

REQUEST

Current Zoning: R-3 AIR LLWPA (single family residential, airport noise overlay, Lower Lake Wylie Protected Area)

Proposed Zoning: I-1(CD) AIR LLWPA (light industrial, conditional, airport noise overlay, Lower Lake Wylie Protected Area)

LOCATION

Approximately 34.63 acres located on the north side of Tuckaseegee Road, west of Westwood Drive, north of Interstate 85.

(Council District 3 - Mayfield)



SUMMARY OF PETITION

The petition proposes to allow the construction of warehouse/distribution, office and other industrial uses on property partially developed with residential and vacant land. The site is located within both the Airport Noise Overlay and the Lower Lake Wylie Protected Area.

PROPERTY OWNER

Gloria Sadler, et al

PETITIONER

Clarius Partners, LLC

AGENT/REPRESENTATIVE

Bridget Grant, Keith MacVean, and Evan Bass, Moore & Van Allen, PLLC

COMMUNITY MEETING

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

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is consistent with the office/industrial land use recommended for much of the site, and inconsistent with the single family up to three dwelling units per acre land use recommendation for a small portion of the site. Both land use recommendations are by the *Northwest District Plan*.

Rationale for Recommendation

- The site is located just north of the airport, abutting Interstate 85.
- The proposed warehouse/distribution and industrial uses are appropriate within the Airport Noise Overlay.
- In addition, the petition proposes to remove the residential properties on this site which are not recommended in the Airport Noise Overlay.
- This proposal is compatible with the industrial uses that exist or are being planned for the area between Interstate 85 and Wilkinson Boulevard, due to its proximity to the airport, the intermodal yard and the interstates.
- The dedication of right-of-way for proposed new road connections/realignments and street improvements that are a part of this rezoning will provide improved access to the site and create additional street network for the area.
- The approval of this petition will revise the adopted future land use as specified by the *Northwest District Plan*, from single family up to three dwelling units per acre to office/industrial land use for a small portion of the site.

The approval of this petition will revise the adopted future land use for a small portion of the site as specified by the *Northwest District Plan*, from single family residential to office/industrial.

PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Proposed warehousing, warehouse/distribution, manufacturing, office and other industrial uses allowed by right and under prescribed conditions with up to 450,000 square feet.
- Prohibits the following uses:
 - Outdoor storage (allowed as accessory uses)
 - Eating, drinking, entertainment establishments (allowed as accessory uses)
 - Retail establishments, shopping centers and business, personal and recreation services
 - Auction sales
 - Automobiles, truck and utility trailer rental
 - Automotive repair garages, sales and repair, and/or service stations
 - Manufactured housing sales or repair
 - Petroleum storage facilities
 - Recycling or drop off centers (allowed as accessory uses)
 - Billboards
 - Prisons
 - Junkyards
- Proposes a 75-foot reduced Class A buffer with berm along all property lines abutting parcels zoned residential and/or in residential use.
- Provides a 30-foot setback along Tuckaseegee Road.
- Notes that the proposed buffer/berm will not conflict with storm drainage discharge from the site and will be designed to discontinue at natural site discharge points.

