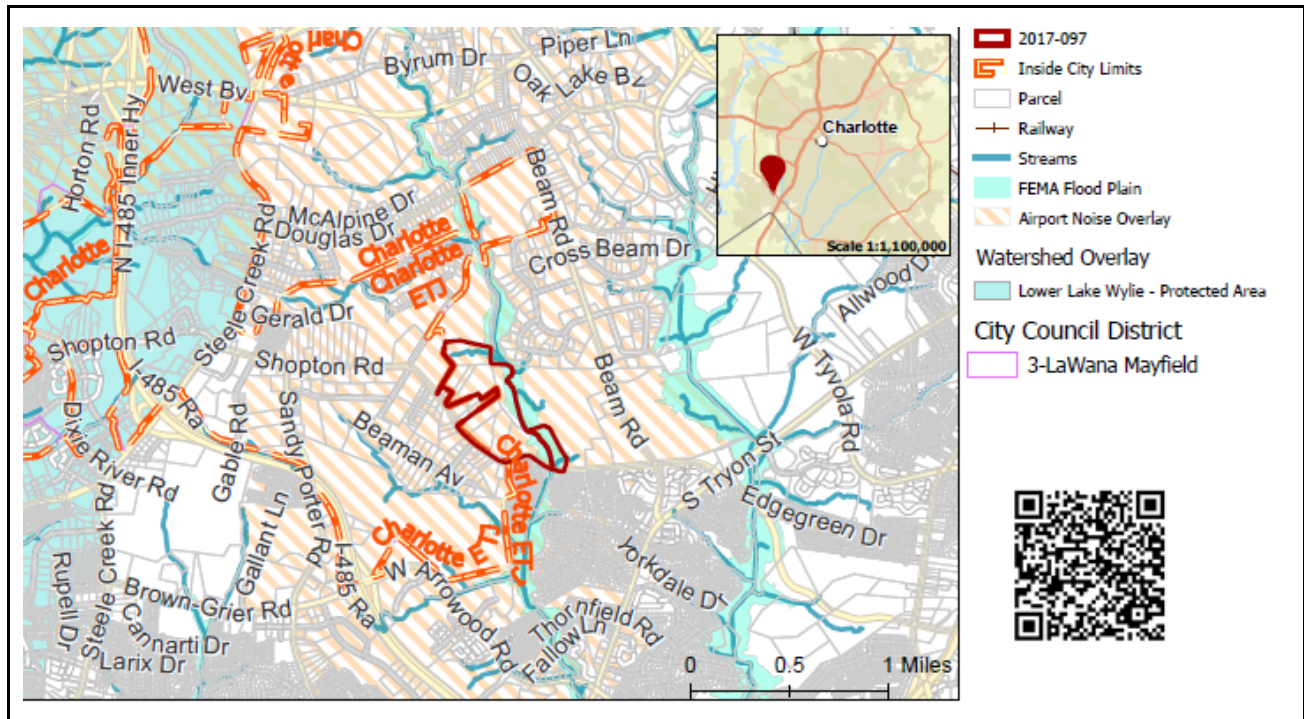


REQUEST

Current Zoning: R-3 AIR (single family residential airport noise overlay,) and BD(CD) AIR (distributive business, conditional, airport noise overlay)
Proposed Zoning: I-1(CD) AIR (light industrial, conditional, airport noise overlay) with five year vested rights.

LOCATION

Approximately ~~168.12~~ 117.16 acres located along the north side of Shopton Road , southeast of Pinecrest Drive and west of Beam Road. (Council District 3 - Mayfield)



SUMMARY OF PETITION

The petition proposes to allow the construction of a commercial/industrial/warehouse park on vacant land generally located between Steele Creek and Beam Roads and north of Interstate 485. The site is located within the Airport Noise Overlay District and partially abuts the Eagle Lake community.

**PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE**

City of Charlotte
Charlotte Douglas International Airport
Brent Cagle/Stuart Hair/Diane Carter

COMMUNITY MEETING

Meeting is required and has been held. Report available online. Meeting is required and has been held. Report available online. Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 24

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is consistent with the *Westside Strategic Plan* recommendation for office/business park/industrial uses. However, it is inconsistent with recommendation that no rezonings to non-residential designations should occur within or adjacent to Eagle Lake until the neighborhood is bought as a whole by the airport or a private developer.

