

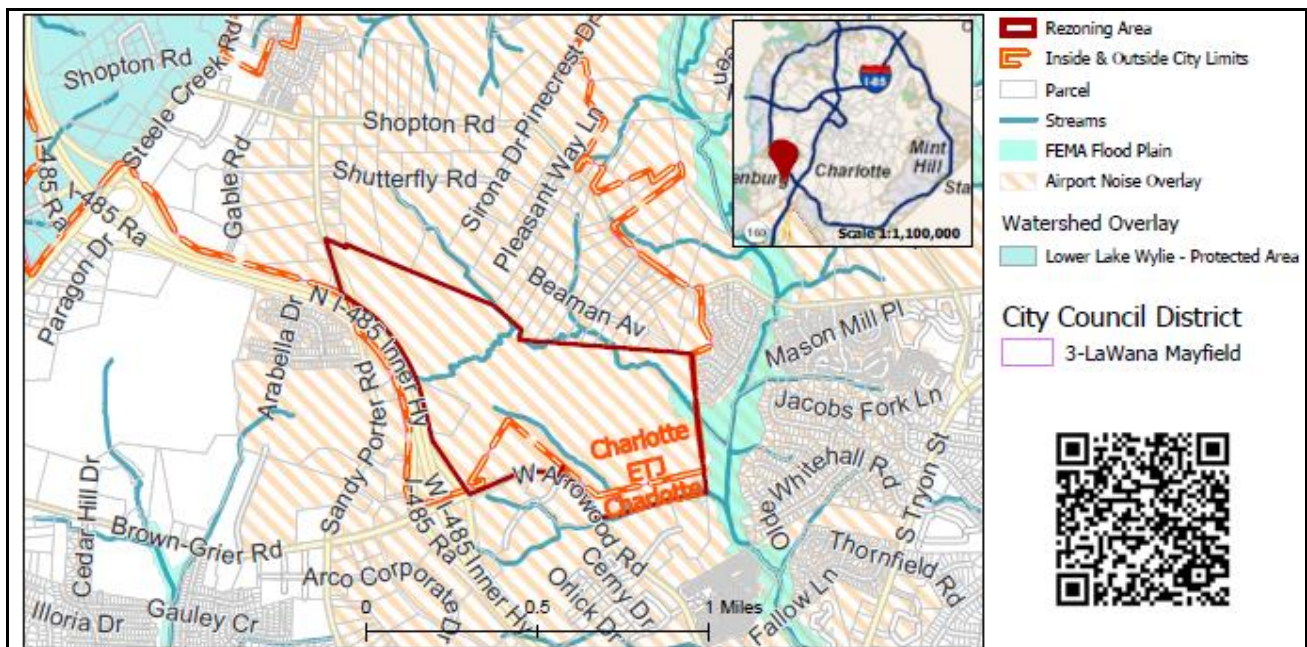
REQUEST

Current Zoning: R-3 AIR (single family residential, Airport Noise Overlay), O-1(CD) AIR (office, conditional, Airport Noise Overlay), and I-1(CD) AIR (light industrial, conditional, Airport Noise Overlay)

Proposed Zoning: MUDD-O AIR (mixed use development, optional, Airport Noise Overlay) and I-1(CD) AIR (light industrial, conditional, Airport Noise Overlay) with five-year vested rights

LOCATION

Approximately 264.93 acres located off West Arrowood Road, east of Interstate 485.
(Council District 3 - Mayfield)



SUMMARY OF PETITION

The petition proposes a multi-use development on undeveloped acreage generally located at the northeast quadrant of West Arrowood Road and Interstate 485 in Southwest Charlotte.

PROPERTY OWNER

Blind Squirrel Real Estate, LLC, Steele Creek (1997) LLC, and Whitehall Development LP C/O Merrifield Patrick

PETITIONER

AGENT/REPRESENTATIVE

Steele Creek (1997) LLC
Bridget Grant, Jeff Brown, and Dujuana Keys/Moore & Van Allen, PLLC

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 9

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, environment, and technical items.

Plan Consistency

The petition is consistent with the *Steele Creek Area Plan* residential/office/retail, and office/industrial-warehouse-distribution land use recommendations for most of the site, and is inconsistent for the portion of the site recommended for residential/office uses.

