

<b>REQUEST</b>	Current Zoning: R-3, single family residential Proposed Zoning: NS, neighborhood services
<b>LOCATION</b>	Approximately 5.46 acres located on the east side of Steele Creek Road at the intersection of Dixie River Road and Steele Creek Road.
<b>SUMMARY OF PETITION</b>	The petition proposes the development of four parcels with a mix of retail, restaurant, and office uses.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Robert Freeman Jr., Louise Freeman, and Deborah Dowling SBG Properties, Inc. Wesley A. Smith, EMH&T
<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>Steele Creek Area Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Allen seconded by Commissioner Griffith).

<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. Reduced the overall development to a maximum of 30,000 square feet.</li> <li>2. Indicated no drive-through windows will be allowed on Lots B and C.</li> <li>3. Provided a "Parking Ratio" heading within the site data table.</li> <li>4. Modified the second sentence of the parking ratio to read: "However, Lot D shall provide one space per 100 square feet if developed as a restaurant".</li> <li>5. Provided two open space areas along the north side of Dixie River Road. One is an active open space area located between Lots A and B behind the sidewalk along Dixie River Road. The second is an outdoor seating area located between the building on Lot A and Dixie River Road. The active open space areas shall include landscaping, hardscape, and outdoor seating.</li> <li>6. Indicated the pedestrian crossings within the parking/maneuvering areas will be delineated by using stamped asphalt and/or pavers. Provided a raised pedestrian connection from the active open space along Dixie River Road to the building on Lot A.</li> <li>7. Indicated a minimum eight-foot wide planting strip will be provided along Steele Creek Road on Lot A rather than a six-foot wide planting strip.</li> <li>8. Indicated the existing planting strip and a sidewalk may remain along Steele Creek Road on Lot D.</li> <li>9. Eliminated the word "sketch" in the first paragraph under "Transportation".</li> <li>10. Added the following note to the second paragraph under "Transportation": "Subdivision approval for Dixie River Road is required prior to building permits being issued".</li> <li>11. Added the following note to the first paragraph under "Architectural Standards": "All buildings shall be designed so that the first floor along both Dixie River Road and Steele Creek Road will not have blank walls that exceed 20 continuous feet in length. Doors, windows, and/or a combination of design elements shall be used on the building façade to animate and enliven the streetscape".</li> <li>12. Modified the second paragraph under "Architectural Standards" to read: "<u>Buildings located within</u> Lots A and D <del>shall not be required to provide pitched roofs and</del> shall follow the general guidelines of the elevations submitted with this rezoning".</li> </ol>
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13. Modified the third paragraph under "Architectural Standards" to read: "Buildings located within Lots B and C ~~may shall~~ be ~~subject to providing~~ designed to be residential in character and have pitched roofs, but is not necessarily required".
14. Provided a note under "Parking" to read: "No parking will be allowed between the building and Dixie River Road for Lot A. However, maneuvering within an access drive is permitted".
15. Provided a note under "Parking" to read: "No parking and/or maneuvering shall be allowed between the building and Dixie River Road for Lot B. Any parking to the sides of the principal building for Lot B will be located a minimum of 30 feet behind the sidewalk with an outdoor seating/open space area located between the parking and the street.
16. Provided a note under "Parking" to read: "No parking and/or maneuvering shall be allowed between the building and Dixie River Road for Lot C. Parking and driveways may be located to the sides of the principal building along the street frontage but may not exceed 50 percent of the lot width.
17. Provided a note under "Parking" to read: "No parking will be allowed between Dixie River Road or Steele Creek Road and the principal building for Lot D. However, maneuvering for a drive-through is allowed between the building and streets".
18. Added the following note in the second paragraph under "Streetscape and Landscaping" on Sheet 3 and under Note #12 on Sheet 4: "The wall shall be a minimum of three feet behind the sidewalk".
19. Provided elevations of the canopy over the gas pumps associated with Lot A to indicate brick columns that match the brick used in the construction of the building.
20. Addressed all CDOT issues.
21. Added "Neighborhood food and beverage service" as a use permitted on Lots B and C.
22. Eliminated residential uses from the permitted uses.
23. Added outdoor seating area on Lots B and C.
24. Provided a note indicating the landscape wall may be eliminated directly in front of the buildings located on Dixie River Road for Lots B and C.
25. Indicated both a permanent and temporary construction easement along the Steele Creek Road frontage of Lot D for the construction of a future right turn lane including an eight-foot planting strip and six-foot sidewalk.