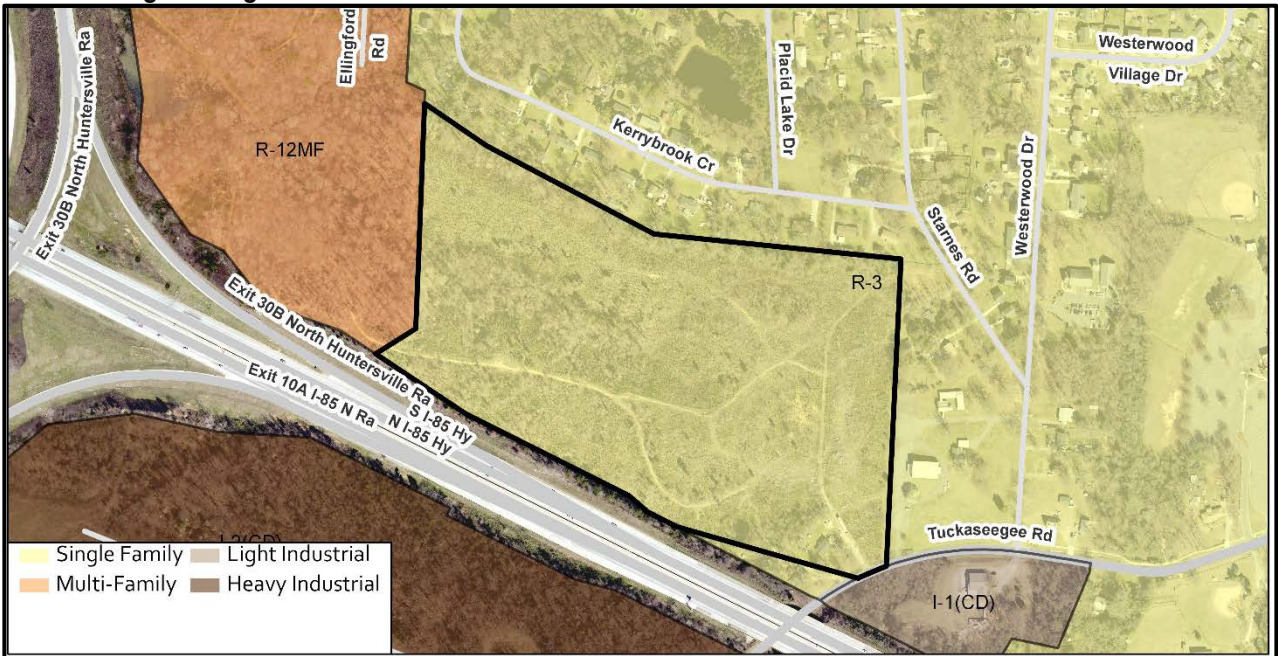
Proposes the following transportation commitments:

- Access to the site from Tuckaseegee Road, as shown on the site plan.
- 41-feet of public right-of-way in fee simple along Tuckaseegee Road.
- Six-foot sidewalk and eight-foot planting strip along the north side of Tuckaseegee Road between I-85 and Westwood Drive.
- 150-foot eastbound left turn storage lane along Tuckaseegee Road to the site's access.
- Sidewalk only on the southern side of Tuckaseegee Road under the I-85 overpass.
- Reserves a 42-foot wide corridor (the "Reserved Corridor") along the southern property boundary adjacent to I-85 and Tax Parcel #055-271-01 as shown on the rezoning plan to provide a possible future public street connection, to be constructed by and at the cost of others, to Tax Parcel #055-221-24 subject to provisions. Provisions include the following:
 - Reserved Corridor will be reserved for twenty (2) years from the approval of the rezoning.
 - Petitioner may conduct site work within the Reserved Corridor until such time the possible future public street connection is developed.
 - No buildings will be constructed within the Reserved Corridor.
 - Petitioner will not bear any costs or expenses associated with the construction of the proposed public street within the Reserved Corridor.

- Development of the connection will not result in creating non-compliant or non-conforming conditions.
 - City of Charlotte will coordinate with the Petitioner to provide a minimum of two connections from the site to the proposed public street within the Reserved Corridor.
 - Abandon unopened right-of-way identified on rezoning plan via separate process.
- Commits to the following architectural standards and design guidelines:

- Combination of the following building materials: glass, brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, cementitious siding (such as hardi-plank), metal panels, EIFS or wood. Prohibits vinyl except on windows and soffits.
- Pedestrian access from all pedestrian entrances to the public sidewalk on Tuckaseegee Road.
- Principal building will provide a recognizable entrance, through architectural treatments, clear glass and/or similar.

• **Existing Zoning and Land Use**



- The site is almost entirely vacant with the exception of a single family home fronting Tuckaseegee Road.
- The site is surrounded to the north, east and west by single family homes, institutional uses, retail/warehouse, and vacant land. Interstate 85 and vacant land zoned for industrial uses are directly to the south.



The subject property is almost entirely vacant except for a single family home.



The properties to the north along Kerrybrook Circle are developed with single family homes.

