

<b>REQUEST</b>	Proposed Zoning: I-2(CD) SPA, general industrial, conditional, site plan amendment
<b>LOCATION</b>	Approximately 5.61 acres located east of Beam Road along the south side of Center Park Drive.
<b>SUMMARY OF PETITION</b>	The petition proposes a site plan amendment to eliminate a conditionally required 100-foot buffer along the external boundary of the industrial park. This currently required buffer abuts a parcel that has been rezoned from residential to general business for an automobile body shop. The standard ordinance buffer requirements will apply along this property boundary.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	S & R Investments, LLC Steve McGirt N/A
<b>COMMUNITY MEETING STATEMENT OF CONSISTENCY</b>	Meeting is required and has been held. Report available online. This petition is found to be inconsistent with the <i>Southwest District Plan</i> but reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Lipton seconded by Commissioner Phipps).

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted unanimously to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. The I-1(CD) and I-2(CD) reference under Note #1 has been removed from the site plan.</li> <li>2. Wording from Note 1 regarding business distribution since this site plan amendment does not pertain to the business distribution portion of the original rezoning has been removed from the site plan.</li> <li>3. Note #2.a. has been modified to read "Total land area covered by building(s) shall not exceed the stated amount for the I-2(CD) district as shown on the original 88-012c rezoning plan.</li> <li>4. The reference to rezoning petition number within the title block has been corrected from 2011-12C to 2011-12.</li> <li>5. The buffer related note, which states "The exterior 50' of the 100' Class A buffer shall remain undisturbed", has been relocated to a newly created heading under "Conditional Requirements" for "Buffers".</li> <li>6. Notes #5a and #5c have been removed as they were not enforceable through zoning.</li> <li>7. The statement in the "site plan amendment summary" has been modified to say that the "purpose of the zoning change: delete <u>conditional</u> buffer adjacent to parcel 143-211-02 which has been rezoned to <u>B-2(CD)</u>..."</li> <li>8. The "NOTES" section has been deleted as it did not pertain to the rezoning.</li> <li>9. The vicinity map has been modified to show only the property being rezoned.</li> <li>10. A note has been added that states changes to the site plan will be in compliance with Section 6. 207 of the Zoning Ordinance.</li> </ol>
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<b>VOTE</b>	Motion/Second:	Fallon/Dodson
	Yeas:	Dodson, Fallon, Lipton, Phipps, Rosenburgh, and Walker
	Nays:	None
	Absent:	Firestone
	Recused:	None
<b>ZONING COMMITTEE DISCUSSION</b>	Staff reviewed the petition and noted all outstanding issues had been resolved.	
	One Commissioner questioned whether the elimination of the buffer is consistent with a previously approved text amendment regarding buffers for industrial uses. Staff responded that it is consistent and that the 100-foot buffer would remain abutting existing residentially zoned properties.	
<b>STAFF OPINION</b>	Staff agrees with the recommendation of the Zoning Committee.	

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**FINAL STAFF ANALYSIS**  
(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

- **Background**  
The subject property was part of a larger rezoning approved in 1990 (rezoning petition 88-012c). This previous rezoning allowed a 456-acre industrial park containing up to 7,116,610 square feet of building area. The Zoning Ordinance in place at the time of the original rezoning did not contain buffer requirements. In order to protect the abutting less intensive land uses, the conditional site plan included buffers to minimize any adverse impacts.
- **Proposed Request Details**  
The site plan amendment for the 5.61 acre portion of the original 1990 rezoning contains the following changes:
  - Deletes a 100-foot conditional buffer along the western property line where the site abuts a parcel that was rezoned from residential to general business, conditional in 1993 for an automobile body shop. A buffer, if required, will be installed per the requirements of the Zoning Ordinance.
  - Adds a note to the remaining 100-foot conditional buffer along the southern and western property lines to allow the buffer to be eliminated or modified should the abutting land use change and the buffer is no longer required per the Zoning Ordinance.
  - Indicates the exterior 50 feet of the remaining 100-foot buffer shall remain undisturbed.
- **Public Plans and Policies**
  - The *Southwest District Plan* (1991) recommends office land uses for this site.
  - The *Westside Strategic Plan* (2000) does not have a site specific land use recommendation for this parcel; however, it does recommend business, office park, and industrial uses for the area just north of this site along Beam Road.
  - The petition is inconsistent with the *Southwest District Plan*.
- **Staff Recommendation (Updated)**
  - Staff agrees with the recommendation of the Zoning Committee.

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

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Department of Transportation:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** No issues.

- **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
    - This site meets minimum ordinance standards.
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**OUTSTANDING ISSUES**

- No issues.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

**Planner:** Shad Spencer (704) 353-1132