Rationale for Recommendation

- The proposed industrial and mixed-use land uses are consistent with most of the land use recommendations for the site, and are compatible with the surrounding industrial developments in the area.
- The proposed site plan provides a 100-foot Class A buffer and 11.23 acres of tree save area between the industrial development and existing single family.
- The proposed mixed-use area is consistent with the land use recommendation for the site, and is located across the street from similar mixed-use development.
- The site is located within the Whitehall Mixed Use Activity Center, as per the *Centers Corridors and Wedges Growth Framework*. The uses proposed in this site plan are consistent with the uses recommended for these types of activity centers.

The approval of this petition will revise the adopted future land uses as specified by the *Steele Creek Area Plan*, from office/industrial-warehouse-distribution to mixed residential/office/retail for the portion of the site adjacent to Interstate 485 just north of Arrowood Road; and from residential/office to industrial for the eastern and northern portion of the site adjacent to the tree save area and the 100 foot class A buffer.

PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Proposes a multi-use development within Development Areas A, B, C, D-1 and D-2 as follows: Development Areas A, B and C to be rezoned to MUDD-O AIR (mixed use development, optional, Airport Noise Overlay):
 - Up to 73,000 square feet of gross floor area of office/medical/bank; retail; eating drinking entertainment establishments (EDEE); breweries; indoor recreation; convenience/gasoline sales up to one such use; personal services and other commercial uses (all uses excluding general and medical office uses and banks/financial institution uses being referred to as "non-office commercial uses") subject to conversion rights.
 - Up to 270 residential dwelling units of all types, subject to conversion rights noted below.
 - Hotel with up to 140 rooms.
 - Commercial uses may be increased up to an additional 15,000 square feet of gross floor area by reducing the amount of office uses by one square foot for every one square foot of such non-office commercial uses, and the amount of general/medical office uses may be increased by up to an additional 15,000 square feet of gross floor area by reducing the maximum amount of such non-office commercial uses by one square foot for every one square foot of office uses increased.
 - Reserves right to convert a portion of the residential dwelling units into hotel rooms up to a maximum of 30 hotel rooms at the rate of one room for every residential dwelling unit. Petitioner also reserves the right to convert hotel rooms into residential dwelling units up to a maximum of 30 residential dwelling units at the same ratio.
 - Allows up to three uses with an accessory drive-through window within Development Area, with a fourth drive-through permitted as an accessory to a limited service restaurant by reducing the amount of retail uses by two (2) square feet for every one (1) square foot of such limited service restaurant use.
 - Prohibits parking as a principal use.
 - Allows maximum building heights within Development Areas A and B to 40 feet, except that the building height for the hotel use allowed in Development Area B may be up to 85 feet. Permits a maximum building height of 55 feet within Development Area C.
 - Requests the following optional provisions:
 - Allow maneuvering and circulation between public streets and buildings within Development Areas A, B, and C.
 - Allow up to three (3) uses with accessory drive-through windows to be constructed within Development Area A subject to provisions regarding an additional limited service use drive-through window also allowed as an optional provision.
 - Allow one (1) detached ground mounted sign identifying the uses/tenants within Development A with a maximum height of 20 feet and up to 150 square feet of sign area.

- Allow one (1) ground mounted detached sign along one of Public Roads A, B, or C within Development B with a maximum height of eight (8) feet and containing up to 80 square feet of sign area, and allow one ground mounted detached sign to be located along one of Public Roads A, B, or C within Development Area C with a maximum height of five (5) feet and containing up to 36 square feet of sign area.
- Allow each freestanding building along Arrowood Road within Development Area A to have one sign up to five (5) feet and containing up to 36 square feet of sign area.
- Allow wall signs up to 200 square feet of sign surface area per wall or 10% of the wall area.
- Allow a master signage plan for the site consistent with the above signage provisions and/or “planned development flexibility option” of Chapter 13 of the Ordinance. In addition, to allow the existing previously approved outdoor advertising sign to remain.
- Not to require doorways to be recessed into the face of the building(s) when the abutting sidewalk is greater than 12 feet and to not require doorways to be recessed when the door way is not oriented to a public road.
- Allow retaining walls with a maximum height of six feet along public roads.

Development Areas D-1 and D-2 to be rezoned to I-1(CD) AIR (light industrial, conditional, Airport Noise Overlay):

- Allows up to 2,000,000 square feet of warehousing, warehouse distribution, office, manufacturing, and industrial uses permitted by right and under prescribed conditions in the I-1 (light industrial) zoning district.
- Prohibits the following uses: outdoor storage; eating drinking and entertainment establishments; retail establishments, shopping centers and business, personal and recreation services; auction sales; automobiles, truck and utility trailer rental; automotive repair garages; automotive sales and repair; automotive service stations; manufactured housing sales or repair; petroleum storage facilities; recycling or drop off centers.

