

REQUEST	Current Zoning: NS (Neighborhood Services) Proposed Zoning: NS SPA & BD(CD) (neighborhood services, site plan amendment and distributive business, conditional) both with five-year vested rights.
LOCATION	Approximately 6.63 acres located on the southeast corner at the intersection of Rocky River Road and East W.T. Harris Boulevard. (Council District 4 - Phipps)
SUMMARY OF PETITION	The petition proposes to amend current development rights on vacant property located in the Newell area to allow a mix of retail, restaurant, office and climate controlled self-storage uses.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Harris and Rocky, Inc. Michael Adams Babak Emadi
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 9

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design, transportation, and requested technical revisions related to land use.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>Newell Small Area Plan</i>, which was updated by rezoning petition 2003-055 to allow office and retail uses.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The current zoning allows up to 10,000 square feet of retail uses on this site in addition to up to 30,000 square feet of office uses. Of the total square footage allowed, approximately 4,500 square feet of retail uses has been constructed as a gas station and no office uses have been constructed. Proposed office and retail uses represent minor changes in type and square footage from the uses currently permitted. • The petition provides retail services to several nearby residences and a direct pedestrian connection as an extension of the established sidewalk from Corriente Court. • Self-storage uses are only permitted in select zoning districts but have been deemed compatible with surrounding uses of low intensity, such as residential and retail uses. Building facades abutting streets are providing a minimum of one entrance, buildings fronting public streets provide 25% glass or windows, and design elements are utilized to break up expanses of solid wall over 20 feet in length.
---------------------------------	--

PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Maximum 15,000 square feet of retail uses and 5,000 square feet of office uses, and 100,000 square feet of climate controlled self-storage in six buildings. Development consists of Buildings A, B, C, D, E and F as follows:
 - Building A allows up to 5,500 square feet of retail/eating/drinking/entertainment uses in a one level building.
 - Building B allows up to 6,500 square feet of retail/eating/drinking/entertainment uses in a one level building.
 - Buildings A and B may be combined or separate.
 - Building C allows a three-level climate controlled self-storage use with associated offices, up to 100,000 square feet.
 - Building D allows up to 5,000 square feet of office, retail, and eating/drinking/entertainment

- establishment uses in a one level building.
- Building E allows up to 500 square feet of office, retail and a one level kiosk.
- Building F allows up to 2,500 square feet of office, retail and eating/drinking/entertainment establishment uses in a one level building.
- Site access is via an existing private shared driveway, Harris Station Boulevard, which connects Rocky River Road and East W.T. Harris Boulevard.
- The petitioner will restripe the eastbound leg of Rocky River Road to activate the dual left-turn lanes.
- Maximum building height is 40 feet.
- Building materials will be a combination of some or all of brick, concrete, decorative concrete masonry units, EIFS, EIFS brick, architectural metal, metal panels, storefront clear glass, spandrel glass, and architectural metal, and vinyl railings and accessories. Building entrances will have architectural metal or fabric canopies and awnings. The architectural character for all buildings will be harmonious in order to create a cohesive look to the development.
- All storage will be located within the building, and outside storage is prohibited.
- The façade of each floor of the building above the ground floor that fronts a public street must have windows or glass that cover at least 25% of the length of such street facing façade.
- Expanses of solid wall on the façade of any floor of the building located above the ground floor may not exceed 20 feet in length.
- If the building is located on a lot that abuts a public or private street, at least one entrance shall be provided on each building façade fronting a street. If located on a corner lot, the building may provide one main entrance oriented to the corner or facing either of the streets.
- Signs may not be installed or maintained above the third floor of a building containing a self-storage facility.
- Petitioner is providing an eight-foot planting strip and 12-foot multi-use path along the site's East W.T. Harris Boulevard frontage.
- Trees in the existing setback along East W.T. Harris Boulevard shall be preserved to the extent possible but may be thinned/pruned to improve the health of the trees and provide a clean edge to the streetscape. Some trees may be removed to accommodate the proposed 12-foot multi-use path.
- The existing curb, planting strip and sidewalk will remain along Rocky River Road.
- Petitioner may install a 10-foot pedestrian connection to the adjacent partially completed Back Creek trail from the proposed multi-use trail proposed along East W.T. Harris Boulevard if the connection is deemed viable during coordination with CDOT, Mecklenburg County Parks and Recreation, and other governing agencies. Construction of the trail shall be tied to the final certificate of occupancy for the development.
- Petitioner shall connect to an existing sidewalk located at the northwestern edge of the project to provide a sidewalk network that promotes connectivity within the community.
- The petitioner shall install an ADA accessible crossing of the multi-use path across Harris Houston Boulevard that will be coordinated with CDOT/NCDOT during the permitting process.
- Supplemental landscaping will be provided adjacent to the proposed BMP system that will include a mix of deciduous and evergreen trees and shrubs planted to a 10-foot "Class C" Buffer standard.
- Detached lighting is limited to 22 feet in height.
- **Existing Zoning and Land Use**
 - The subject property is currently vacant. Existing petition 2003-055 rezoned the subject property as part of 10.9 acres from R-3 (single family residential) to NS (neighborhood services) to allow 10,000 square feet of retail and 30,000 square feet of office uses.
 - An existing gas station/convenience store/car wash is located on a lone lot that is surrounded by the subject property in NS (neighborhood services) zoning.
 - The property to the west is occupied by single family detached dwellings in MX-1 (mixed use) zoning.
 - To the north across Rocky River Road are rural residences and an office park in R-3 (single family residential) and O-1(CD) (office, conditional) zoning districts, respectively.
 - Across W.T. Harris Boulevard to the east is a combination of rural residences, religious institution/office, retail uses, and undeveloped land in R-3, R-4 (single family residential), and NS (neighborhood services) zoning.
 - Undeveloped land zoned NS (neighborhood services) and O-1(CD) (office, conditional) exists to the south
 - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
 - There have been no rezonings in the immediate area in recent years.

