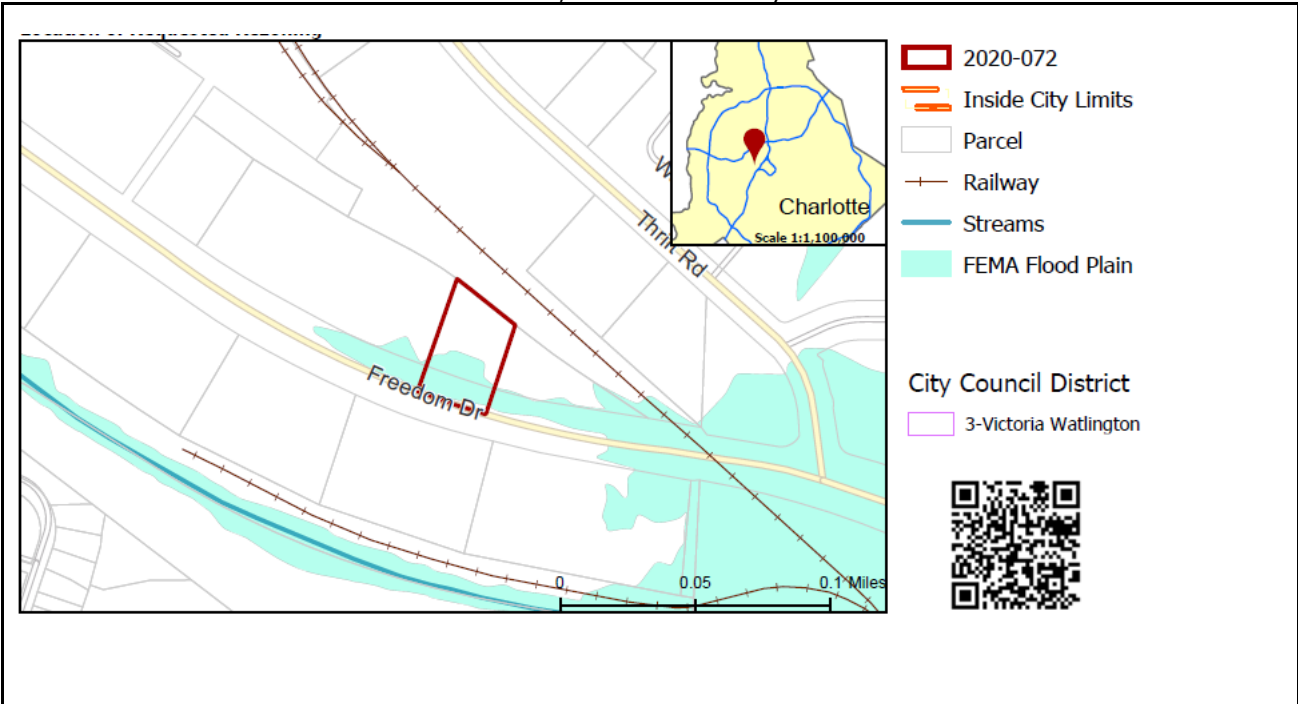


**REQUEST**

Current Zoning: I-1 (Industrial)  
Proposed Zoning: MUDD-O (Mixed-Use Development District-Optional)

**LOCATION**

Approximately 0.48 acres located north of Freedom Drive, south of Thrift Road, and east of Berryhill Road.



**SUMMARY OF PETITION**

The petition proposes to rezone the site to MUDD-O to adaptively reuse the site for residential and non-residential uses.

**PROPERTY OWNER  
PETITIONER  
AGENT/REPRESENTATIVE**

Freemore LLC  
Michael Moulton  
Michael Moulton

**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 *Bryant Park Land Use & Streetscape Plan's* (2007) recommendation for a mix of office, retail, and industrial uses.

