

<b>REQUEST</b>	Current Zoning: R-3 LWPA (single family residential, Lake Wylie Protected Area)  Proposed Zoning: I-1 (CD) (light industrial, conditional, Lake Wylie Protected Area)
<b>LOCATION</b>	Approximately 14 acres along Rhyne Road, south of Mount Holly Road and west of Interstate 485. (Outside City Limits)
<b>SUMMARY OF PETITION</b>	The petition proposes the development of a business/industrial park on large lot single family parcels of land in a Wedge area just east of the U.S. National Whitewater Center.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Vernon and Glenda Lassiter, Jr. and John Vernon Lassiter, Jr. Direct Power, Inc. Walter Fields, The Walter Fields, Inc.
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 8

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends denial of this petition.</p> <p><u>Plan Consistency</u> The petition is inconsistent with the land use recommendation as per the <i>Catawba Area Plan</i> for residential land use up to four dwelling units per acre.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• The subject property is planned for single family residential development, and the surrounding properties on the west side of Rhyne Road are also planned and zoned for single family residential use.</li> <li>• The proposed rezoning will result in the encroachment of industrial zoning into this residentially planned area.</li> <li>• Directly across Rhyne Road from the subject site is property planned and zoned for a mix of residential, retail and office use. Light industrial or warehouse development on the subject site would detract from the proposed mixed use development across the street.</li> <li>• In addition, the proposal divides the subject property into four lots but only provides a site layout for one of the lots, leaving uncertainty about the site design for the remaining lots.</li> <li>• The rezoning proposal does not specify the allowed use on the site for which a layout has been provided, but indicates all uses in the I-1 (light industrial) district would be allowed on that lot, as well as the three remaining lots.</li> <li>• Uses allowed in I-1 (light industrial) zoning include industrial/warehouse uses, which would be more appropriately located in the area to the north along the rail line, as this area is planned and zoned for industrial use. The district also allows for retail and office uses which would be more appropriately located across Rhyne Road in the area already zoned for commercial uses.</li> </ul>
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**PLANNING STAFF REVIEW**

- **Proposed Request Details**  
The site plan accompanying this petition contains the following provisions:  
General
  - Proposes up to 75,000 square feet of all uses as permitted in the I-1 (light industrial) district.
  - The I-1 (light industrial) district is designed to create and protect industrial areas for light

manufacturing and the distribution of wholesale products. Uses permitted in the I-1 district by-right and under prescribed conditions in addition to light manufacturing and distribution include automotive sales and repair; boat and ship sales and repair; financial institutions up to 70,000 square feet; hotels and motels; manufactured housing sales; offices up to 400,000 square feet; retail establishments; shopping centers and businesses; personal and recreational services up to 70,000 square feet; theatres, motion picture; child care centers; day labor service agencies; and homeless shelters.

- Proposes to divide the site into four lots (Lots 1, 2, 3, and 4).
- Shows building and parking envelope for each lot, and identifies proposed building footprint and parking layout for Lot 4.

#### Transportation/Streetscape

- Provides access to all four lots via a new public street connecting to Rhyne Road.
- Provides six-foot sidewalk and eight-foot planting strip along Rhyne Road.
- Proposes five-foot sidewalk and eight-foot planting strip along both sides of the new public street.
- Notes transportation improvements will be installed prior to the issuance of the first Certificate of Occupancy for the site.

