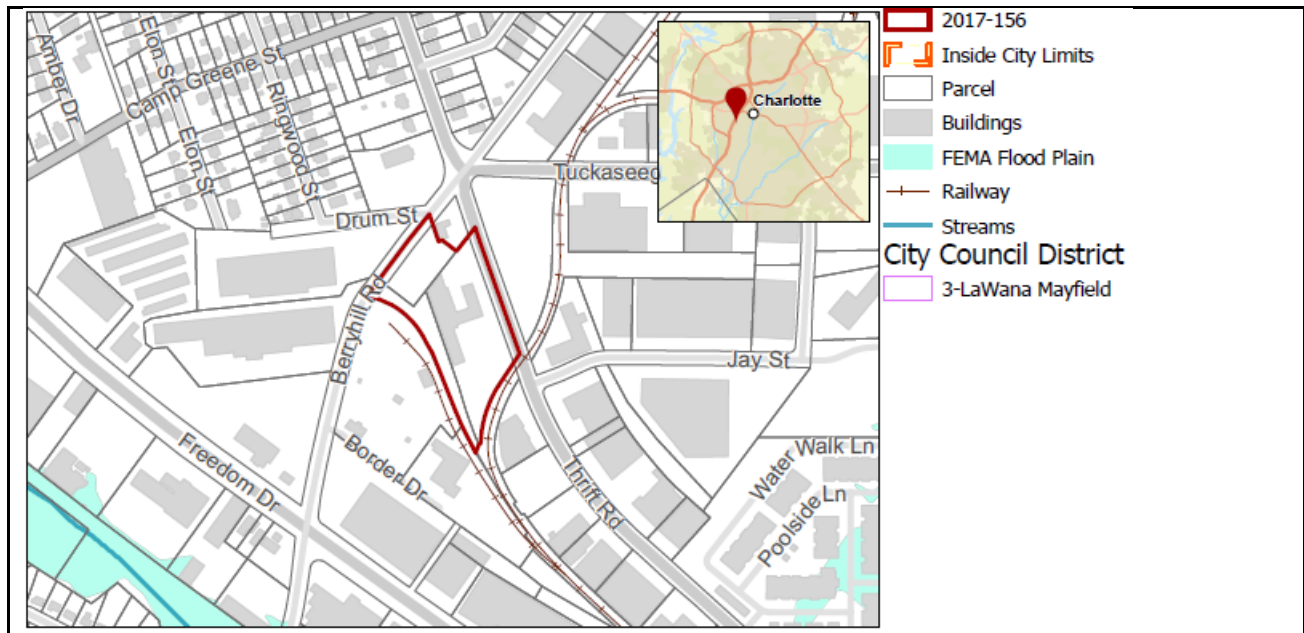


REQUEST Current Zoning: I-2 (general industrial)
Proposed Zoning: MUDD-O (mixed use development, optional) ~~with five-year vested rights~~

LOCATION Approximately 3.81 acres located on the west side of Thrift Road and the south side of Berryhill Road.
(Council District 3 - Mayfield)



SUMMARY OF PETITION The petition proposes to renovate two existing buildings in order to allow a mix of uses as permitted in MUDD (mixed use development).

PROPERTY OWNER Brownstone Properties II, LLC
PETITIONER Mark Miller
AGENT/REPRESENTATIVE George N. Whiting, Jr.

COMMUNITY MEETING Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 11

STAFF RECOMMENDATION Staff recommends approval of this petition.

Plan Consistency
The petition is consistent with the office/retail/light industrial land uses recommended for the site as per the *Bryant Park Land Use and Streetscape Plan*.

Rationale for Recommendation

- The subject property is located in an area that is transitioning from industrial to retail and office uses, as anticipated in the *Bryant Park Land Use and Streetscape Plan*.
- The proposal for mixed uses and recreational uses on the site is consistent with principles in the plan, which encourages replacement uses for vacant land and buildings in the immediate area.
- The proposal also addresses a principle to serve surrounding residential areas by providing services for the Enderly Park neighborhood and the more recent Wesley Village community just to the east and the west.
- The existing industrial building, constructed in the 1940's, will be preserved, and adaptively reused in a way that maintains the

area's character and history.