	<p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The property is located just south of the Charlotte-Douglas International Airport and is located within the “Combined 1996 Noise Exposure/Noise Compatibility Program Noise Contours” which identifies the day/night average sound at 65 decibels, and which is not conducive to residential development. • While the area plan recommends that no rezonings to non-residential districts should occur within or adjacent to Eagle Lake until the neighborhood is bought as a whole, the Eagle Lake Community representatives have indicated that they are not interested in being bought out. • The proposed request limits the industrial uses and commits to a fence and buffer along Pinecrest Drive. • A “Voluntary No Build Zone/Tree Save” area is shown at the northern most point of the site and provides easements for the Coffey Creek Greenway. • The site plan shows the maximum ordinance required buffers along Pinecrest Drive. However, staff recommends increasing the buffers from 100 feet to a minimum 150 feet in order to provide a larger natural separation of the industrial development with the Eagle Lake Community. • The petitioner has removed the northern 50 acres abutting the Eagle Lake Community from the rezoning petition. • The petitioner has reduced the proposed building square footage from 2,000,000 square feet to 1,000,000 square feet.
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PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Proposed commercial/industrial/warehouse park with up to ~~2,000,000~~ 1,000,000 square feet of building area.
- Limits building height to 40 feet.
- Limits the total number of principal buildings to be developed on the site to 20.
- Allows all uses in the I-1 (light industrial) zoning district with the exception of the following prohibited uses:

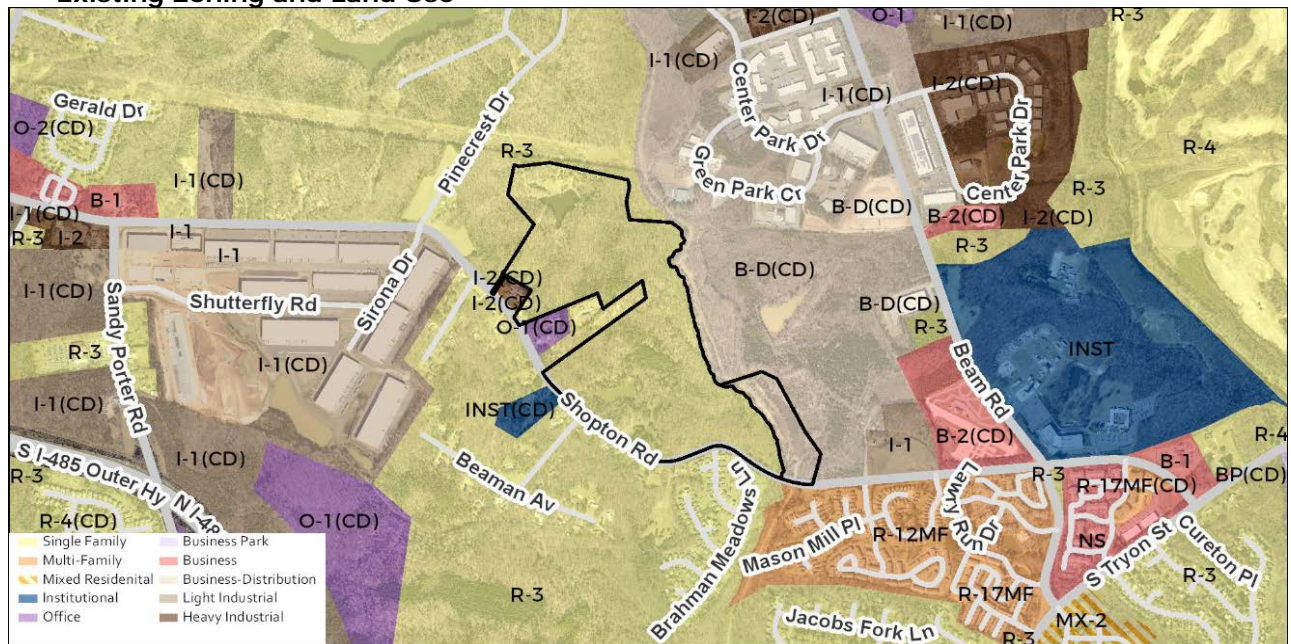
jails and prisons	retail establishments	animal crematoriums	tattoo establishment
religious institutions	EDEE (types 1 and 2)	retail bakeries	hotels and motels
adult establishment	personal services uses	car washes	beneficial fill site
auction sales	bus and train terminals	homeless shelter	outdoor seasonal sales
billboards	veterinary clinics	post offices	Orthotics/prosthetic facilities
heliports and helistops	overnight camping area	automotive repair garages	locksmiths and gunsmiths
automobile service stations	land clearing and inert debris landfill (LCID)	automotive sales and repair	pest control and disinfecting services
commercial rooming houses	off-site, mobile food vending services	boat and ship sales and repair	theaters, motion picture
flea market establishment	raceways and dragstrips	commercial outdoor amusement	recycling centers, including drop-off centers
Crematory within a cemetery	uses with an accessory drive-through window	civic, social and fraternal facilities	
barber and beauty shops	clinics, medical, dental, and optical	dry cleaning and laundry establishments	
farms, including sales of products grown on premises	gas stations with or without a convenience store	manufactured housing repair or sales	
automobiles, truck and utility trailer rental	shopping centers and business and recreation uses	armories for meeting and training of military organizations	

