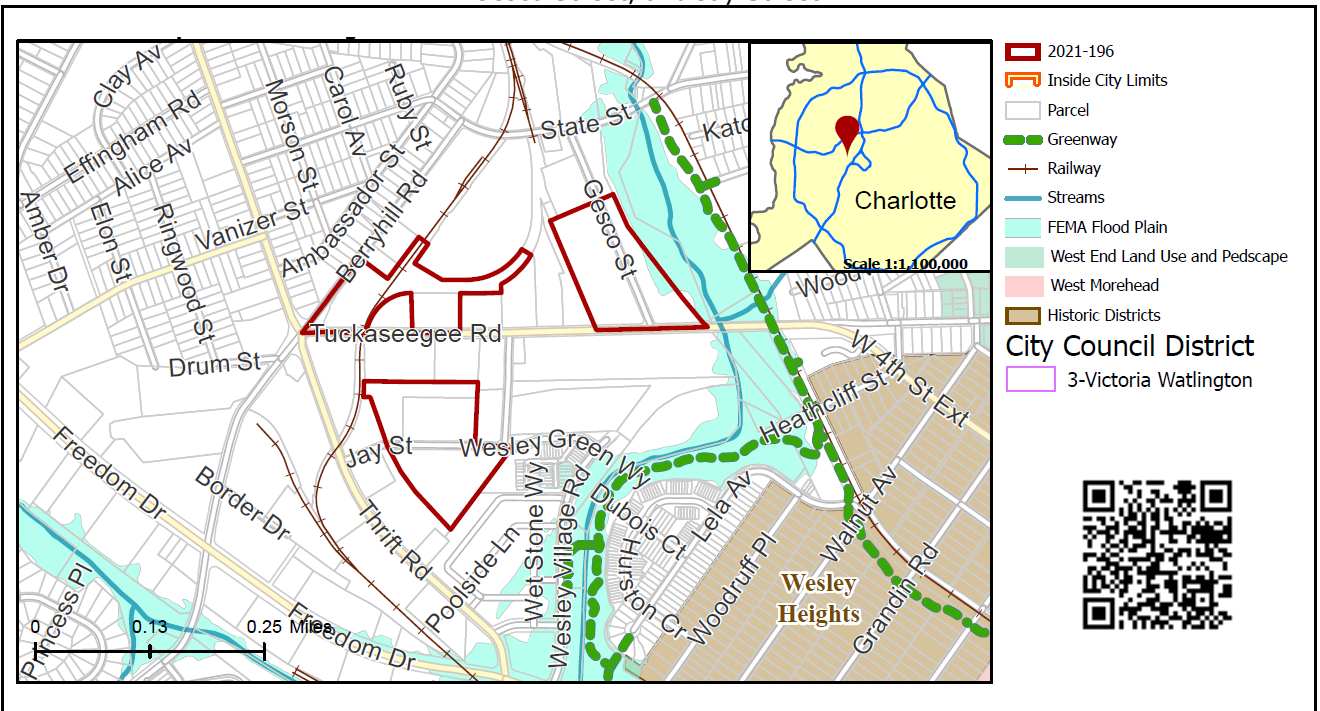


REQUEST

Current Zoning: I-2 (general industrial)
Proposed Zoning: MUDD-O (mixed-use development, optional)

LOCATION

Approximately 21.51 acres of contiguous and non-contiguous parcels generally adjacent to Berryhill Road, Tuckaseegee Road, Gesco Street, and Jay Street.



SUMMARY OF PETITION

The petition proposes to allow adaptive reuse and expansion of industrial buildings with non-residential uses permitted in the MUDD zoning district.

PROPERTY OWNER

AG-T&U 1026 Jay Street Owner, LLC; AG-T&U 1018 Jay Street Owner LLC; AG-T&U 929 Jay Street Owner LLC; AG-T&U 700 Tuckaseegee Road Owner LLC

**PETITIONER
AGENT/REPRESENTATIVE**

Third & Urban
Collin Brown & Brittany Lins

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 6.

