

REQUEST	Current Zoning: I-2 (general industrial) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 2.27 acres located on the north side of Woodward Avenue, between Statesville Avenue and Vanderbilt Road, and south of Carter Avenue. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to allow the reuse of the existing industrial warehouse building, south of the Druid Hills neighborhood, for a brewery, bakery, butcher shop and other uses permitted in the district.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	TPM Properties Limited Partnership Heist Brewery Kurt Hogan
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 19
STATEMENT OF CONSISTENCY	<p>The Zoning Committee found this petition to be inconsistent with the <i>Statesville Avenue Corridor Area Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The plan recommends industrial uses for the subject site; and • The plan recommends the realignment and extension of Arden Street through the site to Woodward Avenue. <p>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:</p> <ul style="list-style-type: none"> • The site is located within the Applied Innovation Corridor, an area identified for specific CIP (Community Investment Plan) projects, with the goal of spurring economic development and investment; and • This portion of the Applied Innovation Corridor is transitioning from primarily industrial and warehouse uses to a mixture of uses including residential, commercial, adaptive reuse, institutional and recreational uses; and • Through the use of optional provisions, the proposal allows a unique opportunity for adaptive reuse of the existing industrial building for pedestrian friendly, neighborhood oriented uses that are more compatible with adjacent residential uses; and • In addition, the proposed site plan includes sidewalk connections from Carter Avenue to Woodward Avenue to facilitate pedestrian connections in lieu of the vehicular connection recommended by the area plan that is no longer feasible. This provides area residents with better access to the Mecklenburg County swimming pool facility at the corner of Woodward Avenue and Statesville Avenue; <p>By a 6-0 vote of the Zoning Committee (motion by Spencer seconded by Majeed).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:</p> <p><u>Site and Building Design</u></p> <ol style="list-style-type: none"> 1. Provided vertical architectural elements and/or articulation along the entirety of the proposed retaining wall along Woodward Avenue to break up expanses longer than 20 feet. 2. Provided an eight-foot planting strip and six-foot sidewalk along Carter Avenue from the driveway to the eastern property edge. In the area where the building directly abuts Carter Avenue,
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provided hardscape rather than a sidewalk and planting strip between the curb and building façade. Trees in this location may be placed in tree wells.

Transportation

3. Revised the site plan and added notes to construct the following pedestrian/bike connections within a proposed public sidewalk utility easements (SUE) and/or existing public right-of-way:
 - a. Added a note that the petitioner will provide a six-foot sidewalk along the site's western property line connecting Carter Avenue to Woodward Avenue in order to provide an accessible connection between the two streets. Staff rescinded the request for it to be ten-feet in width.
 - b. Amended the site plan to show an eight-foot planting strip and ten-foot multi-use path along the site's northern property frontage, west of the driveway, and connecting Carter Avenue to Mecklenburg County's new community pool site located in the northeast quadrant of Statesville Avenue and Woodard Avenue (upon approval by Mecklenburg County).
 - c. Added a note that the petitioner will work with the property owner of the Gables at Druid Hills to determine if it would be possible to construct a six-foot sidewalk connection to the existing six-foot sidewalk along the eastern property line of parcel 07904401 (Gables at Druid Hills) to provide for a continuous pedestrian path between Woodard Avenue and Kohler Avenue (upon approval by the property owner of parcel 07904401).
4. Revised the site plan and added a conditional note to prohibit site deliveries using Carter Avenue, a local residential street.
5. Revised the site plan to label and add a conditional note specifying dedication and fee simple conveyance of 14-feet of right-of-way to the City along the site's Woodard Avenue frontage as measured from the street's existing back of curb before the site's first building certificate of occupancy is issued.
6. Revised the site plan to add a conditional note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued or phased per the site's development plan.
7. Added a note that sidewalks requested under Transportation Item 3 a-c will be publically accessible.
8. Amended the note added to the site plan to specify the six-foot wide pedestrian connection between Carter Avenue and Woodward Avenue along the western property line will be ADA accessible.

Land Use

9. Amended the proposed use in "Note 3: Permitted Use" to say: "All uses permitted and with prescribed conditions in MUDD excluding automotive service stations and pet services outdoor."
10. Amended the proposed use in the development data table to say: "All uses permitted and with prescribed conditions in MUDD excluding automotive service stations and pet services outdoor" to match the change made to "Note 3: Permitted Uses."

Site and Building Design

11. Added an optional provision to not require the building and streetscape design standards in Section 9.8506 2(a),(d)-(j) of the MUDD (mixed use development) district as the existing building is to remain.
12. Moved the note regarding fenestration through vision glass, doors or active outdoor spaces from the separate box to the "Architectural Standards" section of the notes.
13. Added a note under "Lighting" to limit the height of free standing lighting to a maximum of 21 feet.

