



Note: A new public hearing on this petition is required due to an advertising error. The petition will proceed to Zoning Committee on April 17, 2013 and to City Council on April 22, 2013 for a decision.

REQUEST	Current Zoning: R-3, single family residential, I-1(CD), light industrial, conditional, CC, commercial center, and CC SPA, commercial center, site plan amendment located within the Lower Lake Wylie Watershed Overlay Proposed Zoning: CC, commercial center, CC SPA, commercial center, site plan amendment, and MUDD-O, mixed use development district, optional located within the Lower Lake Wylie Watershed Overlay
LOCATION	Approximately 82.0 acres located on the west side of Interstate 485 and surrounded by Shopton Road, Dixie River Road, Steele Creek Road, and Trojan Drive. (Outside City Limits)
SUMMARY OF PETITION	The petition proposes a 525,000 square foot commercial development and a hotel with up to 120 rooms.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. This petition is inconsistent with the <i>Dixie Berryhill Strategic Plan</i> ; however, the commercial development will provide employment opportunities and service retail for area residents and destination retail for the region. The development will complement the existing and future residential land uses associated with the nearby Berewick development and the future employment/mixed use land uses proposed north of the subject site along Interstate 485.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Numerous. See application on website. Steele Creek (1997) Limited Partnership Jeff Brown and Keith MacVean, Moore & VanAllen, PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- **Background**
All but the 6.2-acre R-3 zoned portions of the subject rezoning was part of a rezoning approved in 2010 (petition 2010-011). The site plan associated with that rezoning allows: up to 610,000 square feet of office, 30,000 square feet of retail uses, a 120-room hotel, and 40,000 square feet of light manufacturing and warehouse distribution.
- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Maximum 525,000 square foot outlet retail center which includes accompanying retail and office uses. Plus a hotel with up to 120 rooms.
 - The CC portion of the site allows the following:
 - Maximum 55,000 square feet development and a hotel with up to 120 rooms.
 - Maximum 27,500 square feet of the allowed square footage allocated for retail and restaurant uses.

- Up to three uses with accessory drive-through windows.
- A gas station may be substituted for one of the three uses with accessory drive-through windows.
- Up to 30 additional hotel rooms by converting 500 square feet of commercial square footage per hotel room.
- The MUDD-O portion of the site allows the following:
 - Maximum 470,000 square feet development of uses allowed within the MUDD district.
 - Up to two uses with accessory drive-through windows.
 - One gas station.
- Building edges identified at certain intersections to indicate where building footprints must be located.
- A 35-foot landscape area provided along I-485.
- Various landscape treatments provided along Dixie River Road including a low wall and plantings at specified locations and decorative landscape plantings in other areas.
- A 20-foot wide class "C" buffer along the Trojan Drive frontage if the parcel across Trojan Drive is developed as single family residential.
- Water quality/detention pond will be enhanced as an open space amenity area that will include an eight-foot wide multi-use trail surrounding the pond, seating areas, pedestrian scale lighting and landscaping.
- A monitoring station will be installed to determine if any erosion occurs into the stream during grading of the site to provide assurance of downstream water quality protection.
- Enhanced on-site erosion control measures will be provided.
- A public and private internal street network along with transportation improvements to existing surrounding public streets will be provided to help mitigate the increased traffic generated.
- Bus stop shelter and waiting pad along the internal public street.
- Building architecture, landscaping, signage and streetscape elements will be coordinated with the Berewick Development by utilizing similar building materials, colors, architectural details, streetscapes, landscape materials and landscape designs.
- Variety of building materials to include brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, EIFS or wood.
- Building elevations for the outlet retail center.
- Three "Pedestrian Access Plazas" along the outlet retail center frontage that will be designed with site elements that create "vibrant" and "significant" pedestrian entrance areas.
- Lighting shall be full cut-off type lighting fixtures and detached lighting will be limited to 30 feet in height.
- Optional provisions for the MUDD-O portion of the site include:
 - Parking, maneuvering and service areas between the proposed buildings and I-485, Shopton Road, Dixie River Road and the interior public streets.
 - Up to two uses with an accessory drive-through windows.
 - Project identification signs that include two 300 square foot signs with a maximum height of 50 feet along I-485 and one additional 150 square foot sign per street along the other existing public street frontages with a maximum height of 30 feet.
 - Three 64-square foot ground mounted signs identifying the development along the proposed Trojan Drive extension with a maximum height of eight feet.
 - One 50-square foot detached identification sign with a maximum height of four feet for each outparcel.
 - Wall signs to have up to 200 square feet of sign surface area per wall or 10 percent of the wall area to which they are attached, whichever is less.
 - Tenant identification signs within the outlet retail center to be allowed on exterior building walls and certain architectural features that are not part of the leasable area of the tenant identified. On architectural features, the signage will not exceed 25 percent of the wall area. On exterior building walls, the signage will not exceed 10 percent of the wall area.
 - Alternative blank wall treatments for the outlet retail center as depicted on the elevations provided within the rezoning plan.
- **Existing Zoning and Land Use**

