

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2007-068

Property Owner: Wesley Village, LLC

Petitioner: WP East Acquisitions, LLC

Location: Approximately 20.98 acres located on the north side of Thrift Road between Freedom Drive and Jay Street

Center, Corridor or Wedge: Corridor

Request: MUDD (CD) mixed-use development district conditional site plan to MUDD – O, mixed-use development district optional

Note: Staff is requesting a one-month deferral to allow the petitioner time to address site plan issues.

Summary

This petition proposes to revise the building and street layout for the subject property which was approved as a part of rezoning petition 2006-054. The number of residential units will not change however the 20,000 square feet previously approved as office is now proposed to be used for office/retail. The residential density is 23.8 dwellings per acre.

Consistency and Conclusion

The proposed development is consistent with the *Central District Plan*, and the Draft *Bryant Park Plan*. Upon resolution of the outstanding site plan issues, this petition is considered appropriate for approval.

Background

In 2006, the subject property was rezoned to allow a residential development with a small office component. The conditions associated with the 2006 petition are as follows:

- 500 dwelling units at 23.8 dwelling units per acre and 20,000 square feet of office
- Access via a new public road from Thrift Road
- Detached lighting will not exceed 20-feet and will be “aimed” into the site.
- A clubhouse and pool area along with a trail along Stewart Creek.
- The buildings along Thrift Road and the northern property line are to be four stories with parking underneath. Three story townhouses are proposed in the southeast quadrant of the property.

Existing Zoning and Land Use

The subject property is occupied by warehouse buildings built in 1948 and 1958. To the south and west are additional older warehouse/industrial buildings. To the east is a creek and greenway currently under development by County Park & Recreation. East of the greenway is Lela Court, an infill housing development of 149 new dwellings on 25 acres, or 6 dwelling unit per acre.

Rezoning History in Area

The most recent rezoning in the area was in 2006 for the subject property. Prior to that, a 2002 rezoning for the property located to the east of the petitioned site was approved for LandCraft Properties. The rezoning included approximately 25 acres and was designed to create an urban-style residential community consisting of detached single-family residences and town home condominiums. The property was originally zoned R-8 and I-1, which allow eight single-family dwelling units per acre and light industrial use, respectively.

Public Plans and Policies

The *Central District Plan* (1993) shows the subject property as mixed multi-family residential/office by virtue of the prior site rezoning, case 2006-054. Prior to that time, the property had been shown as industrial.

The property is in proximity to the West Corridor Transit line. In the long term, The Metropolitan Transit Commission has designated this to be a streetcar route. In the short term, an enhanced bus route, connecting downtown and the airport, is scheduled to be implemented. The transit study effort determined that this area should be developed with high density mixed uses to support viability of the future streetcar line. A station location is likely along West Morehead at Millerton. Because of its proximity to transit station locations, the *Transit Station Area Principles* adopted by City Council in November 2001 as a part of the *General Development Policies* are relevant. The policies encourage higher density development in proximity to transit. To date, the exact station location has not been determined or ratified by City Council.

The DRAFT *Bryant Park Plan*, currently under development, is intended to incorporate transit, redevelopment, and economic development goals for the area, and carry them forward in a new policy document. This project and two other large projects set forth a major opportunity for area revitalization. This applicant has been involved in plan preparation, and this application is consistent with the draft plan, not yet reviewed or approved by City Council.

Proposed Request Details

The number of residential units will not change however the 20,000 square feet previously approved as office is now proposed to be used for office/retail. The building and street layout are proposed to be modified and the existing smokestack is to remain. A clubhouse/leasing office with a pool and other amenities will be located in the center of the property. The development will consist of three and four story apartment buildings. The petitioner has agreed to dedicate .5 acres for a future greenway connection and agrees to construct the trail and footbridge connection to the Stewart Creek Greenway.

Public Infrastructure

Traffic Impact / CDOT Comments. The trip generation for the site for the proposed zoning will remain the same as currently zoned. The site could generate approximately 3,700 trips per day. This will have a minor impact on the surrounding thoroughfare system.