Commits to the following transportation improvements:

- Creates an internal network of streets (Public Roads A, B, C and D) with access onto Sandy Porter Road and West Arrowood Road with stub connection to the northeast property line.
- Proposes a roundabout at intersecting Public Roads A and D.
- Creates an internal pedestrian network between proposed non-residential uses and residential uses.
- *Phase I.A. Improvements*
 - Arrowood Road and Proposed X-Over Access B (unsignalized):
 - Construct eastbound left turn lane and westbound right turn lane on Arrowood Road.
 - One ingress lane and one egress lane (a southbound terminating right turn lane on Proposed Access B).
 - Arrowood Road and Savoy Corporate Drive/Access A (potential signal):
 - Signalize the intersection.
 - Construct east bound left turn lane and westbound right turn lane on Arrowood Road.
 - Provide southbound left turn lane on Proposed Access A.
 - Internal Road Improvements (Portion of Public Road A, Public Road B and Public Road C):
 - Construct portion of Public Road A from Arrowood Road to intersection with Public Road C.
 - Construct Public Road B from Arrowood Road to its intersection with the proposed extension of Public Road A.
 - Construct Public Road D from its intersection with Public Road A to Public Road B.
- *Phase I.B. Improvements*
 - Arrowood Road and I-485 Inner Ramp (signalized):
 - Construct new northbound left turn on the I-485 Inner Exit-Ramp.
 - Extend northbound right turn lane.
 - Channelize existing westbound right turn lane on Arrowood Road to become a free-flow right turn lane.
 - Construct a second receiving lane on the I-485 Inner On-Ramp.
 - Optimize the signal timing.
 - Arrowood Road and South Tryon Street (signalized):
 - Maximize the westbound left turn lanes’ storage.
 - Pedestrian improvements, such as remarking the worn hi-visibility crosswalks.
 - Arrowood Road/Brown Grier Road and Sandy Porter Road (signalized):
 - Convert the southbound thru lane on Sandy Porter Road to a second terminating left turn lane.
 - Convert the southbound right turn lane to a combined thru-right lane.
 - Optimize the signal timing.

- Arrowood Road and Proposed RI/RO Access C (unsignalized):
 - One ingress lane and one egress lane (a southbound terminating right turn lane on Proposed Access C)
 - Construct a westbound right turn lane with 100-foot storage on Arrowood Road.
- Internal Road Improvements (Public Road D and Extension of Public Road A):
 - Construct that portion of Public Road D, including the roundabout, extending from its terminus on the east to its intersection with Public Road A, and the extension of Public Road A from its intersection with Public Road C through such roundabout to its intersection with Public Road B.
- *Phase 2 Improvements – Full Build Out*
- Steele Creek Road and Shopton Road (signalized):
 - Remark the existing roadway to construct a second eastbound left turn lane.
 - Optimize the signal timing.
- Shopton Road and Sandy Porter Road (future signal):
 - Extend eastbound right turn lane and westbound left turn lane.
- Arrowood Road and Proposed X-Over Access B (unsignalized):
 - Maximize the eastbound left turn lane storage.
- Sandy Porter Road and Proposed Full Movement Access D (unsignalized):
 - One ingress lane and two egress lanes (separate 100-foot left turn lane and terminating right turn lane on Proposed Access C).
 - Construct a northbound right turn lane on Sandy Porter Road.
 - Construct a southbound left turn lane on Sandy Porter Road.
- Internal Road Improvements (Extension of Public Road A to Sandy Porter Road):
 - Construct the extension of Public Street A from its intersection with Public Street B to its intersection with Sandy Porter Road.

Commits to the following architectural standards:

