
REQUEST	Current Zoning: I-1, light industrial Proposed Zoning: I-2(CD), general industrial, conditional
LOCATION	Approximately 6.30 acres located on the west side of Idaho Drive and generally surrounded by Centre Street and Odum Avenue.
SUMMARY OF PETITION	The petition proposes to allow the operation of a resource recovery facility involving the sorting and reclaiming of recyclable materials.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is consistent with the <i>Central District Plan</i> .
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Tucker Properties, LLC and Estate of Mason E. Lowell O'Leary Resource Recovery Center Keith MacVean/Jeff Brown, King and Spaulding LLP
COMMUNITY MEETING	Meeting is required but has not been held.

PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allow facilities that collect discarded materials from businesses for the purpose of sorting, removing and recycling a minimum of 70 percent of the materials collected (to be known as a "Resource Recovery Center"), as well as accessory uses allowed in the I-2 zoning district.
- Allow existing buildings and structures on the site to be utilized or demolished. The existing non-conforming single family home may continue to be used as a home as long as it remains on its own parcel and required buffers are provided.
- Prohibit the following uses on the site:
 - heliports and helistops;
 - power generation plants;
 - drive-in theaters;
 - truck stops;
 - truck terminals; abattoirs;
 - adult establishments;
 - agricultural industries;
 - construction and demolition (C & D) landfills;
 - foundries;
 - jails and prisons;
 - junkyards;
 - heavy manufacturing;
 - medical waste disposal facilities;
 - nightclubs, bars and lounges;
 - petroleum storage facilities with a storage capacity of more 200,000 gallons;
 - quarries;
 - sanitary landfills;
 - solid waste transfer stations; and
 - waste incinerators.
- Total number of principal buildings to be developed on the site not to exceed 10.
- A 20-foot landscape setback along Idaho Road and Odum Avenue with combinations of deciduous and evergreen trees and shrubs, ornamental flowering trees and shrubs, and ground cover, turf and seasonal planting areas.

- Provide a Class A buffer adjacent to the existing single family home located on Odum Avenue. This buffer may be eliminated if the adjoining use changes to a use that no longer requires a buffer to be provided. This Class A buffer will not be required until this portion of the site is used for non-residential uses.
 - Provide one-half of a Class A buffer (39.5' in width) along the site's frontage on Brookshire Boulevard. The petitioner requests to reserve the right to seek a variance from the Zoning Board of Adjustment to eliminate this buffer requirement.
 - Propose vehicular access to the site from Odum Avenue, Centre Street and Darby Avenue should Darby Avenue be abandoned.
 - Access to Idaho Road will also be allowed, subject to the petitioner working with NCDOT and CDOT to determine feasibility, and transportation improvements and methods necessary to mitigate impacts and assure operation at acceptable levels of service.
 - Petitioner reserves the right to abandon a portion of Darby Avenue as generally depicted on the site plan. The abandoned portions of Darby Avenue may be incorporated into the site. If an agreement with the adjoining property owners can be reached, the petitioner may request the abandonment of Darby Avenue beginning at its intersection with Centre Street and extending into the site.
 - The petitioner reserves the right to abandon a portion of Odum Avenue abutting the site. If the petitioner does not abandon the portion of Odum Avenue abutting the site and provides access to the site from Odum Avenue, the petitioner will improve the portion of Odum Avenue abutting the site to public street standards.
 - Identification on site plan of future expansion area and two optional future two-way access points onto Odum Avenue.
 - **Existing Zoning and Land Use**
 - The site is currently zoned I-1 and is developed with warehouses, a service garage, offices and a single family residence built in 1933. The site is surrounded to the northwest, west, southwest, south, and southeast by a mix of single family homes and multi-family development, industrial, office/warehouse, retail, and undeveloped acreage on properties zoned a variety of districts. To the northeast and across Brookshire Boulevard are single family residential homes and undeveloped acreage on properties zoned R-4 and R-5.
 - **Rezoning History in Area**
 - There have been no recent rezonings in the immediate area.
 - **Public Plans and Policies**
 - The *Central District Plan* (1993) recommends industrial land uses for this site.
 - This petition is consistent with the *Central District Plan*.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** CDOT requests the following:
 1. Revise note "a" under the Access section of the development notes. Future site access to Idaho Road and/or Odum Avenue may be granted after a Transportation Technical Memorandum (TTM) is submitted to CDOT, City Planning and NCDOT for review and approval. These three (3) "future site access locations" are conditional until a TTM is submitted and approved by NCDOT/CDOT/Planning Department granting this site access connection to Idaho Drive.
 2. Add a conditional transportation note stating: Should the petitioner desire site access connection to Odum Avenue, the existing Odum Avenue will be extended west to connect to Idaho Drive and built to public street standards at the developer's expense.
 3. Specify the proposed building square footage information for the proposed facility. This information includes proposed square footage information for all proposed uses (office, warehouse, etc.) that will be built onsite.

- **Vehicle Trip Generation:** CDOT understands the primary use of this site will be for a recycling facility. Specific trip generation data does not exist for this use. CDOT does not expect traffic from this site to have a significant impact to the existing street system. Should this proposed recycling facility grow in size and operations, the petitioner may seek additional traffic access from Idaho Road.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
 - **Charlotte Solid Waste Services:** No issues.
 - **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.
-

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. Note maximum building square footage on the site plan.
 2. Address Transportation comments.
 3. Remove the notes indicating that the non-conforming residential structure may continue to be used as a home as long as it remains on its own parcel and required buffers are provided. The use and structure must meet the requirements of the zoning ordinance related to nonconformities.
 4. Note that the site will comply with required buffers and that the petitioner has the right to seek a variance from the required buffers.
-

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte Solid Waste Services
- Charlotte-Mecklenburg Storm Water Services Review

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