

REQUEST	Current Zoning: R-4 (single family residential) Proposed Zoning: NS (neighborhood services)
LOCATION	Approximately 1.84 acres located on the northwest corner at the intersection of West Sugar Creek Road and Merlane Drive. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to allow a vacant site to be developed for up to 13,000 square feet of office and retail uses.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Various Charlotte Merlane FDS 713525 Walter Fields
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 3

STAFF RECOMMENDATION	<p>Staff recommends denial of this petition.</p> <p><u>Plan Consistency</u> The petition is inconsistent with the <i>Central District Plan</i> recommendation for residential development up to four dwelling units per acre.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The subject site is located at the intersection of West Sugar Creek Road and Merlane Drive and is located along a predominantly residential section of West Sugar Creek Road. • The remainder of the parcels along Merlane Drive are planned and zoned for single family residential and the proposed non-residential development does not integrate with or provide a transition to the residential area. • While there is an eating/drinking/entertainment establishment (EDEE) on the adjacent site on the corner of Wilson Lane and West Sugar Creek Road, the properties directly across West Sugar Creek Road and to the south are planned and zoned for residential. • The <i>Central District Plan</i> recommends that retail uses in this area be clustered near the I-85 interchange with West Sugar Creek Road. • Approval of this development will result in additional strip commercial along West Sugar Creek Road and will negatively impact the residential character of the immediate area.
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PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Office, retail and neighborhood service uses at a maximum of 13,000 square feet.
- Drive-through service windows prohibited.
- Maximum of two buildings: One building for a retail store; the second building for office and/or retail.
- A 10-foot "Class C" buffer along the northern and southern property boundaries.
- Access via West Sugar Creek Road and Merlane Drive.
- A CATS concrete bench pad for a new bus stop to be constructed by the petitioner, at a location to be determined.
- Large expanses of wall exceeding 20 feet in length to be avoided though articulated facades.
- Primary building entrance to be a corner entrance oriented to West Sugar Creek Road.
- A minimum 25% of the building façade on West Sugar Creek Road to have transparent windows or doors with active uses visible from the street.
- Maximum building height of 30 feet.

- **Existing Zoning and Land Use**

- The subject property is currently vacant. It is part of a larger tract extending west along Merlane Drive zoned R-4 (single family residential). To the south across Merlane Drive is the Sugar Creek Community Park, in R-4 (single family residential) zoning. To the east across West Sugar Creek Road are additional single family homes and land zoned R-4 (single family residential).
- Abutting the subject to the north, at the corner of West Sugar Creek Road and Wilson Lane is an eating/drinking/entertainment establishment constructed in 1989 in B-1(CD) (neighborhood business, conditional), and additional single family homes extending westward along Wilson Lane.
- Further northward from Wilson Lane in the immediate vicinity of an I-85 interchange are hotels, retail and warehouse uses in O-2 (office), B-1 (neighborhood business), and B-2(CD) (general business, conditional).
- See "Rezoning Map" for existing zoning in the area.

- **Rezoning History in Area**

- There have been no recent rezonings in the immediate area.

- **Public Plans and Policies**

- The *Central District Plan (1993)* recommends residential development up to four units per acre for this site and the other properties on the north side of Merlane Drive.

- **TRANSPORTATION CONSIDERATIONS**

- Since this site will not generate a significant amount of additional traffic, the primary transportation considerations are to provide safe access to the site and improve conditions for pedestrians. This site achieves the pedestrian goals by improving the planting strips and sidewalks along Sugar Creek Road. The access to the site will be safe and reasonable for the use and will provide for full movement access to Sugar Creek Road at Merlane Drive.
- See Outstanding Issues, notes 5 and 6.
- **Vehicle Trip Generation:**
Current Zoning: 100 trips
Proposed Zoning: 650 trips

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** See Outstanding Issues, note 4.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.
- **Urban Forestry:** No comments received.

OUTSTANDING ISSUES

Land Use

1. The petition is inconsistent with the Central District Plan recommendation for residential development up to four dwelling units per acre.

Site and Building Design

2. Clarify notes under Architectural Standards to state that the primary building entrances on both Parcel 1 and Parcel 2 will be oriented to West Sugar Creek Road.
3. Add a note that minimum building height for both buildings will be 22 feet.

4. Add a note that primary building entrances for both buildings should front along Sugar Creek Road.

Transportation

5. Depict an eight-foot wide planting strip and six-foot wide sidewalk along the site's frontages on Merlane Drive and West Sugar Creek Road.
6. Dedicate in fee simple 50 feet of right-of-way as measured from the existing centerline of West Sugar Creek Road.

REQUESTED TECHNICAL REVISIONS

1. Align the maximum square footage listed under Permitted Uses and in the Development Data Summary as one lists 15,000 and the other 13,000 square feet.
 2. Specify boundaries of the ten-foot "Class C" buffer, and provide a buffer at the rear of the property abutting single family residential uses and zoning.
 3. Delete the "Alternate use for parcel 08707125" which shows the parcel being used for a public or private road.
 4. Add a minimum 30-foot wide tree save on the site plan.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - 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

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