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<b>REQUEST</b>	Current Zoning: CC, commercial center Proposed Zoning: CC SPA, commercial center, site plan amendment
<b>LOCATION</b>	Approximately 16.56 acres located on the northwest corner of the intersection at West W.T. Harris Boulevard and Davis Lake Parkway. (Council District 2 - Mitchell)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow the development of a 15,000-square foot commercial building on a newly configured parcel in an existing shopping center.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon the resolution of outstanding issues. The petition is consistent with the <i>Northeast Area Plan</i> , as amended by the previous rezoning.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Cambridge-Davis Lake, LLC Cambridge-Davis Lake, LLC Cambridge Properties, Inc.
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online.

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#### PLANNING STAFF REVIEW

- **Background**

The subject property was rezoned via Petition 1996-009(C) to O-1(CD) (office, conditional) and CC (commercial center) as part of a 41-acre shopping center development, The Shoppes at Davis Lake. The rezoning allows up to 332,000-square feet of retail, office, and restaurants and up to four outparcels. Development area 2 allowed for 160,000 square feet of retail. A 100-foot buffer was provided along West W.T. Harris Boulevard, of which the outer 50 feet was required to remain undisturbed. A 40-foot landscape buffer with plantings was provided along Davis Lake Parkway. A conditional note requiring similar architecture for the proposed buildings and overall development.

- **Proposed Request Details**

The site plan amendment contains the following changes:

- Creation of a new outparcel identified as Parcel 6, which would allow the development of a 15,000-square foot retail building that meets the following conditions:
  - Modification and reduction of the existing 40-foot landscape buffer to a 20-foot landscape setback along Davis Lake Parkway for this portion of the larger site.
  - Reduction of the 100-foot buffer along West W. T. Harris Boulevard for the Parcel 6 frontage.
  - Building edges pulled to the public streets at the corner of W.T. Harris Boulevard and Davis Lake Parkway.
  - A six-foot sidewalk along the frontage of Parcel 6 along W.T. Harris Boulevard.
  - A low brick screening wall with shrubs along W. T. Harris Boulevard for Parcel 6.
  - Building elevations for the proposed structure.
  - Building materials shall be all masonry.
  - A note stating the building materials, colors, and architectural features for any building on Parcel 6 will match the existing shopping center.
  - Detached lighting will be limited to 25 feet in height.
- A note adding 0.614 acres of abandoned right-of-way from the North Carolina Department of Transportation to the overall development.
- A note stating that the overall remaining center square footage does not change for the existing center.

- Provision of a five-foot sidewalk from Parcel 6 to tie into existing sidewalk along Davis Lake Parkway.
  - 14-foot setback along W.T. Harris Boulevard for the entire frontage of the shopping center.
  - **Existing Zoning and Land Use**
    - The subject site is currently zoned CC (commercial center) and is vacant. The surrounding properties are zoned R-12MF(CD) (multi-family residential), R-15MF(CD) (multi-family residential), MX-2 (mixed use), MX-3 (mixed use), and I-1 (light industrial) and are either vacant, or developed with residential and commercial structures.
  - **Rezoning History in Area**
    - There have been several rezonings in the area over the past several years:
    - Petition 2012-096 rezoned 2.18 acres north of the site to O-1(CD) (office, conditional) to allow the development of a 25,000-square foot and 40 bed-dependent living facility.
    - Petition 2008-044 rezoned 12.4 acres north of the site to MX-2 (mixed use) to allow the development of 92 townhome units.
    - Petition 2007-080 rezoned 395 acres south of the subject site to MX-3 (mixed use) and MUDD-O (mixed use development, optional) to allow the development of 2,888 dwellings units and 800,000 square feet of non-residential uses.
  - **Public Plans and Policies**
    - The *Northeast District Plan* (1996) recommends retail uses for the subject site.
    - The petition is consistent with the *Northeast Area 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.
  - **Charlotte Department of Solid Waste Services:** No issues.
  - **Transportation:** Petitioner should construct a left turn lane on Davis Lake Parkway.
    - **Vehicle Trip Generation:**
      - Current Zoning: 9,200 trips per day.
      - Proposed Zoning: 9,200 trips per day.
    - **Connectivity:** No issues.
  - **Charlotte Fire Department:** No comments received.
  - **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.
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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*.
  - Facilities the use of alternative modes of transportation by providing a sidewalk path along the sites frontage.

**OUTSTANDING ISSUES**

- The petitioner should:
    1. Provide building elevations and site plan complying with section 11.405 (7)(a)(c)(d)(e).
    2. Retain the 100-foot setback along the frontage of W.T. Harris not included in Parcel 6 to the original 100-foot setback.
    3. Submit an administrative request to modify and note that the existing outparcels not included in this petition, but covered under petition 1996-009C, will be limited to the existing square footage built, except for the vacant outparcels. Also, provide a maximum square footage for the vacant outparcels.
    4. Add a note stating a revised maximum square footage for the site covered by this petition. That square footage should equal the square footage from the 1996-009(C) petition less the square footage from the administrative approval.
    5. Show location of proposed loading dock and dumpster/recycling areas
    6. Add a note that states that if loading docks or dumpsters are located adjacent to the public right-of-way they will be screened with additional plantings above and beyond the minimal ordinance standards. Provide a detail drawing showing how screening will be accomplished.
    7. Provide an eight-foot planting strip and six-foot sidewalk along Davis Lake Parkway for the fronta Parcel 6.
    8. Address transportation's comment.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Community Meeting Report
- Charlotte Department of Solid Waste Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review
- Mecklenburg County Parks and Recreation Review

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