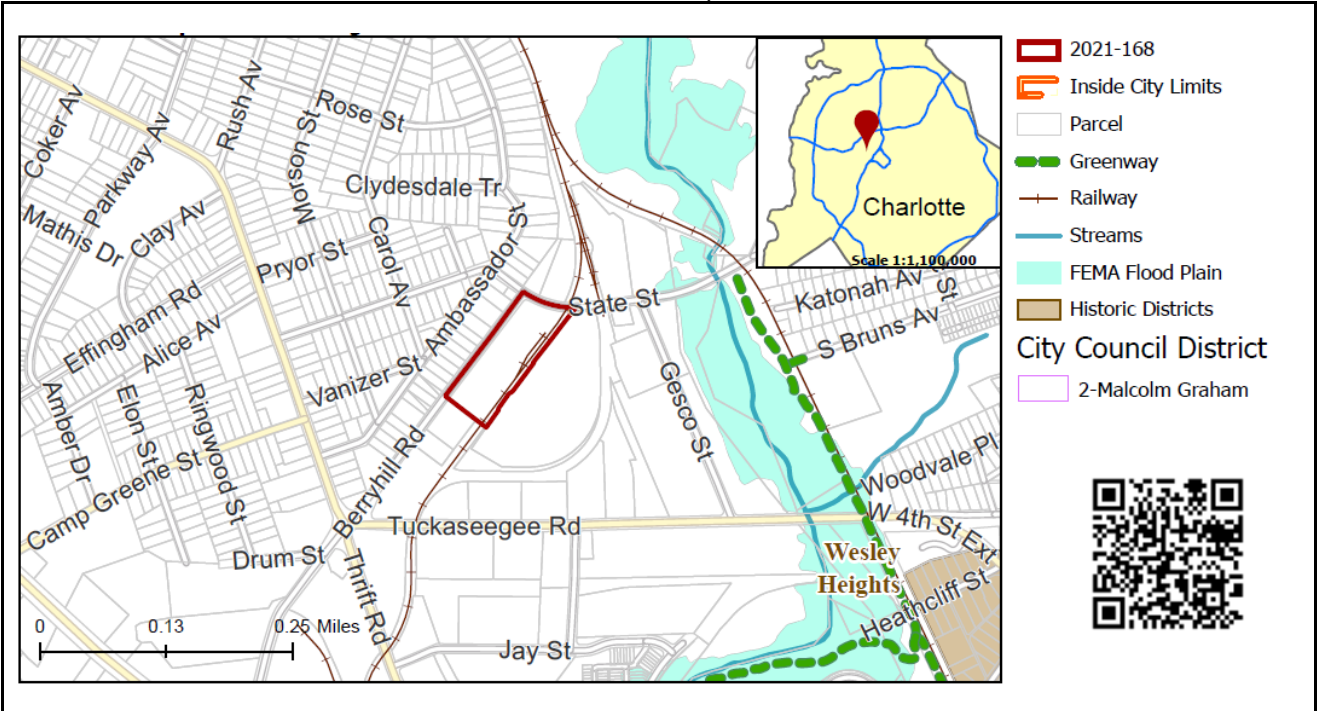


**REQUEST**

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

**LOCATION**

Approximately 3.83 acres located on the southeastern corner of the intersection of Berryhill Road and State Street.



**SUMMARY OF PETITION**

The petition proposes to allow adaptive reuse of industrial buildings with commercial uses permitted in the MUDD zoning district.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**

Station West LLC  
Station West LLC  
David Murray

**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.

Plan Consistency

The petition is **inconsistent** with the industrial land use recommendation for this site as per the *Central District Plan*.

Rationale for Recommendation

- While inconsistent with the industrial land use recommendation for the site, the proposed rezoning is compatible with current development patterns in the area.
- 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 petition will provide minimum 6' sidewalk along both the Berryhill Road and State Street frontages where none currently exists as well as accessible curb ramps at the intersection.

