
REQUEST	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
LOCATION	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)
SUMMARY OF PETITION	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.
STAFF RECOMMENDATION	Staff recommends approval of this petition. The petition is inconsistent with the <i>Northwest District Plan</i> ; however, the requested zoning is consistent with the zoning along Brookshire Boulevard, and the shifting of the zoning boundary along a stream provides for a more natural boundary between industrial and residential zoning districts.
PROPERTY OWNER	Birmingham Family
PETITIONER	William C. Birmingham
AGENT/REPRESENTATIVE	Lee R. McLaren, DPR Associates
COMMUNITY MEETING	Meeting is not required.

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.

- **Existing Zoning and Land Use**

The subject property is currently vacant. Properties south and west of the petitioned site are zoned I-1 and I-2(CD) and contain various commercial, warehousing, and outdoor storage facilities or are vacant. Most of these properties have frontage along Brookshire Boulevard. A single family residential use is located on one of the I-1 zoned properties west of the site. Properties north and east of the petitioned site are zoned R-4 and have frontage along Old Plank Road. These properties contain a single family house, a mobile home park, or are vacant.

- **Rezoning History in Area**

- Petition 2007-018 rezoned approximately 5.5 acres located on the northwest corner of Brookshire Boulevard and Oakdale Road from R-4 and I-1 to B-2(CD). This petition allows for up to 30,000 square feet of commercial uses. The location of this rezoning is approximately eight tenths of a mile southeast of the subject site along Brookshire Boulevard.
- Petition 2008-112 rezoned approximately 24.8 acres located on the northwest corner of Brookshire Boulevard and Bellhaven Boulevard from R-3 and B-1SCD to B-1(CD). This petition allows for 55,000 square feet of retail, 192 multi-family residential units, and a public pre-k school. The location of this rezoning is approximately eight tenths of a mile northwest of the subject site along Brookshire Boulevard. This site remains vacant.
- Petition 2008-147 rezoned approximately 12.1 acres located on the north side of Brookshire Boulevard west of DMV Drive from I-1 to I-2(CD). This petition allows for a contractor's office up to 23,000 square feet and outdoor accessory storage. The location of this rezoning is approximately a half mile southeast of the subject site along Brookshire Boulevard.

• 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.

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: 385 trips per day.
Proposed Zoning: The petition will allow for a wide range of trip generation based on the proposed zoning classification.
 - **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 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:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - There is no site plan associated with this conventional rezoning request.

OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application
- 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