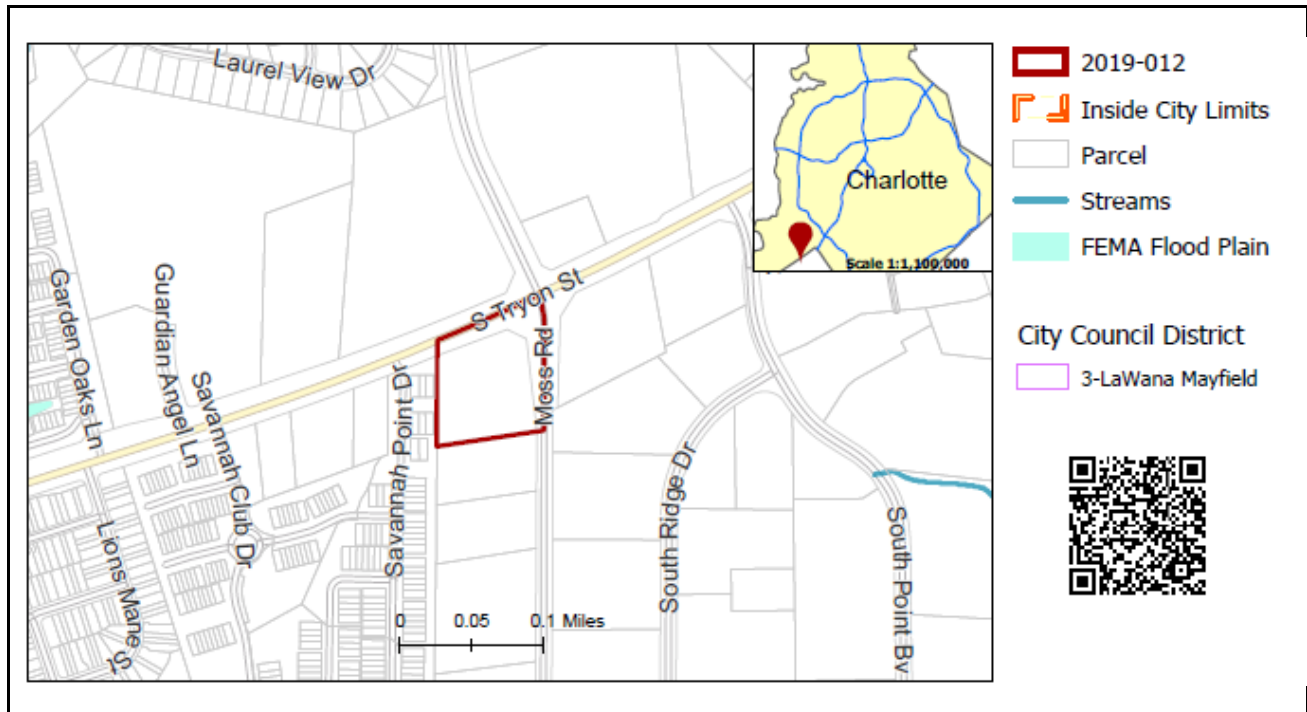


**REQUEST**

Current Zoning: NS (neighborhood services)  
Proposed Zoning: NS SPA (neighborhood services, site plan amendment)

**LOCATION**

Approximately 2.84 acres located on the southwest corner of South Tryon Street and Moss Road.  
(Council District 3 - Mayfield)



**SUMMARY OF PETITION**

The petition proposes to modify an approved plan to allow up to 30,500 square feet of grocery store and retail uses on a vacant parcel of land generally located in southwest Charlotte.

**PROPERTY OWNER**

YDG Moss Road, LLC

**PETITIONER**

Lidl US Operations LLC (Don Keum & Michael Slvotinek)

**AGENT/REPRESENTATIVE**

Bridget Grant, Dujuana Keys, & Jeff Brown, Moore & Van Allen

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 3

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is consistent with the *Steele Creek Area Plan* recommendation as amended by rezoning petition 2014-042 for office/retail land uses.