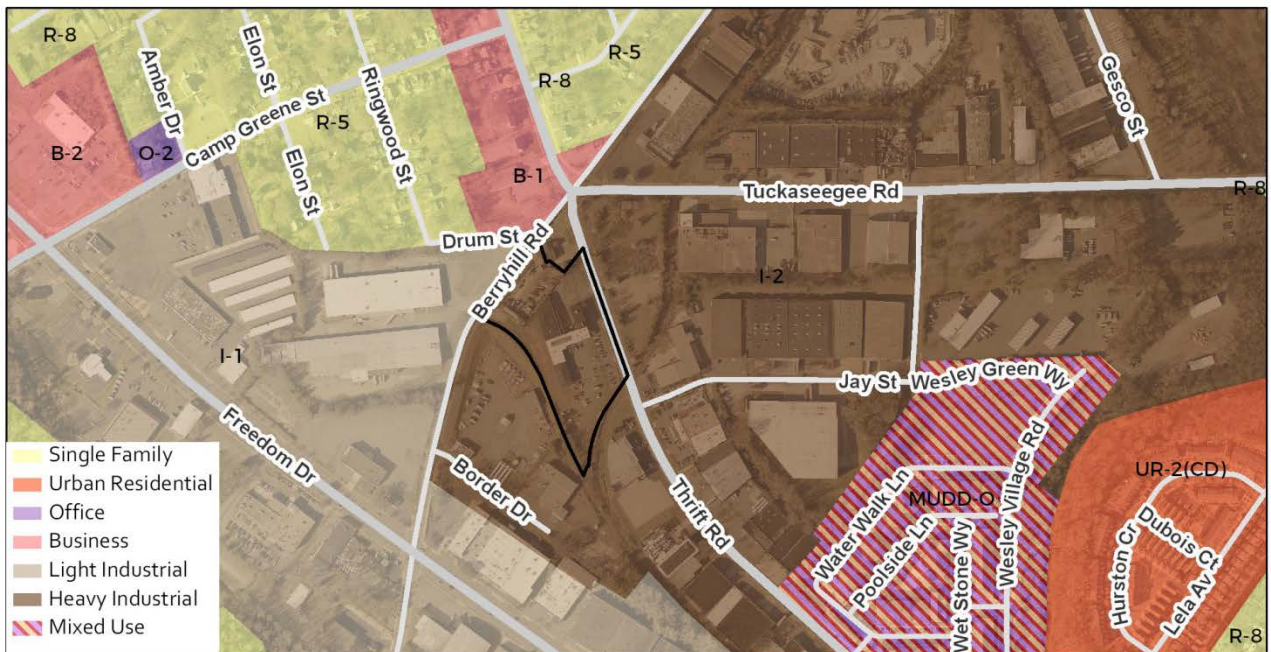
PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Commits to renovating two existing buildings totaling 26,300 square feet in building area to allow uses permitted in the MUDD-O (mixed use development, optional).
- Proposes incorporation of one story additions to not exceed 12,000 square feet total.
- ~~Notes that proposed additions may be attached to existing buildings or free standing.~~ **Notes that any new buildings will be located along Thrift Road or Berryhill Road with no parking between the new structures and the street.**
- Designates areas on the site for outdoor recreational space.
- Proposes that parking will be a combination of asphalt and gravel.
- Proposes ingress/egress via a proposed access point onto Berryhill Road, and two existing curb cuts on Thrift Road.
- Proposes eight-foot sidewalk sidewalks and eight-foot planting strips along Berryhill and Thrift Roads.
- States that Berryhill Road sidewalk design and payment must be coordinated with the Thrift-Berryhill Roundabout capital project currently underway.
- Agrees to the right-of-way dedication and fee for simple conveyance of all rights-of-way to the City before issuance of the site's first building certificate of occupancy.
- Notes that transportation improvements will be approved and constructed before issuance of the site's first building certificate of occupancy.
- Proposes exterior architectural standards that will generally reflect style and quality of existing architecture, with new awnings, paint, and new openings.
- Proposes allowable building materials to include masonry, stucco or synthetic stucco, metal panels, cementitious siding, wood or synthetic wood.
- Proposes any replaced windows or new windows on the first floor of any building will be clear glass.
- Limits the maximum height of freestanding lighting fixtures to 30 feet.
- Shows possible tree save area.
- Proposes the following optional provisions:
 - Allow parking and maneuvering between Thrift Road and Berryhill Road and the existing buildings.
 - ~~Allow recreational space and any fencing required for recreational activities to be allowed to extend to the new MUDD regulated setbacks.~~

