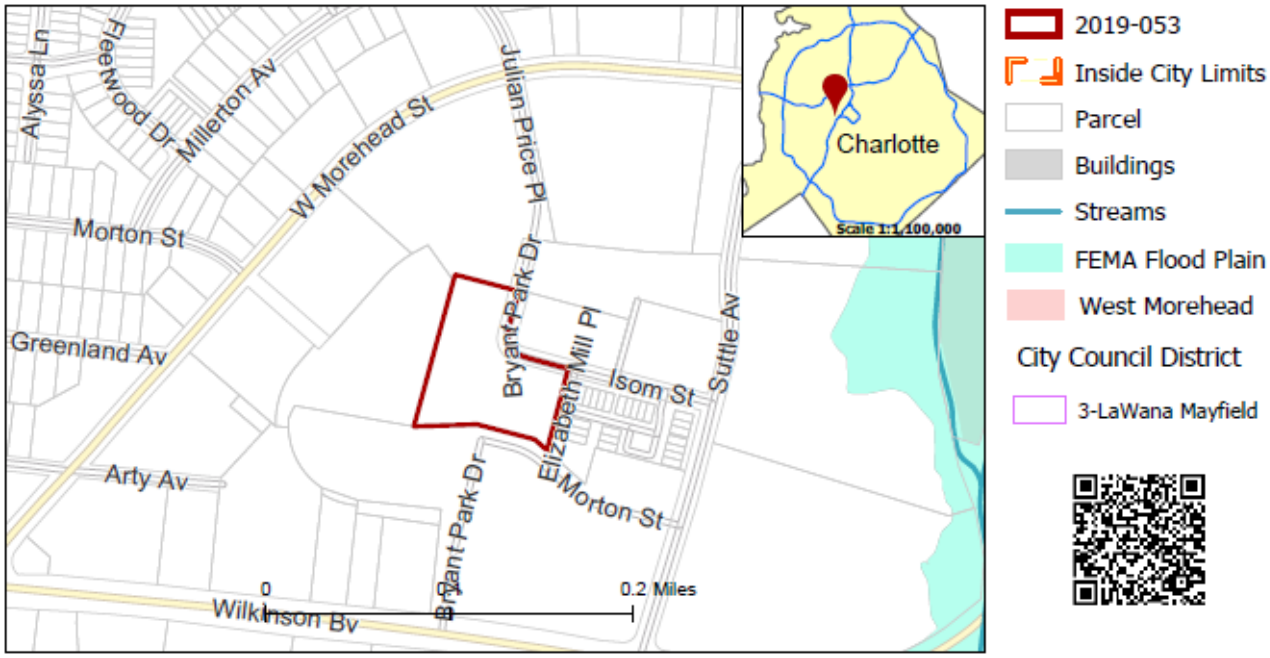
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2019-053
Final Staff Analysis
September 16, 2019

REQUEST	Current Zoning: O-1 (office) and I-2 (general industrial) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 2.65 acres off Bryant Park Drive, west of Suttle Avenue, north of Wilkinson Boulevard and south of West Morehead Street.



SUMMARY OF PETITION	The petition proposes to allow a townhouse community on an infill site in the Bryant Park area located north of Wilkinson Boulevard and west of I-77.
PROPERTY OWNER	The Blumenthal Foundation for Charity, Religion Education and Better Inter-Faith Relations
PETITIONER	Hopper Communities (c/o Bart Hopper)
AGENT/REPRESENTATIVE	John Carmichael (Robinson Bradshaw)
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1

STAFF RECOMMENDATION	Staff recommends approval of this petition. <u>Plan Consistency</u> The petition is **consistent** with the *Bryant Park Land Use and Pedscape Plan* (2007) recommendation for residential, office and/or retail uses for a portion of the site. It is **inconsistent** with the plan for a portion of the site rezoned for office use by petition 2013-045. <u>Rationale for Recommendation</u> • The proposed residential development while not mixed use, or as intense as envisioned by the *Bryant Park Land Use and Pedscape Plan,* is consistent with the overall vision laid out in the plan for a mixed-use neighborhood.