- **Public Plans and Policies**

- The *Newell Small Area Plan* (2002) was updated by rezoning petition 2003-055 to allow office and retail uses. Specifically the rezoning allowed 10,000 square feet of retail uses on this site in addition to up to 30,000 square feet of office uses.

- **TRANSPORTATION CONSIDERATIONS**

- The site is located at the signalized intersection of a major collector and a limited-access (Class II) thoroughfare. The proposed development does not generate a significant increase in trips over the existing entitlements for which a traffic impact study was performed. Additionally, the current site plan commits to pedestrian and bicycle path connections and improvements across Rocky River Road, along the site's East W.T. Harris Boulevard frontage, and to adjacent neighborhoods and greenways.

- See Outstanding Issues, Notes 4 and 5.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: Zero trips based on vacant property.

Entitlement: 1,575 trips per day (based on 5,632 square feet with retail and 30,000 square feet of office use)

Proposed Zoning: 2,400 trips per day (based on 15,000 square feet of retail and 5,000 square feet of office use).

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 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 via an existing 12-inch water distribution main located along Rocky River Road, and sewer system availability via an existing eight-inch gravity sewer main located along Rocky River Road.
- **Engineering and Property Management:** Petitioner must submit a tree survey for all trees two inches or larger located in the rights-of-way, which shall also include all trees eight inches or larger in the setback.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No comments received.

OUTSTANDING ISSUES

Site and Building Design

1. Amend the renderings to accurately reflect clear vision glass and spandrel glass that doesn't exceed 36% as specified in Note 3d.
2. Amend Rendering 4 on Sheet RZ2.00 to change window note from three feet to 13 feet.
3. Show and label a 20-foot setback from the back of curb along Rocky River Road.

Transportation

4. Petitioner will need to enter into a Developer Traffic Signal Agreement to modify the existing signal and be responsible for the design and implementation of pedestrian signalization at the intersection of East W.T. Harris Boulevard and Rocky River Road.
5. Revise the site plan and conditional notes to provide one signalized protected pedestrian crossing across the Rocky River Road northern approach and activate the southbound dual left-turn phasing, including additional traffic signal heads at the intersection of East W.T. Harris Boulevard and Rocky River Road.

REQUESTED TECHNICAL REVISIONS

Land Use

6. Replace "restaurant" with "eating/drinking/entertainment establishment."
7. Revise site plan so that the north arrow is pointing up.
8. Define "one level kiosk."

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
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Transportation Review

Planner: Sonja Strayhorn Sanders (704)-336-8327