

<b>REQUEST</b>	Current Zoning: R-3, single family residential Proposed Zoning: NS, neighborhood services
<b>LOCATION</b>	Approximately 5.46 acres located on the east side of Steele Creek Road at the intersection of Dixie River Road and Steele Creek Road.
<b>SUMMARY OF PETITION</b>	The petition proposes the development of four parcels with a mix of retail, restaurant, and office uses.
<b>STAFF RECOMMENDATION</b>	Staff does not recommend approval of this petition as currently proposed. The mix of nonresidential uses is consistent with the <i>Steele Creek Area Plan</i> ; however, the square footage indicated on the site plan exceeds the adopted plan's 70,000 square foot limit. In addition, design modifications are necessary to accomplish the "Community Design" policies of the adopted plan and to enhance the developments relationship with abutting properties. This subject site will act as the entrance to a future residential neighborhood east of the site.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Robert Freeman Jr., Louise Freeman, and Deborah Dowling SBG Properties, Inc. Wesley A. Smith, EMH&T
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online.

**PLANNING STAFF REVIEW**

- **Proposed Request Details**  
The site plan accompanying this petition contains the following provisions:
  - A 268,811 square foot development with up to 217,431 square feet of all uses allowed within the NS zoning district and up to 51,380 square feet of office uses.
  - Up to four development lots. Lots A and D propose NS uses and lots B and C propose O-1 uses allow within the NS zoning district.
  - 35-foot setback along Steele Creek Road.
  - 14-foot setback from the back of curb along Dixie River Road.
  - Eight-foot planting strips and six-foot sidewalks will be provided along Dixie River Road.
  - Minimum five-foot wide planting strip will be provided behind all public street sidewalks. This area will include a low brick landscape wall (30 inches to 36 inches in height) with ornamental trees and plantings.
  - A gateway feature on both corners at the intersection of Steele Creek Road and Dixie River Road will be provided. This feature includes a brick wall with ornamental trees, evergreen shrubs, perennial plantings, and annual plantings.
  - Maximum building height limited to two stories and 40 feet.
  - Each building façade will be constructed with a minimum 50 percent brick, brick veneer, stone, or simulated stone.
  - The brick utilized for the buildings and the landscape walls will be similar in color throughout the development.
  - Building elevations provided for Lots A and D which front Steele Creek Road.
  - Lots B and C, which front Dixie River Road, will be required to obtain an administrative approval from the Planning Department for building elevations to ensure a residential character prior to receiving building permits.
  - Vehicular access will be limited to one driveway off Dixie River Road to the two lots on the north side of the road and one driveway off Dixie River Road to the two lots on the south side of the road. One right-in/right-out driveway is also indicated onto Steele Creek Road.
  - The Dixie River Road extension will be constructed and/or platted prior to the first certificate of occupancy being issued.
  - Bike lanes are provided along Dixie River Road.
  - Lots A and D, with all NS uses, will provide a minimum 10-foot wide buffer with six trees and 20 shrubs per 100 linear feet where those lots abut residential zoning. A minimum six-foot high wall/fence located at least eight feet from the property line will be installed within these buffer areas.

- Lots B and C, with O-1 uses, will provide a minimum 14-foot class “C” buffer where those lots abut residential zoning.
  - Detached lighting will have full cut-off lighting fixtures and shall be limited to 25 feet in height.
  - No “wall-pak” type lighting will be allowed.
  - Parking will be provided per Chapter 12, Part 2 “Off-Street Parking and Loading” of the Zoning Ordinance. However, restaurants will have a parking ratio of one space per 100 square feet.
  - **Existing Zoning and Land Use**

The subject site is currently occupied with two single family homes. Properties located north, east and south of the requested rezoning are zoned R-3 and contain single family homes or are vacant. West of the subject site, across Steele Creek Road, are properties zoned CC. These properties are currently vacant but approved for commercial development.
  - **Rezoning History in Area**
    - Petition 2010-011 rezoned approximately 83 acres located generally on the east side of Dixie River Road between Steele Creek Road and Shopton Road from R-3, BP(CD), CC, and O-2(CD) to CC, CC SPA, and I-1(CD). This petition allows for up to 715,000 square feet of office, 70,000 square feet of retail uses, a 120-room hotel, and 40,000 square feet of light manufacturing with warehouse distribution. The location of this rezoning is directly across Steele Creek Road from the subject site.
    - Petition 2009-037A rezoned approximately 8.3 acres located on the north side of Dixie River Road and west of Shopton Road from MX-1 and CC to R-17MF(CD). This petition allows for up to 108 multi-family residential units. The location of this rezoning is approximately  $\frac{3}{4}$  of a mile west along Dixie River Road from the subject site.
    - Petition 2009-037B rezoned approximately 5 acres located on the south side of Dixie River Road west of Steele Creek Road from R-3 to CC. This petition allows for commercial uses on the subject site to be developed as part of the unified plan associated with the previously approved Berewick development. The location of this rezoning is approximately 600 feet west along Dixie River Road from the subject site.
  - **Public Plans and Policies**
    - The *Steele Creek Area Plan* (2012) recommends residential land use up to 6 dwelling units per acre for the subject site as well as all the parcels on the east side of Steele Creek Road between Brown Grier Road and Interstate 485. The plan also indicates that consideration will be given to a mixture of residential, office, and retail land uses along Steele Creek Road, limiting the retail to a convenience size center (70,000 square feet maximum).
    - The *Steele Creek Area Plan* also contains “Community Design” policies addressing nonresidential developments and freestanding single tenant buildings. These policies recommend minimizing the impacts of drive-through lanes, providing meaningful amounts of usable and accessible open space, providing safe pedestrian pathways and crossings throughout the development, orienting buildings towards the street, and encouraging shared driveways.
    - The proposed land use for a mix of nonresidential uses is consistent with the recommended land use in the *Steele Creek Area Plan*; however, the square footage indicated on the site plan exceeds the square footage limits designated for the area east of Steele Creek Road between Brown Grier Road and Interstate 485. There is no residential component included in this petition; however, it is anticipated that residential uses will expand east of the subject site and in other surrounding areas. Therefore, it is important the development have design elements that relate to the future abutting residential uses for which this site is the main entrance. The consideration for a mixture of land uses is also contingent on the development of a satisfactory design and site plan addressing the “Community Design” policies detailed in the plan. These policies may be achieved once the outstanding issues regarding pedestrian connections, a usable open space area, and architectural standards have been addressed.
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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Department of Solid Waste Services:** No issues.

