
REQUEST	Proposed Zoning: I-2(CD) SPA, general industrial, conditional, site plan amendment
LOCATION	Approximately 5.61 acres located east of Beam Road along the south side of Center Park Drive.
SUMMARY OF PETITION	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.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is inconsistent with the <i>Southwest District Plan</i> ; however, the site plan amendment does not propose a change in land use.
PROPERTY OWNER	S & R Investments, LLC
PETITIONER	Steve McGirt
AGENT/REPRESENTATIVE	N/A
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

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.
 - **Existing Zoning and Land Use**

The subject property is currently vacant. The parcel to the west is zoned B-2(CD) and developed as an automobile body shop. Properties to the north are zoned I-2(CD) and are currently vacant. The northern parcel closest to this subject site is proposed to be developed as the trailhead to the Sugar Creek Greenway. One parcel to the south and the parcel to the east are zoned R-3 and have single family uses. A second parcel to the south is zoned INST and is occupied with the Charlotte-Mecklenburg Police and Fire Academy.
 - **Rezoning History in Area**
 - Petition 2008-063 rezoned property located on the west side of Beam Road between Center Park Drive and Shopton Road from I-1(CD) to B-D(CD).
 - **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*.
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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.
 - **Vehicle Trip Generation:** The petition will not affect the number of vehicle trips.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** This site plan amendment will not impact the number of students attending local schools.
 - **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

- The petitioner should:
 1. Eliminate the I-1(CD) and I-2(CD) reference under Note 1.
 2. Remove the following wording from Note 1 since this site plan amendment does not pertain to the business distribution portion of the original rezoning: "Uses above would be allowed by right. Other uses allowed in the Mecklenburg County Zoning Ordinance for business distribution districts would still be allowed by special use permit. Not other uses would be permitted".
 3. Modify Note 2.a. 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.
 4. Correct the references to rezoning petition number 2011-12C to 2011-12.
 5. Note 5b should be relocated to a new section as it is not related to the Property Owners Association.
 6. Notes 5a and 5c should be removed as they are not enforceable through zoning.
 7. Modify the statement in the "site plan amendment summary" to say that the "purpose of the zoning change: delete conditional buffer adjacent to parcel 143-211-02 which has been rezoned to B-2(CD)..."
 8. Delete the "NOTES" section as it does not pertain to the rezoning.
 9. Correct the vicinity map to show only the property being rezoned.
 10. Add a note that states changes to the site plan will be in compliance with Section 6. 207 of the Zoning Ordinance.
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Attachments Online at www.rezoning.org

- Application
- 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

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