Rationale for Recommendation

- The site plan provides for a retail use at a location previously approved for other retail development, in proximity to other commercial and institutional uses at the intersection of South Tryon Street and Moss Road.

- The plan provides for a building along the street edges with appropriate sidewalk circulation and landscaping, and parking located to the side/rear of the building.
- The project will provide for retail services in proximity to single family and multi-family residential neighborhoods.

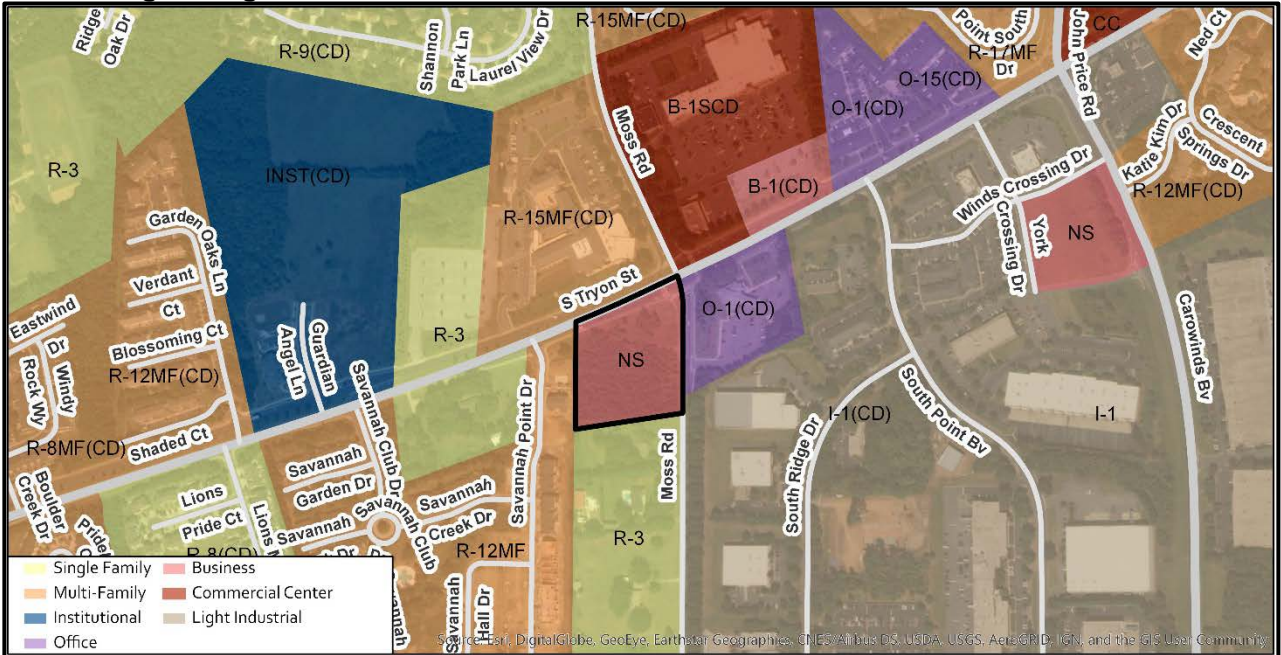
## PLANNING STAFF REVIEW

### • **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Replaces the 6,000 square feet of automotive building and 20,000 square foot office building shown on the approved site plan with up to 30,500 square feet of grocery, retail, personal service, EDEE (eating drinking entertainment establishments) and other uses allowed by right and under prescribed conditions in the NS district.
- Limits the total number of principal buildings to be developed on the site to one.
- Prohibits the following uses: automotive service stations with or without a convenience store, and EDEE/retail uses with an accessory drive-through window.
- Provides a 15-foot Class B buffer with 6-foot fence along the west and south property lines adjacent to parcels zoned R-12MF (multi-family residential) and R-3 (single family residential).
- Proposes enhanced landscaping adjacent the building elevation facing Moss Road to address blank walls and enhance the pedestrian environment consisting of shrubs and small maturing trees.
- Commits to the following transportation improvements:
  - Proposes right in/right out driveway Access A onto South Tryon Street.
  - Proposes full movement driveway Access B onto Moss Road.
  - Dedicates right-of-way 66 feet from the existing centerline of South Tryon Street.
  - At South Tryon Street and Moss Road construct a northbound right turn lane on Moss Road and modify the signal as necessary.
  - At Tryon Street and Access A construct an eastbound right turn lane with 75 feet of storage and appropriate taper.
  - Constructs Access A with one ingress lane and one egress lane (right only).
  - At Moss Road and Access B construct a southbound right turn lane with 75 feet of storage and appropriate taper, and construct a northbound left turn lane with 100 feet of storage and 100 feet of taper.