• **Existing Zoning and Land Use**



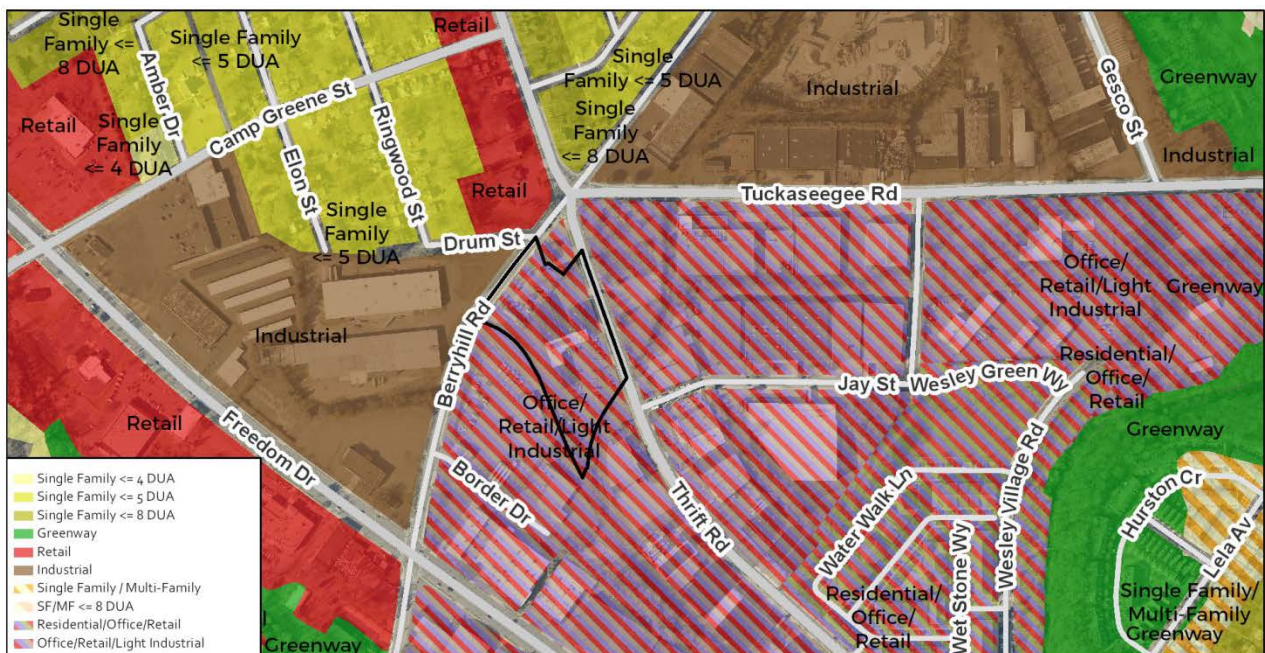
- The site is currently developed with one and two story buildings used for automotive repair/office/warehouse uses. The rezoning site is surrounded by residential, office, retail, and warehouses uses.

Rezoning History in Area



Petition Number	Summary of Petition	Status
2017-080	Rezoned 17.69 acres to MUDD-O (mixed use development, optional) to allow a new residential community containing up to 280 dwelling units	Approved
2016-124	Site plan amendment for 1.50 acres zoned MUDD-O (mixed use development, optional) to allow a a mixed use building containing 10,000 square feet of retail and 66,000 square feet of office uses.	Approved

Public Plans and Policies



- The *Bryant Park Land Use & Streetscape Plan (2007)* recommends a mix of office/retail and light industrial uses for this site.

