

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

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, infrastructure, and site and building design.</p> <p><u>Plan Consistency</u> The petition is consistent with <i>the 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.</p> <p><u>Rationale for Recommendation</u></p> <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. • 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>. • Placement of buildings near the sidewalk on West Morehead Street and along the future greenway will support walkability goals. • The request will also support the development of Mecklenburg County's greenway system by committing to convey an easement for development of the greenway.
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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.
- Proposes a maximum building height of 70 feet or five stories.
- 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.
- 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 1-3 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.

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.
- **Existing Zoning and Land Use**
 - The site is currently undeveloped save for a CSX rail spur traversing the northern portion of the site. It is surrounded by a mix of residential neighborhoods, office, park/recreation, retail, and industrial uses. In addition, the east property line lies adjacent to the future Stewart Creek Greenway.
 - North, across Freedom Drive, are single family attached homes, single family detached residences, multi-family residential units, office/industrial uses and vacant land zoned UR-2(CD) (urban residential, conditional), MUDD-O (mixed use development, optional), and I-2 (general industrial).
 - East are vacant lots, single family attached homes and single family detached residences, and office and retail uses zoned R-5 (single family residential), R-8 (single family residential), B-1 (neighborhood business), and B-1(PED-O) (neighborhood business, pedestrian overlay, optional).
 - To the south are Bryant Park, and office/warehouse uses zoned I-2 (general industrial) and MUDD (mixed use development).
 - West are single family homes, multi-family residential units, office/warehouse uses, vacant lots, and vacant acreage zoned R-5 (single family residential), R-22MF (multi-family residential), MUDD-O (mixed use development, optional), and I-1 (light industrial).
 - See "Rezoning Map" for existing zoning in the area.
 - **Rezoning History in Area**
 - Rezoning petition 2017-077 (pending) proposes to rezone approximately 1.4 acres located at the northwest intersection of Millerton Avenue and West Morehead Street and west of Suttle Avenue to MUDD-O (mixed use development, optional) to allow retail and office uses. The public hearing on this request is scheduled for the July 17, 2017 City Council rezoning meeting.
 - Petition 2017-034 (pending) consists of approximately 1.6 acres located 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 2016-124 approved a MUDD-O SPA (mixed use development, optional, site plan amendment) for approximately 1.50 acres located on the northwest corner at the intersection of Freedom Drive and Wesley Village Road to allow development of a vacant site with a mixed use building containing 10,000 square feet of retail and 66,000 square feet of

- office uses.
- Petition 2013-045 rezoned approximately 21.55 acres located on the north side of Wilkinson Boulevard along both the east and west sides of Suttle Avenue to allow all uses within the MUDD (mixed use development) zoning district on an 18.97 acre portion of the site and all uses allowed within the O-1 (office) zoning district on a 2.58 portion of the site.
- Petition 2013-035 rezoned approximately 0.494 acres located on the southwest corner at the intersection of West Morehead Street, Freedom Drive and Walnut Avenue and within the West Morehead Pedestrian Overlay District, to reuse an existing building for uses allowed in the underlying B-1 (neighborhood business) zoning district.
- **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.

 - See Outstanding Issues, Note 1.
 - **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 Laurie Reid (704-336-5753) at 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:** See Outstanding Issues, Notes 2 and 3.
- **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.

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.

Infrastructure

2. Petitioner should either remove Note 7A under the "Environmental Features" heading in its entirety or replace with the following: "The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance."
3. Petitioner should relocate potential retaining wall location and/or any other proposed construction outside the SWIM and PCSO stream buffers.

Site and Building Design

4. Provide building elevations or provide more extensive architectural notes to address: entrances, ground floor transparency, building articulation, etc.
5. Ensure 22-foot setback along West Morehead Street is clearly labeled.
6. Ensure Building Envelope 6 is not located within the setback.
7. Site plan should be modified to label directional movement of lanes at entrance.
8. Define the "urban green edge" that 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.

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 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
 - 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