

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2007 - 121

Property Owner: Lisa G. Curley

Petitioner: Dixie River Land Co., L.L.C.

Location: Approximately 1.80 acres located on the north side of Dixie River Road, west of I-485

Center, Corridor or Wedge: Wedge

Request: R-3, single-family residential up to 3 dwelling units per acre to BP(CD), business park, conditional

Summary

The request is to rezone approximately 1.70 acres in order to include the site into the Business Park portion of Berewick. The parcel is currently vacant and will be incorporated into the adjacent parcel to the east known as Parcel 'C' North of the Berewick development. The Berewick master plan provides for Parcel 'C' North to share existing development rights with Parcel 'C' South. The development rights limit development on these parcels combined to 375,000 square feet of building area. The subject rezoning request will not result in additional building square footage.

Consistency and Conclusion

The request is consistent with the *Dixie Berryhill Strategic Plan*, which recommends mixed office, commercial, and light industrial uses on the subject site.

Existing Zoning and Land Use

The site is surrounded by a mix of vacant and residential land uses on properties zoned R-3, MX-1, BP, and CC.

Rezoning History in Area

The most recent rezoning in the area was rezoning petition 2006-078, which amended an area containing 314.2 acres within the 979.24-acre Berewick mixed use development master plan.

Public Plans and Policies

The petition site is located within the *Dixie Berryhill Strategic Plan*, which recommends mixed office, commercial, and light industrial uses on this site.

Proposed Request Details

The request is to rezone approximately 1.70 acres in order to include the site into the business park portion of Berewick. The parcel is currently vacant and will be incorporated into the adjacent parcel to the east known as Parcel 'C' North of the Berewick development. The Berewick master plan provides for Parcel 'C' North to share existing development rights with Parcel 'C' South. The development rights limit development on these parcels combined to 375,000 square feet of building area. The subject rezoning request will not result in additional building square footage. The technical data sheet accompanying the plan provides the following details:

- Approximately 1.7 acres will be incorporated into Parcel 'C' North.
- This plan will provide a 100' undisturbed project edge along west property line and 50' undisturbed project edge along south property line, pursuant to the requirements of the BP zoning district.
- Development notes are consistent with those provided on the Berewick Master Plan, pertaining to permitted uses; buffer areas and project edges; lighting; parking; connectivity; screening; refuse collection areas; pedestrian and bicycle network; arrangement of uses; coordination with CDOT; and, access points.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT has reviewed the petition and provided comments pertaining to the following:

- Road frontage and restricting accessibility onto Dixie River Road from the subject parcel;
- Accessibility for the parcel to the north of the subject property;
- Provision of 6-foot sidewalks and 8-foot planting strips on Dixie River Road;
- Connection of proposed sidewalks to existing sidewalks on adjacent properties;
- Right-of-way conveyance, adequate sight triangles, driveway permit(s) for driveway connections, right-of-way encroachment agreement.

CATS. CATS has not provided comments on this petition.

Connectivity. This request is to incorporate a parcel into approved master development, and no site plan identifying specific improvements has been submitted. It is anticipated that this parcel will be incorporated into the development of adjacent parcels, and any future construction must adhere to all applicable requirements pertaining to internal and external accessibility.

Storm Water. Charlotte-Mecklenburg Storm Water Services (SWS) and Mecklenburg County Land Use and Environmental Services Agency (LUESA) have reviewed the petition and provide comments pertaining to the following:

1. The site drains to a stream listed as impaired by the NC Division of Water Quality.

2. The site contains a private water supply well that must be protected from damage during site development, or must be properly abandoned prior to site work commencing.
3. A septic tank exists on the parcel and it is recommended that the system be pumped by a licensed waste hauler to remove any residual contents, and then crushed and backfilled.
4. The petitioner is required to submit a Solid Waste Management Plan prior to initiating demolition and/or construction activities.
5. The site is located in the Lower Lake Wylie Watershed Overlay Protected Area, and all applicable requirements apply to the property and any future development.

School Information. CMS has not submitted comments on this petition.

Outstanding Issues

Land Use. The request is consistent with the *Dixie Berryhill Strategic Plan*. Any future development of the site must comply with all applicable requirements, including conditions under the Berewick master development plan.

Site plan. No site plan identifying specific improvements for this parcel was submitted. However, a technical data sheet has been submitted showing the subject parcel, the existing 21.7-acre Parcel 'C' North to the east, and development notes consistent with those provided on the Berewick Master Plan. There are no site plan issues with the proposal at this time, but future development will be subject to the development notes on the technical data sheet.