

REQUEST	Current Zoning: I-1 (light industrial) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 17.69 acres located between Freedom Drive and West Morehead Street, and west of Walnut Avenue. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to allow a new residential community containing up to 280 dwelling units on a vacant parcel of land that lies adjacent to a portion of the future Stewart Creek greenway.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Morehead Ridge LLC and Mecklenburg County Griffith Equities LLC and E.C. Griffith Company 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: 3
STATEMENT OF CONSISTENCY	<ul style="list-style-type: none"> • The Zoning Committee found this petition to be consistent with the <i>Bryant Park Land Use and Streetscape Plan</i>, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> • 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 for the area in which this site is located. Most of the area identified to be park/green space will remain undeveloped. • Therefore, 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"> • The subject property is located in the Bryant Park area between Freedom Drive and West Morehead Street and is currently vacant; and • The proposed multi-family use, which will allow up to 280 multi-family and single family attached units, will support the transition of the area to a pedestrian friendly mix of uses as called for by the <i>Bryant Park Land Use and Streetscape Area Plan</i>; and • Placement of buildings near the sidewalk on West Morehead Street and along the future greenway will support walkability goals; and • The request will also support the development of Mecklenburg County's greenway system by committing to convey an easement for development of the greenway;

By a 6-0 vote of the Zoning Committee (motion by McMillan seconded by Sullivan).

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:</p> <p><u>Transportation</u></p> <p>1. The petitioner has revised the site plan to add a note specifying dedication and fee simple conveyance portions of the site located immediately adjacent to West Morehead Street to the City before the site's first building certificate of occupancy is issued, set at two feet behind back of sidewalk if feasible.</p> <p><u>Infrastructure</u></p> <p>2. Petitioner amended Note 7A under the "Environmental Features" to note the development of the site shall comply with the Charlotte</p>
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City Council approved and adopted Post Construction Stormwater Ordinance.

3. Petitioner has modified the site plan by relocating the potential retaining wall location and/or any other proposed construction outside the SWIM and PCSO stream buffers.

Site and Building Design

4. Building elevations have been provided that illustrate entrances, ground floor transparency, building articulation, etc. and identify building materials. Accompanying notes have been added to further define intent of images.
5. The 22-foot setback along West Morehead Street is now clearly labeled on the site plan.
6. The setback along West Morehead Street is now clearly labeled, and Building Envelope 6 is not located within the setback.
7. Site plan has been revised to identify turning movements at the entrance.
8. Petitioner has added language regarding the Urban Green Edge that states it will contain a combination of landscaping materials, hardscape and knee walls, as well as a minimum six-foot tall decorative fence with brick columns. Until such time that Buildings 4,5 and 6 are constructed the petitioner will install and maintain this urban green edge along the site's frontage on West Morehead Street. Portions of this Urban Green Edge may be removed to accommodate the Building 3 footprint and construction.
9. Optional Provision 2B needs to be reworded to require construction of Buildings 4 and 5 (the buildings with frontage on West Morehead Street), and to require obtaining of Certificates of Occupancy for Buildings 4 and 5 prior to obtaining Certificates of Occupancy for the second building from Buildings 1, 2 and 3. *Staff has rescinded this comment since the petitioner has submitted elevations with the revised site plan.*
10. The petitioner has added references to the Urban Green Edge to development notes where applicable.
11. The petitioner has added a note that accessory garage structures and an accessory car wash structure may be located on the Site as generally depicted on the Rezoning Plan.
12. The petitioner has added development notes pertaining type of building materials to be used on the buildings to be constructed on the site.
13. Language has been amended to provide that the maximum height in stories of the clubhouse/amenity building will be four stories with an optional rooftop terrace.

VOTE

Motion/Second: Sullivan / Majeed
 Yeas: Fryday, Majeed, McClung, McMillan, Spencer, and Sullivan
 Nays: None
 Absent: None
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff presented this item to the Committee, stating that outstanding issues had been addressed, and identifying changes made since the public hearing. Staff noted that this petition is consistent with the *Bryant Park Land Use and Streetscape Plan* recommendation for residential/office/retail land uses for the general area. Staff noted that most of the area identified in the plan as park/open space would remain undeveloped. Staff also noted the petitioner's submittal of elevations.

A Commissioner asked why a street was not being proposed with this project, and CDOT staff responded that it was determined that the site's topography was too challenged to require installation of a street. A Committee member asked about the railroad spur located within the northern portion of the site, and staff stated that it is overgrown, has

not been in use, nor is it anticipated to be utilized. There was no further discussion of this request.

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:

General

- Allows up to 280 multi-family residential and single family attached residential units at a density of 15.82 dwelling units per acre.
- Permits a maximum of seven principal buildings to be located on the site, which includes the clubhouse/amenity building.
- Allows placement of accessory garage structures and an accessory car wash structure on the site.
- Proposes a maximum building height of 70 feet or five stories.
- Allows a maximum of seven (7) principal buildings to be located on the site, which includes the clubhouse/amenity building.
- Proposes installation and maintenance of “an urban green edge” along the Site’s frontage on West Morehead Street, consisting of a combination of landscaping materials, hardscape, and knee walls. Requires maintenance of urban green edge until such time that Building 4, Building 5 and/or Building 6 are constructed on the site.
- Provides a future greenway connection.
- Provides for optional rooftop terraces for three buildings and clubhouse/amenity building.
- In lieu of constructing Building 6, Building 3 may be extended towards West Morehead Street as shown on the site plan. At such time the relevant portion of the urban green edge may be removed to accommodate the Building 3 footprint and construction.