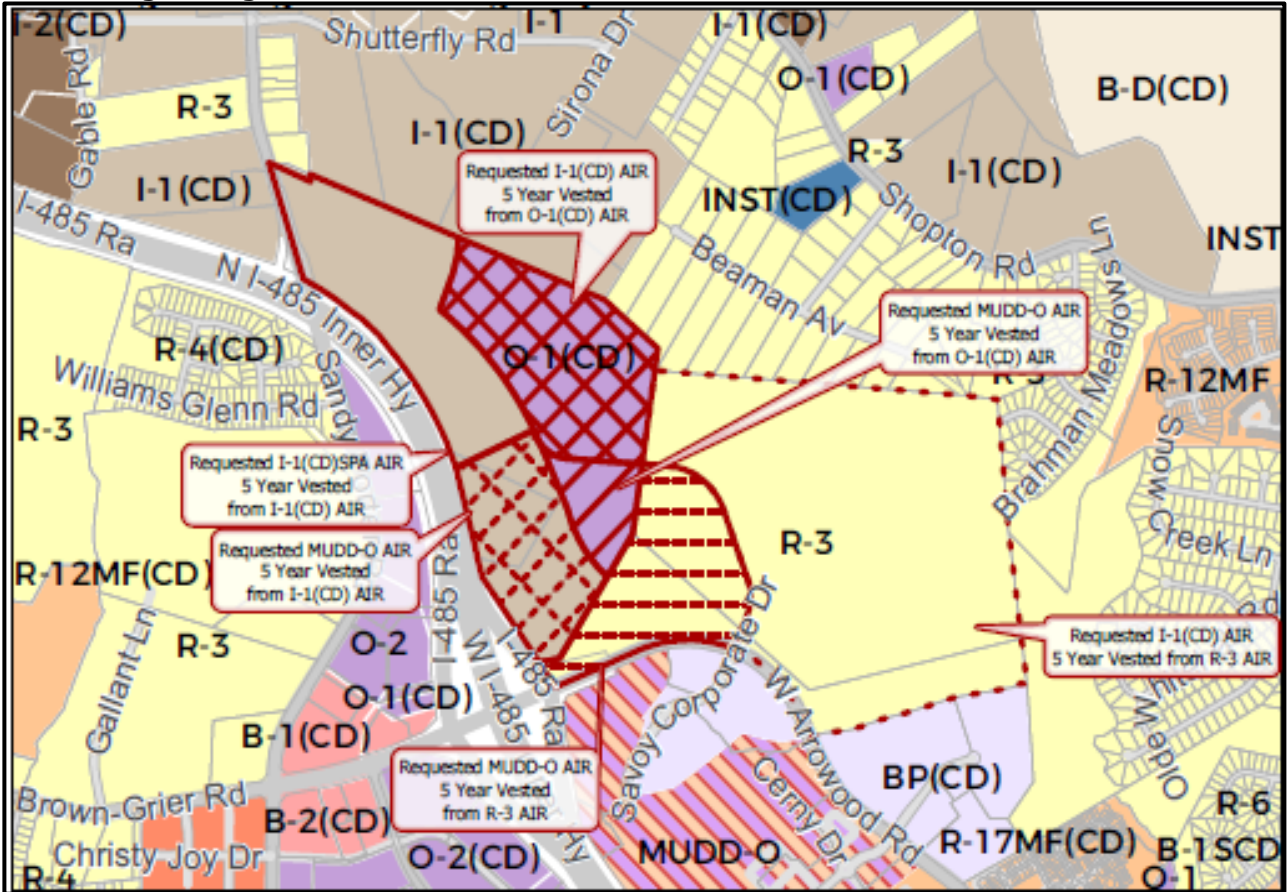
- Proposes to use a combination of the following building materials: glass, brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, cementitious siding, (such as hardy-plank), EIFS or wood. Prohibits vinyl as a building material except on windows and soffits.
- Limits long expanses of blank walls in excess of 20 feet, and where necessary incorporates architectural expressions such as changes in materials, fenestration, windows, building setback and landscaping, and artwork.
- Proposes service areas to be screened from adjoining public roads with walls designed to complement building architecture through use of architectural features such as banding, medallions, and changes in color.
- Within proposed non-residential areas to be rezoned to MUDD-O AIR (mixed use development, optional, Airport Noise Overlay):
 - Provides direct pedestrian connections between street facing doors to sidewalks on adjacent public streets in Development Area A.
 - Proposes facades fronting streets to include a combination of windows and operable doors for a minimum of 30% of each frontage elevation with transparent glass between two feet and 10 feet. Up to 75% of this requirement may be comprised of display windows, film, decals, and other opaque material, glazing finishes or window treatment.
- Within proposed residential areas in MUDD-O (mixed use development, optional):
 - Places buildings to present a front or side façade to Public Roads B and C.
 - Notes buildings will front a minimum of 50% of the total required street frontage for Public Roads B and C.
 - States all principal and accessory buildings abutting Public Roads B and C will comprise a minimum of 30% of that building's entire façade facing such network street using brick, natural stone, stucco or other approved material. Prohibits vinyl as a building material except for handrails, windows or door trim.
 - Treats ground floor elevations with a combination of fenestration, clear glass, prominent entrances, changes in materials, building step backs, art work and landscaping.
 - States buildings in Development Area C will have windows and/or doors for at least 30% of total façade area along Public Roads B and C. Maximum contiguous area without windows or doors on any floor not to exceed 10 feet in height and 25 feet in length.
 - Notes the facades of first/ground floor of the buildings along public roads will incorporate a minimum of 25% masonry materials such as brick, stucco or stone.
 - Notes architectural treatment of corner lots through additional height, varying roof form, or other architectural embellishments.
 - Incorporates columns, awnings, arcades, windows, doors other architectural elements on first story facades of all buildings along public roads.

