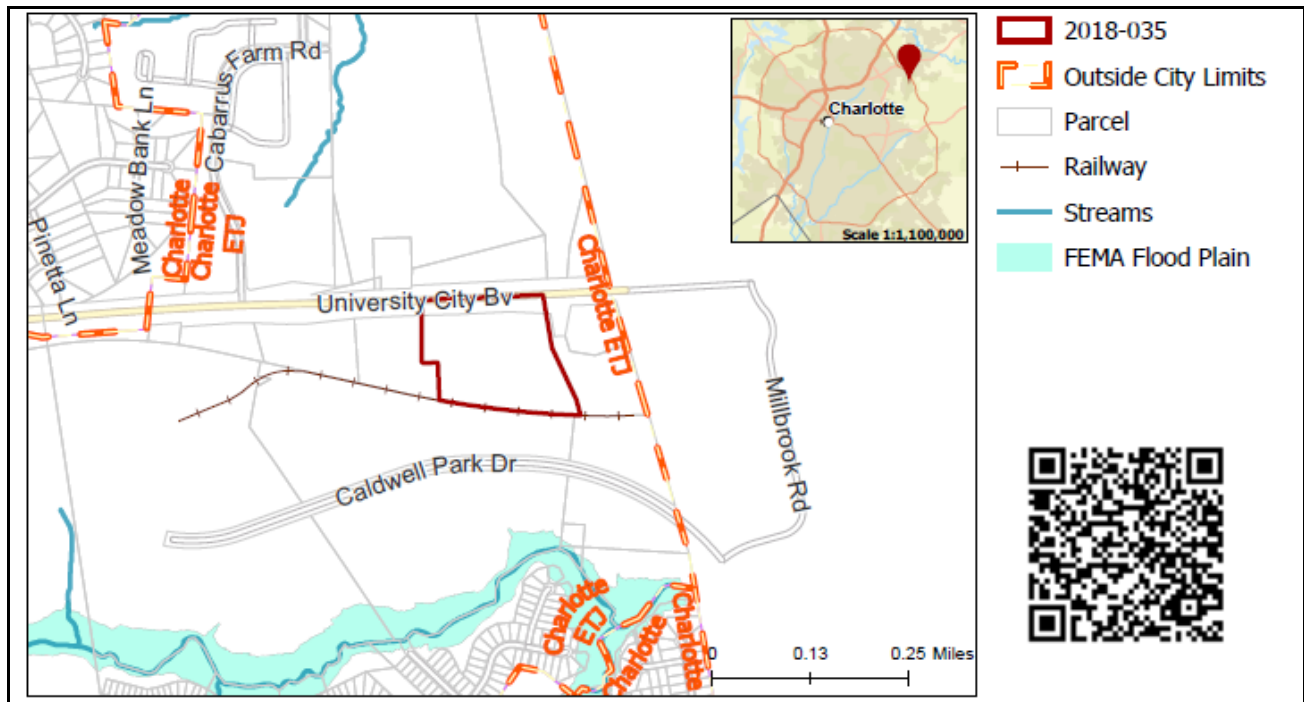


REQUEST Current Zoning: B-1SCD (business shopping center district)
Proposed Zoning: I-2(CD) (general industrial, conditional)

LOCATION Approximately 13.02 acres located on the south side of University City Boulevard, west of the Mecklenburg/Cabarrus County Line.
(Outside City Limits)



SUMMARY OF PETITION The petition proposes to allow 120,000 square feet of uses permitted in the I-1 (light industrial) district that are also allowed in the I-2 (general industrial) district, plus certain additional uses allowed in the I-2 district. It also proposes up to 5,000 square feet of retail, personal service and EDEE (eating/drinking/ entertainments) uses, with or without an accessory drive through window within a limited development area.

PROPERTY OWNER The Bailey W. Patrick Family, LLC, J Nolan Mills III, Family LLC, and Tridolph LLC

PETITIONER EM & C Investments, LLC

AGENT/REPRESENTATIVE Keith MacVean and Jeff Brown, Moore & Van Allen, PLLC

COMMUNITY MEETING Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 0.

STAFF RECOMMENDATION Staff recommends approval of this petition.

Plan Consistency
The industrial uses are consistent with the *Rocky River Road Area Plan*, which recommends warehouse/industrial uses.

The retail, personal service, and EDEE (eating/drinking/entertainment) uses are inconsistent with the industrial land use recommendation.

Rationale for Recommendation

- The site is located between University City Boulevard, which is a major thoroughfare and the railroad and industrial zoned land to

the south creating an environment that is suitable for nonresidential uses.

