REQUEST

Current Zoning: R-5 (single family residential), I-1 (light industrial) and I-2 (general industrial)

Proposed Zoning: I-2(CD) (general industrial, conditional) with five-year vested rights

LOCATION

Approximately 38.16 acres located at the end of Melynda Road, north of Piedmont and Northern Railroad, between Toddville Road and Windy Valley Drive.
(Council District 2 - Austin)

SUMMARY OF PETITION

The petition proposes to allow the expansion of an existing cargo container storage facility on a site generally surrounded by single family neighborhoods and industrial uses in Northwest Charlotte off Old Mount Holly Road.

PROPERTY OWNER

DTJT Properties LLC and Cenco Incorporated

PETITIONER

Tim Frye

AGENT/REPRESENTATIVE

The Isaacs Group P.C.

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 8

STATEMENT OF CONSISTENCY

- The Zoning Committee found this petition to be consistent with the Northwest District Plan for the majority of the site and inconsistent with the adopted plan for a portion site, based on information from the staff analysis and the public hearing, and because:
  - The plan recommends industrial uses for the majority of the site, and single family up to six dwelling units per acre for the remainder of the site.
  - Therefore, 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:
    - The site is located within the Mt. Holly Road/Hwy 16 Industrial Activity Center as per the Centers Corridors and Wedges Growth Framework; and
    - The industrial properties are situated adjacent to existing CSX railway facilities, with a direct connection to the Port of Wilmington, N.C. adding to Charlotte’s role as a transportation and logistics hub; and
    - The main access to the proposed intermodal yard would be from Aqua Chem Drive through industrially zoned properties. Access via Melynda Road will be gated and only for emergency purposes; and
    - While the majority of the proposed development is consistent with the area plan, a small portion of the site is recommended for residential uses; and
    - However, this portion of the property is adjacent to industrial land uses and it is highly unlikely that it will be developed for residential purposes; and
    - Nearby single family residential properties will be protected from this proposal by a required 100-foot wide Class “A” buffer;

By a 6-0 vote of the Zoning Committee (motion by McClung seconded by Fryday).
The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition with the following modifications:

1. The petitioner has corrected both plan sheets and clarified hours of operation will be from 7:00 a.m. to 6:00 p.m.
2. Lighting Note B has been amended to note the maximum height of freestanding lighting fixture from base will be 31 feet.
3. Petitioner has clarified that the required 100-foot Class A buffer will be provided along all property lines adjacent to residential uses and residentially zoned properties.

**VOTE**

Motion/Second: Watkins / Majeed

Yeas: Fryday, Lathrop, Majeed, McClung, Spencer, and Watkins

Nays: None

Absent: Wiggins

Recused: None

**STAFF OPINION**

Staff agrees with the recommendation of the Zoning Committee.

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**FINAL STAFF ANALYSIS**

*(Pre-Hearing Analysis online at www.rezoning.org)*

**PLANNING STAFF REVIEW**

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Allows the expansion of an existing cargo container storage facility directly north on Aqua Chem Drive in three phases.
  - Permitted uses include parking for employees, tractor trailer trucks, and trailers, container storage, warehousing, railroad spur and associated office.
  - Notes no hazardous chemicals will be stored or manufactured on the site.
  - Allows a maximum of 100,000 square feet of office/warehouse space with approximately 23,074 square feet existing and up to 76,926 square feet proposed.
  - Identifies locations of existing and proposed outdoor storage areas.
  - Identifies future rail spur area for the North Carolina State Port Authority.
  - Includes the installation of a gate at the end of Melynda Road to be used for emergency ingress/egress only.
  - Commits to the following transportation improvements:
    - Proposes access to the site via Aqua Chem Drive.
    - Proposes a secondary site driveway onto Toddville Road in the event the site’s truck volume exceeds 150 trips on Aqua Chem Drive.
    - Limits use of Melynda Drive to emergency access only.
    - Commits to installation of improvements along Toddville Road prior to issuance of the first building certificate of occupancy, including: six-foot sidewalk; eight-foot planting strip; five-foot bike lane; 11-foot travel lane; and 2.50-foot curb and gutter.
    - Provides a sidewalk easement for any portion of cross section that does not fall within the Toddville Road right-of-way.
    - Proposes a 150-foot westbound Old Mt. Holly Road left-turn storage lane with appropriate striping.
    - Notes a sight distance study to be completed for Old Toddville Road and Old Mount Holly Road.
    - Notes all transportation improvements will be approved and constructed prior to the site’s first building certificate of occupancy is issued or phased per the site’s development plan.
    - Notes anticipated hours of operation are from 7:00 a.m. to 6:00 p.m.
    - Prohibits container storage from being located within 150 feet of gate to Melynda Road.
    - Provides a 100-foot “Class A” buffer along all property lines abutting lots with residential zoning and/or in residential use.
    - Illustrates sliding gate for Melynda Road and provides a detail of accompanying proposed black
• Identifies locations of potential storm water basins.

**Public Plans and Policies**
• The *Northwest District Plan* (1990) recommends single family at up six dwelling units per acre for the portion of the property zoned R-5 (single family residential), and industrial uses for the portions of the property zoned I-1 (light industrial) and I-2 (general industrial).
• The site is located within the Mt. Holly Road/Highway 16 Industrial Activity Center, as per the *Centers Corridors and Wedges Growth Framework*.

**TRANSPORTATION CONSIDERATIONS**
• The site is accessed from local streets that connect to a major collector and has western frontage along a minor thoroughfare and southern frontage along a rail line. The current site plan limits the number of trucks using the Aqua Chem Drive entrance. Should the site’s truck volume exceed 150 trucks per day a secondary site driveway along Toddville Road will be required. Additionally, the site plan commits to construction of a 150 foot left-turn storage lane on westbound Mt. Holly Road at Aqua Chem Drive and the future curbline and streetscape along the site’s Toddville frontage.

**Vehicle Trip Generation:**
• Current Zoning:  
  - Existing Use: 55 trips per day (based on existing warehouse).
  - Entitlement: 1,500 trips per day (based on 321,500 square feet of warehouse uses and 30 single family residential dwelling units).
• Proposed Zoning: 360 trips per day (based on 100,000 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 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 via an existing six-inch water distribution main located along Melynda Road. Charlotte Water has sewer system availability for the rezoning boundary via existing eight-inch gravity sewer mains located on parcels 057-101-47, 057-101-52, 057-101-53 and 057-121-01.
• Engineering and Property Management: No issues.
• Mecklenburg County Land Use and Environmental Services Agency: No issues.
• Mecklenburg County Parks and Recreation Department: No issues.

**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 Fire Department Review
  - Charlotte-Mecklenburg Historic Landmarks Review
  - Charlotte-Mecklenburg Police 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
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review
Planner: Claire Lyte-Graham (704) 336-3782