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with a portion of the rezoning petition recommended for office/retail/light-industrial land uses as per the *Bryant Park Land Use and Streetscape Plan*, and **inconsistent** with the remaining parcels recommended for industrial uses as per the *Central District Plan*.

Rationale for Recommendation

- The proposed land use for the petition parcels south of Tuckaseegee Road is consistent with the *Bryant Park Land Use and Streetscape Plan* while the proposed land use for parcels north of Tuckaseegee Road is inconsistent with the *Central District Plan*.
- The proposed development will adaptively reuse older industrial buildings with a mix of uses, which is more compatible with the surrounding uses and adjacent residential uses than the industrial uses that previously occupied those buildings.
- The surrounding area is transitioning from industrial uses to office and retail uses, as recommended by the *Bryant Park Land Use & Streetscape Plan*.
- The petitioner is committing to removal of two railroad spurs within the right of way of State Street, and subsequent repaving of the street.

The approval of this petition will revise the adopted future land use for the portion of the site north of Tuckaseegee Road as specified by the *Central District Plan* from industrial land use to mixed use for the site.

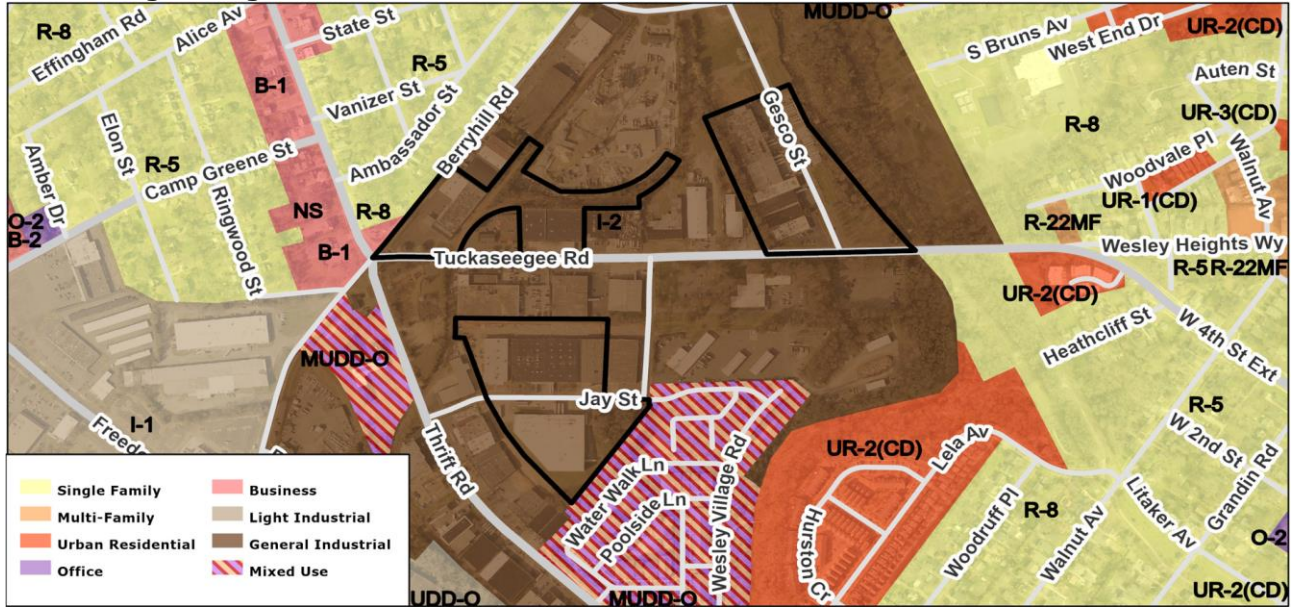
PLANNING STAFF REVIEW

- **Proposed Request Details**

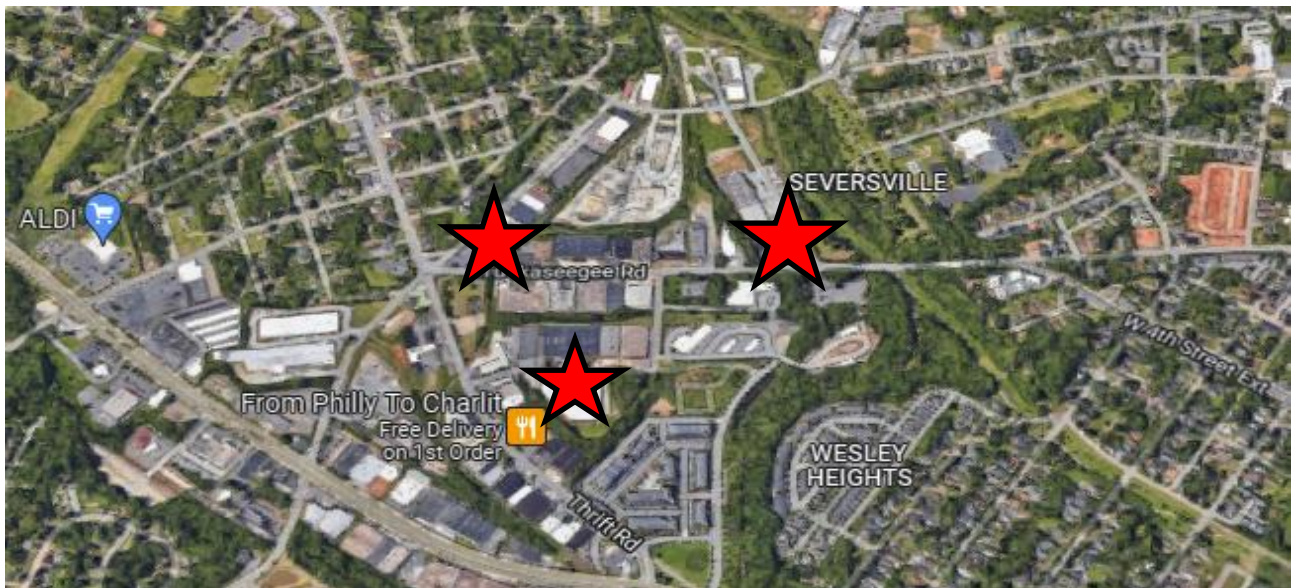
The site plan accompanying this petition contains the following provisions:

- Allows for adaptive reuse of several existing buildings in the Thrift Road / Tuckaseegee Road corridor.
- Allows a maximum of 430,000 SF of non-residential uses, consisting of approximately 350,000 SF of existing building area and 80,000 SF of new building and/or building expansion.
- Establishes a maximum of 68,000 SF that may be devoted to retail, personal services, and/or EDEE uses. The remainder shall be office and similar uses.
- Prohibits car washes, automobile service stations, and EDEEs with accessory drive-through service windows.
- Limits building height to 55' for the properties fronting Berryhill Road and 80' for the remainder of the site.
- Requests the following optional provision: to allow parking and maneuvering between the buildings and streets for existing parking and/or adaptive reuse buildings. Newly constructed buildings and parking areas shall not have parking and maneuvering between the building and street.
- Commits to removal of two railroad spurs and repaving within the road right-of-way on State Street.
- Commits to dedication of right-of-way at 2' behind the back of sidewalk where feasible.

• **Existing Zoning and Land Use**



The site is surrounded primarily by industrial zoning. However, most of the surrounding warehouses have been adapted for commercial and office uses.



The area surrounding the site, which is marked by red stars, has rapidly evolved from primarily industrial uses to a mix of non-residential uses including commercial, office, and eating, drinking, and entertainment establishments.



The properties to the north of the site along Berryhill Road and State Street are developed with commercial and industrial uses.



