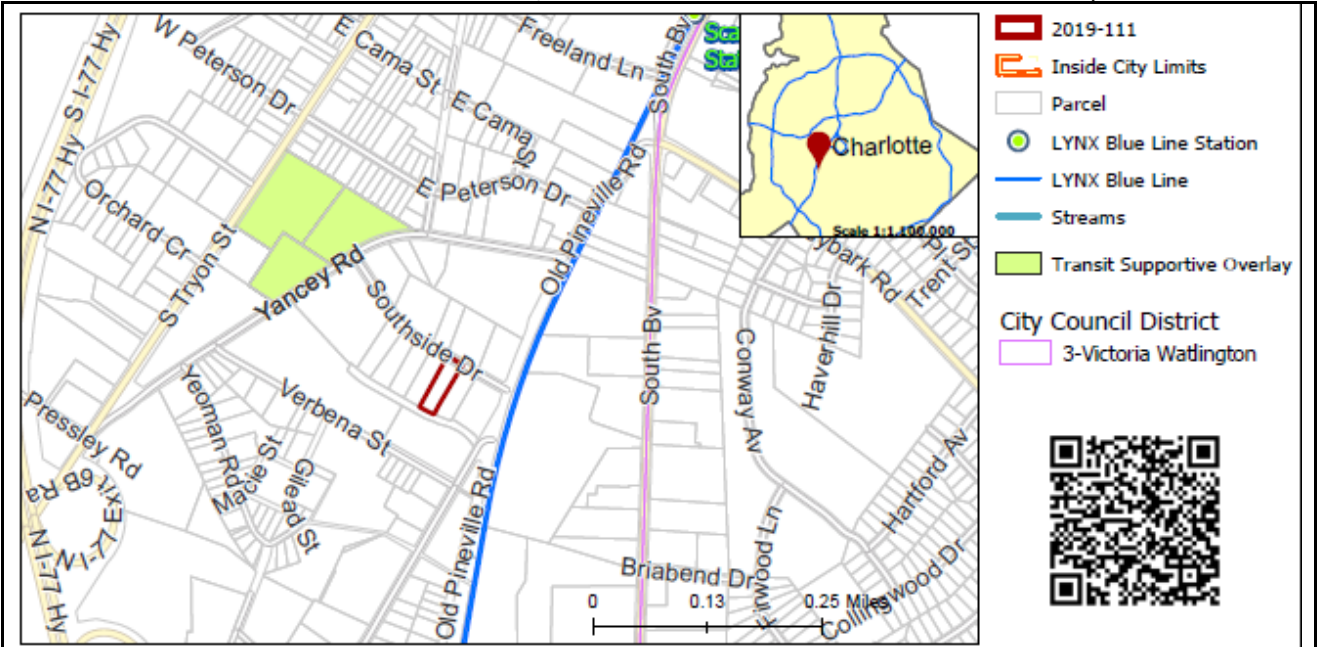


**REQUEST**

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

**LOCATION**

Approximately 0.69 acres located on the south side of Southside Drive, west of Old Pineville Road and east of Yancey Road.



**SUMMARY OF PETITION**

The petition proposes to allow all uses in the MUDD (mixed use development) district in an existing warehouse building currently in use as a fitness/health club facility.

**PROPERTY OWNER  
PETITIONER  
AGENT/REPRESENTATIVE**

DC Property LLC, Elizabeth Funck  
Hive Fitness, LLC  
Urban Design Partners-Brian Smith

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 5

**STAFF  
RECOMMENDATION**

Staff does not recommend approval of this petition in its current form.

Plan Consistency

The petition is **inconsistent** with the *Scaleybark Station Area Plan (2008)* recommendation for office/industrial warehouse-distribution.

Rationale for Recommendation

- The site is slightly over a ½ mile walk to Scaleybark Station on the LYNX Blue Line.
- The petition keeps the existing building intact while allowing optional provisions to reduce required parking and does not include streetscape requirements.
- The optional provisions will create a site precedent that is inconsistent with the vision for this area and it is an inappropriate use of the MUDD district.