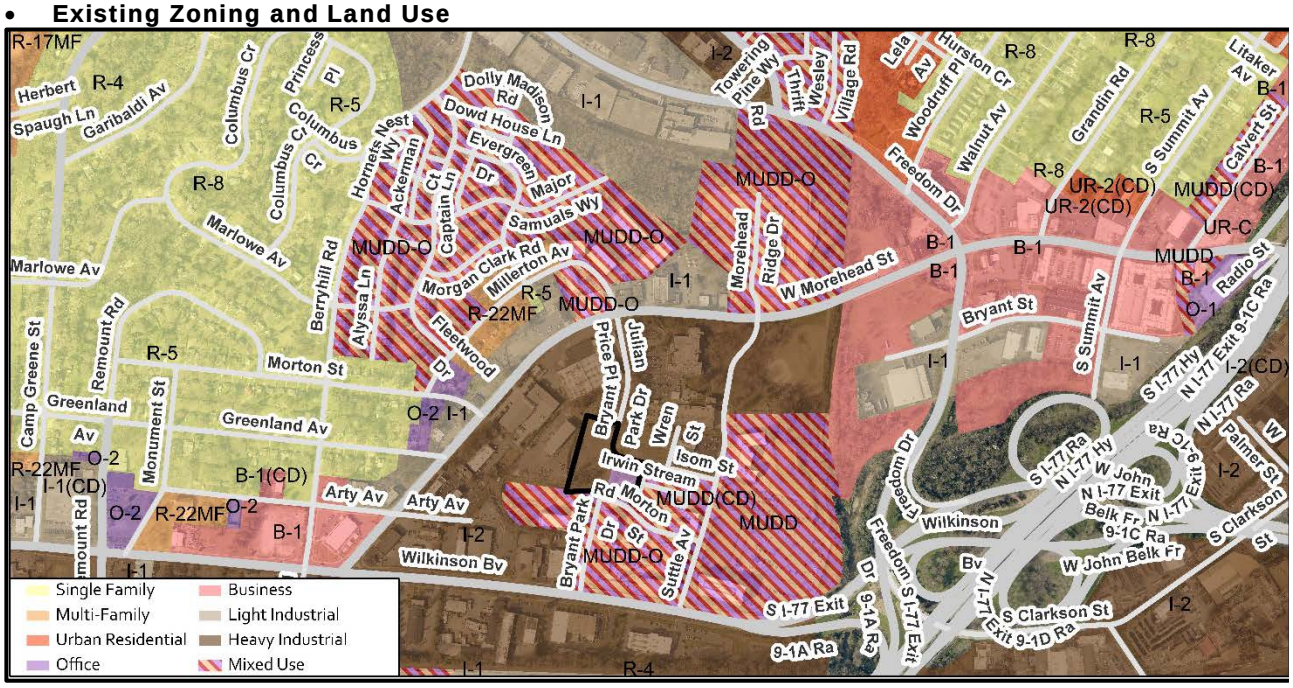
- The proposed site plan includes the street connections proposed in the Plan, which will enhance the connectivity and walkability of the emerging mixed-use neighborhood.
- The parcels surrounding this site are being redeveloped from former industrial and vacant sites into a mixed-use area with office, residential and retail uses.

The approval of this petition will revise the adopted future land use as specified by the *Bryant Park Land Use and Pedscape Plan* and amended by rezoning petition 2013-045, for the portion of the site designated as office use to residential, office, and/or retail uses for the site.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Allows up to 56 alley-loaded townhome units at a density of 21.37 dwelling units per acre.
  - Limits building height of 55 feet.
  - Requests the following optional provisions:
    - Allow parking, vehicular circulation and vehicular maneuvering space to be located between the buildings constructed on the site and the required setbacks from the adjacent public streets as depicted on the rezoning plan.
    - ~~Not to apply section 9.8506(2)(H) pertaining to building entrances requirements to the proposed single family attached dwelling units.~~ Each single family attached dwelling unit shall comply with the building entrance requirements of Section 9.8506(2)(H) of the ordinance or, alternatively, each single family attached dwelling unit shall have a covered front stoop. The front stoop may be covered by an awning, canopy, roof extension or other architectural feature chosen by petitioner.
  - Proposes the following transportation commitments:
    - Provides ingress/egress via the intersection of Isom Street and Bryant Park Drive. Constructs the intersection of Isom Street and Bryant Park Drive as a traditional 4-legged intersection.
    - Proposes an internal public street with on street parking and alleyways.
    - Installs a pedestrian connection from the site to Elizabeth Mill Place. In the event the adjacent property owner does not approve of and consent to the installation of this pedestrian connection, the petitioner will have no obligation to install this connection.
    - Notes the extension of Morton Street and the associated 13-foot wide planting strip and 8-foot wide sidewalk and the realignment of the existing driveway on the southern side of Morton Street will be constructed prior to the issuance of the 28th certificate of occupancy.
  - Proposes the following architectural standards:
    - Uses a combination of the following building materials: brick veneer or similar masonry products; stone; manufactured stone; stucco; and cementitious siding.
    - Limits use of vinyl to windows, doors, garage doors, soffits, trim and railing.
    - Limits maximum blank wall expanse to 15 feet on each level of front elevation of each unit.
    - Limits maximum blank wall expanse to 15 feet on all corner or end single family attached dwelling units facing a public street.

- **Existing Zoning and Land Use**



- The site is vacant and is surrounded by a mix of residential, institutional, office/warehouse, and vacant land in various zoning districts. The site is bordered to the east and south by infill residential developments.

