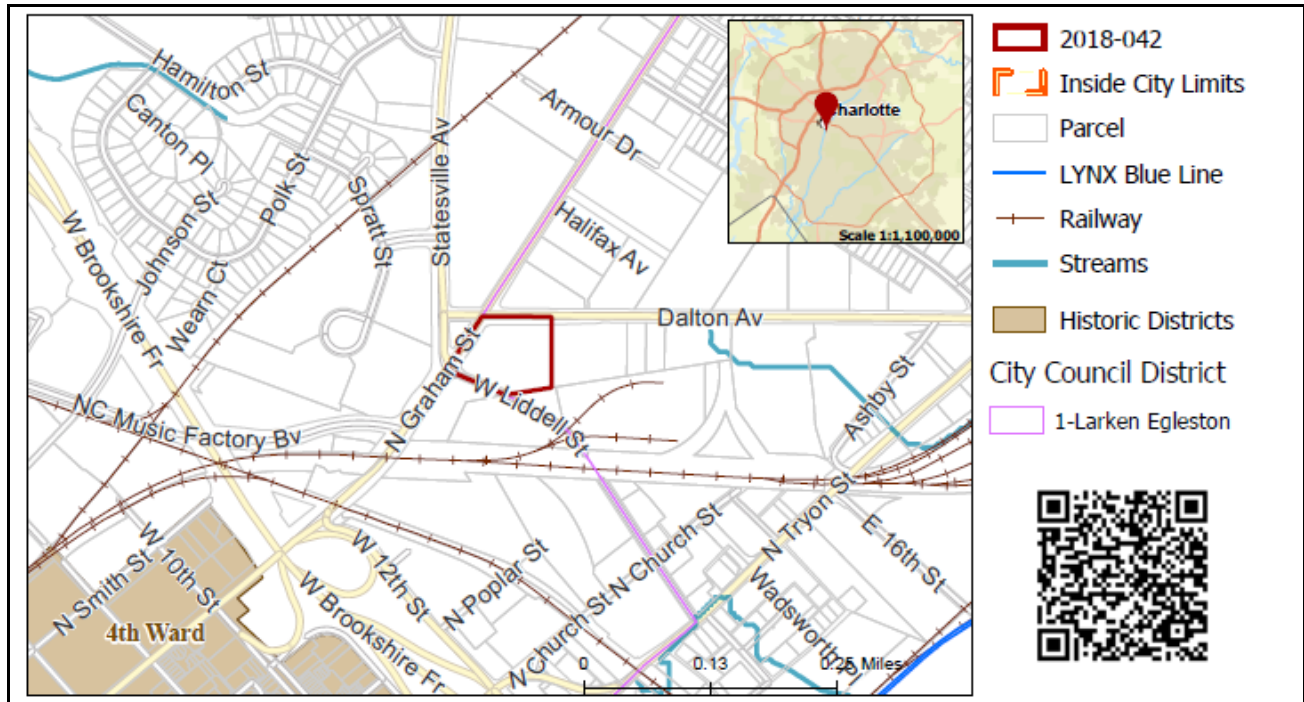


**REQUEST**

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

**LOCATION**

Approximately 3.148 acres located on the southeast corner of North Graham Street and Dalton Avenue.  
 (Council District 1 - Egleston)



**SUMMARY OF PETITION**

The petition proposes to redevelop the site to allow up to 50,000 square feet of various uses permitted in the MUDD (mixed use development) district, with up to 12,000 square feet of Type 1 and 2 EDEE (eating/ drinking/entertainment) and brewery uses, and 15,000 square feet of retail uses

**PROPERTY OWNER**

Graham Corp.

**PETITIONER**

SBBH, LLC

**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: 10.

**STAFF  
 RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is inconsistent with the *North Tryon Area Plan*, which recommends industrial/warehouse/distribution uses for the site.

Rationale for Recommendation

- The subject property is located just outside of Uptown and the I-277 loop. The site contains an existing industrial warehouse structure.
- The *North Tryon Area Plan*, which provides the land use recommendation for the site, calls for continuation of industrial uses for the property.
- The petition, which proposes to reuse a portion of the existing building, preserves the industrial aesthetic of the Applied Innovation Corridor as recommended in the *2020 Vision Plan*.

- This project will provide a mix of uses that will support residents and employees by locating retail and entertainment uses within the corridor.
- Recent projects have altered circumstances for the subject property. These projects include Brightwalk, the Fire Department headquarters, proposed Joint Information Center, Music Factory, and ATCO/Camp North End. The proposal is a continuation of the mixed use pattern of development established by these projects.
- The proposal will improve walkability by adding new streetscape and sidewalks along the three public streets fronted.