The approval of this petition will revise the adopted future land use as specified by the *Scaleybark Station Area Plan*, from office/industrial warehouse-distribution to residential/office/retail for the site.

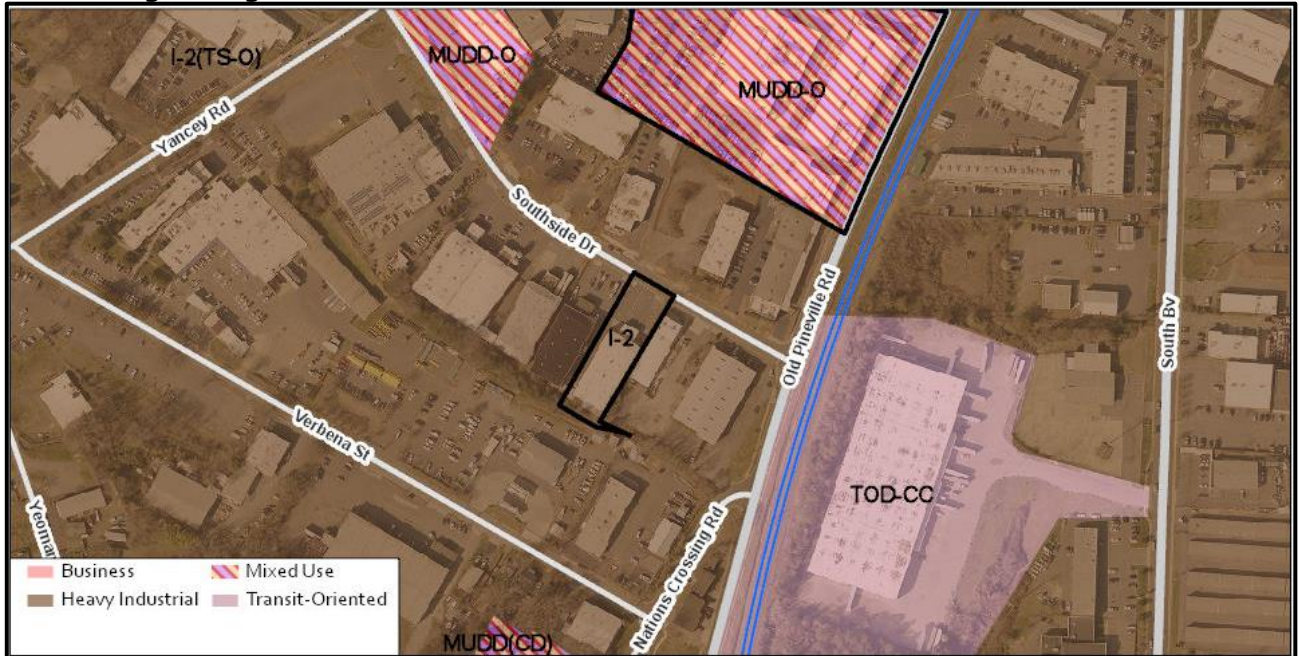
**PLANNING STAFF REVIEW**

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allow all uses in the MUDD (mixed use development) district in an existing 13,504 square foot building, including a fitness/health club facility.
- Proposes a bike rack containing 4 spaces in front of the building.
- Optional requests:
  - Limit parking to what can be provided on the site.
  - Not require streetscape improvements.

• **Existing Zoning and Land Use**



- The site is developed with an existing warehouse currently used as a fitness/health club facility surrounded by industrial/office/warehouse uses, and breweries in the I-1 (light industrial), I-2 (general industrial), MUDD(CD) (mixed use development, conditional), MUDD-O (mixed use development, optional) and TOD-CC (transit oriented development, commercial center) districts.