- The petition proposes to expand an existing adjacent manufacturing business located both in Mecklenburg and Cabarrus Counties by:
 - allowing all uses in the I-1 zoning district that are also allowed in the I-2 (general industrial) district, and
 - allowing certain manufacturing uses which are only permitted in the I-2 zoning district.
- The petition also proposes to allow a small amount of retail uses, personal services and EDEE uses which are allowed under the current zoning and in the industrial zoning districts.

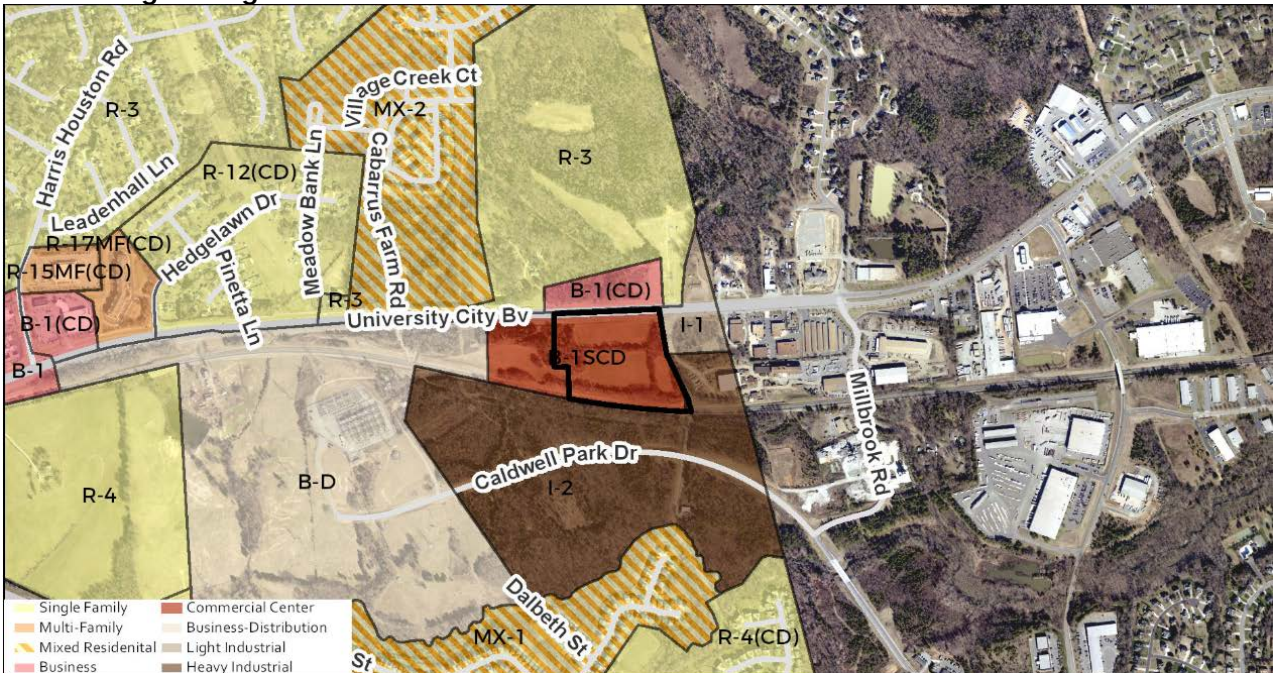
PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Development consisting of Areas A and B as a planned unified development, to allow a maximum 120,000 square feet of uses permitted in the I-1 (light industrial) district that are also allowed in the I-2 (general industrial) district. The site plan lists certain additional uses that are permitted in the I-2 (general industrial) district, which include warehousing, satellite dish farms, contactor offices, foundries, lumber mills and storage yards.
- Up to 5,000 square feet of retail, personal service and EDEE uses, with or without an accessory drive through window are permitted in Development Area B.
- Site access via University City Boulevard, a private street west of the site, and the adjoining property to the east. Private drives and parking areas will provide interconnectivity.
- Streetscape along University City Boulevard will consist of an eight-foot planting strip, and a six-foot sidewalk that incorporates a graded 12-foot wide pad area that will accommodate the sidewalk and future expansion of the sidewalk into a 12-foot wide multi-use trail.

• **Existing Zoning and Land Use**



- Petition 1988-26C rezoned the subject property to B-1SCD to allow a 125,000 square-foot shopping center.
- The subject property is vacant and zoned B-1SCD (business shopping center) district. The site is located close to the Mecklenburg County/Cabarrus County line.



The subject property is vacant.



A vacant property is adjoining the subject site to the east. Further east, in Cabarrus County, the properties are a mix of commercial, retail, and industrial uses.



The subject property is bordered to the south by the railroad.



