

<b>REQUEST</b>	Proposed zoning: BD(CD), SPA, distributive business, conditional
<b>LOCATION</b>	Approximately 4.15 acres located on the south side of Cross Beam Road between Beam Road and Rose Lake Drive.
<b>SUMMARY OF PETITION</b>	This site plan amendment proposes to add a wireless telecommunication facility to the approved site plan in order to allow a 144' self-supporting microwave tower and associated equipment on the subject parcel.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Level 3 Communications 52 Eighty, LLC Gerald A. Muldowney, Wireless Vision, LLC
<b>COMMUNITY MEETING STATEMENT OF CONSISTENCY</b>	Meeting is required and has been held. Report available online.  This petition is found to be consistent with the <i>Southwest District Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Griffith seconded by Commissioner Phipps).

<b>ZONING COMMITTEE ACTION</b>	The Zoning Committee voted unanimously to recommend <b>APPROVAL</b> of this petition with the following modification:  1. The petitioner has added "rezoning petition 2011-066" to Sheet Z.100.
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<b>VOTE</b>	Motion: Griffith/Dodson
	Yeas: Dodson, Firestone, Griffith, Phipps, Rosenburgh and Zoutewelle
	Nays: None
	Absent: Allen
	Recused: None

**ZONING COMMITTEE DISCUSSION** Staff presented this item to the Zoning Committee, stating that the Committee deferred this petition at the October meeting in order to allow additional time to receive input from the Airport staff. Staff noted that the Airport provided a response of "no objection" to this request. A Commissioner thanked staff for following up with the Airport on this petition, expressing that a response was preferable to none. Another Commissioner voiced remaining concern with the height and location of the proposed tower. There was no further discussion of this petition.

**STAFF OPINION** Staff agrees with the recommendation of the Zoning Committee.

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

**PLANNING STAFF REVIEW**

- **Background**
  - The subject parcel is located within the Coffey Creek Business Park, which was rezoned in 1982 [rezoning petition 1982-14(c)] to accommodate 7,116,610 square feet of industrial and distributive business uses on 456 acres. Cell towers are permitted in the BD subject to requirements contained in Chapter 12 of the zoning ordinance. However, a site plan amendment is required because the existing conditional site plan contains a permitted use list that does not include cell towers.

- **Proposed Request Details**
    - The site plan accompanying this petition contains the following provisions:
      - Adds "radio, telephone, cellular telephone and television masts, towers, antennae and similar structures, including common carrier microwave towers" to the list of permitted uses.
      - Proposes a 9,065 square-foot lease area with a 60' x 60' compound consisting of a 144' self-supporting microwave tower with support equipment and surrounded by a six-foot high barbed wire fence.
      - Allows the encroachment into a portion of a 50' landscaped setback established by the 1982 rezoning in order to accommodate the proposed facility.
      - Proposes a 20' ingress-egress utility easement within the existing rear east/west driveway to access the proposed lease area from Rose Lake Drive.
      - Removes existing Oak, Sweet Gum, and Pine trees to accommodate the proposed facility.
  - **Public Plans and Policies**
    - The *Southwest District Plan* (1991) recommends office uses for this site and the surrounding area. The *Westside Strategic Plan* (2000) does not have a site specific recommendation for this parcel. However, the plan recommends business park/office/industrial uses for the areas immediately to the west and north of this site.
    - This petition is consistent with the *Southwest District Plan* and *Westside Strategic 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 comments received.
  - **Charlotte Department of Neighborhood & Business Services:** No comments received.
  - **Charlotte Department of Transportation:** No issues.
  - **Charlotte Douglas International Airport:** No issues.
  - **Charlotte Fire Department:** No issues.
  - **Charlotte-Mecklenburg Schools:** Not applicable.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
  - **Mecklenburg County Parks and Recreation Department:** No comments received.
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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 Transportation Review
- Charlotte Douglas International Airport Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review

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