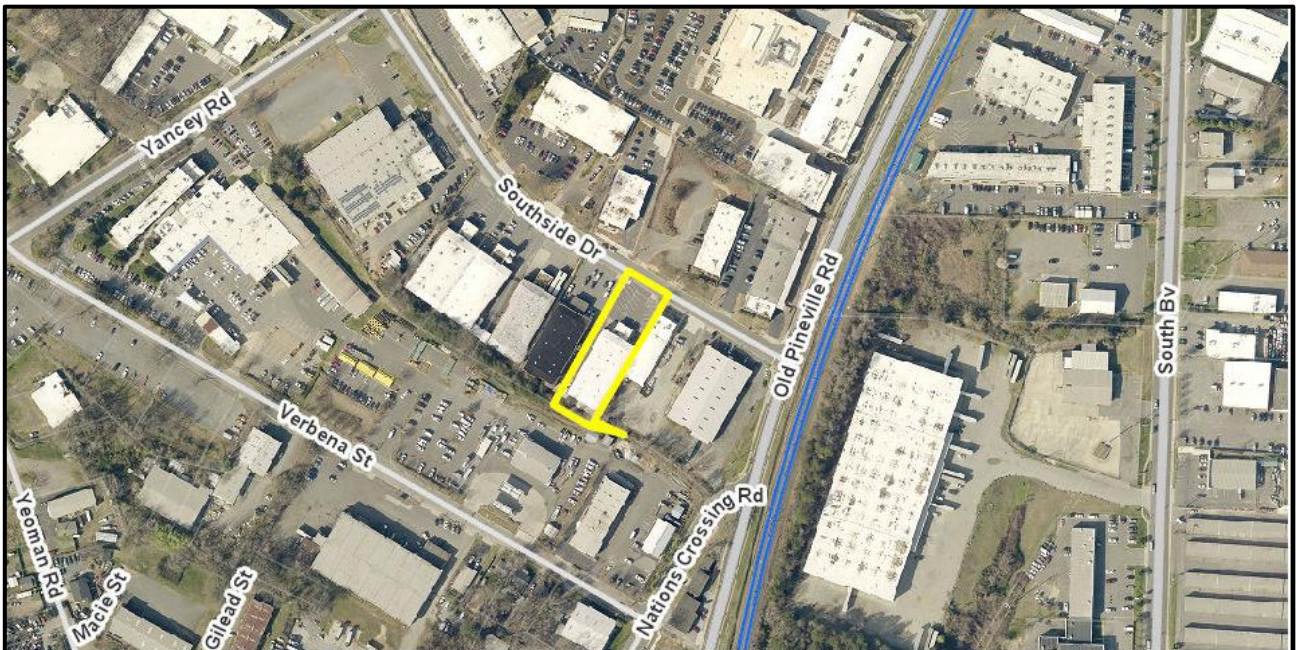




The site is developed with a 1-story warehouse building currently used as a fitness/health club facility.