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

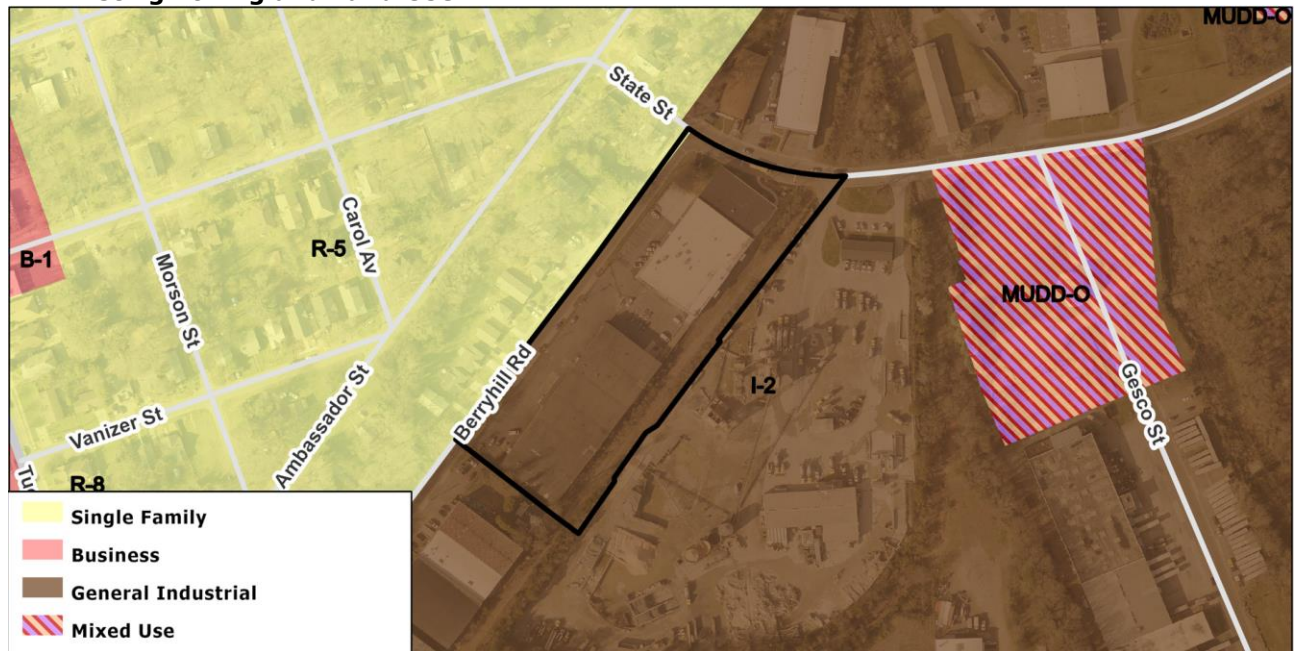
## PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Proposes to allow all uses permitted in the MUDD-O district with the exception of the following uses:
  - Active adult retirement communities
  - Adult establishments
  - Auction sales or auction houses not to exceed 10,000 square feet
  - Automotive service stations
  - Boarding houses
  - Bus passenger stations
  - Commercial rooming houses
  - Group homes for up to 10 residents
  - Hotels and motels
  - Post offices
  - Telephone booths
  - Transit stations (bus or rail) and associated parking facilities
- Requests the following optional provisions:
  - To allow parking and maneuvering areas between the buildings and the Berryhill Road setback.
  - To allow a modified sidewalk and planting strip width and configuration along Berryhill Road and State Street due to existing site conditions, as generally depicted on the rezoning plan.
  - To utilize a table to calculate cumulative trip generation of the site. The table is to be updated and added to the cover sheet of the permitting site for each individual project within the rezoning site. When the proposed cumulative trip generation exceeds 2,500 trips per day, the petitioner will be required to perform a traffic impact study (TIS) and/or propose alternative transportation improvements in lieu of a TIS which will be subject to the approval of CDOT.
- Allows for building additions while limiting building height to 40'.
- Commits to providing a minimum 10,000 square feet of pedestrian plaza/amenitized open space.
- States that all new lighting, excluding decorative lighting, will be full cut-off type.

- Existing Zoning and Land Use



The site is surrounded by a mix of uses including residential to the west and industrial to the north and east. Many of the properties to the south have transitioned or are in the process of transitioning to commercial and office uses.



The site, located between the Enderly Park and Seversville communities, is marked by a red star.





View of the site looking south from Berryhill Road.



The properties to the west of the site across Berryhill Road are developed with single family homes.



The properties to the north of the site across State Street are developed with industrial uses.

