



**Rezoning Petition 2014-082
Zoning Committee Recommendation**

September 24, 2014

REQUEST

Current Zoning: R-3 (LWPA) (single family residential, Lake Wylie Protected Area), I-1 (LWPA) (light industrial, Lake Wylie Protected Area), and I-2 (LWPA) (general industrial, Lake Wylie Protected Area)
Proposed Zoning: I-2(CD) (LWPA) (general industrial, Lake Wylie Protected Area)

LOCATION

Approximately 46.34 acres located on the north side of Wilkinson Boulevard near the intersection of Old Dowd Road and Wilkinson Boulevard.
(Outside City Limits)

SUMMARY OF PETITION

The petition proposes to allow up to 430,000 square feet of industrial uses with associated parking and permitted accessory uses.

PROPERTY OWNER

Amos E. and Wilma L. Parrot

PETITIONER

Brookwood Capital Partners

AGENT/REPRESENTATIVE

Walter Fields

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 10

**STATEMENT OF
CONSISTENCY**

This petition is found to be inconsistent with the *Dixie Berryhill Strategic Plan*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends uses supporting rapid transit along this corridor.

However, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- The conditions in the area have changed since the plan was approved in that there are currently no plans for rapid transit along this corridor; and,
- The proposed use is consistent with the surrounding land uses many of which are industrial;

By a 5-0 vote of the Zoning Committee (motion by Commissioner Ryan seconded by Commissioner Sullivan).

**ZONING COMMITTEE
ACTION**

The Zoning Committee voted 5-0 to recommend **APPROVAL** of this petition with the following modifications:

1. Added language to state that design of this water quality area will not include a detention basin, but may include one or more recognized BMP's including a rain garden, grassed swales, extended detention wetlands, and/or other recognized BMPs that can be designed to be integrated into and maintained as part of the landscaping for the site.
2. Labeled the center line for Wilkinson Boulevard on Sheet Z-2.0 of the site plan.
3. Revised the site plan to show the proper illustration of the reservation of the required right-of-way and the setback along Wilkinson Boulevard.
4. Addressed CDOT comments:
 - a. Petitioner has revised site plan to depict 75-foot maximum right-of-way from the centerline of the existing right-of-way (Wilkinson Boulevard).
 - b. Note G was modified to state: "The exact driveway locations will be determined at the time of permitting."
5. Staff has rescinded the request to amend the Storm Water note as the subject language is necessary to help ensure the water quality

- area proposed along the Wilkinson Boulevard frontage will be subject to appropriate landscape design and treatment.
6. Addressed City Engineering comments:
 - a. Petitioner provided a wetland letter.
 - b. Add the following note to the site plan: "This Site will comply with the Charlotte Tree Ordinance. Tree save is required." *Staff has rescinded this comment, as this is an ordinance requirement. In addition, the site plan commits to exceeding what is required per ordinance.*
 8. The petitioner has added language to Transportation Note D that states if NCDOT does not allow the sidewalk and planting strip at the edge of the right-of-way, then the sidewalk will be located on the petitioner's property.
 9. The petitioner amended Transportation Note F to state that: "The petitioner will provide and construct a concrete bench pad for a new bus stop along Wilkinson Boulevard. The petitioner will work with CATS to determine a mutually agreeable location for a transit pad during the development review and permitting process."
 10. CDOT rescinded the request to restrict the easternmost driveway to "trucks only" and the westernmost driveway to passenger vehicles only, as this item will be addressed through the driveway permit process.

VOTE

Motion/Second:	Ryan/Sullivan
Yea:	Dodson, Eschert, Nelson, Ryan and Sullivan
Nays:	None
Absent:	Labovitz and Walker
Recused:	None

**ZONING COMMITTEE
DISCUSSION**

Staff presented this item to the petitioner, noting that all outstanding issues had been resolved, including specific Transportation notes that were outstanding at the time the meeting agenda was sent to Committee members. A Committee member noted that this was a good example of industrial development. There was no further discussion of this petition.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Industrial uses up to 430,000 square feet.
- Prohibits the following uses:
 - petroleum storage facilities;
 - junk yards;
 - medical waste disposal facilities;
 - adult establishments;
 - railroad freight yards;
 - abattoirs;
 - construction and demolition landfills as a principal use;
 - demolition landfills;
 - foundries;
 - quarries;
 - raceways or drag strips; and,
 - waste incinerators.
- No outdoor storage will be permitted on any portion of the site that fronts along or is within 100 feet of Wilkinson Boulevard.
- Maximum of six (6) principal structures on the site.

- Installation of a six-foot sidewalk and eight-foot planting strip along Wilkinson Boulevard as permitted by NCDOT.
 - Petitioner will work with CATS to determine a mutually agreeable location for a transit pad to be constructed by the petitioner at the time of the construction of the sidewalk along Wilkinson Boulevard.
 - Providing 100-foot Class "A" landscape buffers abutting residential zoning and/or residential use.
 - Vehicular access via two driveway connections to Wilkinson Boulevard.
 - Internal sidewalk system that connects to public sidewalk along Wilkinson Boulevard.
- **Public Plans and Policies**
- The *Dixie Berryhill Strategic Plan* (2003) identifies the site as part of a transit oriented community and recommends multi-family/retail mixed use land uses. The mixed use land uses, recommended along Wilkinson Boulevard, are intended to provide a higher intensity of employment uses.
 - The proposed land use is inconsistent with the *Dixie Berryhill Strategic Plan*. However, conditions have changed since the plan was adopted in 2003, when rapid transit was anticipated along Wilkinson Boulevard. Currently, there are no plans to provide rapid transit along this corridor. As such, the proposed use is consistent with surrounding land uses, and an appropriate use for a General Corridor Area as defined in the *Centers, Corridors, and Wedges Growth Framework (2010)*. The General Corridor Area is appropriate for a range of low to moderate intensity uses, including single use, business type services; multi-family; industrial/warehouse; and civic uses. Design characteristics in General Corridor areas will vary, depending on the land use and transportation context. An industrial-based employment area within a General Corridor Area should be designed primarily to accommodate vehicular circulation. Development should usually be low-rise and in some cases mid-rise.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** Not applicable.
 - **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 issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** 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*.
 - Protects/restores environmentally sensitive areas by allowing a substantial portion of the property to remain undisturbed.
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OUTSTANDING ISSUES

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

- Application

- Pre-Hearing Staff Analysis
- Locator Map
- 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

Planner: Claire Lyte-Graham (704) 336-3782