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| <b>REQUEST</b>  | Current Zoning: R-3 (single family residential) and I-1(CD) (light industrial, conditional)<br>Proposed Zoning: I-1(CD) (light industrial, conditional) and I-1(CD) SPA (light industrial, conditional, site plan amendment), with five-year vested rights   |
| <b>LOCATION</b>   | Approximately 17.66 acres located on the east side of Morehead Road at the intersection of Stowe Lane and Morehead Road.<br>(Outside City Limits)  |
| <b>SUMMARY OF PETITION</b>                                    | The petition proposes to allow the construction of 150,000 square feet of building area for the expansion of the existing Hendricks Motorsports complex.   |
| <b>PROPERTY OWNER<br/>PETITIONER<br/>AGENT/REPRESENTATIVE</b> | HSREI, LLC<br>HSREI, LLC<br>Walter Fields  |
| <b>COMMUNITY MEETING</b>                                      | Meeting is required and has been held. Report available online.<br>Number of people attending the Community Meeting: 4   |
| <b>STATEMENT OF<br/>CONSISTENCY</b>                           | <p>This petition is found to be consistent with the <i>Northeast Area Plan</i>, with the exception of the portion of the site zoned R-3 (single family residential), based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• Rezoning the entire site will allow for a more cohesive site plan and organization of space for the expansion of the Hendricks Motorsports complex.</li> </ul> <p>Therefore, 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:</p> <ul style="list-style-type: none"> <li>• The proposal will continue to provide a substantial buffer along property lines abutting acreage that is zoned and/or in use for residential purposes; and</li> <li>• The use and its expansion will continue to provide a valuable regional community resource with respect to employment and recreational opportunities;</li> </ul> <p>By a 6-0 vote of the Zoning Committee (motion by Commissioner Ryan seconded by Eschert).</p> |

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| <b>ZONING COMMITTEE<br/>ACTION</b> | <p>The Zoning Committee voted 6-0 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. The language under heading Permitted Uses has been clarified to state "other related <u>accessory</u> uses and parking".</li> <li>2. A note has been added to the site plan as follows: "If the determination is made prior to the vote of the City Council on this Petition that the City of Charlotte has the legal authority and has properly adopted an ordinance pursuant to that authority for a tree ordinance that would be applicable in the City's Extraterritorial Jurisdiction, then the Petitioner will comply with that ordinance when the site development occurs."</li> <li>3. The petitioner added a Community Gathering Space on the property at the corner of Morehead Road and Stowe Lane. Language has been added to state that "This space will include landscaping and seating so that members of the community may have a space to gather or visit in the area where they have lived and/or owned property."</li> </ol> |
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| <b>VOTE</b> | Motion/Second: | Ryan/Sullivan                                |
|             | Yeas:          | Dodson, Eschert, Labovitz, Nelson, Ryan, and |

Sullivan

Nays: None  
 Absent: Walker  
 Recused: None

## ZONING COMMITTEE DISCUSSION

Staff presented this item to the Committee noting that the outstanding issues had been addressed and reading a new note on the site plan pertaining to compliance with the City of Charlotte Tree Ordinance. Staff noted that confirmation from the City Attorney's Office indicated that the Tree Ordinance does apply to the subject rezoning site. Staff also noted the addition of a community gathering space at the corner of the property.

A Committee member expressed concern that a developer should not be required to preserve community gathering space, and that this is an action that could cause some issues down the road. The Committee suspended the rules to allow the agent to speak about this item. The agent noted that the family that sold the property to the petitioner expressed interest in having a location on the site to mark where residents who no longer live in the area grew up. It was noted that the request did not come from staff. 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](http://www.rezoning.org))

### PLANNING STAFF REVIEW

#### • Background

- Portions of the subject properties were rezoned to I-1(CD) (light industrial, conditional) via petitions 1995-13c, 1998-51c, and 2009-062 to allow a maximum of 148,000 square feet of warehouse and motorsports related accessory uses.

#### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allow an additional 150,000 square feet of building area in affiliation with the Hendricks Motorsports complex.
- Five-year vested rights.
- Proposed building to be used predominantly for storage of cars and other materials and products and may include other uses such as meeting and office space; tenant space for related uses and vendors; and other related accessory uses.
- Uses that will be prohibited include:
  - Petroleum storage facilities;
  - Junk yard;
  - Medical waste disposal;
  - Adult establishments;
  - Railroad freight yards;
  - Abattoir;
  - Construction and demolition landfills as a principal use;
  - Foundries;
  - Quarries;
  - Raceways or drag strips;
  - Waste incinerators; and
  - Outdoor storage on any portion of the site that fronts along or is within 100 feet of Stowe Lane or Morehead Road.
- A 38-foot Class "A" buffer with berm provided along project frontages on Morehead Road and Stowe Lane.
- A 78-foot Class "A" buffer provided abutting residential uses and/or zoning.
- All freestanding lights will have full cut-off fixtures, will be fully shielded and downwardly directed, and will be limited to a height of 30 feet.
- Access to the site provided via Union School Road and Stowe Lane.
- Provision of a community gathering space on the property at the corner of Morehead Road and

Stowe lane.

- A note stating the following: "If the determination is made prior to the vote of the City Council on this Petition that the City of Charlotte has the legal authority and has properly adopted an ordinance pursuant to that authority for a tree ordinance that would be applicable in the City's Extraterritorial Jurisdiction, then the Petitioner will comply with that ordinance when the site development occurs."
  - **Public Plans and Policies**
    - The *Northeast Area Plan* (2000) recommends industrial and a mix of retail, industrial and office uses for the parcels zoned I-1(CD) (light industrial, conditional), and residential uses up to four dwelling units per acre for the parcels zoned R-3 (single family residential).
    - The petition is consistent with the *Northeast Area Plan*, with the exception of the portion of the subject site zoned R-3 (single family residential), which is recommended for residential land uses. However, rezoning the entire site will allow for a more cohesive site plan and organization of space for the expansion of the Hendricks Motorsports complex.
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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 comments received.
  - **Charlotte-Mecklenburg Schools:** No issues.
  - **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.
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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.
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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
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation 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

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