## PLANNING STAFF REVIEW

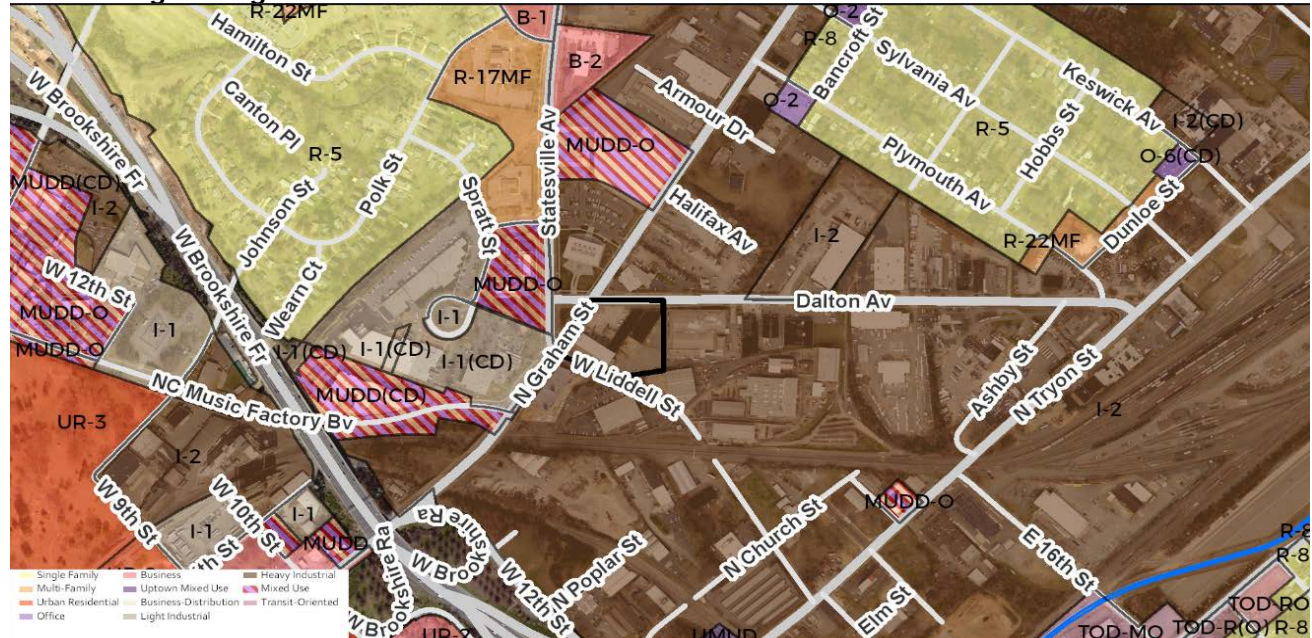
### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Up to 50,000 square feet of various uses permitted in the MUDD (mixed use development) district, including but not limited to art gallery, brewery, EDEE Type 1 and 2, indoor recreation, professional business and general and medical office uses, retail sales and service uses. Total of 12,000 square feet of EDEE uses and 15,000 square feet of retail uses will be allowed.
- Maximum 25,000 square feet of the existing building may be demolished, and remaining portions of existing building will be preserved/remain. Alterations and renovations to exterior of existing building permitted.
- New free standing building may be developed in Development Area A. Site plan amendment will be required to allow more than 25,000 square feet of the existing building to be demolished or to allow more than one new freestanding building to be constructed.
- Vehicular access off Liddell Street and Dalton Avenue. Existing driveways into site from North Graham Street will be closed.
- Maximum building height of any new building is 30 feet.
- Any new building will present a front or side façade to North Graham Street and Dalton Avenue. Facades of the first/ground floor of the building shall provide a minimum 30% of masonry materials.
- No expanses of blank walls exceeding 20 feet, and architectural features will be provided to prevent unarticulated treatment. Minimum 20% transparency on upper stories.
- Building elevations will be designed with vertical bays or articulated architectural features.
- Eight-foot planting strip and eight-foot sidewalk along Liddell Street. An 11.5-foot planting strip and six-foot sidewalk along Graham Street and Dalton Avenue. Width of planting strip may be reduced to eight feet with the approval of Planning, CDOT and Engineering and Property Management Urban Forestry. The portion of the streetscape along North Graham Street frontage at the existing building shall be a width that does not require the removal of or modification of the building by the aforementioned departments.
- Optional Provisions Requested:
  - Allow parking and maneuvering between the existing building and abutting public streets. If the new building in Development Area A is not constructed, surface parking and maneuvering may remain between the existing building and the required setbacks from North Graham Street. If the new building is constructed, then surface parking and maneuvering shall not be permitted between the new building and North Graham Street and Dalton Avenue.
  - ~~Existing freestanding sign to remain, which shall be in addition to (and not in lieu of) all other signs permitted on the site.~~ Allow the existing freestanding rotating "shop" sign located on the site to remain, in addition to all other signs permitted under the ordinance. Allow rotating sign to be relocated on the site, and the logo/text to be changed.
  - Not be required to adhere to Section 9.8506(2)(h), which requires doorways to be recessed into the face of the building.
  - Allow valet parking areas between the building and adjacent public streets.
  - Allow the portion of the sidewalk and planting strip along the frontage on North Graham Street to be a width that does not require removal or modification of the building by Planning, CDOT and Engineering and Property Management.
  - Allow the minimum 11.5 foot wide planting strip and minimum six-foot wide sidewalk to be installed along the site's frontages on North Graham Street and Dalton Avenue as generally depicted on the rezoning plan.