- ~~Proposes a 150-foot building setback along Eagle Lake Drive/Pinecrest Drive.~~
- ~~Proposes a “Voluntary No Build Zone/Tree Save” area located in the northwestern portion of the~~

site-

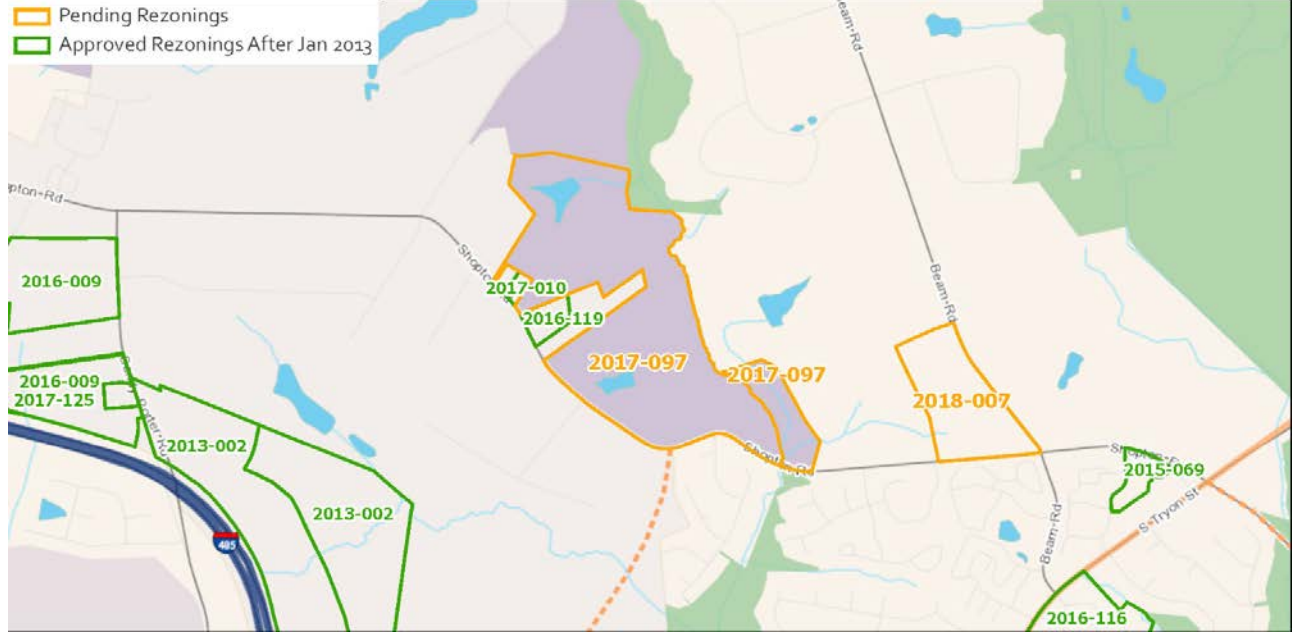
- Provides a 100-foot Class A undisturbed buffer along property lines abutting parcels zoned for residential purposes.
- Creates an internal network of public streets with three points of access onto Shopton Road.
- Coordinates with NCDOT and CDOT to improve the project’s Shopton Road frontage, and to provide a road widening as illustrated on the site plan (two travel lanes, bike lane, six-foot sidewalk, and eight-foot planting strip).
- Acknowledges reduction in project square footage from 2,000,000 square feet to 1,000,000 square feet and provides language for a technical memorandum to the original traffic impact analysis and associated mitigation measures.
- Dedicates an 85-foot right-of-way to allow for the future extension of Shopton Road by others. Prior to extension of Shopton Road, petitioner may develop the right-of-way to local industrial street standards, centered within the 85-foot right-of-way.
- Commits to conveying fee simple all rights-of-way prior to issuance of the first building certificate of occupancy.
- Approves and constructs all transportation improvements prior to issuance of the first building certificate of occupancy.
- Identifies possible location of Coffey Creek Bridge and proposed cross-section.
- Proposes that all public streets provide a 20-foot wide clear travel path lane for fire truck access. Any streets less than 26 foot pavement width will be prohibited from on street parking.
- Provides architectural standards with respect to building placement; blank walls; use of architectural elements and features; and, pedestrian connections.
- Provides a 50-foot Class A buffer along the Shopton Road frontage.
- Grants an easement to Mecklenburg County Park and Recreation, measured 100 feet from the top of bank along Coffey Creek for future extension of the Coffee Creek Greenway from Douglas Drive to Shopton Road.
- Provides up to two pedestrian connection easements (30 feet width) to the proposed Coffey Creek Greenway in locations as illustrated on the site plan.