Rationale for Recommendation

- The Bryant Park Land Use & Streetscape Plan supports retail use on the site.
- While the land use plan doesn't account for residential use on the site, recent developments, including the approved rezoning 2017-080, have brought residential uses closer to the site.
- The proposed retail at the site would support the growing number of residential units that have been developed in the vicinity of the site in recent years.

- The petitioner is proposing to preserve the form of the existing structure, which was built in 1954.

The approval of this petition will revise the adopted future land use as specified by the *Bryant Park Land Use & Streetscape Plan*, from a mix of office, retail, and industrial uses to a mix of residential, office, and retail for the site.

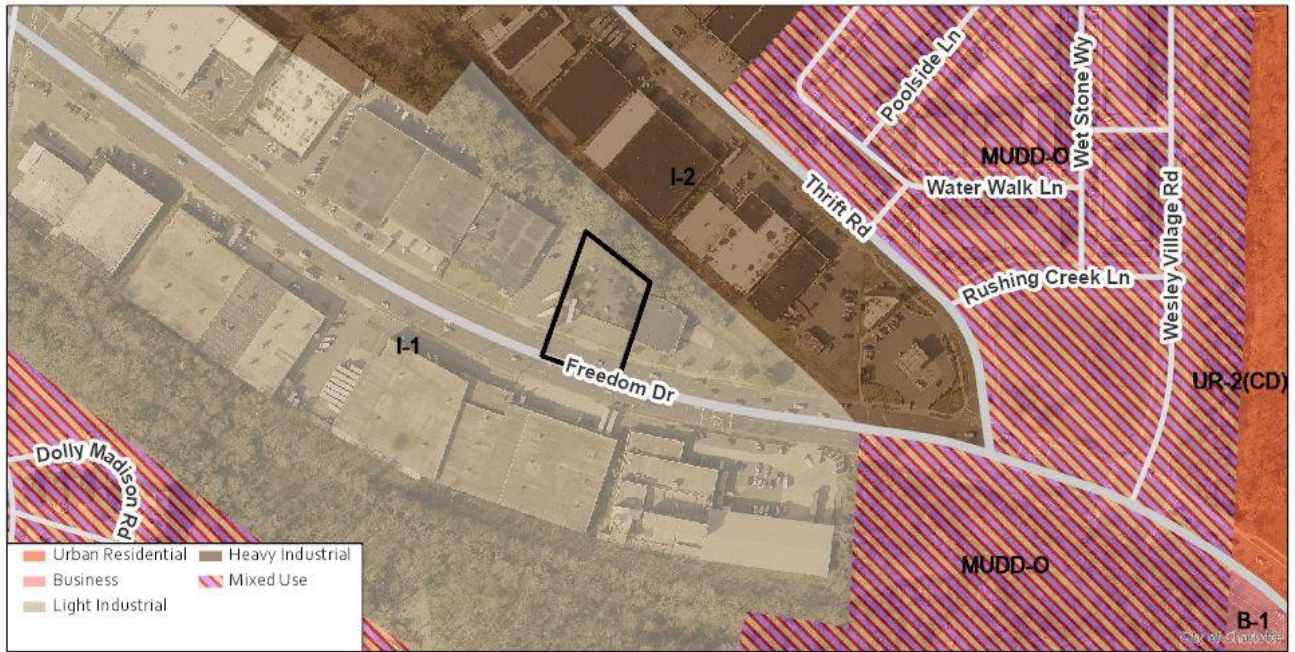
## PLANNING STAFF REVIEW

### • **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows for most uses permitted in the MUDD-O district except for the following:
  - Active adult retirement communities
  - Auction sales or auction houses
  - Automotive service stations
  - Repair or servicing of any vehicle
  - Shopping Centers
  - Structured parking as a principal use
  - Telecommunications and storage facilities
  - Temporary buildings and storage of materials
  - Transit stations (bus or rail) and associated parking facilities
  - Utility and related facilities
  - Adult establishments
  - Childcare centers in a residence
  - Electric and gas substations
  - Nursing homes, rest homes, and homes for the aged
  - Radio, telephone, cellular telephone, and television masts, towers, antennae, and similar structures
  - Short term care facilities
  - Stadiums, coliseums, and arenas
  - Warehousing within an enclosed building for self storage facility only
- Proposes up to 10 residential units.
- Limits non-residential uses to 4,000 square feet.
- Proposes to maintain the existing building while allowing for the addition of a second floor above the existing building.
- Requests the following optional provisions:
  - To allow parking and maneuvering between the building and the Freedom Drive setback.
  - To allow a modified sidewalk and planting strip width and quantity of street trees along Freedom Drive as practical due to existing site conditions. The existing Freedom Drive streetscape will remain.
- Permits a maximum building height of 40'.
- Requires all new lighting to be full cut-off lighting fixtures.
- Commits to the architectural standards required in the MUDD zoning district.

### • **Existing Zoning and Land Use**



The site is developed with a warehouse. Adjacent properties along Freedom Drive are developed with warehouses and occupied by industrial and commercial businesses. Some similar warehouses on Thrift Road have been renovated to accommodate office and commercial uses.



The site, marked with a red star, is developed with a vacant warehouse.





The site to the north is developed with industrial uses.



The site to the east is developed commercial uses.



The site to the south is developed with commercial and industrial uses.



