strip and six-foot sidewalk will be provided.
 - Provides a "Class C" buffer along northern property line along abutting parcels zoned R-8 (single family residential) and O-2 (office).
 - Limits height of freestanding lighting to 21 feet.
 - Requests the following optional provisions:
 - Allow an eight-foot sidewalk at back of existing curb on Yancey Street.
 - Allow new street trees to be provided behind the sidewalk on parcel 149-03-211.
 - Allow indoor eating/drinking/entertainment establishment uses to park at a ratio of 1:150 compared to the required 1 space per 75 square feet.
 - Allow outdoor eating/drinking/entertainment establishment uses to park at a ratio of 1:600 compared to the required 1 space per 150 square feet.
 - Allow brewery uses to exceed 15,000 square feet.
 - Allow the existing parking and maneuvering areas located between the existing building and the streets to remain.
 - Allow the existing building to not have to meet the street wall requirements of the TS (transit supportive) zoning district which require 25 percent clear vision glass, blank walls more the 20 feet not allowed, requirements for variations in roof line adjacent to single-family.
 - Allow the existing sidewalk and planting strip on South Tryon Street to remain in its current form until such time that driveway access from South Tryon Street is utilized and the future building is constructed.
 - Allow the floor area ratio of the buildings to be less than 0.50 square feet of floor area to one square foot of the development site.
 - **Existing Zoning and Land Use**
 - The site is currently developed with a microbrewery with ancillary manufacturing and office uses, and an eating/drinking/entertainment establishment.
 - The surrounding properties are zoned I-2 (general industrial), I-1(CD) (light industrial, conditional), O-2 (office), B-2 (general business), MUDD-O (mixed use development, optional), MUDD(CD) (mixed use development, conditional), R-5 (single family residential), and R-8 (single family residential) and are developed with a mix of single family neighborhoods, office/industrial/warehouse activities, a religious institution, and retail uses.
 - See "Rezoning Map" for existing zoning in the area.
 - **Rezoning History in Area**
 - Rezoning petition 2016-011 rezoned approximately 1.18 acres located on the southeast corner at the intersection of Yancey Road and Southside Drive from I-2 (general industrial) to MUDD-O (mixed use development, optional) in order to allow the reuse of an existing 17,455-square foot industrial warehouse building for all uses allowed in the MUDD (mixed use development) zoning district.
 - Rezoning Petition 2016-098 is currently seeking to rezone 5.1 acres at the southeastern corner of Yancey Road and Old Pineville Road. The petition is seeking a reclassification from I-2 (general industrial) to MUDD-O (mixed use development, optional) to allow the reuse of the existing warehouse buildings for all uses in the MUDD (mixed use development) district.
 - **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 and South Tryon Street requires a 24-foot setback with an eight-foot planting strip, eight-foot amenity zone and eight-foot sidewalk.
 - The plan also recommends extending Southside Drive from Yancey Road to South Tryon Street.
 - **TRANSPORTATION CONSIDERATIONS**
 - This site is located on a major collector with a rear border to a major thoroughfare. The current site plan includes sidewalk along Yancey Road that improves the pedestrian environment. CDOT is concerned with the conflict between the future building on the South Tryon side of the property and the future street connection from Yancey Road to Orchard Circle as identified in the *Scaleybark Transit Station Area Plan*. Additionally, it is not clear that the site plan provides the adequate setback for the ultimate cross section on South Tryon as identified in the

Scaleybark Transit Station Area Plan.

- See Outstanding Issues, Notes 4 and 5.

- **Vehicle Trip Generation:**

Current Zoning: 2,710 trips per day (based on 46,787 square feet of warehouse/brewery uses, 20,000 square feet of restaurant uses, and 52,200 square feet of beverage, food, entertainment uses).

Proposed Zoning: 2,800 trips per day (based on 58,847 square feet of warehouse/brewery, 20,000 square feet of restaurant uses, and 52,200 square feet of beverage, food, entertainment uses and 1,340 square feet of office 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 issues.
- **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 mains located on South Tryon Street and Yancey Road and sewer system availability through an existing eight-inch gravity sewer main located along South Tryon Street and Yancey Road.
- **Engineering and Property Management:** The development of site shall comply with the requirements of the City of Charlotte Tree Ordinance.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUESSite and Building Design

1. Reconfigure northernmost driveway to provide a protected pedestrian zone to allow safe access to the building and parking area.
2. Label and show proposed setback and cross-section along South Tryon Street.
3. Modify optional request 'I' to allow the site to have a minimum Floor Area Ratio of 0.17.

Infrastructure

4. The petitioner should revise the site plan to relocate the future manufacturing/office building so that it does not conflict with the future street connection from Yancey Road to Orchard Circle as identified in the *Scaleybark Transit Station Area Plan*.
5. The petitioner should revise the site plan along South Tryon to match the *Scaleybark Transit Station Area Plan*. The future back of curb on S. Tryon St is 38' from the centerline of the roadway. The setback on South Tryon needs to be measured from this future location. Petitioner should dimension 38' from centerline to future back of curb and required setback from future back of curb to future building.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

Planner: Solomon Fortune (704) 336-8326