
REQUEST	Current Zoning: R-3 (single family residential) Proposed Zoning: NS (neighborhood services)
LOCATION	Approximately 6.09 acres located on the north side of Ardrey Kell Road and between Blakeney Heath Road and Community House Road across from Carson Whitley Avenue. (Council District 7 - Driggs)
SUMMARY OF PETITION	The petition proposes to develop the subject property with up to 30,000 square feet of office, retail, personal services and eating, drinking and entertainment establishment uses allowed in the NS (neighborhood service) district. The site plan shows development options with and without the approval of a Post Construction Controls Ordinance (PCCO) variance.
STAFF RECOMMENDATION	Staff does not support the proposed petition in its current form. The proposed retail use is inconsistent with the residential land use recommended per the adopted area plan. In addition, the site is located outside of the retail center located to the east. Although the size and orientation of the site is not conducive to single family detached development as recommended per the adopted area plan, it is appropriate for higher density residential or a small office development that is sensitive in form to the surrounding residential uses.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	North Carolina Department of Transportation Lenox Development Group, LLC Jeff Brown and Keith MacVean, Moore & Van Allen
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 25.

PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Maximum 30,000 square feet office, retail, personal services and eating, drinking and entertainment establishments. Eating, drinking and entertainment establishments are limited to 5,000 square feet in area.
- Accessory drive-through service windows, gasoline service stations with or without a convenience store, and residential dwellings are prohibited uses.
- Number of principal buildings not to exceed four.
- Buildings limited to one story and 30 feet in height except for a 45-foot tall decorative tower element.
- Surface parking disallowed between the buildings and Ardrey Kell Road.
- Installation of a left-turn lane and right-turn lane along Ardrey Kell Road to serve the site.
- Building materials consisting of brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding, stucco, EIFS, decorative block, architectural metal panels and/or wood. Vinyl as a building material may only be used on windows, soffits and handrail/railings.
- Building elevations reflecting architectural style and quality of the proposed building.
- Building facades facing Ardrey Kell Road to include a minimum of 40 percent fenestration. Fenestration shall extend higher than three feet from the exterior average grade at the base of the building to at least the height of the door head. Glazing of windows will be transparent under all lighting conditions; however, spandrel or colored glass may be used in the area above the height of the door head.
- The existing five-foot sidewalk and three-foot planting strip will be preserved along a portion of Ardrey Kell Road, while a six-foot sidewalk and eight-foot planting strip will be provided along the remaining frontage.
- A 44-foot Class "B" buffer with a solid decorative fence six feet in height will be provided abutting existing single family use and/or zoning.

- Alternative site plans reflecting both the City and State storm water regulations have been submitted. A variance request has been submitted to reduce the 200-foot PCCO (Post Construction Controls Ordinance) buffer required by City regulations to a 100-foot buffer as required by State regulations. The request will be decided upon by the Storm Water Advisory Committee on October 16, 2014.
- Detached signage limited to five feet in height and 50 square feet in area.
- Detached lighting limited to 15 feet in height.
- **Existing Zoning and Land Use**
 - The subject property is currently vacant. The land uses immediately surrounding the site consist primarily of single family detached and attached dwellings and a financial institution, in R-3 and R-4 (single family residential), R-9(CD) (single family residential, conditional), MX-2 INNOV (mixed use, innovative), and CC (commercial center) zoning.
- **Rezoning History in Area**
 - There have been no rezonings in the immediate area in recent years.
- **Public Plans and Policies**
 - The *South District Plan* (1993) recommends residential land uses up to three units per acre, and references the residential locational criteria of the *General Development Policies* (2003) for areas of higher density development. Because the site is adjacent to residential uses and outside of a retail center location, it may be conducive for higher density residential or a small office development that is sensitive in form to the surrounding residential uses
 - The *General Development Policies* (2003) support residential densities up to eight dwelling units per acre.

Assessment Criteria	Density Category - >6 up to 8 dua
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (Medium)
Connectivity Analysis	2 (Med - Low)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
Total Points Needed: 11	Total Points: 11

- The petition is inconsistent with the *South District Plan*.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Transportation:** No issues.
 - **Vehicle Trip Generation:**
 Current Zoning: 160 trips per day.
 Proposed Zoning: 1,300 trips per day.
 - **Connectivity:** 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.
- **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.

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.

OUTSTANDING ISSUES

- The petitioner should:
 1. Limit permitted uses to "personal services" as listed in Note 2(a), and/or office uses.
 2. Reduce overall square footage from 30,000 to 20,000 square feet.
 3. Provide detail of decorative fence to be located in buffer.
 4. Commit to a minimum office square footage.
 5. Add note committing building design to be residential in character.
 6. Eliminate reductions to buffers abutting residential zoning and/or use.
 7. Update the site plan to reflect the decision on the buffer variance scheduled for October 16, 2014.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- 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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