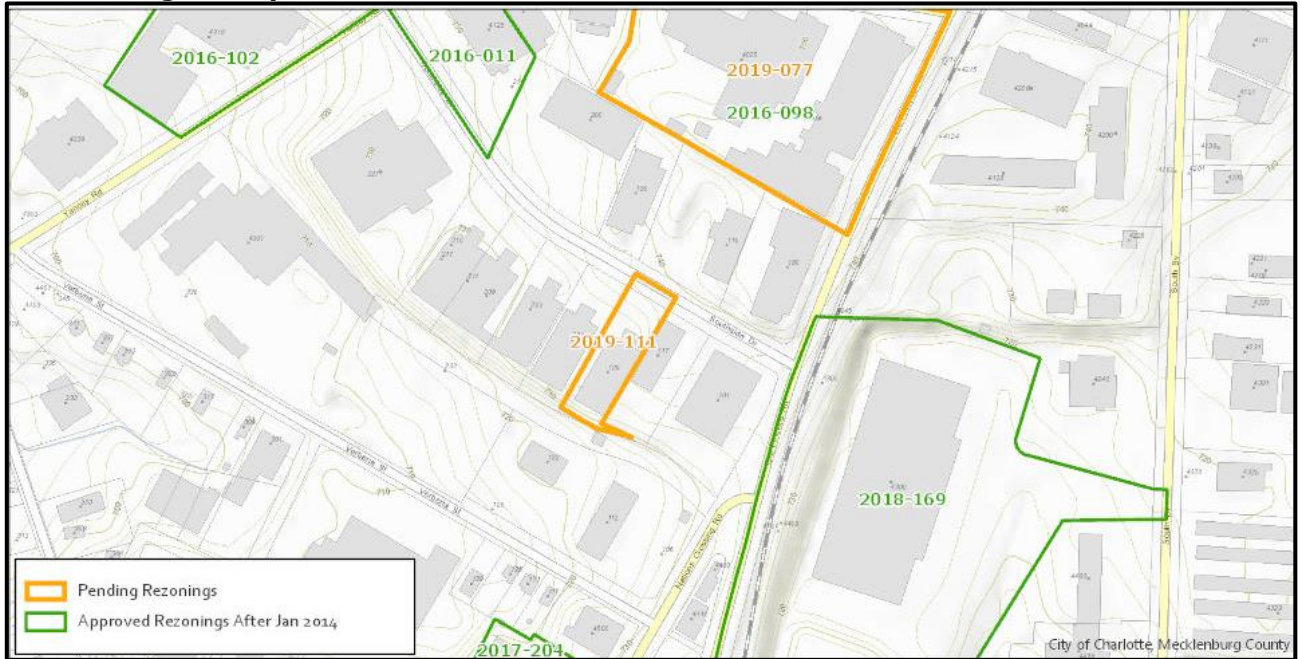
North, west, and south are industrial/office/warehouse.



The rezoning site is immediately surrounded by industrial/office/warehouse uses and breweries.