**VOTE**

Motion/Second:	Allen/Griffith
Yeas:	Allen, Eschert, Griffith, Johnson, Labovitz, Lathrop, and Phipps
Nays:	None
Absent:	None
Recused:	None

**ZONING COMMITTEE DISCUSSION**

Staff presented the petition and indicated it was consistent with the land use recommendation and the design criteria of the adopted area plan. Staff also stated that all outstanding issues had been addressed.

**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**

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- A 30,000 square foot development with up to 11,000 square feet of all uses allowed within the NS zoning district and up to 19,000 square feet of office uses.
  - Up to four development lots. Lots A and D propose NS uses and lots B and C propose O-1 uses allow within the NS zoning district and neighborhood food and beverage service uses.
  - 35-foot setback along Steele Creek Road.
  - 14-foot setback from the back of curb along Dixie River Road.
  - Eight-foot planting strips and six-foot sidewalks will be provided along Dixie River Road.
  - Minimum five-foot wide planting strip will be provided behind all public street sidewalks. This area will include a low brick landscape wall (30 inches to 36 inches in height) with ornamental trees and plantings.
  - A gateway feature on both corners at the intersection of Steele Creek Road and Dixie River Road will be provided. This feature includes a brick wall with ornamental trees, evergreen shrubs, perennial plantings, and annual plantings.
  - Maximum building height limited to two stories and 40 feet.
  - Each building façade will be constructed with a minimum 50 percent brick, brick veneer, stone, or simulated stone.
  - The brick utilized for the buildings and the landscape walls will be similar in color throughout the development.
  - Building elevations provided for Lots A and D which front Steele Creek Road.
  - Lots B and C, which front Dixie River Road, will be required to obtain an administrative approval from the Planning Department for building elevations to ensure a residential character prior to receiving building permits.
  - Vehicular access will be limited to one driveway off Dixie River Road to the two lots on the north side of the road and one driveway off Dixie River Road to the two lots on the south side of the road. One right-in/right-out driveway is also indicated onto Steele Creek Road.
  - The Dixie River Road extension will be constructed and/or platted prior to the first certificate of occupancy being issued.
  - Bike lanes are provided along Dixie River Road.
  - Lots A and D will provide a minimum 10-foot wide buffer with six trees and 20 shrubs per 100 linear feet where those lots abut residential zoning. A minimum six-foot high wall/fence located at least eight feet from the property line will be installed within these buffer areas.
  - Lots B and C will provide a minimum 14-foot class "C" buffer where those lots abut residential zoning.
  - Detached lighting will have full cut-off lighting fixtures and shall be limited to 25 feet in height.
  - No "wall-pak" type lighting will be allowed.
  - Parking will be provided per Chapter 12, Part 2 "Off-Street Parking and Loading" of the Zoning Ordinance. However, restaurants will have a parking ratio of one space per 100 square feet.
- **Public Plans and Policies**
- The *Steele Creek Area Plan* (2012) recommends residential land use up to 6 dwelling units per acre for the subject site as well as all the parcels on the east side of Steele Creek Road between Brown Grier Road and Interstate 485. The plan also indicates that consideration will be given to a mixture of residential, office, and retail land uses along Steele Creek Road, limiting the retail to a convenience size center (70,000 square feet maximum).
  - The *Steele Creek Area Plan* also contains "Community Design" policies addressing nonresidential developments and freestanding single tenant buildings. These policies recommend minimizing the impacts of drive-through lanes, providing meaningful amounts of usable and accessible open space, providing safe pedestrian pathways and crossings throughout the development, orienting buildings towards the street, and encouraging shared driveways.
  - The proposed land use for a mix of nonresidential uses is consistent with the recommended land use in the *Steele Creek Area Plan*. There is no residential component included in this petition; however, it is anticipated that residential uses will expand east of the subject site and in other surrounding areas. Therefore, it is important the development have design elements that relate to the future abutting residential uses for which this site is the main entrance. The consideration for a mixture of land uses is also contingent on the development of a satisfactory design and site plan addressing the "Community Design" policies detailed in the plan. A majority of these policies have been achieved by the outstanding issues being addressed regarding pedestrian connections, a usable open space area, and architectural standards.

- **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 Solid Waste Services:** No issues.
  - **Transportation:** No issues.
  - **Charlotte Fire Department:** No comments received.
  - **Charlotte-Mecklenburg Schools:** No issues.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Engineering and Property Management:** 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 Neighborhood & Business Services Review
- Charlotte Department of Solid Waste Services Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review

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