

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2006-37

Property Owner: Samuel and Ramona Gardner

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Approximately 1.52 acres located south of the intersection of W. Brookshire Fr. and Interstate 77

Request: I-2, general industrial to I-2(CD), **general industrial, conditional district request**

Summary

The Charlotte-Mecklenburg Planning Commission seeks to correctively rezone the parcels identified to support the goals of the *West End Land Use and Pedscape Plan* adopted in November 2005.

Consistency and Conclusion

The proposed conditional plan restricts the number of industrial uses allowed by-right that are inconsistent with the *West End Land Use and Pedscape Plan*. **The existing Industrial use on the site is allowed to remain. Any expansions would have to comply with the requirements of the West End Land Use and Pedscape Plan.**

Existing Zoning and Land Use

The existing land use and zoning on the subject parcel is I-2, general industrial. Adjacent land use and zoning surrounding this parcel is open space, single family, multi-family, and institutional.

Rezoning History in Area

Recent rezonings in the general area include 06-35 (Various corrective rezonings to R-5, R-22MF and B-1 with the *West End Land Use and Pedscape Plan.*), 06-34 (PED), 02-132 (MUDD CD), 02-95 (O-2 CD), 96-42 (NS) and 95-32 (O-1CD).

Public Plans and Policies

The *West End Land Use and Pedscape Plan* recommends multi-family along Wesley Heights Way and Grandin Rd. The PED district does not have a density cap. The maximum building height in PED is 100 feet with a base height of 40 feet. The areas recommended for multi-family abut or are adjacent to single family development or zoning.

Proposed Request Details

The property currently zoned I-2 ,is being used for general industrial and does not pose a nuisance to the community. However, the property could be sold or used for a potentially noxious use under the I-2 district. The West End Land Use and Pedscape Plan recommends a corrective rezoning to I-2 CD to allow the current business to remain compliant while restricting potentially noxious uses on this site in the future. The West End Land Use and Pedscape Plan recommends multi-family on this site.

Public Infrastructure

Traffic Impact / CDOT Comments. This site could generate approximately 210 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 220 trips per day. This will have a minor impact on the surrounding thoroughfare system. CDOT has the following specific comment:

- As part of the building permit for the building expansion, as allowed by the conditional plan, the road frontage and driveway should be brought into compliance with current city standards, which may include a reduced driveway width, new curb, gutter, and sidewalk.

CATS. The site is not directly served by a transit route but is in close proximity to a route along Beatties Ford Road.

Connectivity. There are no connectivity issues associated with this petition.

Storm Water. No significant downstream impacts due to drainage are foreseen due to the rezoning of this parcel.

School Information. This nonresidential rezoning request will have no impact on the school system.

Outstanding Issues

Land Use. This rezoning request is not consistent with the recommendations of the *West End Land Use & Pedscape Plan* (2005). However, given the viability of the existing business, its relative unobtrusiveness to the neighborhood, and the property owners' willingness to draft a conditional plan, staff is supportive of the rezoning request.

Site plan. There are no outstanding site plan issues.