### • Existing Zoning and Land Use



- The subject property is developed with a warehouse use in I-2 (general industrial) zoning. Uses on the west side of N. Graham Street are developed with a homeless shelter administered by the Salvation Army, residential structures, entertainment, industrial, institutional and office uses. Properties east of N. Graham Street, on either side of Dalton Avenue, are developed with various industrial uses.



The subject property is developed with a warehouse use.



The Charlotte Fire Department Headquarters is located across North Graham Street.





Properties to the south and east are a mix of warehouse and industrial uses.



Properties to the east include office use and Crisis Assistance Ministry.

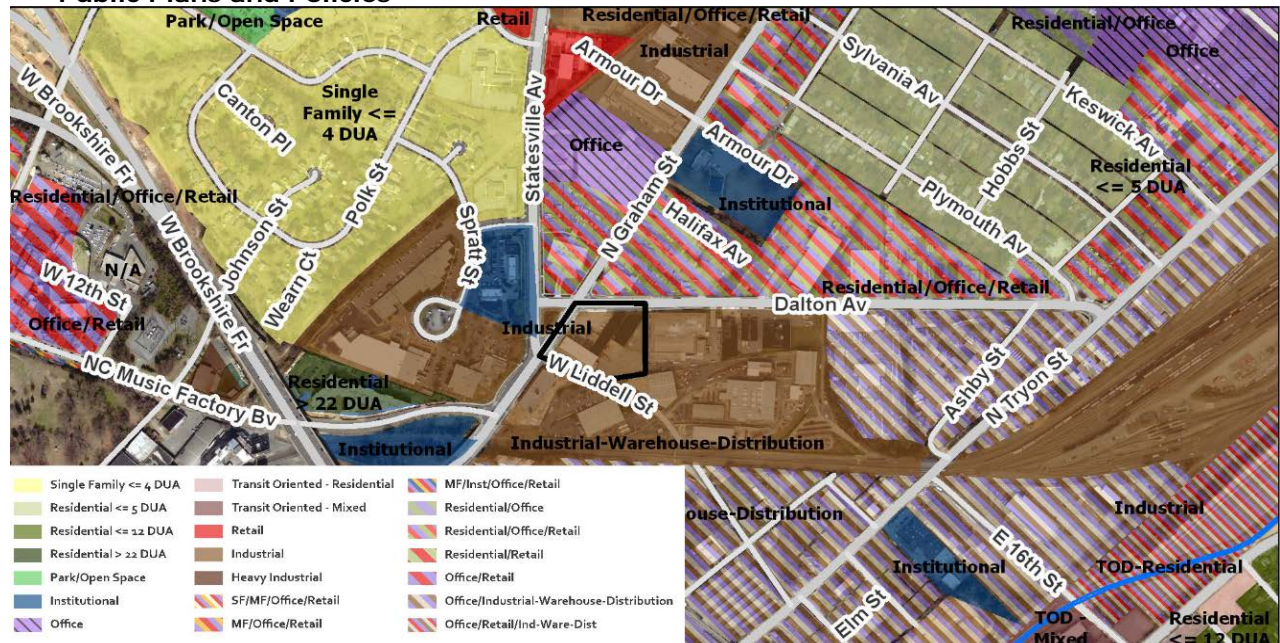
#### • Rezoning History in Area



Petition Number	Summary of Petition	Status
2017-101	Rezoned approximately 2.17 acres to TOD-R(O) (transit oriented development, residential, optional) to allow up to 60 single family attached dwelling units, at a density of 29.5 units per acre.	Approved
2016-029	Rezoned approximately 11.85 acres to TOD-M(O) (transit oriented development, mixed use, optional) to allow all uses permitted in the TOD-M (transit oriented development - mixed-use) district..	Approved
2015-010	Rezoned approximately 2.6 acres to MUDD-O (mixed use development, optional) to allow an interior expansion to an existing institutional use to allow a maximum building area of 45,252 square feet.	Approved