  - Constructs Access B with one ingress lane and one egress lane (shared left/right).
  - Proposes a 12-foot multi-use path and an 8-foot planting strip along South Tryon Street.
  - Proposes a 6-foot sidewalk and 8-foot planting strip along Moss Road.
  - Notes petitioner will coordinate with CATS to relocate and construct a bus stop waiting pad on Tryon Street as part of the development of the site.
- Commits to the following architectural standards:
- Proposes a combination of portions of the following materials: brick, brick veneer manufactured stone, split-face concrete masonry units, precast concrete, cast-in place concrete, cementitious siding, architectural metals, stucco, EIFS, decorative block, transparent glazing, and spandrel glazing. Vinyl as a building material is acceptable only on windows, soffits, and handrails/railings.
- Limits uninterrupted blank walls to 50 feet by one or a combination of elements.
- Prohibits the service side of the building from being oriented directly to Moss Road or South Tryon Street.

### • Existing Zoning and Land Use



- The site is currently vacant and is surrounded by a mix of attached and detached single family residential neighborhoods, multi-family residential, institutional, commercial, office, and warehouse uses in various zoning districts.
- The subject site was rezoned in 2007 (rezoning petition 2007-024) from R-3 (single family residential) to NS (neighborhood services), to allow up to 34,000 square feet of office uses in two buildings, of which one was a 5,000-square foot bank with a drive-thru window. The approved site plan allows a two-story office building and a financial institution, along with associated parking and service areas. Staff did not support this rezoning request because it was inconsistent with the *Southwest District Plan*, which recommended single family residential up to three dwelling units per acre.
- Petition 2014-042 approved an NS SPA (neighborhood services, site plan amendment) on the subject site to allow for additional uses to include up to 6,000 square feet of retail and/or automobile services, and to increase the square footage of a previously approved office building from 29,000 square feet to 30,000 square feet.



The subject property is vacant.





The property to the east along Moss Road is developed with a bank.



The property to the west along Savannah Point Drive is developed with a multi-family use.