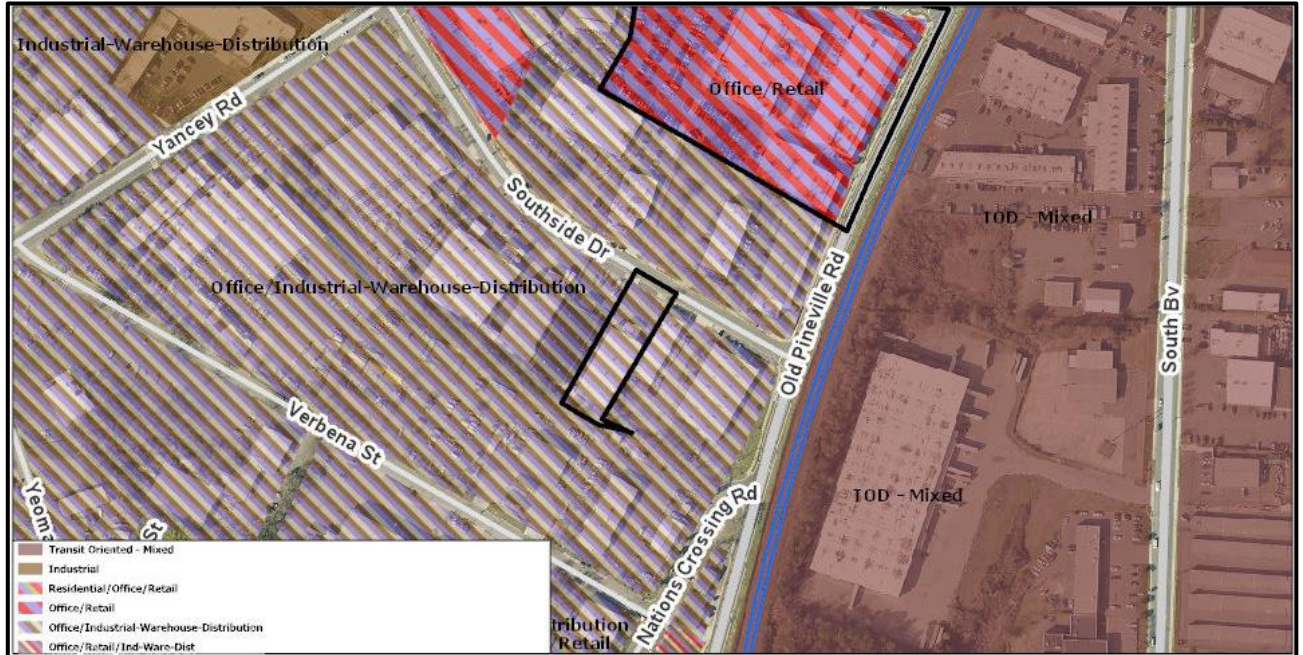


• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-098	Rezone 8.12 acres from R-5 to NS to allow residential units and a medical office.	Pending
2019-077	MUDD-O SPA to allow up to 334,000 square feet of permitted uses.	Pending
2018-169	Amendment to the Zoning Ordinance to replace 3 existing transit oriented development districts with 4 new transit oriented development districts and regulations. These 4 new districts are the first phase of the City’s Unified Development Ordinance.	Approved
2017-204	Rezoned 0.95 acres from I-2 to MUDD(CD) to reuse an existing building and allow the development of a new 3 story building with an overall total of 29,390 square feet to allow a mix of residential and non-residential uses.	Approved
2016-102	Rezone 9.52 acres from I-2 to I-2 TS-O to allow the expansion of the existing uses associated with the Olde Mecklenburg Brewery.	Approved
2016-098	Rezoned 5.1 acres from I-2 to MUDD-O to allow reuse of 3 existing industrial warehouse buildings for all uses in the MUDD.	Approved
2016-011	Rezone 1.18 acres from I-2 to MUDD-O to allow the reuse of an existing 17,455 square foot industrial warehouse building for all uses allowed in the MUDD.	Approved

• **Public Plans and Policies**



The *Scaleybark Station Area Plan* recommends Office/Industrial-Warehouse-Distribution for this site.

**TRANSPORTATION CONSIDERATIONS**

- The site is located on a local road east of a minor thoroughfare. The petition has not committed to the streetscape as required by the MUDD zoning this petition seeks. CDOT continues to request the outstanding issue is addressed.
  - See Outstanding Issues, Notes 1-2.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 300 trips per day (based on 14,830 square foot health/fitness club).
      - Entitlement: 300 trips per day (based on 14,830 square foot health/fitness club).
    - Proposed Zoning: Too many uses to determine (based on site plan).

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

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org) regarding need for affordable housing in the City of Charlotte.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** No comments received.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Southside Drive. The proposed rezoning is located in an area that Charlotte Water has determined to have limited sanitary sewer system capacity. Sanitary sewer service will be dependent on the completion of a public infrastructure project—Charlotte Water’s Little Fieldcrest Project. This project was identified to support current and future customers, and any proposed sanitary sewer flow shall be coordinated to discharge after completion of said project. There is an anticipated completion date of early-2020. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **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 at [www.rezoning.org](http://www.rezoning.org) regarding air quality and groundwater.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**Transportation

1. MUDD Zoning requires streetscape improvements shown on the Scaleybark Transit Area Plan of 8-foot planting strip and 6-foot sidewalk. Revise the site plan and conditional note(s) to show the committing to building the required 8-foot planting strip and 6-foot sidewalk along the site frontage on Southside Drive.
2. 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 2 feet behind back of sidewalk where feasible.

Site and Building Design

3. Clarify the optional request to specify the number of parking spaces to be provided on the rezoning site.
4. The petitioner received a parking reduction for the site on October 3, 2019. The approval was found to be appropriate because the project commits to an 8-foot planting strip and 6-foot sidewalk along Southside Drive, and the upgraded streetscape will support pedestrian travel to and from the satellite parking and support pedestrian circulation in the vicinity of the property. Subsequent communication indicates the petitioner willing to show the sidewalk on the site plan, which to date has not been done.
5. Connect building to sidewalk along Southside Drive.

**REQUESTED TECHNICAL REVISIONS**

6. Label site plan rezoning petition 2019-111.
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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Claire Lyte-Graham (704) 336-3782