- States facades will provide visual divisions between the first two stories and upper level stories when the height is more than two stories through utilization of courses, awnings, or a change in primary façade materials or colors.
- Notes facades above the first stories will incorporate windows, arches, or other architectural details.
- Proposes foundations to be constructed as a distinct building element, noting exposed above-ground foundations will be coated or face in cement, stucco, brick, manufactured stone, or other natural stone to contrast with façade materials.
- Designs building elevations with vertical bays or articulated façade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.
- Within proposed areas to be rezoned to I-1(CD) AIR (light industrial, conditional, Airport Noise Overlay):
 - Proposes a combination of the following building materials: glass, brick stone simulated stone, pre-cast stone, pre-cast or site-cast, concrete, synthetic stone, stucco, cementitious siding (such as hardi-plank), metal panels (on north and west elevations only), EIFS or wood. Vinyl as a building material will not be allowed except on windows and soffits.
 - Notes all pedestrian entrances will be architecturally defined with glazing, awnings, canopies and/or other architectural element, and have a connection to adjacent public streets.
 - Proposes that in the event that loading areas are not placed to the rear of the building and away from public or private network required streets, a forty (40) foot landscape area shall be provided to screen the loading area.

Commits to the following streetscape landscaping and buffer improvements:

- Provides a 30-foot setback along Arrowood Road in Development Area A, and a 20-foot setback along Arrowood Road in Development Area D-1. Provides a six-foot sidewalk and a minimum eight (8) foot planting strip along Arrowood Road that may be reduced to accommodate widening of Arrowood Road.
- Proposes a twenty (20) foot setback along Sandy Porter Road in Development Area D-2. Installs a 12-foot multi-use path and a minimum of an eight (8) foot planting strip along Sandy Porter Road.
- Proposes a 25-foot setback along Public Road A in the area to be zoned MUDD-O (mixed use development, optional), and a 20-foot setback along Public Road A in the area to be zoned I-1(CD) (light industrial, conditional). Proposes an eight (8) foot planting strip and an eight (8) foot sidewalk along Public Road A.
- Proposes a 20-foot setback along Public Roads B and C within Development Areas A, B and C. Installs an eight (8) foot planting strip and a six (6) foot sidewalk along both sides of Public Roads B and C.
- Provides a 100-foot wide Class A buffers along the northern property line, a portion of the eastern property line, and between Development Areas A, B, and C and Development Area D-2.
- Proposes 25-foot landscape area and 50-foot landscape area adjacent I-485.
- Proposes a 75-foot Class B buffer along a portion of the western property line.
- Provides a 50-foot Class C buffer along the south property line.
- Locates 50-foot Post Construction buffers and 50-foot SWIM buffers.
- Identifies potential tree save areas and notes previously deeded tree save area as part of Charlotte Premium Outlets project.