Since access is proposed to an NCDOT-maintained roadway, they may require a TIS as part of their driveway permit approval process. They may have additional or different requirements for their approval than what is identified in this rezoning process. The developer/petitioner is recommended to meet with NCDOT early in the development process to identify any issues that they may have. CDOT has the following specific comments that are critical to their support of the rezoning petition:

- The design of New Roads A, B, and C must meet the requirements for public streets (Collectors) in the Charlotte Land Development Standards Manual. As shown on the site plan, the connection of proposed New Road C with existing Jay Street does not meet these requirements. It is recommended that the proposed “S” curve (reverse curves) at this connection be eliminated and that Jay Street be extended on its current alignment to allow development to occur on both sides of the street within the parcel being rezoned.
- It is our understanding that innovative design standards allowing different street cross sections, right-of-way widths, and recessed parking can only be considered in the MX zoning district. New Road C and the road connection to Freedom Drive in the existing Thrift Road right-of-way are classified as collectors with 60-foot rights-of-way. These streets are shown on the site plan to have rights-of-way of 50 feet and pavement widths accommodating 2 travel lanes. In particular, the connection to Freedom Drive will need a 40-foot street cross section to accommodate turning movements of trucks in this industrial area to minimize travel through the proposed Wesley Village.
- Thrift Road, New Road B, and the portion of New Road A north of New Road B will need to be designed with a 3-lane pavement cross section with the middle lane for left-turning traffic. Notwithstanding the innovative design standard issue described above, parking will not be permitted within the curve of Thrift/New Road B. Where on-street parking can be allowed, it is recommended that it be recessed as shown on the site plan. Additional right-of-way will be necessary to accommodate on-street/recessed parking in these locations.
- Minimum stopping sight distance will be required through the proposed Thrift/New Road B curve. This may impact the building setback at this location.

- It is anticipated that New Road A between Freedom Drive and New Road B will need to provide for left-turns. Because there is insufficient distance (280 feet) to accommodate a back-to-back left-turn lane, it is likely that side-by-side left turn lanes will be required. This will require a right-of-way width of 77 feet that includes the pavement cross section and 8-foot planting strips/6-foot sidewalks. This 77-foot right-of-way can begin to transition to the typical 60-foot width just north of the New Road A/New Road B intersection. The transition section can include a planted median as the pavement width is reduced from a 4-lane to 3-lane cross section. This design requirement needs to be noted on the site plan.
- It is our understanding that the City's Freedom/Thrift intersection project is being modified to accommodate the proposed Thrift Road realignment and that the project will construct the necessary Freedom Drive left-turn lane/intersection at New Road A as well as median modifications to physically restrict the proposed access to Freedom Drive (former Thrift connection) to right-in/right-out movements only. (If the City's project will not include these items, then they will be the responsibility of the developer.) Further, that the developer is responsible for constructing New Roads A, B, C and the proposed access to Freedom Drive. These projects need to be coordinated and building permits for this development not approved prior to completion of the roadway and intersection improvements.
- It should be noted that the proposed public streets need to be designed/constructed through the subdivision process with building permits submitted after the streets are constructed.
- Several of the driveways are shown with street connections less than an angle of 90°. These create the need for wider driveways to accommodate turning movements on the acute angle side of the driveway and also impact convenient/safe driver visibility of approaching vehicles. The City's *Driveway Regulations* require the connections to be 90°.
- The Alternate site plan only shows a driveway connection from the 4-story parking deck to New Road C. An additional connection internal to the development is necessary to provide connectivity.
- Abandonment of a portion of the Thrift Road right-of-way cannot occur until the proposed Thrift Road realignment is completed. No building permits can be approved/issued in this portion of the site until the right-of-way is abandoned by NCDOT.

CATS. CATS has no comments on this petition.

Storm Water. Storm Water Services requests that under "Development Standards" note 14 be removed in its entirety and that additional noted on the volume and peak control be added as per the attached memo.

Park and Recreation. MCPR would like a timeline associated with the construction and dedication of the greenway trail and bridge. Therefore, we request the following be described in the notes: “The petitioner shall commence the construction of the greenway path prior to final plats recorded for more than 125 units. The Petitioner shall finish construction of the greenway path by the time the final plat for the last unit is recorded or three years from the date of approval of the conditional plan, whichever occurs first.” MCPR would be happy to work with the petitioner to determine the most suitable timeline should this not be compatible with the anticipated construction schedule.

It appears the proposed bridge crossing is not on the petitioner’s property. This issue should be addressed.

School Information. This request is for a site plan amendment and does not change the number of residential units. Therefore, the school system is not impacted by the proposed changes.

Outstanding Issues

Land Use. The proposed development is consistent with the mapped use of the *Central District Plan*, and includes the same maximum quantity of residential and non-residential uses, except that the current proposal allows for retail uses. The proposed retail is consistent with concepts currently under discussion in the Draft *Bryant Park Plan*, and takes advantage of a proposed road reconfiguration included in that plan. As such, the land use proposed is appropriate, subject to resolution of site plan issues.

Site plan. The following site plan issues are outstanding:

- The cross section of new road “B” should be shown on the site plan.
- 8-foot planting strips and 6-foot sidewalks should be provided along Thrift Road.
- The internal sidewalk network should have minimum sidewalk widths of 5-feet unless abutting parking spaces where the minimum width should be 7-feet.
- All other department comments should be addressed.