• Existing Zoning and Land Use



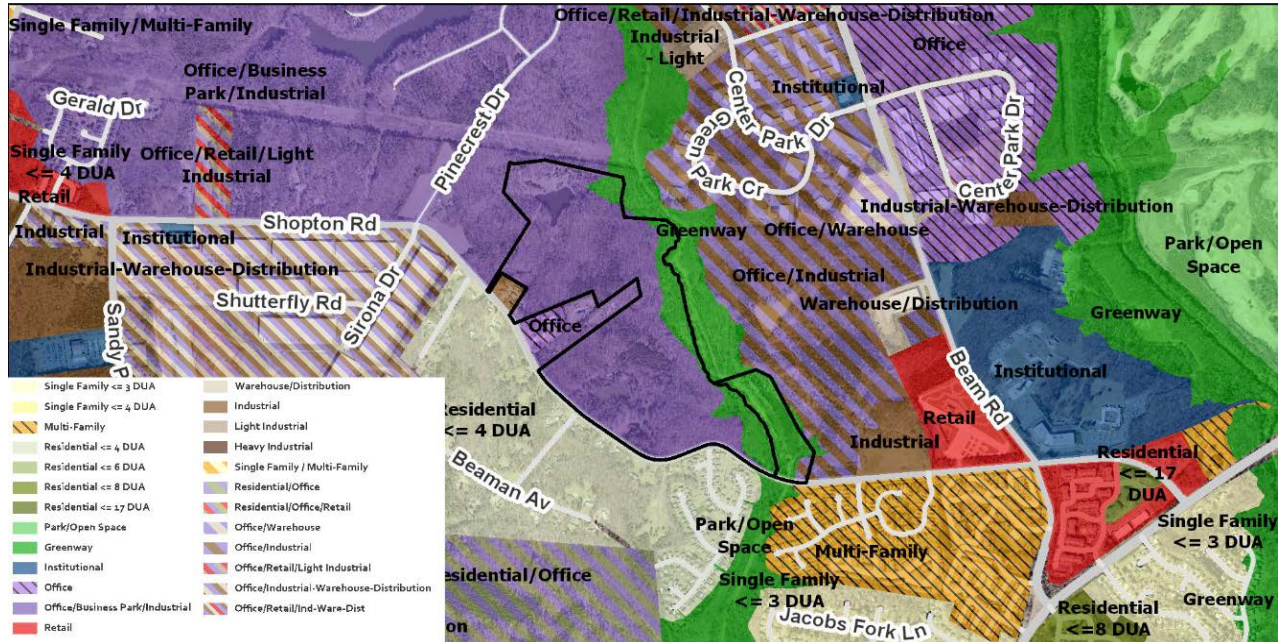
- The site is currently undeveloped/vacant and is surrounded by undeveloped/vacant land, low density residential homes, industrial/warehouse uses, and institutional uses. A portion of the site was rezoned to BD(CD) (distributive business, conditional) via rezoning petition 1982-321 in order to allow a wide variety of uses permitted in the BD district.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2018-007	Rezoning to allow additional improvements to the City of Charlotte Vehicle Training Facility.	Pending
2017-125	Rezoned 24.23 acres to I-1(CD) AIR (light industrial, airport noise overlay) and I-1(CD) SPA AIR (light industrial, conditional, site plan amendment, airport noise overlay) to allow the development of up to 255,750 square feet of gross floor area of uses permitted by right or under prescribed conditions in the I-1 (light industrial) district.	Approved
2017-010	Rezoned 2.18 acres to I-2(CD) AO (general industrial, conditional, airport noise disclosure overlay district) and I-2(CD) AO SPA (general industrial, conditional, airport noise disclosure overlay district, site plan amendment) to allow the expansion of a sanitation business.	Approved
2016-119	Site plan amendment to allow the reuse of the historically designated James Morrow Coffey House for general and professional office uses, and to accommodate the conversion of the existing open air pole barn constructed on the site to an enclosed (i.e. walled) storage building.	Approved
2016-009	Rezoned 48.8 acres to I-1(CD) (light industrial, conditional) with five-year vested rights to allow the development of up to 525,000 square feet of industrial, office, and distribution uses on acreage located in close proximity to Interstate 485.	Approved
2015-069	Rezoned 4.29 acres to R-17MF(CD) (multi-family residential, conditional) to allow 72 multi-family dwelling units and accessory uses allowed in the R-17MF (multi-family residential) district.	Approved
2013-002	Rezoning to allow the construction of a business park with office uses, limited industrial uses and certain other permitted uses.	Approved
2004-005	Indefinitely deferred request to rezone 3.4 acres to B-2(CD) (general business, conditional) for the sale and storage of motor vehicles, boats, jet skis and RV's and a garage for repairs.	Pending