- **Transportation:** The petitioner should:
  - Modify the last sentence of the fifth "Transportation" conditional note to read: "The petitioner will be responsible for implementing a right-turn lane, one through lane, one left-turn lane and one receiving lane (a total of 4 travel lanes) for the proposed Dixie River Road extension, including a wide median. The Dixie River Road transportation improvements shall be completed and approved by CDOT/NCDOT before the first building certificate of occupancy is issued. Final construction details will be discussed during the construction permitting process".
  - Relocate the proposed joint access driveways on Dixie River Road approximated 350 feet from the Steele Creek Road intersection to insure the driveways do not block traffic on Dixie River Road and the operations of the existing traffic signal are not compromised. Placing the two driveways at this location will provide the site with "full access" driveways now and in the future. Also, the four-foot raised median can be eliminated due to the increased distance between the intersection and the driveways.
  - Provide a northbound right turn lane from Steele Creek Road onto Dixie River Road.
  - Remove the proposed right-in/right-out driveway onto Steele Creek Road from Lot A.
  - Illustrate on the site plan all future truck turning movements for each of the development parcels.
- **Vehicle Trip Generation:**  
Current Zoning: 155 trips per day.  
Proposed Zoning: The proposed land use data depicted on the revised site plan appears unrealistic as compared to the site acreage; therefore, the proposed trip generation has not been calculated.
- **Connectivity:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The development allowed under existing zoning would generate 3 students, while the development allowed under the proposed zoning will produce 21 students. Therefore, the net changes in the number of students generated from existing zoning to proposed zoning are 18 students.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No comments received.

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#### **ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
  - This site meets minimum ordinance standards.

#### **OUTSTANDING ISSUES**

- The petitioner should:
  1. Drastically reduce the square footages to a maximum of 30,000 square feet allocated for the development.
  2. Indicate no drive-through windows will be allowed on Lots B and C.
  3. Provide a "Parking Ratio" heading within the site data table.
  4. Modify the second sentence of the parking ratio to read: "However, Lot D shall provide one space per 100 square feet if developed as a restaurant".
  5. Provide an active open space area next to the building on Lot A (minimum 750 square feet) between the building and Dixie River Road. The active open space area shall include outdoor seating and be connected to the sidewalk along Dixie River Road with a minimum five-foot wide pedestrian path.
  6. Indicate the pedestrian crossings within the parking/maneuvering areas will be delineated by using stamped asphalt and/or pavers.
  7. Indicate a minimum eight-foot wide planting strip will be provided along Steele Creek Road on Lot A rather than a six-foot wide planting strip.
  8. Indicate the existing planting strip and a sidewalk may remain along Steele Creek Road on Lot D.

9. Eliminate the word "sketch" in the first paragraph under "Transportation".
10. Add the following note to the second paragraph under "Transportation": "Subdivision approval for Dixie River Road is required prior to building permits being issued".
11. Add the following note to the first paragraph under "Architectural Standards": "All buildings shall be designed so that the first floor along both Dixie River Road and Steele Creek Road will not have blank walls that exceed 20 continuous feet in length. Doors, windows, and/or a combination of design elements shall be used on the building façade to animate and enliven the streetscape".
12. Modify the second paragraph under "Architectural Standards" to read: "Buildings located within Lots A and D shall not be required to provide pitched roofs and shall follow the general guidelines of the elevations submitted with this rezoning".
13. Modify the third paragraph under "Architectural Standards" to read: "Buildings located within Lots B and C may shall be subject to providing designed to be residential in character and have pitched roofs, but is not necessarily required".
14. Provide a note under "Parking" to read: "No parking and/or maneuvering will be allowed between the building located on Lot A and Dixie River Road. Parking and driveways may be located to the sides of the principal building along the Dixie River Road frontage but may not exceed 50 percent of the lot width".
15. Provide a note under "Parking" to read: "Buildings located on Lots B and C will front Dixie River Road with no parking and/or maneuvering between the buildings and the street. Parking and driveways may be located to the side of the principal building along the street frontage but may not exceed 35 percent of the lot width".
16. Provide a note under "Parking" to read: "The building located on Lot D will be place up to the corner of Dixie River Road and Steele Creek Road with no parking between the building and the streets. However, maneuvering for a drive-through is allowed between the building and the streets. Parking and driveways may be located to the sides of the principal building along the two street frontages but may not exceed 50 percent of the lot width".
17. Modify the building and parking layout so it complies with outstanding issues #14, 15, and 16.
18. Add the following note in the second paragraph under "Streetscape and Landscaping" on Sheet 3 and under Note #12 on Sheet 4: "The wall shall be a minimum of three feet behind the sidewalk".
19. Provide elevations of the canopy over the gas pumps associated with Lot A to indicate brick columns that match the brick used in the construction of the building.
20. Address Transportation issues.

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

- Application
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Solid Waste Services Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review

**Planner:** Shad Spencer (704) 353-1132