

<b>REQUEST</b>	Current Zoning: O-1(CD), office, conditional Proposed Zoning: B-1(CD), neighborhood business, conditional
<b>LOCATION</b>	Approximately 2.72 acres located on the south side of Rocky River at the intersection of Rocky River Road and Newell Farm Road near Old Concord Road.
<b>SUMMARY OF PETITION</b>	This petition proposes to allow the use of the existing structures and a possible maximum 8,500 building square footage for retail and single family residential uses.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon resolution of outstanding issues. This request is inconsistent with the <i>Newell Area Plan</i> however, the reuse of the existing buildings will allow for a small community retail node.
<b>PROPERTY OWNER PETITIONER</b>	Frank & Nancy Newton
<b>AGENT/REPRESENTATIVE</b>	Frank and Nancy Newton
<b>COMMUNITY MEETING</b>	None
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online.

**PLANNING STAFF REVIEW**

- **Background**
  - The subject property was a portion of an overall 14.88 acre site that was rezoned under petition 1995-040(C) to O-1(CD).
  - The approved plan allowed for a total of 115,000 square feet for office development.
  - All uses in the office district are allowed.
- **Proposed Request Details**  
The site plan accompanying this petition contains the following provisions:
  - A total of 1,300 square feet for several existing structures on site to be retained.
  - A possible total building square footage of 8,500 square feet for parcels A and B.
  - Permitted uses include all uses allowed in the B-1 district except fast food and gas stations with convenience stores, or any drive through service windows.
- **Existing Zoning and Land Use**  
The subject property is currently zoned O-1(CD) and developed with several existing structures, including a single family dwelling. The surrounding parcels are zoned I-1(CD), B-1, MX-1, R-17MF(CD), and R-3 and are developed with commercial and residential structures.
- **Rezoning History in Area**  
There has been no rezonings in the immediate area in recent years.
- **Public Plans and Policies**
  - The *Newell Area Plan* (2002) recommends office for the subject parcel as amended by the previously approved rezoning.
  - The request is inconsistent with the *Newell Area Plan*.

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
- **Charlotte Department of Neighborhood & Business Services:** No issues.

- **Transportation:** No issues.
    - **Vehicle Trip Generation:**  
Current Zoning: 1,670 trips per day.  
Proposed Zoning: 1,080 trips per day.
    - **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-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 issues.
  - **Urban Forestry:** 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*.
  - Minimizes impacts to the natural environment by the reuse of existing structures.

#### **OUTSTANDING ISSUES**

The petitioner should:

- Reword Note 1 under Development Notes to state: The following uses will not be permitted on the Site gasoline service stations with convenience facilities, restaurants, and drive-in or drive-through lanes/w as an accessory use.
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#### **Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Community Meeting Report
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

**Planner:** Solomon Fortune (704) 336-8326