• **Public Plans and Policies**



- The adopted future land use for this site is for office/business park/industrial land uses, as per the *Westside Strategic Plan* (adopted 2000).
- The plan also has language specifying that non-residential rezonings should not occur adjacent to the Eagle Lake Community, unless a buyout of the community is obtained by the airport or private developer.

• **TRANSPORTATION CONSIDERATIONS**

- The site is located on a minor thoroughfare. The current site plan commits to accommodating the future cross section of Shopton Road, constructing an internal street network to support the development, and access points that align with future street intersections on Shopton Road. Final transportation mitigations have not been determined and the petitioner is currently working on updates to the traffic study based on the review comments from NCDOT and CDOT. Further comments may be forthcoming once the petitioner resubmits the updated study. CDOT also continues to request that the site plan address the Shopton Road extension as identified in the Airport Area Master Plan.
- See Outstanding Issues, Note 2.
- **Vehicle Trip Generation:**
 Current Zoning:
 Existing Use: N/A (based on petition).
 Entitlement: 3,200 trips per day (based on 93 dwellings and 106,000 square feet of warehouse use).
 Proposed Zoning: 7,120 trips per day (based on two million square feet of warehouse use).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding 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 Shopton Road. Charlotte Water has sewer system availability for the rezoning boundary via an existing eight-inch gravity sewer main and an existing 36-inch gravity sewer main located within the rezoning boundary.
- **Engineering and Property Management:**
 - **Arborist:** No trees can be removed or planted in the right-of-way of any state maintained street without permission of NC Department of Transportation and the City Arborist’s office.

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- **Erosion Control:** No outstanding issues.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry:** No outstanding issues.

 - **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
 - **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Land Use

1. ~~Remove Environmental Features Note 7.b. Petitioner must provide a wetland letter prior to being scheduled for Zoning Committee Work Session.~~ **Addressed.**

Transportation

2. ~~The petitioner should revise the conditional notes to include all the traffic mitigations as identified in the traffic study.~~ **Addressed.**

Site and Building Design

3. ~~Increase the buffers to a minimum of 150 feet along Pinecrest Drive in order to provide a larger natural separation between the industrial development and the Eagle Lake Community.~~ **Rescinded. Petitioner has removed acreage that is north of the existing power line and abuts Eagle Lake Community from the request.**

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Housing and Neighborhood Services Review
 - Charlotte Fire Department Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - City Arborist
 - 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