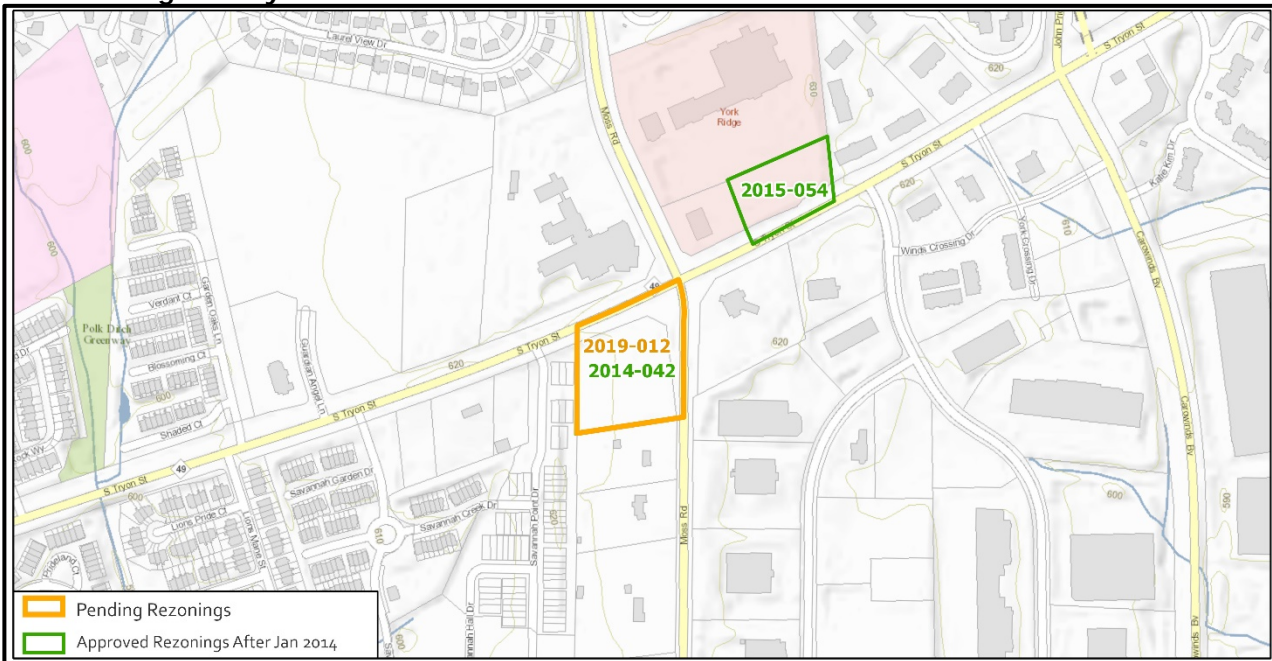
The property to the south along Moss Road is developed with single-family.





The property to the north across South Tryon is developed with a church.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2015-054	Rezoned approximately 1.56 acres from B-1SCD (business shopping center) to B-1(CD) (neighborhood business conditional) to allow up to 10,000 square feet of office, retail, EDEE (eating drinking entertainment establishments), personal services and other commercial uses as allowed in the B-1 (neighborhood business) zoning district.	Approved

## • Public Plans and Policies



- The *Steele Creek Area Plan* (2012) recommends office/retail land uses for this site, as amended by rezoning petition 2014-042.
- The proposed retail uses are consistent with the *Steele Creek Area Plan*.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is location at the intersection of a major thoroughfare and a major collector. The site commits to transportation improvements identified in the traffic impact study. Furthermore, pedestrian improvements are proposed in the form of a multi-use path along South Tryon Street and a 6-foot sidewalk on Moss Road.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 0 trips per day (based on vacant land).
      - Entitlement: 530 trips per day (based on 30,000 square feet of office and 6,000 square foot auto care center re petition 2014-042).
    - Proposed Zoning: 3,200 trips per day (based on 30,500 square foot supermarket).

## 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:** Fire hydrant must be within 750 feet of the most remote point of the building as the truck travels.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Moss Road. Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The closest available sewer main is approximately 150 feet west of the rezoning boundary on Savannah Point Drive. A developer donated project will be required in cases there is not direct service.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **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 comments submitted.

- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**Site and Building Design

1. ~~Clarify intent in regard to the "proposed enhanced landscaping" on the building elevation facing Moss.~~ Addressed
  2. ~~Ensure the meandering portion of the proposed multi-use path along South Tryon Street does not conflict with the requirement that all parking areas are required to be screened from abutting rights-of-way. While the NS district is exempt from the buffer regulations, screening requirements contained in Section 12.103 apply.~~ Addressed
- 

**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
- Pre-hearing Staff Analysis
- Post-hearing Staff Analysis
- Zoning Committee Recommendation
  - 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
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

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