2015-062	Rezoned approximately 20.91 acres to MUDD(CD) (mixed use development, conditional) to allow a maximum of 670,000 square feet of non-residential uses, a 200-room hotel, and 440 dwelling units.	Approved
2015-091	Rezoned approximately 0.99 acres to TOD-R(O) (transit oriented development, residential, optional) to allow up to 50 multi-family dwelling units at a density of 50.5 dwelling units per acre.	Approved
2014-068	Rezoned 5.59 acres to MUDD-O (mixed use development, optional) to allow all uses permitted in the MUDD (mixed use development) zoning district.	Approved
2014-022	Rezoned 9.18 acres to MUDD-O SPA (mixed use development district, optional site plan amendment) to allow the installation of five detached digital solar powered advertising signs on the subject property.	Approved

- **Public Plans and Policies**



- *North Tryon Area Plan* (2010) recommends industrial/warehouse/distribution uses for the site. The plan specifically calls for retention of the existing industrial located south of Dalton Avenue noting that the existing industrial uses are viable employment concentrations and contribute to the commercial tax base.
  - *The Charlotte Center City 2020 Vision Plan* (2011) calls for the subject property and surrounding area to be an element of the Applied Innovation Corridor, an area for mixed- use employment and commercial activity.
- **TRANSPORTATION CONSIDERATIONS**
- The site is located at the signalized intersection of North Graham Street and Dalton Avenue. The petition is closing several driveways on North Graham Street and Dalton Avenue and providing the future streetscape for all the public streets. Although not required by the petition, the petitioner agreed to perform transportation study of the North Graham Street and Dalton Avenue that can be used in the future by the City or NCDOT to provide intersection improvements.
  - See Outstanding Issues, Notes 1-4.
  - **Vehicle Trip Generation:**  
 Current Zoning:  
     Existing Use: 170 trips per day (based on 47,970 square feet of warehouse uses).  
     Entitlement: 170 trips per day (based on 47,970 square feet of warehouse uses).  
 Proposed Zoning: Too many uses to determine trips per day (based on 3.08 acres of MUDD uses).



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

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** No comments submitted.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via existing eight-inch water distribution mains located along Graham Street and Dalton Avenue and via an existing six-inch water distribution main located along Liddell Street. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Graham Street. The sanitary sewer system infrastructure along Dalton Avenue and Liddell Street is located in an area that Charlotte Water has determined to have limited sanitary sewer system capacity. It is recommended that the applicant contact the Charlotte Water New Services at (704) 432-2854 for further information and to discuss options regarding sanitary sewer system capacity.
- **Engineering and Property Management:**
  - **Arborist:** No trees can be removed from the public right of way of any city maintained street (W. Liddell St.) without explicit authorization from the City Arborist or his designee. The location of structures, driveways, and other items illustrated on the site plan are conceptual in nature; City Council approval of the rezoning site plan does not confirm or imply authorization by the City Arborist to remove any tree located in a public street right of way. See Outstanding Issues, Note 5.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** Site must comply with Tree Ordinance.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**Transportation

1. Revise the site plan and conditional note(s) to show and dimension the following items: (All addressed)
  - a. Existing driveways on the opposite side of the site's street frontages (including a proposed QT convenience store on parcel no. 07901732),
  - b. Existing raised medians, and
  - c. Existing streets right-of-way lines.
2. Revise the site plan and conditional note(s) to obtain a cross access agreement with parcel no. 07811102 property owner to allow site/cross access rights from an existing Dalton Avenue driveway, just east of the site's eastern property line. Addressed
3. Revise the site plan to add a note specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued. CDOT requests right-of-way set at two feet behind back of sidewalk where feasible. Addressed
4. Revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes. Addressed

Environment

5. The petitioner shall submit a tree survey for all trees two inches in diameter at breast height (DBH) or larger located in the public right of way. Tree survey may be completed by landscape architect, surveyor, or other land development professional. No trees exist in the right-of-way.

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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments

- Charlotte Area Transit System Review
- Charlotte Department of Housing and Neighborhood Services Review
- Charlotte Fire Department Review
- Charlotte Water Review
- Engineering and Property Management Review
  - City Arborist
  - Erosion Control
  - Land Development
  - Storm Water
  - Urban Forestry
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Transportation Review

**Planner:** Sonja Strayhorn Sanders (704) 336-8327