The site to the west is developed with commercial and industrial uses.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-080	The petition rezoned property to MUDD-O to accommodate the development of a residential community of 280 multi-family units.	Approved
2016-124	The petition rezoned the site to MUDD-O SPA (mixed use development, optional, site plan amendment) to permit the development of a mixed-use building containing 10,000 SF of retail and 66,000 SF of office uses.	Approved

- **Public Plans and Policies**





- The *Bryant Park Land Use & Streetscape Plan* (2007) recommends a mix of office, retail, and industrial uses for the site.
- **TRANSPORTATION SUMMARY**
  - The site is located on Freedom Drive (major thoroughfare, state-maintained). The petitioner has committed to dedicating additional right-of-way and will close a median break on Freedom Drive to restrict the existing full-movement access to right-in/right-out. CDOT continues to request the petitioner to revise the site plan and conditional notes to reserve right-of-way for a future 12-ft multi-use path along Freedom Drive, in accordance with the Charlotte BIKES policy.
- **Active Projects:**
  - There are no active projects in the immediate vicinity of the site.
- **Transportation Considerations**
  - See Outstanding Issues, Note 1
- **Vehicle Trip Generation:**

Current Zoning:

  - Existing Use: 60 trips per day (based on 10,250 sf of warehouse).
  - Entitlement: 60 trips per day (based on 10,250 sf of warehouse).

Proposed Zoning: 790 trips per day (based on 4,000 sf of retail and 10 apartments).

**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:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 0 students, while the development allowed under the proposed zoning may produce 2 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 2 students.
  - 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 Elementary remains at 123%
    - West Charlotte High remains at 94%.
- **Charlotte Water:** No comments submitted.

- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Urban Forestry:** No outstanding issues.
- **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 outstanding issues.

**OUTSTANDING ISSUES**Transportation

1. ~~The petitioner should revise the site plan right of way dedication and to add a note specifying dedication of additional right of way of sidewalk utility easement to accommodate a future 12-ft multi-use path, in accordance with Charlotte BIKES.~~ **ADDRESSED**[PD1]

**REQUESTED TECHNICAL REVISIONS**Site and Building Design

2. ~~On the development table, specify that the number of residential units and non-residential is the maximum.~~ **ADDRESSED**
3. ~~Add to note 2b that developer will work with CDOT and Urban Forestry staff during permitting on modifications to street-scape.~~ **ADDRESSED**
4. ~~Provide dimensions for existing sidewalk and planting strip on cross-section and in notes.~~ **ADDRESSED**

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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)