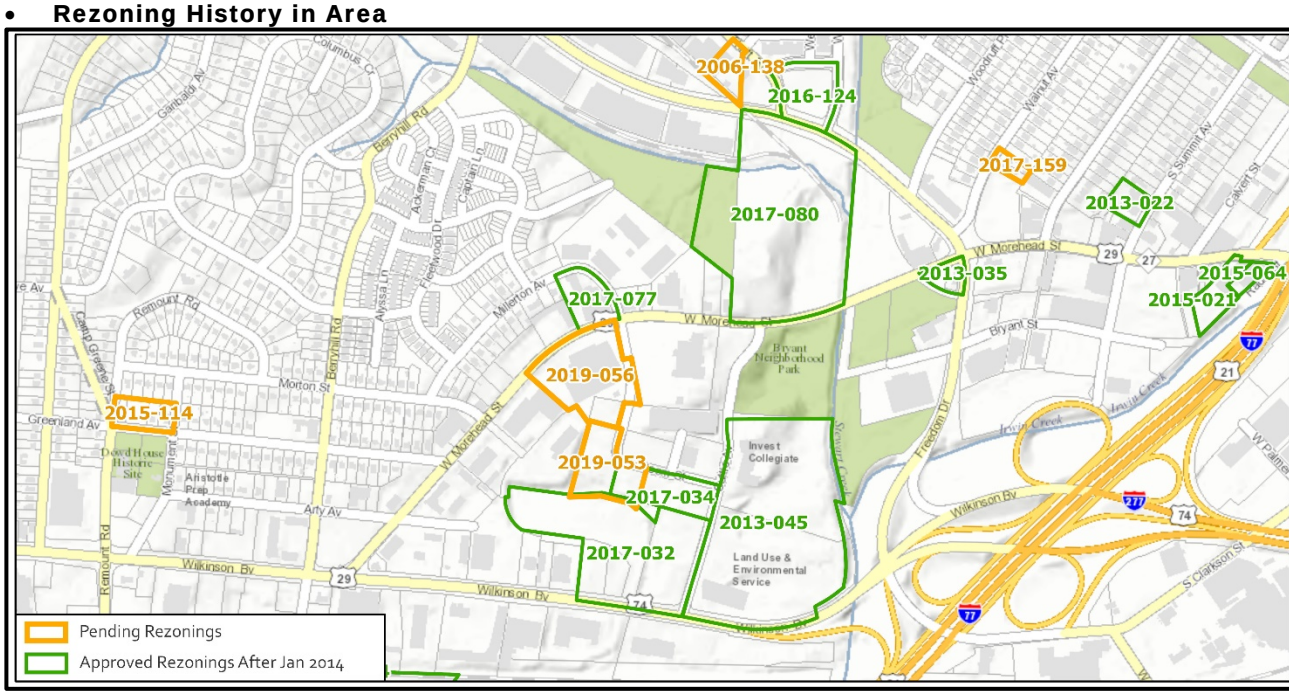
The site is an infill parcel that is currently vacant.

East and south of the rezoning site are townhomes and apartments under construction.

North are office/warehouse uses.

