

REQUEST	Current Zoning: MUDD, mixed use development district Proposed Zoning: MUDD-O, mixed use development district, optional and I-2(CD), general industrial, conditional
LOCATION	Approximately 17.91 acres located on the south side of West Morehead Street near the intersection of Interstate 77 and Interstate 277.
SUMMARY OF PETITION	The petition proposes to reestablish industrial zoning for approximately 14 acres of the site to allow for limited industrial uses associated with the abutting Charlotte Pipe and Foundry facility. Approximately four acres, fronting along West Morehead Street, will maintain the mixed use development district zoning.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Clarkson Street, LLC and Margaret Ann Schrum Charlotte Pipe and Foundry Company Bailey Patrick, Jr. and Collin W. Brown, K&L Gates
COMMUNITY MEETING STATEMENT OF CONSISTENCY	Meeting is required and has been held. Report available online. The MUDD-O portion of this petition is found to be consistent while the I-2(CD) portion of this petition is inconsistent with the <i>West Morehead Corridor Vision and Concept Plan</i> but reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Allen seconded by Commissioner Griffith).

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted unanimously to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Indicated a 30-foot Class "B" buffer between Parcel A within Tract II and the abutting existing MUDD zoned office building on Sheet RZ-1. Also eliminated the last paragraph within Note 5(b) regarding this required buffer. 2. Revised 3rd paragraph under Note 3 (b) to indicate that all uses permitted in the I-1 district that are also permitted in the I-2 district are allowed. 3. Eliminated Notes 5(a)(i) and 5(a)(ii) regarding streetscape improvements along West Morehead Street. Replaced the notes with a new note 4(c) which indicates that the petitioner agrees to enter into a public/private joint venture agreement with the City for streetscape improvements along West Morehead Street. The petitioner agrees to design and install an eight-foot planting strip and eight-foot sidewalk along West Morehead Street except a 10-foot sidewalk will be provided between South Clarkson Street and South Cedar Street. The petitioner will also dedicate and convey the necessary right-of-way for the streetscape improvement and purchase and install the required street trees. The City will reimburse the petitioner for cost associated with the sidewalk relocation and construction. 4. Added the following sentence to the second paragraph within Note 5(b): "If Parcel D is used for off-site parking, the screening requirements established under the Ordinance will be satisfied". 5. Eliminated Notes 5(c)(i) and 5(c)(ii) regarding street improvements along West Morehead Street and reference the modified streetscape improvement note for West Morehead Street.
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6. Modified Note 4(d) to read "If a building permit is issued for the construction of an occupiable building on any part of a Parcel within either Tract I or Tract II which abuts South Cedar Street, the Petitioner agrees at its expense to cause the entire portion of South Cedar Street beginning at West Morehead Street and running through Tract II and Tract III to Post Street to be transformed to a Local Industrial Street Section which is compliant with the Urban Street Design Guidelines prior to the issuance of the first Certificate of Occupancy for any occupiable building on any part of a Parcel within either Tract I or Tract II which abuts South Cedar Street. See Cross-Section "B-2" on Sheet RZ-2 for specifications".
7. Modified Note 4(e) to read "If a building permit is issued for the construction of an occupiable building on any part of a Parcel within either Tract I or Tract II which abuts South Clarkson Street, the Petitioner agrees at its expense to cause the entire portion of South Clarkson Street beginning at West Morehead Street and running through Tract II to Post Street to be transformed to a Local Industrial Street Section which is compliant with the Urban Street Design Guidelines prior to the issuance of the first Certificate of Occupancy for any occupiable building on a Parcel within either Tract I or Tract II which abuts South Clarkson Street. See Cross-Section "B-2" on Sheet RZ-2 for specifications".
8. Modified Note 8 to commit to a maximum sign face area of 100 square feet and maximum signage height of seven feet.
9. Provided building material standards for the building facades of future buildings to be constructed within Tracts II and III that face South Clarkson Street, South Cedar Street, and Tract I.
10. Addressed Transportation comments by indicating a 10-foot wide shared-use path along West Morehead Street between South Clarkson Street and South Cedar Street.
11. Modified the proposed uses within Tract I to allow all uses within the MUDD Zoning District with no development limitations.
12. Eliminated one of the two entry monument signs at the corner of West Morehead Street and South Clarkson Street.

