

<b>REQUEST</b>	Current Zoning: R-4 (LWPA), single family residential, Lake Wylie watershed overlay, protected area Proposed Zoning: I-1 (LWPA), light industrial, Lake Wylie watershed overlay, protected area
<b>LOCATION</b>	Approximately 10 acres located on the east side of Brookshire Boulevard near the intersection of Caldwell Williams Road and Brookshire Boulevard. (Council District 2 - Mitchell)
<b>SUMMARY OF PETITION</b>	The petition proposes to shift an I-1 zoning boundary approximately 350 feet to follow an existing stream and therefore, rezoning the property from R-4 to I-1.
<b>PROPERTY OWNER</b>	Birmingham Family
<b>PETITIONER</b>	William C. Birmingham
<b>AGENT/REPRESENTATIVE</b>	Lee R. McLaren, DPR Associates
<b>COMMUNITY MEETING</b>	Meeting is not required.
<b>STATEMENT OF CONSISTENCY</b>	This petition is found to be inconsistent with the <i>Northwest District Plan</i> ; however, to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Labovitz seconded by Commissioner Nealon).

<b>ZONING COMMITTEE ACTION</b>	The Zoning Committee voted unanimously to recommend <b>APPROVAL</b> of this petition.
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<b>VOTE</b>	Motion/Second: Allen/Labovitz Yeas: Allen, Eschert, Johnson, Labovitz, and Nealon Nays: None Absent: Lathrop and Walker Recused: None
<b>ZONING COMMITTEE DISCUSSION</b>	Staff presented the petition to the Zoning Committee. There was no discussion on this item.
<b>STAFF OPINION</b>	Staff agrees with the recommendation of the Zoning Committee.

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**FINAL STAFF ANALYSIS**  
(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

- **Background**  
The subject site is part of a larger 52.53-acre parcel under single ownership that extends from Brookshire Boulevard to Old Plank Road. The portion of the parcel along Old Plank Road is zoned R-4 and the portion of the parcel along Brookshire Boulevard is zoned I-1. The zoning boundary that currently splits the parcel generally runs parallel with Brookshire Boulevard approximately 900 feet from the existing right-of-way.
- **Proposed Request Details**
  - This is a conventional rezoning petition with no associated site plan.
- **Public Plans and Policies**
  - The *Northwest District Plan* (1990) recommends single family residential development with a maximum density of 4 dwelling units per acre.
  - The petition is inconsistent with the *Northwest District Plan*; however, the proposed industrial zoning is consistent with the abutting properties that front Brookshire Boulevard and the shifting of the zoning boundary along a stream provides for a more natural boundary between industrial and residential zoning districts.

Maintaining the existing zoning and developing this site with residential uses would be challenging due to the narrow shape of the existing residential zoning that is separated by a stream from the adjacent R-4 portion of the parcel that fronts Old Plank Road. There would also be a need for a stream crossing to connect the two residential zoning areas. Other development challenges include a water quality buffer along the stream and a required zoning buffer on the residential property that abuts industrial zoning. Less than half (approximately 4.4 acres) of the 10-acre site proposed for rezoning would be developable due to the various buffers and the topography of the site.

If the subject site is rezoned to I-1, it can be combined with the existing I-1 portion of the parcel that fronts Brookshire Boulevard, resulting in a contiguous developable parcel. However, the zoning buffers and water quality buffers would still apply.

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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 issues.
  - **Transportation:** No issues.
  - **Charlotte Fire Department:** No issues.
  - **Charlotte-Mecklenburg Schools:** No issues.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No comments received.
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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Site Design:**
    - There is no site plan associated with this conventional rezoning request.
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**OUTSTANDING ISSUES**

- No issues.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review

**Planner:** Shad Spencer (704) 353-1132