

<b>REQUEST</b>	Current Zoning: I-2(CD) LLWPA (general industrial, conditional, Lower Lake Wylie Protected Area) Proposed Zoning: I-2(CD) SPA LLWPA (general industrial, conditional, site plan amendment, Lower Lake Wylie Protected Area)
<b>LOCATION</b>	Approximately 7.972 acres at the end of Tar Heel Road between Brooktree Drive and Bond Street and east of Toddville Road. (Council District 3 - Mayfield)
<b>SUMMARY OF PETITION</b>	The petition proposes to modify an approved conditional site plan to allow all uses permitted in the I-2 (general industrial) zoning district on vacant land located in proximity to the CSX Railroad, and north of the intersection of Toddville Road and Freedom Drive.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Tar Heel Road, LLC DC Property, LLC John Carmichael
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1
<b>STATEMENT OF CONSISTENCY</b>	<ul style="list-style-type: none"> <li>• The Zoning Committee found this petition to be consistent with the <i>Northwest District Plan</i>, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> <li>• The plan recommends heavy industrial uses as amended by rezoning petition 1994-077.</li> </ul> </li> <li>• 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: <ul style="list-style-type: none"> <li>• The site is located within the Mt. Holly Road/Brookshire Boulevard Industrial Activity Center per the Centers, Corridors and Wedges Growth Framework; and</li> <li>• The site is already zoned I-2 (heavy industrial) and the current site plan allows warehouse and office uses; and</li> <li>• This proposal is for a site plan amendment to the current industrial site plan and will allow a single industrial building with some office development, and parking/outside storage, consistent with the Activity Center location and heavy industrial recommendation per the Northwest District Plan; and</li> <li>• The site is adjacent to residential development to the south, but will be separated from the abutting residential by an 88-foot wide buffer;</li> </ul> </li> </ul> <p>By a 6-0 vote of the Zoning Committee (motion by Wiggins seconded by Fryday).</p>

<b>ZONING COMMITTEE ACTION</b>	The Zoning Committee voted 6-0 to recommend <b>APPROVAL</b> of this petition with the following modifications: <ol style="list-style-type: none"> <li>1. Staff has rescinded the comment to show the future expansion of Tar Heel Road and preserve the land for the extension because the land for the future extension of this road is preserved by a setback.</li> <li>2. Staff has rescinded the comment to remove the note regarding the elimination of the buffer if it is no longer needed due to the use or zoning of the adjacent property.</li> </ol>
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<b>VOTE</b>	Motion/Second: Majeed / Wiggins Yeas: Fryday, Majeed, McClung, Spencer, Watkins and Wiggins Nays: None Absent: Lathrop
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	Recused:	None
<b>ZONING COMMITTEE DISCUSSION</b>		Staff reviewed this petition noting that the petitioner addressed the outstanding issues. Staff noted that this petition is consistent with the <i>Northwest District Plan</i> as amended by petition 1994-077. There was no discussion of this request.
<b>STAFF OPINION</b>		Staff agrees with the recommendation of the Zoning Committee.

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**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 30,000 square foot building devoted to uses with associated parking and outside storage as permitted in the I-2 (general industrial) zoning district on approximately 7.713 acres.
- Permits a maximum of 4,500 square feet of gross floor area of the principal building to be devoted to office uses.
- Allows a maximum of one principal building on the site.
- Limits building height to 40 feet.
- Depicts general locations of building, parking and outside storage envelopes.
- Proposes access via Tar Heel Road.
- Establishes a 75-foot building and parking setback along the northern boundary.
- Provides a minimum 88-foot wide Class A buffer along the southern boundary line of the site, and along a portion of the northern boundary line of the site. Notes that in the event an adjacent parcel of land is either rezoned to a zoning district or to a use that eliminates or reduces the buffer requirements on the site, that the buffer may be reduced or eliminated accordingly.
- Identifies Post Construction Controls Ordinance (PCCO) buffer and wetlands on site.
- Limits height of freestanding lighting to a maximum of 31 feet.

• **Public Plans and Policies**

- The adopted future land use for this site is heavy industrial as per the Northwest District Plan (adopted 1990) as amended by rezoning petition 1994-077.
- The site is located within the Mt. Holly Road/Highway 16 Industrial Activity Center, per the Centers, Corridors and Wedges Growth Framework.

• **TRANSPORTATION CONSIDERATIONS**

- The site is located at the end of a local commercial street. The current site plan establishes a 75-foot building setback line as measured from the site's northern property line to accommodate a possible future extension of Tar Heel Road by others.
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 0 trips per day (based on vacant land).
    - Entitlement: 0 trips per day (based on petition 1994-077; staging/storage area).
  - Proposed Zoning: 215 trips per day (based on 25,000 square feet of warehouse uses and 4,500 square feet of office 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:** In relation to the parcel under review, Charlotte Water has water system availability for the rezoning boundary via an existing eight-inch water main located along Tar Heel Road and sewer system availability via an existing eight-inch gravity sewer main located along Tar

Heel Road.

- **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** Groundwater and Wastewater Contamination records indicate a contamination site(s) exist on, or within, 1,500 feet of the properties included in the petitions. An established Area of Regulated Groundwater Usage (ARGU) as defined by the Mecklenburg County Groundwater Well Regulations extends 1,500 feet around the contamination sites. In an ARGU where municipally supplied water is available, water supply wells for water supply, irrigation or open loop geothermal systems may not be permitted or constructed on or within 1,000 feet of contamination sites. Wells may be permitted with special construction and sampling requirements between 1,000 and 1,500 feet of contamination sites.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
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**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 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