VOTE

Motion/Second:	Griffith/Firestone
Yeas:	Allen, Dodson, Firestone, Griffith, Phipps, and Rosenburgh
Nays:	None
Absent:	None
Recused:	Zoutewelle

ZONING COMMITTEE DISCUSSION

Planning staff presented the petition to the Zoning Committee and stated all outstanding issues had been addressed. One Committee member questioned the modification to the MUDD-O portion of the rezoning that eliminated the original development restrictions. Staff stated the petitioner made the modification in consultation with Planning staff in order to encourage high density mixed use development along West Morehead Street which is recommend by the adopted plan for the area.

A Committee member questioned the buffer widths between the I-2(CD) and the MUDD-O portions of the site. Staff stated the site plan indicates a class "B" buffer with varying widths ranging from 38 feet to 49 feet between these two portions of the site. This Committee member also was concerned with the appearance of the chain link fence proposed within the site. Staff indicated the chain link fence parallel with West Morehead Street would be located behind the class

"B" vegetated buffer and the chain link fence along both Clarkson and Cedar Streets would have a row of shrubs planted in front of the fence. A more decorative fence would be installed along West Morehead Street.

The timing of the streetscape improvements along West Morehead Street was questioned by a Committee member. Staff stated that the City is already working with the petitioner on a public/private joint venture to install the streetscape improvements. The timeline on the joint venture has not been finalized. The other option is when the MUDD-O portion of the site is developed; the property owner would be required to install all the streetscape improvements prior to certificate of occupancies being issued.

Another Committee member had a question regarding a Parks and Recreation memo, received after the public hearing, regarding Elliott Street and the future Irwin Creek Greenway. The greenway will need to daylight onto Elliott Street to reach West Morehead Street. Staff stated the comment is not specific to the subject rezoning petition due to Elliott Street not being incorporated within the petition.

In closing, a Committee member commented that the petition does not establish a new industrial use in the area. The industrial use is already an existing use. The MUDD portion of the petition along West Morehead Street and the improvements associated with the petition (i.e. buffer and streetscape) make the rezoning an asset to the West Morehead Street area.

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:
 - All MUDD uses allowed within the MUDD-O portion of the subject rezoning, fronting West Morehead Street with no development limitations.
 - Up to 162,500 square feet of uses associated with Foundry purposes, which are allowed in the I-2 zoning district, excluding melting or casting of metal or other materials on the portion of the petition proposed for I-2(CD). This portion of the site may also be used for any use permitted in the I-1 zoning district.
 - The petitioner agrees to enter into a public/private joint venture agreement with the City for streetscape improvements along West Morehead Street. These improvements include an eight-foot planting strip with street trees and eight-foot sidewalk along West Morehead Street except a 10-foot sidewalk will be provided between South Clarkson Street and South Cedar Street.
 - Additional right-of-way dedication will be provided along West Morehead Street measuring 16 feet behind the existing curb.

- Additional right-of-way dedication will be provided for both South Cedar Street and South Clarkson Street measured 32.5 feet on either side of the existing centerline for each street. These streets will be converted to a local industrial street cross section once building permits are issued for parcels abutting those streets.
 - Streetscape improvements, which will include trees and shrubs, will be provided along South Cedar Street and South Clarkson Street prior to any building permits being issued on the site.
 - A vegetative Class "B" buffer of varying width will be provided between the proposed I-2(CD) zoned portion of the site and the MUDD-O portion after the rezoning is approved and favorable planting conditions exist. However, a four acre portion of the proposed industrial parcel currently contains a large mound of dirt and therefore the buffer in that area will not be established until that portion of the site is developed.
 - Optional provision to allow a gateway feature at the intersection of West Morehead Street and South Clarkson Street. The gateway feature will include one monument sign of up to 100 square feet in size and seven feet in height to identify the Charlotte Pipe and Foundry Company located on the adjacent property.
- **Public Plans and Policies**
 - The *West Morehead Corridor Vision and Concept Plan* (2001) recommends mixed use for the subject site and encourages an enhanced pedestrian environment along West Morehead Street.
 - The MUDD-O portion of the petition is consistent with the *West Morehead Corridor Vision and Concept Plan*.
 - The I-2(CD) portion of the petition is inconsistent with the *West Morehead Corridor Vision and Concept Plan*. However, due to the NCDOT Rail Division purchasing a portion of the existing Charlotte Pipe and Foundry facility there is a need for additional industrially zoned property to allow for the relocation of a portion of the existing Foundry operation.
 - **Staff Recommendation (Updated)**
 - Staff agrees with the recommendation of the Zoning Committee.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** No comments received.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - Minimizes impacts to the natural environment by developing on an infill lot.
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OUTSTANDING ISSUES

- No issues.

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte Department of Solid Waste Services Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Parks and Recreation Review

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