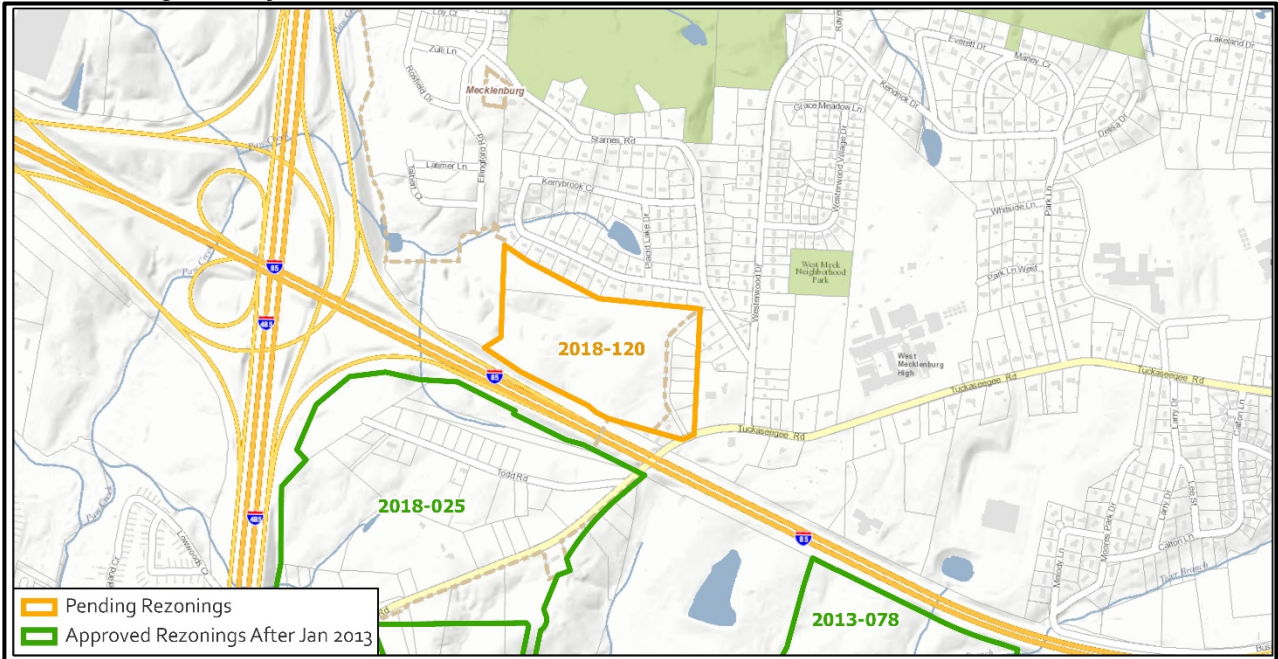


The property is bordered by Interstate 85 to the south.



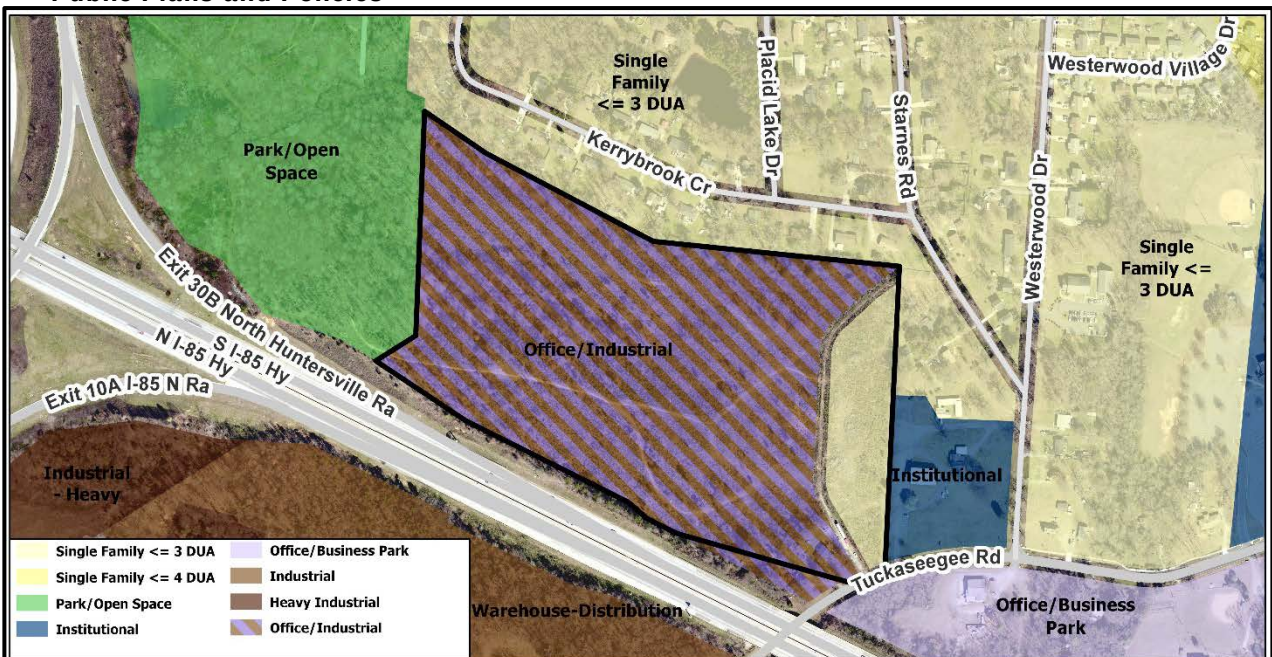
The property to the west is vacant.

