

REQUEST	Current Zoning: R-3 LLW-PA, single family residential, Lower Lake Wylie Protected Area Proposed Zoning: B-1(CD) LLW-PA, neighborhood business, conditional, Lower Lake Wylie Protected Area
LOCATION	Approximately 3.1 acres located on the east side of Little Rock Road and north of the intersection at Little Rock Road and Tuckaseegee Road. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to develop a freestanding 9,100-square foot building for retail use.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is inconsistent with the <i>Northwest District Plan</i> , which recommends single family residential uses. However, due to proximity to existing retail uses and the site's location within the Airport Noise Overlay, the site is more suitable for a nonresidential use. In addition, Little Rock Road will become an entrance to the airport via the future extension of Little Rock Road to Josh Birmingham Parkway.
PROPERTY OWNER	Ed and Virginia Myers
PETITIONER	NCDG, LLC; Attention: Brian Hines
AGENT/REPRESENTATIVE	NA
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Rezoning a 3.1-acre portion of an overall 4.08-acre site comprised of three parcels. Remaining portions of parcels to retain existing R-3 (single family residential) zoning.
 - A 9,100-square foot, one story, freestanding building for retail use.
 - Future vehicular access provided to the eastern portion of the overall site.
 - A 49-foot Class B buffer abutting the residentially zoned parcels to the north, east and south.
 - Proposed uses limited to retail, office, and restaurant uses, with no accessory drive through window permitted.
 - Freestanding lighting will be limited to 20 feet in height, fully capped, and shielded.
 - Color renderings of the elevations reflect a corner entry and full brick building on the three sides shown.
 - Building will be located to the south of the site close to the abutting gas station and convenience store use and the proposed driveway aligns with the access to the adjacent retail use across Little Rock Road.
- **Existing Zoning and Land Use**
 - The site is composed of two parcels with vacant single family homes and one undeveloped parcel. A proposed street that traversed the property was abandoned by City Council in August 2013.
 - The majority of properties located to the north, east and west of the site are zoned R-3 (single family residential) and developed with single-family dwellings, institutional uses or are vacant. A lone parcel to the north is zoned R-12MF (CD) (multi-family residential, conditional) and developed with a childcare center. Lots located on the northeast and northwest intersection of Little Rock Road and Tuckaseegee Road are zoned B-1(CD) (neighborhood business, conditional) and developed with a gas station and convenience store and a retail pharmacy respectively. Properties south of Tuckaseegee Road are zoned B-1 (neighborhood business), B-D (distributive business), O-1 (office), B-2 (general business), and R-3 (single family) and are developed with a mixture of uses including single-family dwellings, commercial, hotel and light industrial uses.

- **Rezoning History in Area**

Approval of rezoning petition 2011-079 rezoned approximately 1.21 acres located on the northeast corner of Tuckaseegee Road and Little Rock Road from B-1(CD) (neighborhood business, conditional) to B-1(CD) SPA (neighborhood business, conditional, site plan amendment), in order to allow the expansion of an existing convenience store/gas station.

- **Public Plans and Policies**

- The *Northwest District Plan* (1990) recommends single-family residential land uses, at a maximum density of four dwelling units per acre.
 - The petition is inconsistent with the *Northwest District Plan*.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No comments received.
 - **Transportation:** CDOT has the following comments:
 - Dedicate in fee simple 50 feet of right-of-way along the site's Little Rock Road frontage as measured from the existing center line.
 - Provide a conceptual layout of how future vehicular access will be provided to the eastern portion of the site (i.e. tax parcel 05917224).
 - **Vehicle Trip Generation:**
Current Zoning: 145 trips per day.
Proposed Zoning: 520 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.
 - **Charlotte-Mecklenburg Utilities:** 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*.
 - This site meets minimum ordinance standards.

OUTSTANDING ISSUES

- The petitioner should:
 1. Amend acreage to reflect reduction in rezoning area and delete reference to tax parcel 0917224.
 2. Specify building materials and architectural standards.
 3. Add a note that no spans of blank walls greater than 20 feet in length will be allowed.
 4. Amend elevations to reflect the location of the mechanical equipment at the rear of the building as shown on the site plan.
 5. Add note on elevations indicating that signage will be allowed as permitted per the zoning ordinance.
 6. Remove labeled right-of-way on abutting R-3, single family residential property to the east.
 7. Remove yard dimensions and yard references on the remaining R-3, single family residential zoned property.

8. The balance of R-3, single-family residential zoning property at the rear of the subject property will not have street frontage, as is required by the zoning ordinance. Either rezone the entire property to B-1(CD), neighborhood business, conditional, provide a public street connection to the remaining R-3, single-family residential properties, or recombine the properties into one or more lots that meets the required street frontage for the district.
 9. Address CDOT comments.
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Attachments Online at www.rezoning.org

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

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