#### Architectural Standards

- Proposes buildings to be composed of some or any combination of the following building materials:
  - Storefront window systems-aluminum frames with glass
  - Architectural metal panels systems-corrugated panels
  - Exterior insulate finishing system (EIFS)-synthetic stucco
  - Architectural screen wall-perforated metal and/or fiber cement wood
  - Brick and/or architectural block and/or architectural concrete panels
  - Exposed steel columns
- Proposes a Class A 75-foot buffer with a berm along all property lines abutting lots zoned R-3 (single family residential).
- Notes that the buffers shown on the site plan may be reduced or removed if the adjoining land is rezoned to a classification for which buffers would not be required.
- Limits freestanding lighting to 31 feet, but prohibits installation within 75 feet of any property in residential use.
- **Existing Zoning and Land Use**
  - The site is zoned R-3 LWPA (single family residential, Lake Wylie Protected Area).
  - The site is used as a single family residence, with a number of accessory buildings in a rural setting.
  - The surrounding properties are also zoned R-3 LWPA (single family residential, Lake Wylie Protected Area), and are either vacant or used as single family residential.
  - The site across Rhyne Road is zoned CC (commercial center) but is mostly vacant and undeveloped, with the exception of one parcel on the southern portion, which backs up to Interstate 485. This parcel was rezoned to B-2(CD) and developed with a car dealership.
  - 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 *Catawba Area Plan* (2010) recommends residential up to four dwelling units per acre for this site and the surrounding area.
- **TRANSPORTATION CONSIDERATIONS**

The site is located on a major collector in outside of the City limits. The site plan commits to an internal collector street that is a portion of the envisioned Verde Creek Drive extension to Rhyne Road. CDOT requests that the petitioner acknowledges a future roundabout at the intersection with the internal street on the site plan and increase right-of-way along Rhyne Road frontage to accommodate this facility.

  - See Outstanding Issues, Notes 2 and 3.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 30 trips per day (based on two single family residential dwellings).
      - Entitlement: 470 trips per day (based on 42 single family dwellings on approximately 14 acres).
    - Proposed Zoning: 270 trips per day (based on 75,000 square feet of warehouse 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 Water:** Charlotte Water has water system availability for the rezoning boundary via an existing 12-inch water distribution main located along Rhyne Road. Charlotte Water currently does not have sewer system availability for the parcel under review. The closest available sewer main is approximately 1,300 feet southeast of parcel 053-25-114 near the intersection of Rhyne Road and Chapelton 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:**
  - **Arborist:** Project is outside City of Charlotte limits; if parcels are annexed into the City of Charlotte, no trees can be removed from or planted in the right-of-way of all State or City maintained public street (and any and all newly created public streets) without permission of the NCDOT and City Arborist's office, respectively. Additionally, if the parcels are annexed into the City of Charlotte, the petitioner must submit a tree survey for all trees two-inch or larger located in the rights-of-way.
  - **Erosion Control:** No issues.
  - **Land Development:** No issues.
  - **Storm Water Services:** No issues.
  - **Urban Forestry:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** Groundwater and Wastewater Services (GWS) records indicate a contamination site exists on or within 1,500 feet of this property. 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 ARGU where municipally supplied water is available water supply wells for water supply, irrigation or open loop geothermal sites 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.

**OUTSTANDING ISSUES**Land Use

1. The petition is inconsistent with the land use recommendation as per the *Catawba Area Plan* (2010) for residential land use up to four dwelling units per acre.

Transportation

2. The petitioner should revise the site plan and add a conditional note to provide sufficient right-of-way to provide for a future one-lane roundabout (RAB) at the intersection of Rhyne Road and the proposed street (Verde Creek Drive extension). The outside diameter of the travel lane for a one-lane RAB is approximately 150 feet. Additional diameter is necessary for planting strip and sidewalks.
3. The petitioner should revise the site plan to add a note specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued. CDOT requests right-of-way set at two feet behind the back of sidewalk, if feasible.

Site and Building Design

4. Remove "no wall pak type lighting" from the lighting note.

**TECHNICAL ITEMS**

5. Remove the last sentence from "Streetscape and Landscaping" language that reads as follows: "This action will not require any further administrative action on the part of the Petitioner or the City staff."

**Attachments Online at [www.rezoning.org](http://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 Water Review
  - Engineering and Property Management Review
    - City Arborist Review
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

**Planner:** Claire Lyte-Graham (704) 336-3782