The majority of the subject site is vacant with the exception of two single family homes. The properties to the north are zoned CC, R-3, BP and BP(CD) and are occupied by single family dwellings or are vacant. I-485 adjoins the site to the east. The properties to the south are zoned

R-3 and NS and occupied by single family dwellings or are vacant. The properties to the west across Dixie River Road are zoned CC and MX-1 and are within the Berewick Development, which is currently vacant.

- **Rezoning History in Area**

- Petition 2013-021 rezoned approximately 43 acres located on the southeast corner of Steele Creek Road and Shopton Road from I-1(CD) and R-3 to I-2(CD). This petition allows for the development of up to 525,000 square feet of office/distribution and light industrial uses. The location of this rezoning is approximately a half mile north of the subject rezoning along Steele Creek Road.
- Petition 2012-059 rezoned approximately 5.5 acres located on the east side of Steele Creek Road at the intersection of Dixie River Road from R-3 to NS. This petition allows for up to 11,000 square feet of neighborhood service uses and 19,000 square feet of office uses. The location of this rezoning is directly across Steele Creek Road from the subject site.
- Petition 2009-037A rezoned approximately 8.3 acres located on the north side of Dixie River Road and north of the intersection with Shopton Road from MX-1 and CC to R-17MF(CD). This petition allows for up to 108 multi-family residential units. The location of this rezoning is less than a tenth of a mile north of the subject site along Dixie River Road.
- Petition 2009-037B rezoned approximately 5 acres located on the south side of Dixie River Road and west of Steele Creek Road from R-3 to CC. This petition allows for commercial uses on the subject site to be developed as part of the unified plan associated with the previously approved Berewick development. The location of this rezoning is directly across Dixie River Road from the subject site.

- **Public Plans and Policies**

- The *Dixie Berryhill Strategic Plan* (2003) recommends a mixed use employment center (light manufacturing, office and service retail) at this location.
- This petition is inconsistent with the *Dixie Berryhill Strategic Plan*.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** Provide additional language under Note 7, "Streets, Landscape, and Buffers", to indicate that the low wall within the limits of the roundabout along Dixie River Road will be subject to CDOT's review and approval.
 - **Vehicle Trip Generation:**
Current Zoning: 13,150 trips per day.
Proposed Zoning: 21,840 trips per day.
 - **Connectivity:** See comments above.
- **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.
- **Charlotte-Mecklenburg Utilities:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** Modify Note 8c as follows: "In order to provide greater assurance of downstream water quality protection, the Petitioner will provide funds to Charlotte-Mecklenburg Storm Water Services/Mecklenburg County Water Quality Program for the purchase, installation, maintenance, and operation of a temporary Continuous Monitoring and Alert Notification Network (CMANN) station, ~~the funds to be provided will be sufficient to allow the County to operate and monitor the station~~ while the Site is deemed to be under "Development" to be defined as the period of time from the issuance of the grading

permit to when the grading permit is closed. The proposed CMANN station must be installed and operational prior to the issuance of the clearing and/or grading permit for the Site. Charlotte_Mecklenburg Storm Water Services/Mecklenburg County Water Quality Program shall have sole responsibility for operation of the CMANN station while the Site is under "Development". The Petitioner will have no ownership interest in the CMANN station."

- **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*.
 - This site meets minimum ordinance standards.

OUTSTANDING ISSUES

- The petitioner should:
 1. Modify the last sentence of Note 7d to indicate additional measures for landscaping/screening beyond the minimum screening requirements along the portion of Dixie River Road impacted by a proposed utility easement.
 2. Address the comment from LUESA.
 3. Address Transportation comment.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Shad Spencer (704) 353-1132