

REQUEST	Current Zoning: MUDD-O (mixed use development, optional) Proposed Zoning: MUDD-O SPA (mixed use development, optional, site plan amendment) with five-year vested rights.
LOCATION	Approximately 1.50 acres located on the northwest corner at the intersection of Freedom Drive and Wesley Village Road. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes development of a vacant site in the FreeMoreWest area with a mixed use building containing 10,000 square feet of retail and 66,000 square feet of office uses.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	The Villages at Wesley Heights LLC Chris Ogunrinde Gary Wirth
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 5

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to vested rights, building elevations, screening, and other requested technical revisions.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>Bryant Park Land Use & Streetscape Plan</i>, which recommends a mix of residential, office, and/or retail uses. The proposal is inconsistent with the specific limitations from the approved conditional rezoning plan, which amended the adopted plan, for building size and height.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The site was part of a larger development plan, rezoned under petition 2007-068, which was consistent with the <i>Bryant Park Land Use & Streetscape Plan</i>. The 2007 rezoning reserved the subject site for 20,000 square feet of retail and/or office use with a maximum building height of 65 feet served by surface parking. • The proposed rezoning will amend the entitlements for this challenging site. With utilities remaining in the former Thrift Road right-of-way on the western side of the property, the proposed site plan places surface parking in this area where buildings are not feasible. • The site is appropriate for the proposed mid-rise, mixed use building due to its urban location along a major thoroughfare. • Additionally, the site is approximately 300 feet from the nearby single family homes in the Wesley Heights neighborhood and separated by the buffer created by Stewart Creek and the Stewart Creek Greenway. • The proposed building will provide a visual anchor for the emerging FreeMoreWest area.
---------------------------------	---

PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan amendment contains the following changes:
 - Modifies the allowed square footage of retail/office uses from 20,000 square feet to 10,000 square feet of retail uses and 66,000 square feet of office uses.
 - Increases the allowed maximum building height for the site from 65 feet to 90 feet.
 - Adds an Optional Request to allow parking between the building and Freedom Drive and Thrift Road to avoid relocations of existing utilities that are under the old alignment of Thrift Road, as proposed in the approved plan.
 - Modifies vehicular access to the site to remove the one access point on Thrift Road and proposes two access points on Rushing Creek Lane.

- Modifies parking to serve the site with both surface and structured parking. Structured parking is proposed to be located on the first three of the seven floors of the building.
- Specifies the proposed building materials and provides elevations and a massing rendering to illustrate the design intent.
- Proposes retail uses along the majority of the ground floor elevation facing Freedom Drive and a portion of the elevation abutting Wesley Village Road. Proposes additional retail space on the top floor of the building.
- Maintains the existing streetscape, planting strips and sidewalks surrounding the site.
- Modifies the lighting standards to increase the allowed height of freestanding lights from 20 feet to 21 feet, to remove reference to “wall pak” lighting, and to specify that lighting will be fully shielded and directed away from adjoining properties and public streets.
- **Existing Zoning and Land Use**
 - The subject property, which is vacant, was previously rezoned to MUDD-O (mixed use development, optional) under petition 2007-068 as part of a larger mixed use development including the existing multi-family development north of the site across Rushing Creek Lane.
 - The southwest corner of the site contains extensive underground utility systems that remain in place from the former right-of-way of Thrift Road.
 - To the north across Rushing Creek Lane is the Wesley Village apartment community in MUDD-O (mixed use development, optional) zoning, developed under petition 2007-068.
 - To the west across Thrift Road is a convenience store with gasoline sales in I-2 (general industrial) zoning, with small industrial uses on properties extending further west.
 - To the east across Wesley Village Road is the Stewart Creek Greenway, with the Lela Court residential development and the Wesley Heights neighborhood on the other side of the greenway.
 - To the south across Freedom Drive is vacant property in I-1 (light industrial) zoning, with other warehouse/industrial uses on properties extending further west.
 - See “Rezoning Map” for existing zoning in the area.
- **Rezoning History in Area**
 - Petition 2012-006 rezoned 5.76 acres southwest of the subject site, on the north side of Millerton Avenue near West Morehead Street, from MUDD-O (mixed use development, optional) to MUDD-O SPA (mixed use development, optional, site plan amendment) to allow 270 multi-family residential units.
 - Petition 2013-035 rezoned 0.49 acres southeast of the subject site, located at Freedom Drive and West Morehead Street, from B-1 PED (neighborhood business, pedestrian overlay) to B-1 PED-O (neighborhood business, pedestrian overlay, optional) to allow renovation of an existing office building for retail and office use.
 - Petition 2013-022 rezoned 0.82 acres east of the subject site, located at South Summit Avenue near West Morehead Street, from R-5 (single family residential) to UR-2(CD) (urban residential, conditional) to allow 36 multi-family dwelling units.
 - Petition 2015-021 rezoned 1.38 acres east of the subject site, located at West Morehead Street between South Summit Avenue and I-77, from BD(CD) PED-O (distributive business, conditional, pedestrian overlay, optional) to O-1 PED (office, pedestrian overlay) to allow for office development.
 - Petition 2015-064 rezoned 0.47 acres east of the subject site, located at West Morehead Street between South Summit Avenue and I-77 from BD(CD) PED-O (distributive business, conditional, pedestrian overlay, optional) to O-1 PED (office, pedestrian overlay) to allow for office development.
- **Public Plans and Policies**

The *Bryant Park Land Use and Streetscape Plan* (2007) recommends a mix of residential, office and retail land uses for the larger area in which the site is located. Rezoning petition 2007-068 had a specific allocation for the subject property for 20,000 square feet of retail/office use with a maximum building height of 65 feet, with surface parking within the former Thrift Road right-of-way.
- **TRANSPORTATION CONSIDERATIONS**
 - Site is located at the corner of a minor thoroughfare and class III commercial arterial. This petition does not substantially change the trip generation, driveway location, street network or streetscape of the currently approved entitlements and site plan.
 - **Vehicle Trip Generation:**

Current Zoning:
Existing Use: 0 trips per day (based on a vacant site).

Entitlement: 2,390 trips per day (based on 20,000 square feet of retail use).
Proposed Zoning: 2,480 trips per day (based on 10,000 square feet of retail and 66,000 square feet of office use).

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 via existing eight-inch water distribution mains located along Thrift Road, Rushing Creek Lane, and Wesley Village Road. The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. It is recommended that the applicant contact the Charlotte Water New Services group for further information and to discuss options regarding sanitary sewer system capacity.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUESLand Use

1. Amend the rezoning application to remove the request for five-year vested rights.

Site and Building Design

2. Revise the elevations on Sheet 2.0 and 3.0 to clearly reflect the surface parking visible from Thrift Road and Freedom Drive.
3. Provide building elevations, similar to the one provided for Freedom Drive and Thrift Road, for Rushing Creek Lane, and Wesley Village Road facades.
4. Include spandrel glass within parking deck screening to break up large expanses of structured parking screening.

REQUESTED TECHNICAL REVISIONSLand Use

5. Amend the labels to specify "Retail/EDEE" for the building elevations where they currently say only "Retail".
-

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
 - Urban Forestry Review

Planner: John Kinley (704) 336-8311