• Rezoning History in Area



Petition Number	Summary of Petition	Status
2018-025	Rezoned approximately 108 acres to I-2(CD) AIR LLWPA (general industrial, conditional, Airport Noise Overlay, Lower Lake Wylie Protected Area) to allow 2.4 million square feet of warehousing, warehouse/distribution, manufacturing, office and other industrial uses.	Approved
2013-078	Rezoned approximately 60 acres owned by the Charlotte Douglas International Airport to I-2 AIR LLWPA (general industrial, Airport Noise Overlay and Lower Lake Wylie Protected Area) in order to aid in the implementation of the <i>Airport Master Plan</i> .	Approved

• Public Plans and Policies



- The *Northwest District Plan* (1991) recommends office/industrial land uses for much of the site, and single family up to three dwelling units per acre for a small portion of the site.

TRANSPORTATION CONSIDERATIONS

- The site's near-term site access will only be from Tuckaseegee Road, a minor thoroughfare. CDOT is requesting land to be preserved within the site so that a future public street can be constructed by others in the future. This future street will provide future connectivity to undeveloped parcels northwest of the site. The petitioner is providing Tuckaseegee Road widening and streetscape improvements from Amazon's widening project limits to Westerwood Drive. The site is located along CATS existing bus route #8.
- ~~See Outstanding Issue, Notes 2.~~ **Addressed**
- **Vehicle Trip Generation:**
Current Zoning:
Existing Use: 10 trips per day (based on one single family dwelling).
Entitlement with Current Zoning: 1,080 trips per day (based on 103 dwellings).
Proposed Zoning: 1,600 trips per day (based on 450,000 square feet of warehouse).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** No comments submitted.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Tuckaseegee Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing eight-inch gravity sewer mains located along Tuckaseegee Road.
- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.
 - **Erosion Control:** No comments submitted.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** ~~See Outstanding Issues, Note 3.~~ **Addressed**
 - **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 ISSUESLand Use

- ~~1. The following uses should be prohibited: billboards, jails, prisons, and junkyards.~~ **Addressed**

Transportation

- ~~2. The petitioner should revise the site plan and conditional note(s) to preserve land (i.e. 65 feet total width) to implement a public local industrial street typical section (see CLDSM U-06) between Tuckaseegee Road and the site's western property line in the future by others. This land is being preserved so that a future street could be extended to the northwest and connect to Ellingford Road when tax parcel 05522124 is developed. The preservation area should be adjacent to the I-85 northern right of way line and connect to the site's proposed Tuckaseegee access drive, a minimum of 150 feet from Tuckaseegee Road. This proposed street will provide needed street network in this area. (see below a conceptual industrial street alignment along the site's southern property line and future street network). CDOT suggests the below conditional note wording to be used to preserve the land.~~ **Addressed**

Future East/West Street Reservation **Addressed**

- ~~a. The area bounded and depicted on the revised site plan is a land reservation set aside for a future potential public roadway extension.~~
- ~~b. This land is preserved in favor of the City of Charlotte and will not be developed in this project.~~
- ~~c. All development rights, processes, permits, land preparation etc. will be the responsibility of the City of Charlotte.~~
- ~~d. It is further understood and agreed that the development of this road will not take proposed lot out of standard or cause it to fall into non-compliance with the adopted rezoning plan.~~
- ~~e. Once the City of Charlotte has secured all the necessary rights-of-way, permits, etc to construct the proposed roadway, the developer and/or property owner shall dedicate the describer right of way free simple to the City of Charlotte at no cost to the City of Charlotte.~~



Environment

- ~~3. The proposed buffer/berm will conflict with storm drainage discharge from the site, particularly on the western site boundary. Adjust buffer/berm limits or add note to rezoning plan to allow for berm discontinuity at natural site discharge points.~~ Addressed

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Fire Department Review
 - Charlotte Water Review
 - Engineering and Property Management 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