

REQUEST	Current Zoning: I-1 (light industrial) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 1.4 acres located at the northwest intersection of Millerton Avenue and West Morehead Street and west of Suttle Avenue. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to demolish portions of an existing building and create two freestanding buildings in order to accommodate office and retail uses. The site is surrounded by a mix of office, warehouse, residential, and recreational uses. The site is located near the Bryant Park and Camp Greene neighborhoods.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	TTR Investments, LLC TTR Investments, LLC (c/o Trent Haston) John Carmichael, Robinson Bradshaw & Hinson, P.A.
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to environment, land use, and transportation.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>Bryant Park Land Use and Streetscape Area Plan</i> recommendation for a mixture of residential/office/retail land uses where this site is located.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The subject property is located near the Bryant Park and Camp Greene neighborhoods and is occupied by a building that is approximately 28,000 square feet in size. The portion of the existing building along Millerton Avenue is occupied by a contractor's office while the portion along Morehead Street is unoccupied. • The proposal is to demolish a portion of the existing building to create two separate buildings. Office and retail uses will be allowed in the resulting buildings, which is consistent with the <i>Bryant Park Land Use and Streetscape Area Plan</i>. • The proposed office and retail uses are more compatible with the new multi-family and single family residential development that has recently been completed in the Bryant Park neighborhood than the industrial uses currently allowed on the site. • The existing urban fabric of the neighborhood will be retained with the preservation and reuse of the majority of this older structure that was built in 1935.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Demolishes a portion of an existing building in order to create two freestanding buildings containing a combined maximum gross floor area of 28,000 square feet.
 - Allows a maximum of two principal buildings on the site.
 - Allows professional business and general office uses.
 - Allows up to 2,000 square feet of retail sales as permitted in the MUDD (mixed use development) district.
 - Requests the following optional provisions:
 - Allow surface parking and vehicular maneuvering areas between the buildings located on the site and the required setbacks from the adjacent public streets as depicted on the rezoning plan.

- Allow vehicular maneuvering areas to be located in the required setbacks as depicted on the rezoning plan.
- Allow existing buildings to not be required to meet the minimum setback requirements.
- Allow the sidewalks and planting strips to be installed along West Morehead Street and Millerton Avenue as generally depicted on the rezoning plan.
- Notes that any required transportation improvements will be approved and constructed before the issuance of a certificate of occupancy for the unoccupied building on the site.
- Notes that the maximum height of any newly installed freestanding lighting fixtures on the site will not exceed 21 feet.
- **Existing Zoning and Land Use**
 - The site is developed with an approximately 32,888-square foot warehouse building constructed in 1935. A contractor's office is located in the building along Millerton Avenue, and the building along Morehead Street is vacant. The site is surrounded by a mix of residential, institutional, office/warehouse, and park/recreation uses, and vacant land near the Bryant Park neighborhood.
 - North and west are single family residential homes, apartments, townhomes, office/warehouse uses, and vacant land zoned R-5 (single family residential), R-22MF (multi-family residential), MUDD-O (mixed use development, optional), and I-1 (light industrial).
 - South are office/warehouse and institutional uses zoned MUDD (mixed use development), I-1 (light industrial), and I-2 (general industrial).
 - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
 - Petition 2017-080 (pending) proposes to rezone 17.69 acres between Freedom Drive and West Morehead Street and west of Walnut Avenue from I-1 (light industrial) to MUDD-O (mixed use development, optional) to accommodate 280 residential units. A public hearing on this petition is scheduled for the July 17, 2017 City Council rezoning meeting.
 - Petition 2017-034 (pending) consists of 1.6 acres on the west side of Suttle Avenue between Wilkinson Boulevard and Isom Street, and proposes to rezone the site from O-1 (office) to MUDD(CD) (mixed use development, conditional) with five year vested rights in order to allow up to 26 townhouse units. A public hearing on this request was held at the March 20, 2017 City Council rezoning meeting. The petitioner has requested that City Council make its decision on this request at its July 17, 2017 rezoning meeting.
 - Rezoning petition 2017-032 rezoned 10.04 acres at the northwest corner of Wilkinson Boulevard and Suttle Avenue from I-2 (general industrial) to MUDD-O (mixed use development, optional) with five year vested rights to allow up to 34 multi-family residential units on an infill site.
 - Rezoning petition 2013-045 rezoned 21.55 acres on the north side of Wilkinson Boulevard along both sides of Suttle Avenue from I-2 (general industrial) to MUDD (mixed use development) and O-1 (office) to allow all uses within the MUDD zoning district on an 18.97-acre portion and all uses allowed within the O-1 zoning district on an 2.58-acre portion of the parcel.
 - Petition 2012-006 approved a site plan amendment on 5.75 acres on the north side of Millerton Avenue near West Morehead Street to allow an increase in the number of residential buildings while maintaining the same number of residential units at 270.
- **Public Plans and Policies**
 - The *Bryant Park Land Use and Streetscape Plan (2007)* recommended a mixture of residential/office/retail land uses for this site. The recommended uses may include either mixed use in individual buildings or single use buildings mixed within the area.
 - The plan recommended future redevelopment in the area should include a pedestrian-friendly mixture of uses.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located at the unsignalized intersection of a major thoroughfare and a local street. The current site plan commits to pedestrian improvements along the site frontage, including consolidating driveways along Millerton; street improvements that conform to current cross section standards; and eliminates a driveway on Morehead which complements the planned street conversion.
 - See Outstanding Issues, Note 1.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 120 trips per day (based on existing 32,890 square foot warehouse).
 - Entitlement: 120 trips per day (based on existing 32,890 square foot warehouse).
 - Proposed Zoning: 500 trips per day (based on 28,000 square feet of office/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 on street parking on roads less than 26 feet clear width.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing 12-inch water distribution main located along West Morehead Street and an existing six-inch water distribution main located along Millerton Avenue. Charlotte Water has sewer system availability for the rezoning boundary via existing eight-inch gravity sewer main along Millerton Avenue and West Morehead Street.
- **Engineering and Property Management:**
 - **Arborist:** See Outstanding Issues, Note 2.
 - **Erosion Control:** No issues.
 - **Land Development:** No issues.
 - **Storm Water Services:** No issues.
 - **Urban Forestry:** Site must comply with Tree Ordinance. NCDOT maintained streets such as West Morehead Street require NCDOT planting permit for Tree Ordinance required trees planted in ROW. Allowable planting distance from lane of travel is dictated by NCDOT Guidelines.
- **Mecklenburg County Land Use and Environmental Services Agency:** Development of this site may require submission of an asbestos Notification of Demolition and Renovation to Mecklenburg County Air Quality (MCAQ) due to possible demolition or relocation of an existing structure. A letter of notification and the required forms have been mailed directly to the petitioner by MCAQ.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Transportation

1. The petitioner should revise the site plan to add a note specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued. CDOT requests right of way set at two feet behind back of sidewalk if feasible.

Environment

2. In order to provide adequate growing space for the tree along West Morehead Street and the portion of Millerton Avenue with the substandard width planting strip (less than eight feet), sidewalks shall be engineered so that the trees can utilize the growing area under the sidewalk.

Land Use

3. Note 1.D. should be modified to state that the majority of the existing buildings will remain and specify the maximum square footage that may be demolished.
4. The petitioner should add a note that the optional provisions only apply if the existing building on Morehead is retained.

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 Water Review
 - Engineering and Property Management Review
 - City Arborist Review
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

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