

REQUEST	<p>Current Zoning: CC LLWPA (commercial center, Lower Lake Wylie Protected Area) and MUDD-O LLWPA (mixed use development, optional, Lower Lake Wylie Protected Area)</p> <p>Proposed Zoning: CC SPA LLWPA (commercial center, site plan amendment, Lower Lake Wylie Protected Area) and MUDD-O SPA (mixed use development, optional, site plan amendment, Lower Lake Wylie Protected Area)</p>
LOCATION	<p>Approximately 6.02 acres located on the northeast corner at the intersection of Dixie River Road and New Fashion Way and also located on the southeast corner at the intersection of Dixie River Road and Trojan Drive. (Council District 3 - Mayfield)</p>
SUMMARY OF PETITION	<p>The petition proposes to modify an approved site plan for Charlotte Premium Outlets to allow an approved principal use to have an accessory drive, add a second hotel with up to 125 rooms, and eliminate a gas station/convenience store.</p>
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	<p>Steele Creek (1997) LLC Steele Creek (1997) LLC Jeff Brown, Keith MacVean and Bridget Dixon, Moore & Van Allen, PLLC</p>
COMMUNITY MEETING	<p>Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 0</p>

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, tree save, and building height and signage.</p> <p><u>Plan Consistency</u> The petition is consistent with the adopted retail land use for this site per the <i>Dixie-Berryhill Strategic Plan</i>, as amended by rezoning petition 2013-001.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The subject properties are outparcels to the Charlotte Premium Outlet mall approved by rezoning petition 2013-001. • The proposed modifications to the uses will eliminate a gas station/convenience store, add a second hotel, and add an accessory drive-through window for a retail use or eating/drinking/entertainment establishment (EDEE). • There will be no increase in the allowed retail square footage and the only additional square footage will be related to the 125-room hotel. • The proposed uses, in combination with the Outlet Mall, will continue to provide employment opportunities and service retail for area residents and destination retail for the region. • The proposed changes do not alter the overall intent of the adopted retail land use for the site.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan amendment contains the following changes:
 - Area B to be zone MUDD-O SPA (mixed use development, optional, site plan amendment, Lower Lake Wylie Protected Area):
 - Adds one hotel with up to 125 rooms.
 - Adds provisions for screening of service areas from adjoining streets and architectural treatment.

- Eliminates a gas station/convenience store.
- Increases the building height from 50 feet to 75 feet.
- Area F to be zoned CC SPA LLWPA (commercial center, site plan amendment, Lower Lake Wylie Protected Area):
 - Adds an accessory drive-through window for retail and/or eating/drinking/entertainment establishment (EDEE).
 - Increases the building height from 50 feet to 65 feet.
- General:
 - Adds a note committing to the construction and coordination of the location of a new bus waiting pad for the existing bus stop on Dixie River Road and Robert Irwin Drive.
 - Modifies lighting note by removing reference to “wall pak” and increases maximum height of detached lighting from 30 feet to 31 feet to be consistent with industry standards.
- **Existing Zoning and Land Use**
 - The rezoning site consists of Development Area B which is zoned MUDD-O LLWPA (mixed use development, optional, Lower Lake Wylie Protected Area) and Development Area F, zoned CC LLWPA (commercial center, Lower Lake Wylie Protected Area). The rezoning site is part of 82 acres with an approved site plan (rezoning petition 2013-001) that allows a maximum 525,000 square foot outlet retail center (Charlotte Premium Outlets) including accompanying retail and office uses, and a 120-room hotel.
 - Immediately north and east are the Charlotte Premium Outlets retail center and associated vacant outparcels zoned MUDD-O LLWPA (mixed use development, optional, Lower Lake Wylie Protected Area).
 - To the south are affiliated retail uses and vacant outparcels, and low density residential housing zoned MUDD-O LLWPA (mixed use development, optional, Lower Lake Wylie Protected Area), CC LLWPA (commercial center, Lower Lake Wylie Protected Area), O-2(CD) LLWPA (office, conditional, Lower Lake Wylie Protected Area).
 - To the west are single family homes and undeveloped acreage associated with the Berewick Community and zoned MX-1 LLWPA (mixed use, Lower Lake Wylie Protected Area) and CC LLWPA (commercial center, Lower Lake Wylie Protected Area).
 - See “Rezoning Map” for existing zoning in the area.
- **Rezoning History in Area**
 - Petition 2013-021 rezoned approximately 43 acres located on the southeast corner of Steele Creek Road and Shopton Road from I-1(CD) (light industrial, conditional) and R-3 (single family residential) to I-2(CD) (general industrial, conditional). This petition allows for the development of up to 525,000 square feet of office/distribution and light industrial uses. The location of this rezoning is approximately a half mile north of the subject rezoning along Steele Creek Road.
 - Petition 2012-059 rezoned approximately 5.5 acres located on the east side of Steele Creek Road at the intersection of Dixie River Road from R-3 (single family residential) to NS (neighborhood services). This petition allows for up to 11,000 square feet of neighborhood service uses and 19,000 square feet of office uses. The location of this rezoning is directly across Steele Creek Road from the subject site.
- **Public Plans and Policies**
 - The adopted future land use for this site is retail per the *Dixie-Berryhill Strategic Plan (2003)*, as amended by rezoning petition 2013-001, which rezoned the entire site for the Charlotte Premium Outlet Mall and outparcels.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is on a major thoroughfare previously studied as part of the Steele Creek Retail Center (Charlotte Premium Outlets). While the petition increases trip generation beyond the threshold for a traffic impact study, CDOT has determined that the remaining transportation mitigations and the anticipated internal capture of these uses, which support the larger retail entitlement, should be adequate to maintain the operations of the transportation system.
 - See Outstanding Issues, Note 1.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on vacant property).
 - Entitlement: 1,100 trips per day (based on 6,000 square feet of retail).
 - Proposed Zoning: 4,000 trips per day (based on 125-room hotel and 6,000 square foot eating/drinking/entertainment establishment).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** See Outstanding Issues, Note 2.

- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** 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 Water:** Charlotte Water has water system availability for the rezoning boundary for Development Area B via an existing 12-inch existing water distribution main located at the intersection of Shopton Road and Dixie River Road. For Development Area F, Charlotte Water has water system availability via an existing eight-inch water distribution main located at the intersection of Trojan Drive and Dixie River Road.

Charlotte Water has sewer system availability for the rezoning boundary for Development Area B via an existing eight-inch gravity sewer main located along Outlets Boulevard. Charlotte Water currently does not have sewer system availability for Development Area F. The closest available sewer main is approximately 350 feet southwest of the parcel at the intersection of Rachel Freeman Way and Gannon Drive. The applicant should contact Charlotte Water's New Services at (704) 432-5801 for more information regarding accessibility to sewer system connections.

- **Engineering and Property Management:** See Outstanding Issues, Note 3.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Transportation

1. The petitioner should add sheet RZ-4 from rezoning petition 2013-001 that illustrates the transportation improvements now noted on the site plan.
2. The site is located on an existing bus route. The petitioner is requested to provide and construct a new waiting pad for the existing bus stop on Dixie River Road at Robert Irwin Drive per the standard detail 60.01B.

Environment

3. Show 15% tree save on-site for each parcel.

Site and Building Design

4. Reduce the maximum building height for Development Area B zoned MUDD-O (mixed use development, optional) to 50 feet.
5. Petitioner needs to confirm that the optional provisions pertaining to signage in the original 2013-001 rezoning are applicable to the hotel now proposed on Development Parcel B, since these optional provisions being requested previously applied to retail square footage or a convenience store with or without gas sales.
6. Modify references on site plan to Development Areas B.
7. Remove reference to Walker Branch Drive and Steelescroft Parkway from the second paragraph in General Provisions Note 1.e.

Land Use

8. Add a note prohibiting a convenience store with or without gas sales on Development Parcel B.
9. Petitioner should submit an administrative amendment to rezoning petition 2013-001 to adjust total square footages, number of outparcels, and permitted uses. Administrative amendment must be approved prior to the Zoning Committee Work Session.
10. Provide a "build out" table on the site plan and administrative amendment that updates data and illustrates the adjustments made between the development parcels.

TECHNICAL ISSUES

10. Remove General Provisions (Graphics and Alterations) Note 1.c. pertaining to flexibility of the rezoning plan.
11. Remove Note 1. e "Exclusions for Calculations of Maximum Development Levels."

Attachments Online at www.rezoning.org

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

- Charlotte Area Transit System Review
- Charlotte Fire Department Review
- Charlotte Neighborhood & Business Services
- 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
- Transportation Review

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