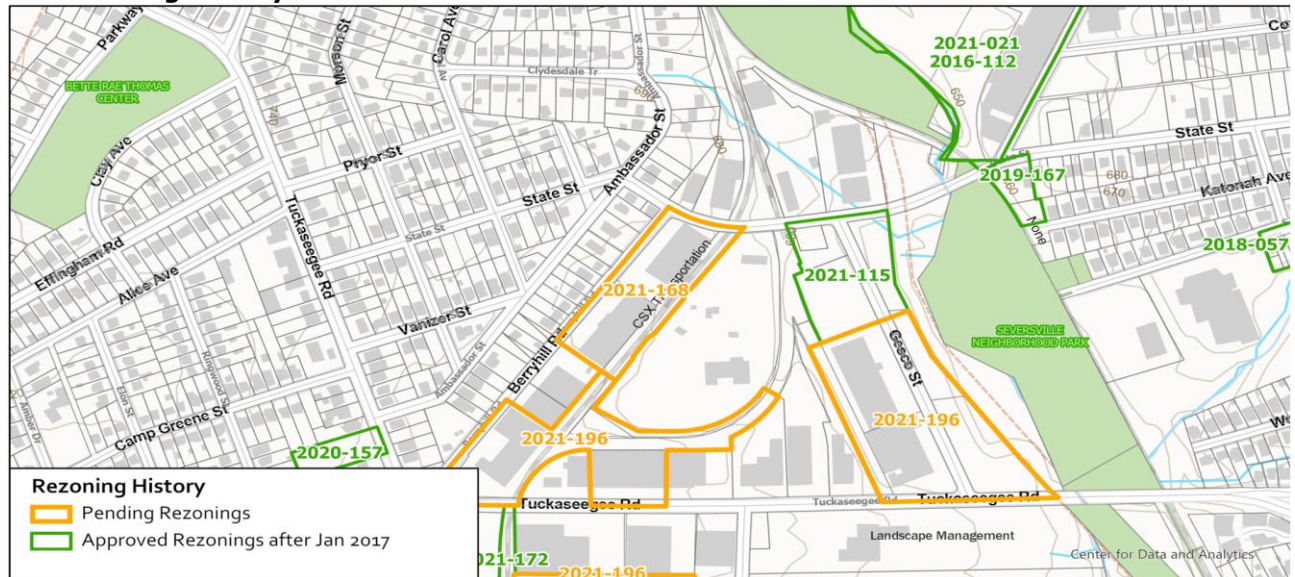


The property to the east of the site is currently occupied by a concrete plant.



The properties to the south of the site are a mix of industrial uses adaptive reuse including commercial and office uses.

- Rezoning History in Area**



| Petition Number | Summary of Petition  | Status   |
|-----------------|--|----------|
| 2021-196        | Petition to allow adaptive reuse and expansion of existing buildings with non-residential uses permitted in the MUDD zoning district.                  | Pending  |
| 2021-172        | Petition to allow adaptive reuse of industrial buildings with commercial uses permitted in the MUDD zoning district.                                   | Approved |
| 2021-115        | Petition to allow for 7,500 square feet of commercial uses and 265 multifamily and/or single family attached dwelling units at 102.7 DUA.              | Approved |
| 2021-021        | Request to amend a previously approved rezoning plan to increase the maximum number of residential dwelling units in the redevelopment of Savona Mill. | Approved |
| 2020-157        | Petition to allow redevelopment of the site with all uses in the NS district in up to 16,000 square feet of building area.                             |          |
| 2019-167        | Request to allow for the development of 104 multifamily residential units at a density of 148 units per acre.  | Approved |
| 2016-112        | Request to allow a mix of residential and non-residential uses in the existing industrial buildings of Savona Mill.                                    | Approved |



- **Public Plans and Policies**



The *Central District Plan* (adopted 1993) recommends industrial land use for this site and surrounding area.

- **TRANSPORTATION SUMMARY**

- The petition is located adjacent to Berryhill Road, a City-maintained major collector, and State Street, a City-maintained minor collector. A TIS is not required with this petition; however, the petitioner has agreed to complete a TIS if/when the proposed cumulative trips, associated with the development area(s) exceed 2,500 new vehicle trips per day. Additionally, in accordance with the City's Ordinances and Charlotte WALKS Policy, the petitioner has committed to improving the pedestrian infrastructure along the site's frontage of Berryhill Road and State Street.
- CDOT Has no outstanding items.

- **Active Projects:**

- Stewart Creek Greenway Extension (Mecklenburg County project)
- State St. pedestrian crossing (City project; schedule coordinated with greenway extension)

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 150 trips per day (based on 66,100 square foot warehouse).

Entitlement: 1,895 trips per day (based on 10,038 square feet of manufacturing, 36,539 SF of office, 10,484 SF of retail per Accela Permit # LDC 2020-00003).

Proposed Zoning: 5,000 trips per day (based on 76,176 square feet of retail).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No comments submitted.
- **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:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **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 8-inch water distribution main located along Berryhill Rd. Charlotte Water

has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Berryhill Rd. See advisory comments at [www.rezoning.org](http://www.rezoning.org)

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

|  |
|--|
| <b>OUTSTANDING ISSUES</b>  |
| <u>Land Use</u><br>1. <del>Revise note 3.a. to state "The site may be developed with all non-residential uses along with accessory uses as allowed in the MUDD-O zoning district with the exception of prohibited uses listed under 'b' below."</del> <b>ADDRESSED</b> |



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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Joe Mangum (704) 353-1908





## Goals Relevant to Rezoning Determinations Petition 2021-168

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 effective (adopted March 28, 2022).

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

| Goals   | Goal Description  | Relationship to Charlotte Future 2040 Comprehensive Plan |
|---|---|--|
|    | <b>Goal 1: 10- Minute Neighborhoods</b><br>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.                  | ✓  |
|  | <b>Goal 2: Neighborhood Diversity &amp; Inclusion</b><br>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. | ✗  |
|  | <b>Goal 3: Housing Access for All</b><br>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.   | ✗  |
|  | <b>Goal 4: Trail &amp; Transit Oriented Development (2-TOD)</b><br>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><b>Goal 5: Safe &amp; Equitable Mobility</b></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><b>Goal 6: Healthy, Safe &amp; Active Communities</b></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><b>Goal 7: Integrated Natural &amp; Built Environments</b></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><b>Goal 8: Diverse &amp; Resilient Economic Opportunity</b></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><b>Goal 9: Retain Our Identity &amp; Charm</b></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><b>Goal 10: Fiscally Responsible</b></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>  |