14. Moved the added optional provision related to streetscape and design standards as referenced in addressed issues number 9 above to the Development Standards under Note 2 "Optional Provisions."

VOTE Motion/Second: Fryday/ Majeed
 Yeas: Fryday, Majeed, McClung, Spencer, Watkins, and Wiggins
 Nays: None
 Absent: Lathrop
 Recused: None

ZONING COMMITTEE DISCUSSION Staff provided a summary of the petition and noted the petition is inconsistent with the plan recommendation for institutional use. However, Planning finds the petition appropriate because it would reuse the existing building and improve pedestrian connectivity and facilities in the area. The staff explained the changes to the proposal since the hearing and noted that all the issues have been addressed.

A commissioner asked about the proposed uses. Staff responded that the size of the building would allow a variety of uses within the building and all uses permitted in MUDD, except automotive service stations and outdoor pet services, would be allowed. A Commissioner asked if the storage facility was existing. Staff responded that the building was a warehouse but it would be reused. There was no further discussion.

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

- **Proposed Request Details**
 The site plan accompanying this petition contains the following provisions:
 - Allows all uses permitted in the MUDD (mixed use development) district except automotive service stations and pet services - outdoor.
 - Maintains the existing building and proposes the addition of covered and uncovered patios, lawn space, and parking.
 - Specifies that the building is to be renovated and commits to engaging both road frontages with windows, doors and public spaces. Stipulates that clear glass will be utilized on all first floor openings. Specifies that vertical architectural elements and/or articulation will be provided on the proposed retaining wall along Woodward Avenue to break up expanses longer than 20 feet.
 - Provides a 41.25-foot wide "Class A" buffer with a fence along the northern property lines abutting the Gables at Druid Hills property.
 - Prohibits deliveries from using Carter Avenue. All deliveries will be made from the driveway along Woodward Avenue.
 - Provides vehicular access from Carter Avenue and Woodward Avenue.
 - Provides an eight-foot planting strip and six-foot sidewalk along Woodward Avenue. Provides an eight-foot planting strip and six-foot sidewalk along Carter Avenue. In the area where the building directly abuts Carter Avenue, hardscape rather than a sidewalk and planting strip will be implemented and trees may be placed in tree wells.
 - Provides a pedestrian connection through the site, along the western property line, connecting Carter Avenue to Woodward Avenue.
 - Commits to an eight-foot planting strip and ten-foot multi-use path along the site's northern property frontage, west of the driveway, and connecting Carter Avenue to Mecklenburg County's new community pool site located in the northeast quadrant of Statesville Avenue and Woodard Avenue (upon approval by Mecklenburg County).
 - Commits to working with the property owner of the Gables at Druid Hills to determine if a six-foot sidewalk connection to the existing six-foot sidewalk along parcel 07904401 (Gables at Druid Hills) eastern property line would be possible in order to provide a continuous pedestrian connection from Kohler Avenue to Woodward Avenue.
 - Requests the following optional provisions to facilitate the reuse of the building and property:
 - Allow the existing parking to remain between the street and a portion of the building.
 - Allow the existing building to remain within the setback of Carter Avenue.

- To not require the building and streetscape design standards in Section 9.8506 2(a),(d)-(j) of the MUDD (mixed use development district).
- **Public Plans and Policies**
 - The *Statesville Avenue Corridor Area Plan* (2001) recommends industrial uses for the subject site.
 - The plan also recommends a realignment and extension of Arden Street to Carter Avenue and ultimately to Woodward Avenue. The recommended alignment would be through the subject property.
 - This site is within the Applied Innovation Corridor (Community Investment Plan) study area. The nearest potential project is the Woodward Avenue/24th Street realignment project (currently unfunded).
- **TRANSPORTATION CONSIDERATIONS**
 - This site is located on a major collector street (Woodard Avenue) across the street from the proposed Camp North End (ATCO) project; therefore good pedestrian connectivity is important for the subject petition and surrounding area. This rezoning project has revised their site plan to include an eight-foot planting strip and six-foot sidewalks along their Woodard Street frontage.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 80 trips per day (based on 22,620-square foot warehouse).
 - Entitlement: 120 trips per day (based on 34,000-square foot warehouse).
 - Proposed Zoning: 1320 trips per day (based on 13,634 square feet of warehouse, 767 square feet of office and 7,296 square feet of retail).

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 an existing two-inch water distribution main located along Carter Avenue and an existing six-inch water distribution main located along Woodward Avenue. Charlotte Water has sanitary sewer system availability for the rezoning boundary via existing eight-inch gravity sewer mains located along Carter Avenue, Woodward Avenue, and through the site.
- **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.

Attachments Online at 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 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
 - Transportation Review