- The plan described the area as consisting of older industrial/warehouse uses, which over time could transition into more mixed use developments.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located at the signalized intersection of a minor thoroughfare and a major collector. The site plan commits to improving the streetscape along the frontage of the site and reducing the existing driveway access locations on the site. The site plan is consistent with the City project to convert the Thrift/Berryhill intersection to a roundabout.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 340 trips per day (based on 3,200 square feet of automotive repair, 14,510 square feet of office, and 9,930 square feet of warehouse).
 - Entitlement: 340 trips per day (based on 3,200 square feet of automotive repair, 14,510 square feet of office, and 9,930 square feet of warehouse).
 - Proposed Zoning: Too many uses to determine (based on site plan).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Housing and Neighborhood Services:** No issues.
- **Charlotte Fire Department:** Maintain 150 feet unobstructed access to nonsprinkled buildings, and 200 feet unobstructed access to sprinkled buildings.
- **Charlotte-Mecklenburg Schools:** The MUDD (mixed use development) district allows a variety of uses; therefore, the impact on local schools cannot be determined.

Charlotte Water: Charlotte Water has water system infrastructure accessible for the rezoning boundary via an existing eight-inch water distribution main located along Berryhill Road and an existing eight-inch water distribution main located along Thrift Road. Charlotte Water has sanitary sewer system accessible for the rezoning boundary via existing 10-inch gravity sewer mains located along Thrift Road.

Developer is encouraged to contact Installation Development Services (704) 336-5499 to review service connection design requirements and City Ordinances (e.g., backflow, separate meter Ordinance, public/private pipeline extensions). Reservation of sanitary sewer system capacity through the Charlotte Water's Capacity Assurance Program is the responsibility of the customer/development. Contact the New Services Group at (704) 432-5801 for further information on reserving capacity up to 12 months.

- **Engineering and Property Management:**
 - **Arborist:** No trees can be planted in the right-of-way of any city maintained street (Berryhill and Thrift) without explicit authorization from the City Arborist or his designee. Contact Laurie Reid (704-336-5753) at the City Arborist's office to discuss trees species to be planted in the right-of-way on a City of Charlotte maintained street; species must be approved before planting.
 - **Erosion Control:** No issues.
 - **Land Development:** See Outstanding Issues, Note 1.
 - **Storm Water Services:** See Outstanding Issues, Note 1.
 - **Urban Forestry:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** Development of the site may require submission of an asbestos Notification of Demolition and Renovation. It is also recommended that during construction the petitioner use diesel equipment that meets EPA Tier 4 emission standards, the cleanest equipment available.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Infrastructure

1. ~~Revise Note 19 as follows: The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance.~~ **Addressed.**

REQUESTED TECHNICAL REVISIONS

2. ~~Per General Provisions Note 1, clarify Development Summary to note proposed addition and total building square footage.~~ Addressed. General Provisions Note 1 clarifies one story additions may be incorporated so long as they do not exceed 12,000 square feet total. Under Development Summary, petitioner has added a line under Development Summary that indicates Proposed Additional Building Area is 12,000 square feet.
 3. ~~Per General Provisions Note 1, show area of proposed 12,000 square foot addition. The site must be able to accommodate parking for total building square footage.~~ Addressed. Petitioner has responded by adding a note that any new buildings must be located along Thrift Road or Berryhill Road with no parking between the new structures and the street. In addition, new buildings may not be located in the tree save area, courtyard area, or urban open space areas as designated on the site plan.
 4. ~~Per General Provisions Note 1, petitioner needs to modify Permitted Uses Note 7 to acknowledge/include 12,000 square foot addition.~~ Addressed. Note now also acknowledges 12,000 square foot addition.
 5. ~~Clarify Note 6 regarding where fence will be located as it may not be in the MUDD setback.~~ Addressed by removing the optional request for recreational space and fencing to be allowed within the MUDD (mixed use development) setback.
 6. ~~Remove "...will be allowed in the existing buildings" from Note 7.~~ Addressed. Modified note to read "Any uses allowed by MUDD zoning in the ordinance. Permitted uses will also apply to the potential 12,000 square foot addition."
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Housing and Neighborhood Services Review
 - Charlotte Fire Department Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - City Arborist
 - 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