

REQUEST	Current Zoning: I-1(CD) (light industrial, conditional) Proposed Zoning: I-1(CD) SPA (light industrial, conditional, site plan amendment)
LOCATION	Approximately 2.98 acres located on the west side of Monroe Road at the intersection of Orchard Lake Drive and Lucy Jane Lane. (Council District 6 - Smith)
SUMMARY OF PETITION	The petition proposes a site plan amendment to revise the type and size of allowed uses, to eliminate the previously approved build-to line along part of the Monroe Road frontage and to eliminate the requirement for the front of the building to face the corner of Monroe and Orchard Lake Drive.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is consistent with the <i>Independence Boulevard Area Plan</i> , which recommended up to 70,000 square feet of retail in the existing I-1 (CD) (light industrial, conditional) district and the area addressed by the previously approved rezoning petition 2009-23.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Golden Triangle #1 LLC Ryan Berger Little, David Powlen
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 5

PLANNING STAFF REVIEW

- **Background**
 - Petition 2009-23 rezoned a total of 24.06 acres from I-1(CD) (light industrial, conditional) and I-1 (light industrial) to UR-2(CD) (urban residential, conditional) and I-1(CD) (light industrial, conditional). The subject site is identified as Area 3 and allowed commercial and industrial uses, with up to 70,000 square feet of retail establishments, shopping centers, business, personal and recreational service uses. Prohibited uses include manufactured homes sales, jails/prisons, tire recapping, and industrial or manufacturing uses that occupy 100 percent of the allowed building area.
 - Design standards required the first 100 linear feet of Area 3 to be developed with a building(s) fronting on Orchard Lake Drive and Monroe Road. Buildings in Area 3 are required to be similar to adjacent buildings in Area 2. A Class "B" berm is required at the rear of Area 3.
- **Proposed Request Details**

The site plan amendment contains the following changes:

 - Removes all previously approved uses and restrictions and limits permitted uses to retail uses allowed in the I-1 (light industrial) within Area 3.
 - Removes the requirement for the first 100 linear feet of Area 3 to be developed with a building fronting on Orchard Lake Drive and Monroe Road.
 - Removes the requirement for the building to front on Monroe Road and Orchard Lake Drive and removes the requirement for the buildings in Area 3 to be similar to the buildings in Area 2.
 - Maximum building height reduced from 58 feet to 35 feet.
 - Reduced vehicular access on Monroe Road from two to one access point. Should the property be subdivided, parcels fronting Monroe Road will be required to share one driveway.
 - The site will be developed with a building or buildings fronting on Orchard Lake Drive or Monroe Road. Building materials will include brick, glass and wood. Parking or maneuvering for parking and service will not be allowed between any building constructed on this portion of the site and Monroe Road (but parking and maneuvering can be located to the side or behind such buildings).
 - The façade facing Monroe Road shall have no blank walls greater than 20 feet in length and the wall will be activated with display windows.

- Added a note that to ensure a uniform buffer between Development Area 3 and Development Area 1B, at a minimum, a 38-foot Class “B” buffer reduced by the use of a berm, fence or wall to 28.5 feet, as indicated on the rezoning plan, will be provided at the rear of Area 3. The Class “B” buffer is to be installed as development occurs within Area 3. If Development Area 3 is subdivided then each individual parcel within Development Area 3 will be responsible for its portion of the 28.5-foot Class “B” buffer as part of development of that parcel. If an industrial use is developed on Area 3 then the size and planting standards of the buffer will be increased per the zoning regulations for the parcel on which the industrial use is located. If the industrial use is located on all of Area 3 then the entire buffer will be increased in size.
- An administrative amendment will be submitted for Petition 2009-23 to adjust development rights that may be amended by Petition 2015-36 prior to a decision on Petition 2015-36.
- The existing CATS bus pad, bench and bike rack along the site’s Monroe Road frontage shall remain or be relocated at the petitioner’s expense.
- Building elevations for Development Area 3.
- **Existing Zoning and Land Use**
 - The subject property is currently vacant. Surrounding properties are zoned R-3 (single family residential), UR-2(CD) (urban residential, conditional), B-1 (neighborhood business), I-1(Light industrial) and I-1(CD) (light industrial, conditional) and developed with single family and multi-family residential dwellings, a child care center, office, retail, and industrial warehouse uses.
- **Rezoning History in Area**
 - There have been no rezonings in the immediate area in recent years.
- **Public Plans and Policies**
 - The *Independence Boulevard Area Plan* (2011) recommends office/industrial/warehouse distribution uses for the subject parcel. When the plan was adopted the land use recommendation anticipated the 70,000 square feet of retail that would be allowed in the existing I-1 (light industrial) zoning classification and the recently approved rezoning petition 2009-23.
 - The petition is consistent with the plan recommendation for the subject parcel as described in the *Independence Boulevard Area Plan* (2011).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** CDOT requests both the existing and proposed public street right-of-ways be depicted and labeled along the site’s street frontages. In addition, the petitioner is requested to dedicate 50 feet of right-of-way as measured from the existing centerline along the site’s frontage on Monroe Road. CDOT notes that the NC Department of Transportation may have additional comments and or requirements for the rezoning.
 - **Vehicle Trip Generation:**
 - Current Zoning: 4,800 trips per day.
 - Proposed Zoning: 2,900 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte-Mecklenburg Schools:** This site plan amendment will not impact the number of students attending local schools.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte Water:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** A contamination site exists within 1,000 feet of the subject property, and an Area of Regulated Groundwater Usage (ARGU) extends 1,500 feet around the contamination site. This information has been provided to the petitioner.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** 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.

OUTSTANDING ISSUES

- The petitioner should:
 1. Amend building elevations to remove reference to tenant signage.
 2. Ensure that no parking spaces are located within five feet of an exterior property line.
 3. Screen all parking from abutting property and from public view from a public street.
 4. Provide building elevations for Orchard Lake Drive. The corner of the building should serve as a gateway into the project.
 5. Amend Note 6B to specify that building elevations should include a combination of clear glass, awnings, sunshades, and changes in material or similar architectural elements in combination with landscaping to provide visual interest along Monroe Road, at the pedestrian level.
 6. Clearly illustrate an eight-foot planting strip and six-foot sidewalk along Monroe Road. Remove unnecessary labels so the aforementioned items are visible and illustrated with solid lines.
 7. Remove Note 2.B. as it is covered by Note 2.C.
 8. Clarify the proposed use. Note 4.1.B says the use will be retail as prescribed in the I-1 zoning district and the Development Data Table says the use is a grocery.
 9. Delete Note 5.3B, which references Development Area 2.
 10. Remove references to Development Areas 1A, 1B and 2 unless those areas are shown on the site plan.
 11. Correct Note 4.2.C. to reference the correct note.
 12. Delete Notes 7B, D, F, and G, which are minimum ordinance standards.
 13. Remove the reference to Note 7.B. in Note 8.1.A as it is not correct.
 14. Delete Notes 8.1C and F.
 15. Address Transportation comments.

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 Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

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