
REQUEST	Proposed zoning: BD(CD), SPA, distributive business, conditional
LOCATION	Approximately 4.15 acres located on the south side of Cross Beam Road between Beam Road and Rose Lake Drive.
SUMMARY OF PETITION	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.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of the outstanding issue. This petition is consistent with the <i>Southwest District Plan</i> and the <i>Westside Strategic Plan</i> .
PROPERTY OWNER	Level 3 Communications
PETITIONER	52 Eighty, LLC
AGENT/REPRESENTATIVE	Gerald A. Muldowney, Wireless Vision, LLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

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 amendment contains the following changes:

- 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.

- **Existing Zoning and Land Use**

- A data center is currently operating in the existing two-story, 43,193 square-foot building on the site constructed in 1985. The site is surrounded by office/warehouse distribution/industrial uses on properties zoned BD(CD), I-1(CD), and I-2(CD).

- **Rezoning History in Area**

- Rezoning petition 2011-012 was approved by City Council on April 25, 2011, allowing a site plan amendment on a 5.61-acre site located east of Beam Road along the south side of Center Park Drive, to allow the elimination of a conditionally required 100-foot buffer along the external boundary of Coffee Creek Park. This section of the buffer was removed because the abutting property was rezoned from residential to general business (rezoning petition 1990-34c) in order to accommodate an automobile body shop (leaving the zoning ordinance buffer requirements to apply along this property boundary).

- **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*.
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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.
 - **Connectivity:** 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.

OUTSTANDING ISSUES

- The petitioner should:
 1. Add "rezoning petition 2011-066" to Sheet Z.100. The "Final The Development Plans" package is not part of this approval.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Community Meeting Report
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review

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