The properties to the west of the site are developed with a mix of uses including institutional, multifamily residential, single family residential, and recreational. Seversville Park is pictured above.



The properties to the south of the property are developed with a mix of uses including multifamily residential, commercial, and office.



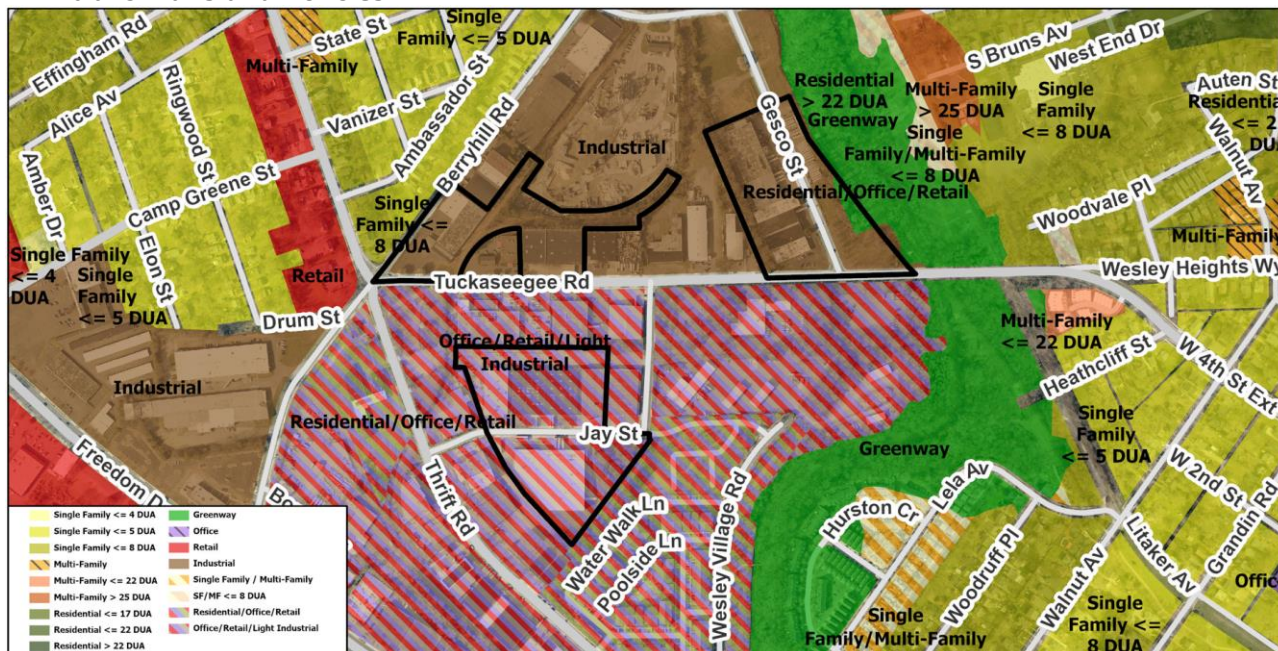
The properties to the west of the site along Thrift Road and Berryhill Road are developed with a mix of uses including commercial, office, and single family residential.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-172	Petition to allow adaptive reuse of warehouse buildings with uses permitted in the MUDD district.	Pending
2021-168	Petition to allow adaptive reuse of warehouse buildings with uses permitted in the MUDD district.	Pending
2021-115	Petition to allow redevelopment of an industrial site with 7,500 square feet of commercial uses and 265 multifamily and/or single family attached residential dwellings at a density of 102.7 DUA.	Approved
2020-157	Petition to redevelop site with 16,000 square feet of uses allowed in NS.	Approved
2020-072	Petition to allow adaptive reuse of a warehouse building with 10 residential units and 4,000 square feet of non-residential uses.	Approved
2018-157	Site plan amendment to allow the development of 57 single family attached dwellings at 14.6 DUA.	Approved
2018-149	Petition to allow expansion of the Mosaic Village development with a mix of uses.	Approved
2017-156	Petition to allow adaptive reuse of buildings with uses permitted in the MUDD district.	Approved
2016-112	Petition to allow adaptive reuse of warehouse buildings with a mix of residential and non-residential uses.	Approved

• Public Plans and Policies



The *Bryant Park Land Use & Streetscape Plan* (adopted 2007) recommends office/retail/light-industrial uses for the portion of the site along Jay Street of the rezoning petition, and industrial land uses for the remaining parcels along Tuckaseegee Road and GESCO Street as per the *Central District Plan* (adopted 1993).