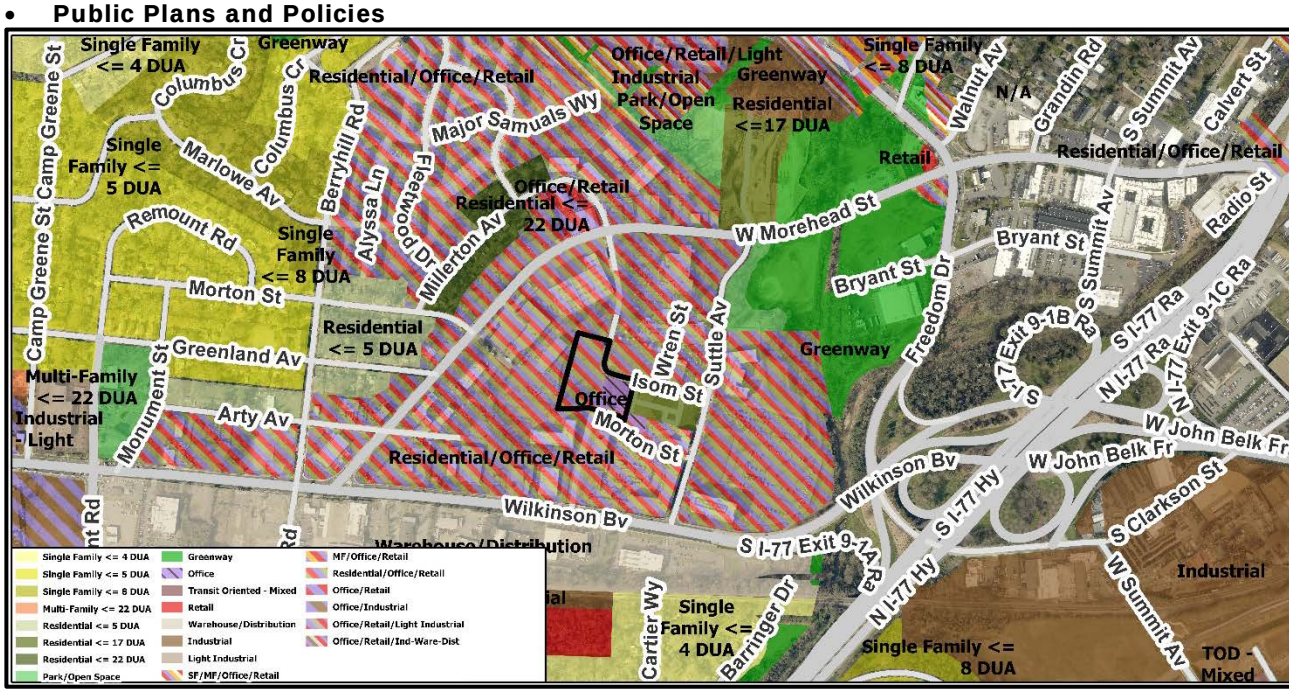
The site is a vacant infill parcel surrounded by a mix of residential development under construction, office/warehouse, institutional uses and vacant land.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-056	Rezone approximately 4.95 acres from I-2 to MUDD-O to accommodate a mixed-use development through the renovation of existing buildings.	Pending
2017-159	Rezone approximately 0.68 acres from R-5, R-8 and R-8 PED-O to MUDD(CD) and B-1 PED-O to allow 6 attached condominium, 1 existing single-family home to remain, and 1 existing duplex to remain.	Petitioner has requested withdrawal
2017-080	Rezoned approximately 17.69 acres from I-1 to MUDD-O to allow up to 280 dwelling units.	Approved
2017-077	Rezoned 1.4 acres from I-1 to MUDD-O to demolish portions of an existing building and create 2 freestanding buildings to accommodate office and retail uses.	Approved
2017-034	Rezoned approximately 1.6 acres from O-1 to MUDD(CD) to allow up to 26 townhomes.	Approved
2017-032	Rezoned approximately 10.04 acres from I-2 to MUDD-O to allow up to 354 multi-family residential units.	Approved
2016-124	MUDD-O site plan amendment to allow a mixed-use building containing 10,000 square feet of retail and 66,000 square feet of office uses.	Approved
2015-114	Rezone approximately 1.05 acres from R-5 to UR-2(CD) to allow up to 16 townhomes.	Withdrawn
2015-064	Rezoned approximately 0.47 acres from BD(CD) PED-O to O-1 PED to allow all uses in the O-1 PED district.	Approved
2015-021	Rezoned approximately 1.38 acres from BE(D) PED-O to O-1 PED to allow all uses in the O-1 PEED district.	Approved

- **Public Plans and Policies**



  - The *Bryant Park Land Use and Streetscape Plan* (adopted 2007) recommends residential/office and retail land uses for most of the site and surrounding area. The Plan also recommends that this may include either mixed use in individual buildings or single use buildings mixed on site. A portion of the site was rezoned for office use by petition 2013-045, effectively changing the future land use to office use.

- **TRANSPORTATION CONSIDERATIONS**
  - The site is located on a local road north of a major thoroughfare. The site plan commits to extending the Bryant Park Drive to Isom Street and creating a "T" intersection to improve pedestrian walkability. The site commits to constructing the pedestrian network identified in the Bryant Park Streetscape Plan to support the proposed development.
  - No outstanding issues.
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 0 trips per day (based on vacant land).
    Entitlement: 290 trips per day (based on 26,000 square feet of office).
    Proposed Zoning: 380 trips per day (based on 56 townhomes; site plan).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** There is an estimated need for approximately 30,000 affordable housing units in the City of Charlotte. In an effort to increase the supply, developers are encouraged to assist in providing homes at diverse price point to meet increased housing demand.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org regarding fire hydrant distance from building. No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 1 student, while the development allowed under the proposed zoning will produce 5 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 4.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Ashley Park Pre K-8 at 127%
    - West Charlotte High at 85%.

Charlotte Water: No outstanding issues. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Isom Street. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing 8-inch gravity sewer mains located along Isom Street and Bryant Park Drive.

- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No comments submitted.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments online at www.rezoning.org regarding heavy-duty diesel equipment and GWS records indicating a contamination site(s) within 1,500 feet of the rezoning site.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Site and Building Design

~~1. Provide an alternative to the optional request to not to apply section 9.8506(2)(H) pertaining to building entrances requirements to the proposed single family attached dwelling units.~~
Addressed.

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

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