

<b>REQUEST</b>	Current Zoning: R-4 (single family residential) Proposed Zoning: BD(CD) (distributive business, conditional)
<b>LOCATION</b>	Approximately 4.3 acres located on the southeast corner at the intersection of West Mallard Creek Church Road and Legranger Road. (Council District 4 - Phipps)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow the development of a climate controlled self-storage facility and accessory management office on a parcel that is located adjacent to an interstate interchange (Interstate 85).
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Lester Herlocker & Associates, Inc. Fourstore, LLC John Carmichael
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 4
<b>STATEMENT OF CONSISTENCY</b>	<p>The Zoning Committee found this petition to be inconsistent with the <i>Northeast District Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The plan recommends research for the subject property.</li> </ul> <p>However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The subject site is located adjacent to the on-ramp to I-85 from West Mallard Creek Road, as well as a Duke Power substation; and</li> <li>• Although the <i>Northeast District Plan</i> recommends research use for this property, the site is not located within the University Research Park and is isolated from other properties used for research; and</li> <li>• The updated concept for the research park per the <i>University Research Park Area Plan</i> is to include "a diversity of uses that contribute to the creation of a more vibrant place";</li> </ul> <p>By a 7-0 vote of the Zoning Committee (motion by Dodson seconded by Sullivan).</p>

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 7-0 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <p><u>Transportation</u></p> <ol style="list-style-type: none"> <li>1. Petitioner committed to install a new 10-foot multi-use path, a minimum eight-foot planting strip, and a two-foot wide sidewalk easement along the site's frontage on West Mallard Creek Church Road.</li> </ol> <p><u>Environment</u></p> <ol style="list-style-type: none"> <li>2. Added Environmental Features Note 2 on the site plan which states: "The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points."</li> <li>3. Added Environmental Features Note 1 on the site plan which states: "Development of the site shall comply with the requirements of the City of Charlotte Tree Ordinance. The tree save areas designated on the rezoning plan are potential tree save areas, and the location of the actual tree save areas shall be determined during the development review and permitting process."</li> </ol>
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Site and Building Design

4. Staff rescinded the request to show and label required Class “B” buffer along property lines abutting R-3 (single family residential) zoning as the Zoning Administrator (in conjunction with the Commercial Plans Reviewer) determined that a buffer would not be required since the adjacent R-3 property is devoted to a public utility structure.

Requested Technical Revisions

5. Amended the Development Data Table to identified proposed use as climate controlled, self-storage facility.

The following items have been added or modified since the public hearing:

1. Modified Transportation Note 1 to reference “NCDOT”.
2. Modified Transportation Note 6 to read as follows: “Prior to the issuance of a certificate of occupancy for any new building constructed on the site, petitioner shall convey to the City of Charlotte (subject to a reservation for any necessary utility easements) a sidewalk utility easement that will extend 2 feet behind the rear edge of the 10 foot wide multi-use path described below as generally depicted on the rezoning plan.”
3. Modified Streetscape and Landscaping Note 1 to read as follows: “Subject to the approval of NCDOT, petitioner shall install a minimum 8 foot wide planting strip and a minimum 10 foot wide multi-use path along the site’s frontage on West Mallard Creek Church Road as generally depicted on the rezoning plan. The minimum 8 foot wide planting strip and the minimum 10 foot wide multi-use path shall extend to the I-85 ramp as generally depicted on the rezoning plan. The multi-use path shall be an asphalt path and it shall be installed in lieu of a sidewalk and bike lane.”

**VOTE**

Motion/Second: Wiggins / Dodson  
 Yeas: Dodson, Eschert, Labovitz, Lathrop, Majeed, Sullivan, and Wiggins  
 Nays: None  
 Absent: None  
 Recused: None

**ZONING COMMITTEE DISCUSSION**

Staff presented this item to the Zoning Committee, noting that all outstanding issues and technical revisions had been addressed. There was a brief discussion about pedestrian connectivity in the general area, and CDOT staff responded that staff is continuing to work to build the sidewalk network. There was no further discussion of the 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**

- **Proposed Request Details**  
 The site plan accompanying this petition contains the following provisions:
  - Allows a maximum 107,000 square feet devoted to a climate controlled self-storage facility, facility’s rental and management offices and accessory uses.
  - Limits the number of buildings on the site to two (Buildings A and B).
  - Prohibits outside storage of any type, including the outside storage of moving vans, vehicles, and boats.
  - Limits building height to 45 feet (three stories).
  - Dedicates and conveys portions of the site immediately adjacent to West Mallard Creek Church Road as required to provide right-of-way measuring 65 feet from the existing centerline.
  - Dedicates and conveys for right-of-way purposes that portion of the site that is located immediately adjacent to Legranger Road.
  - Proposes to install a new 10-foot multi-use path, a minimum eight-foot planting strip, and a

two-foot wide sidewalk easement along the site's frontage on West Mallard Creek Church Road. Multi-use path will be constructed of asphalt and installed in lieu of a sidewalk and bike lane.

- Restricts the vehicle access drive on West Mallard Creek Church Road to right-in, right-out movements via the installation of a four-foot wide raised concrete median on a portion of West Mallard Creek Church Road.
- Identifies potential tree save areas.
- Provides conceptual building elevations.
- Maximum height of any freestanding lighting to be 20 feet.
- **Public Plans and Policies**
  - The *Northeast District Plan* (1996) recommends research as the adopted land use for this site. The Plan detailed how the development of the University Research Park was one of the main catalysts for growth in the Northeast District during the 1970's and 80's.
- **TRANSPORTATION CONSIDERATIONS**
  - This petition will not generate a significant volume of traffic under the existing or proposed zoning. The primary transportation goal is to make incremental improvements to the adjacent street frontages to help complete the transportation system. The petition dedicates the future right-of-way needed for Mallard Creek Church Road and installs planting strips and sidewalks along the property frontage. CDOT is requesting the petitioner extend the sidewalk to the I-85 interchange ramp to avoid future gaps.
  - Legranger Road is planned to be relocated further west through future redevelopment to allow future signalization with Mallard Creek Church Road. The site plan does not conflict with this future realignment.
  - This site may be subject to the requirements of Chapter 19 under City code, which would require curb and gutter along the site frontage. The Engineering & Property Management Department will make this determination during the permitting process.
  - **Vehicle Trip Generation:**  
Current Zoning: 210 trips per day (based on 17 single family dwellings)  
Proposed Zoning: 270 trips per day (based on 107,000 square feet of warehouse uses)

**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:** None.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No comments received.

**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review