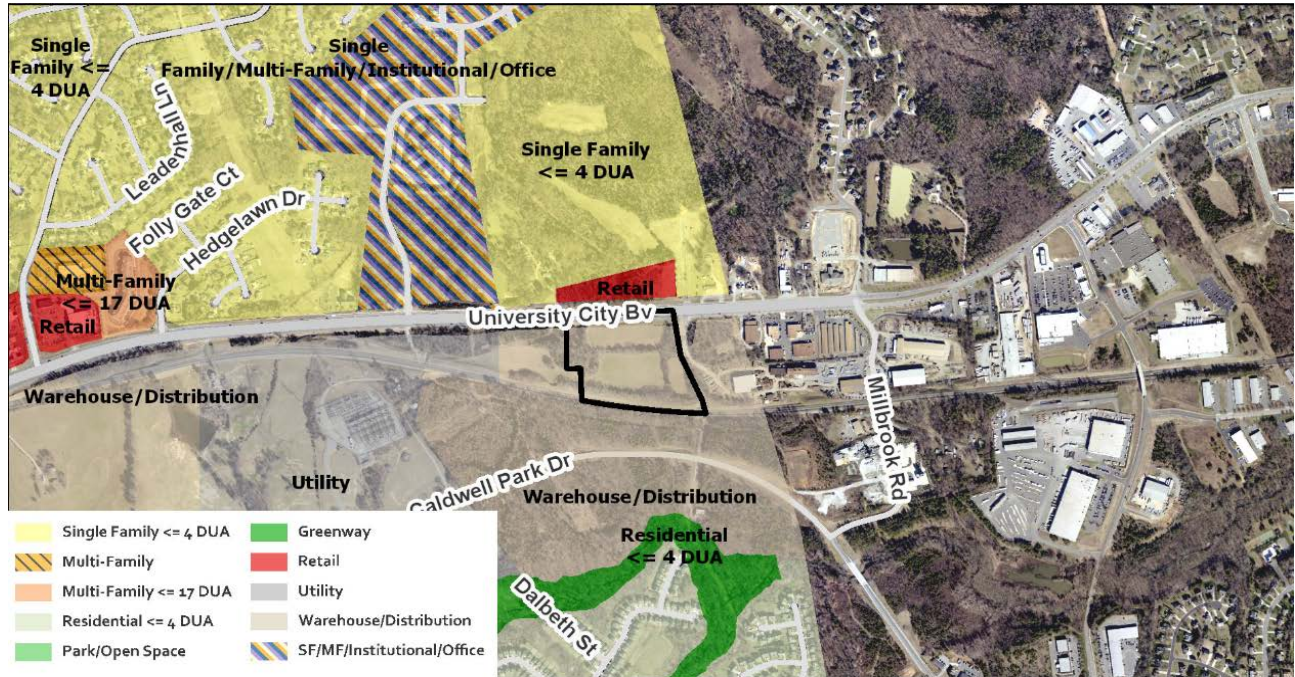
Properties to the north are mostly vacant with some single family homes and a cemetery.

Rezoning History in Area



- There have been no recent rezonings in the immediate area.

Public Plans and Policies



- Rocky River Road Area Plan (2006) recommends warehouse/distribution uses.

TRANSPORTATION CONSIDERATIONS

- This site is located along a major thoroughfare.
- See Outstanding Issues, Notes 1-5.
- **Vehicle Trip Generation:**
 Current Zoning:
 Existing use: 0 trips per day (based on vacant lot).
 Entitlement: 7,850 trips per day (based on 125,000 square feet of retail uses).
 Proposed Zoning: 1,380 trips per day (based on 5,000 square feet of retail uses and 115,000 square feet of warehouse uses).

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 on-street parking on roads less than 25 feet clear width.

Charlotte-Mecklenburg Schools: No comments submitted.

Charlotte Water: Charlotte Water currently does not have water system accessible for the rezoning boundary under review. The closest water distribution main is approximately 1100 feet west of the rezoning boundary along University City Boulevard. The applicant should contact Charlotte Water's New Services at (704) 432-2854 for more information regarding access to water system connections. A Capacity Assurance application for sewer service has been received and is currently under review. Correspondence will be maintained with the applicant.

- **Engineering and Property Management:**
 - **Arborist:** Parcel is outside the city limits of Charlotte.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry:** Site must comply with the Tree Ordinance.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

1. ~~Revise the site plan and conditional note(s) to extend cross-section of proposed access road on the west side of site and connect to the southeastern proposed site access.~~ Addressed
2. ~~Revise the site plan and conditional note(s) to show the proposed access at University City Boulevard extend south and connect to the access road mentioned above.~~ Addressed
3. ~~Revise the site plan and conditional note(s) to include an eight-foot planting strip and 12-foot multi-use path on University City Boulevard.~~ Addressed
4. ~~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 back-of-sidewalk where feasible.~~ Addressed
5. ~~The petitioner should revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~ Addressed

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: Sonja Strayhorn Sanders (704) 336-8327