

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2006-127

Property Owner: Waters Investments, Inc and William & Margaret Tyson

Petitioner: Westlake Properties, LLC

Location: Approximately 22.1 acres located on the west side of Brookshire Boulevard between Bellhaven Boulevard and Old Plank Road

Request: B-1 SCD LWPA, shopping center district to CC LWPA, commercial center within the Lake Wylie Protected Area

Note: The petitioner is requesting a withdrawal of this petition.

Summary

This petition proposes to revise the 1987 B-1SCD site plan for 22.1 acres located at Brookshire Boulevard and Bellhaven [petition 1987-37(CD)]. As the B-1SCD no longer exists, rezoning to the CC district is required.

Consistency and Conclusion

This request is consistent with the North West District Plan and is considered appropriate for approval upon resolution of the outstanding site plan issues.

Existing Zoning and Land Use

The properties surrounding the site are predominantly residential in zoning and use with the exception of an O-1 (CD) property to the north.

Rezoning History in Area

The most recent rezoning in the area was petition 2004-010 for Dr. Ray Drury. Dr. Drury seeks rezoned approximately 5 acres to the north of the subject property from R-3 to O-1(CD) to allow the existing residence to be used for medical and general office uses.

Public Plans and Policies

The *Northwest District Plan* (adopted 1990) recommends a neighborhood mixed use center at the subject location. The site is currently approved for a shopping center and this request will allow that existing site plan to be amended.

Proposed Request Details

The proposed site plan has the following provisions:

- Maximum 150,000 square feet of floor area
- No one single user over 60,000 square feet
- No more than 2 establishments with drive-through windows.
- The setbacks are slightly reduced from the 1987 site plan.
- Architectural controls limit the amount of unarticulated facades but do not specify the construction materials.

Public Infrastructure

Traffic Impact / CDOT Comments. This site could generate approximately 5,600 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 6,400 trips per day. This will have a minor impact on the surrounding thoroughfare system. CDOT has the following specific comments that are critical to their support of the rezoning petition:

- The driveway on Plank Road is too close to Brookshire Boulevard and cannot be designed to adequately accommodate left-turn lanes serving the site and Brookshire Boulevard. For this reason it must be relocated westward to a location opposite the driveway to the existing office development. Only a single driveway will be approved on Plank Road.
- According to the City of Charlotte's Driveway Regulations, CDOT has the authority to regulate/approve all private street/driveway and public street connections to the right-of-way of a street under the regulatory jurisdiction of the City of Charlotte. CDOT has determined that a symmetrically designed left-turn lanes are necessary to serve the traffic using the proposed private driveway connection(s) for this site on Plank Road and Bellhaven Boulevard. For safety reasons, an eastbound left-turn lane on Plank Road serving the existing office development driveway is required opposite the westbound left-turn lane serving this site's driveway as described above. The engineering design and construction of the left-turn lanes are the responsibility of the owner, and shall be performed by a professional engineer registered in the State of North Carolina who has roadway-design experience. CDOT will only approve the proposed public street/private driveway connection(s) provided that left-turn lanes are constructed on Plank Road and on Bellhaven Boulevard. We recommend the rezoning plan reflect the design of these required left-turn lanes prior to submittal/approval of the public street/private driveway connection(s). These roadway improvements are required to meet the traffic demands of the proposed development. The left-turn lanes need to be designed with a minimum 150 feet of storage, a 15:1 bay taper and 45/35:1 through lane tapers.
- The existing edge of pavement, pavement markings, median, sidewalk, curb and gutter on Plank Road and Bellhaven Boulevard, if present, should be shown on the site plan.
- In the commercial center district, setbacks are measured from the back of the existing or proposed curbline. During the building/driveway permit process, CDOT will determine the curb/gutter locations for these roadways that will be sufficient to accommodate the future cross section and bike lanes. The 14-foot setback for both streets is to accommodate an 8-foot planting strip and a 6-foot sidewalk. This should be noted on the plans.

- Streets should align perpendicularly with each other at internal intersections.
- Internal channelization is required at each driveway and must be a *minimum* of 150 feet, measured from the proposed rights-of-way of Bellhaven Boulevard and Plank Road, and dimensioned/noted on the site plan.

CATS. CATS is requesting 75 non-exclusive park and ride spaces in close proximity to Bellhaven Blvd. along with a shelter pad and stop as per CATS Development Standards 60.02B, within the site. Further, CATS requests construction of heavy-duty pavement to enable bus-travel and sidewalks and curb and gutter along the entire length of the site on Bellhaven Blvd. CATS will provide and install the shelter after the construction of the waiting pad.

Storm Water. Downstream complaints consist of flooding, blockage, and erosion. The petitioner shall include the note on SWIM buffers in the attached memo.

School Information. This petition will not affect the school system.

Outstanding Issues

Land Use. This request is consistent with the *Northwest District Plan*, which recommends a neighborhood mixed use center at this location.

Site plan. The following site plan issues are outstanding:

- List the total allowed square footage.
- Provide a tree survey of the existing trees in the setbacks as per the tree ordinance.
- RZ-4, Section 3 please note that independent buildings are allowed only as permitted in the general development policies and all other buildings must be interconnected.
- RZ-4, Section 3 remove note (B) about the constriction on parcel C.
- Show building locations, standards, and elevations for buildings that back up to NC 16.
- Spandrel glass should not be permitted.
- Show the courtyard/plaza area along Hwy 16.
- Provide a cross section of the 35-foot setback along Plank Road and the 35-foot setback along Bellhaven Boulevard. If no trees are located in these areas, provide 4-0 berm with trees and shrubs to a class "C" standard.
- Increase the setback along Hwy 16 to 50-feet and label as tree save area.
- Provide a Buffer section in the development standards and show a pedestrian circulation plan.
- Provide an 8-foot planting strip and 6-foot sidewalk along Plank Road and Bellhaven Boulevard.
- Compliance with the GDP Retail Design Guidelines should be shown on the site plan.