REQUEST
Current Zoning: O-1(CD), office, conditional
Proposed Zoning: B-1(CD), neighborhood business, conditional

LOCATION
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.

SUMMARY OF PETITION
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.

STAFF RECOMMENDATION
Staff recommends approval of this petition upon resolution of outstanding issues. This request is inconsistent with the Newell Area Plan however, the reuse of the existing buildings will allow for a small community retail node.

PROPERTY OWNER
Frank & Nancy Newton

PETITIONER
Frank and Nancy Newton

AGENT/REPRESENTATIVE
None

COMMUNITY MEETING
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.

**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.

**Attachments Online at 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