• TRANSPORTATION SUMMARY

- This petition has three development areas; One located at the intersection of Tuckaseegee Road, a City-maintained major thoroughfare, and GESCO Street, a City-maintained local street. The second located on both sides of Jay Street, a City-maintained local street. The third located at the intersection of Tuckaseegee Road, a City-maintained major thoroughfare, and Berryhill Road, a City-maintained collector street.

A TIS is required for this petition and CDOT has coordinated alternative roadway improvements with the petitioner in lieu of a TIS. These alternative improvements include the full removal of the two existing railroad crossings on State Street near these sites, and asphalt replacement in accordance with City-standards. Additionally, in accordance with City Ordinances and Charlotte WALKS Policy, the petitioner has committed to provide pedestrian infrastructure along the site's frontages of Jay Street, GESCO Street, Berryhill Road, and Tuckaseegee Road.

Site plan and conditional note revisions are needed to address the outstanding items including, but not limited to completion of the revising the scope of the State Street alternative improvements and modifying the widths of the proposed sidewalks along Berryhill Road and Tuck and Tuckaseegee Road. Further details are listed below.

• Active Projects:

- CIP PM51213034 - Tuckaseegee Road/Berryhill Road/Thrift Road Roundabout
- Replace the existing five-leg intersection controlled by a traffic signal with a roundabout. Improvements will also include crosswalks, new sidewalks, bicycle accommodations, planting strips, landscaping, decorative lighting, and utility relocation.
- Completion date is mid-2022.

• Transportation Considerations

- No outstanding issues.

• Vehicle Trip Generation:

Current Zoning:

Existing Use: 1,770 trips per day (based on 20,000 SF restaurant and 30,086 SF warehouse).

Entitlement: 1,530 trips per day (based on 936,979 SF warehouse).

Proposed Zoning: 8,325 trips per day (based on 68,000 SF retail, 362,000 SF office).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **Charlotte-Mecklenburg Police Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Tuckaseegee Road.

Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Tuckaseegee Road. See advisory comments at www.rezoning.org

- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Storm Water Services:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** No comments submitted.

OUTSTANDING ISSUESTransportation

- ~~1. Revise conditional note IV.A.2 to the following: "Petitioner shall commit to full removal of the two existing State Street railroad crossings and replacement with the full pavement section in accordance with CLDSM U-07, Local Collector Street. Additionally, extend milling and overlay to the intersections of Berryhill and Gesco. The roadway improvements will be subject to CDOT standards and approval."~~ **ADDRESSED**
- ~~2. Revise site plan sheet RZ-03 and the Proposed Tuckaseegee Cross Section D-D, on RZ-04, to provide an 8-foot planting strip and 8-foot sidewalk along the site's frontage of Berryhill Road and Tuckaseegee Road.~~ **ADDRESSED**

Site and Building Design

- ~~3. Clarify commitment to provide open space as shown by removing "potential" from the label. If it is only potential open space, remove from plan.~~ **ADDRESSED**





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







Planner: Joe Mangum (704) 353-1908

Goals Relevant to Rezoning Determinations Petition 2021-196

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when Policy Mapping is completed (February 2022) and when the **Policy Map** is adopted (anticipated March 28, 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	N/A
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	N/A
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	N/A

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	<p>N/A</p>
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	<p>N/A</p>
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	<p>N/A</p>
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>✓</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>✓</p>
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>