Optional Provisions

- Proposes the following optional provisions:
 - Allow surface parking and maneuvering areas to be located between Building 3 and the required setback along West Morehead Street.
 - In the event that Building 4, Building 5 and/or Building 6 are not constructed prior to or concurrently with the construction of Building 1, Building 2 and/or Building 3, or in the event that Building 4, Building 5 and/or Building 6 are never constructed, allow surface parking and vehicular maneuvering areas between Buildings 1 through 3 and the required setback from West Morehead Street.
 - Allow surface parking and vehicular maneuvering areas between the buildings to be located on the site and the required setback from Freedom Drive.

Transportation/Streetscape/Fire Access

- Proposes ingress/egress into development via West Morehead Street.
- Provides a building envelope for a possible guard house at the development’s entrance.
- Proposes installation of an eastbound left-turn lane with 150 feet of storage on West Morehead Street.
- Commits to protecting/repairing pedestrian refuge islands and buffered bike lanes along West Morehead Street if installed by the City prior to development on the subject site. Proposes a fire lane that will run north/south and parallel to Buildings 2 and 3. Fire lane will be designed to avoid usage by entities other than Fire Department. Fire lane will be constructed of grasscrete or similar product.
- Proposes the installation of a minimum eight-foot sidewalk and eight-foot planting strip along West Morehead Street.

Architectural and Design Standards

- Proposes combination of portions of the following materials on exterior buildings: brick, stone, precast stone, synthetic stone, cementitious siding, stucco and/or wood.
- Requires that at least 40% of the exterior surface area of the combined or aggregated facades of each building below the roofline to be constructed of brick, stone, precast stone and/or synthetic stone.
- Prohibits vinyl, EIFS or masonite; however, allows use of vinyl on windows, doors, garage doors, soffits, trim, and railings.
- Provides building elevations identifying building materials.

Environment

- Conveys a greenway and storm water easement to Mecklenburg County over that approximate 3.76-acre portion of the site located along the northern boundary of the site prior to issuance of the first certificate of occupancy for a building constructed on the site.
- Shows approximate location of tree save areas.
- Limits maximum height of any freestanding lighting fixture on the site, including base, to 21 feet.
- **Public Plans and Policies**
 - The *Bryant Park Land Use and Streetscape Plan (2007)* recommends a mixture of residential/office/retail land uses for the area in which this site is located. The recommended uses may include either mixed use in individual buildings or single use buildings mixed within the area.
- **TRANSPORTATION CONSIDERATIONS**

The site is located between two major thoroughfares, Freedom Drive and West Morehead Street. The current site plan commits to a left-turn lane into the site and a bicycle-pedestrian connection to the future County greenway. The *Bryant Park Area Plan* envisioned a north-south extension of Wesley Village Road, from Freedom Drive to West Morehead Street which is not reflected in the current site plan due to environmental and property constraints that have been determined to be significant.

 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 (based on vacant land).
 - Entitlement: 630 trips per day (based on 176,900 square feet of warehouse).
 - Proposed Zoning: 1,820 trips per day (based on 280 multi-family units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** Developers seeking public funding for multi-family housing developments must comply with the City's Housing Policies.
- **Charlotte Department of Solid Waste Services:** The City of Charlotte does not provide individual rollout carts for garbage and recycling to multifamily properties with over 29 units. The City does provide garbage service on the City's multifamily collection contract; however, the property has to provide their own dumpster(s)/compactor. The multifamily collection vendor provides the recycle carts for properties utilizing the contract for service.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate zero students, while the development allowed under the proposed zoning will produce 119 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 119 students.
 - The proposed development is projected to increase the school utilization (without mobile classroom units) over existing conditions as follows:
 - Ashley Park PreK-8 from 132% to 151%; and
 - West Charlotte High from 96% to 97%.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing eight-inch water distribution main located along Freedom Drive and an existing 12-inch water distribution main located along West Morehead Street. In relation to the parcels under review, Charlotte Water has sewer system availability for the rezoning boundary via an existing 36-inch gravity sewer main, an existing 18-inch gravity sewer main, and an existing 12-inch gravity sewer main located within the rezoning boundary.
- **Engineering and Property Management:**
 - **Arborist:** No trees can be removed or planted in the right-of-way of Freedom Drive and Morehead Street without permission of NC Department of Transportation and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact the City Arborist's office for a tree planting permit before planting trees in the NCDOT right-of-way once plans have been approved by the City. The petitioner must submit a tree survey for all trees two inches or larger located in the rights-of-way. In addition, the survey shall include all trees eight inches or larger in the setback.
 - **Erosion Control:** No issues.

- **Land Development:** No issues.
 - **Storm Water Services:** No issues.
 - **Urban Forestry:** No issues.

 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte Department of Solid Waste Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - City Arborist Review
 - Erosion Control
 - Land Development
 - Storm Water Review
 - Urban Forestry
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

Planner: Claire Lyte-Graham (704) 336-3782