• **Existing Zoning and Land Use**



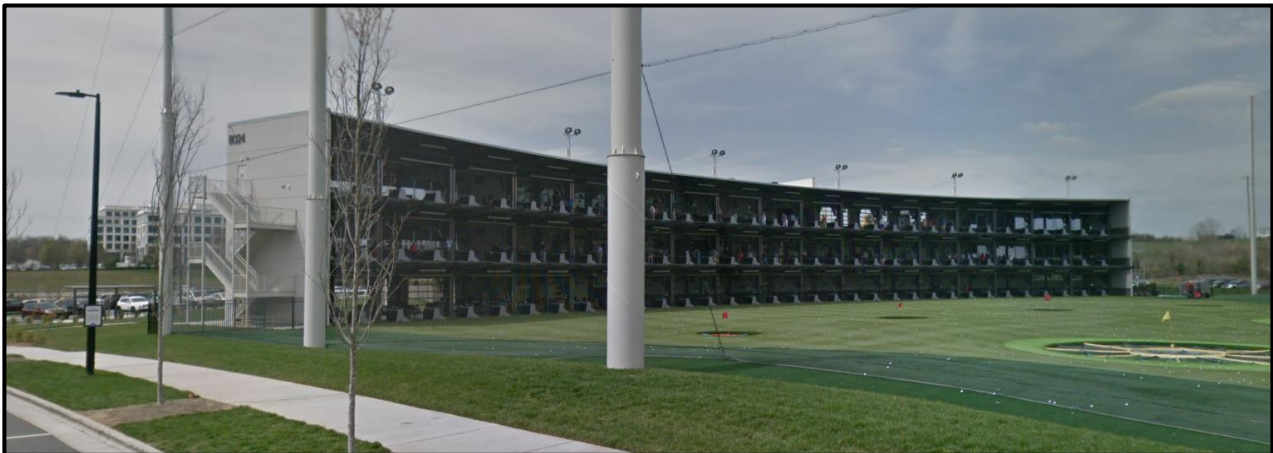
- The site is currently vacant and surrounded by a mix of office and industrial parks, single family residential neighborhoods, apartment communities, retail uses and educational facilities in various zoning districts. Topgolf is located on the south side of West Arrowwood Road.
- Approximately 114 acres of the subject site was rezoned from R-3 AIR (Airport Noise Overlay) to O-1(CD) AIR (office, conditional, Airport Noise Overlay) and I-1(CD) (light industrial, conditional, Airport Noise Overlay) via petition 2013-002 to allow a business park with office uses, limited industrial uses and certain other permitted uses.



The subject property is undeveloped.



The properties to the north along Sirona Drive are developed with warehouse uses.



The properties to the south along Savoy Corporate Drive include office uses and Top Golf.

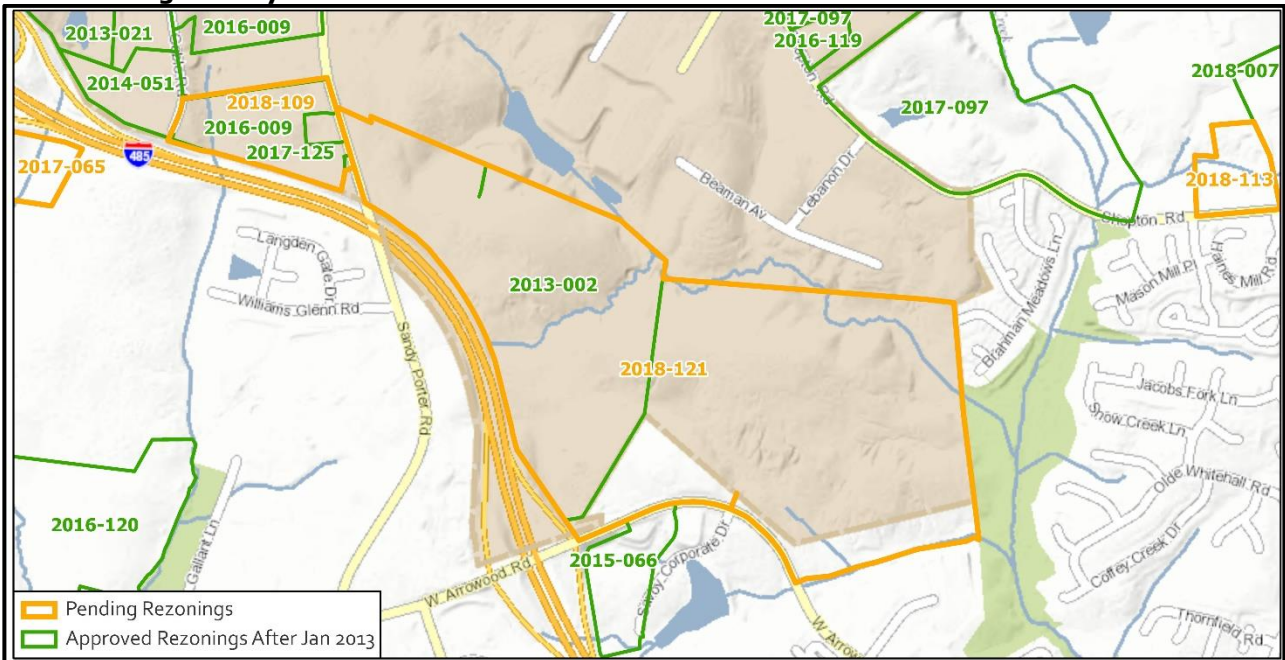


The property is bordered by Interstate 485 to the west.



The property to the east along Blithe Low Place is developed with single-family homes.

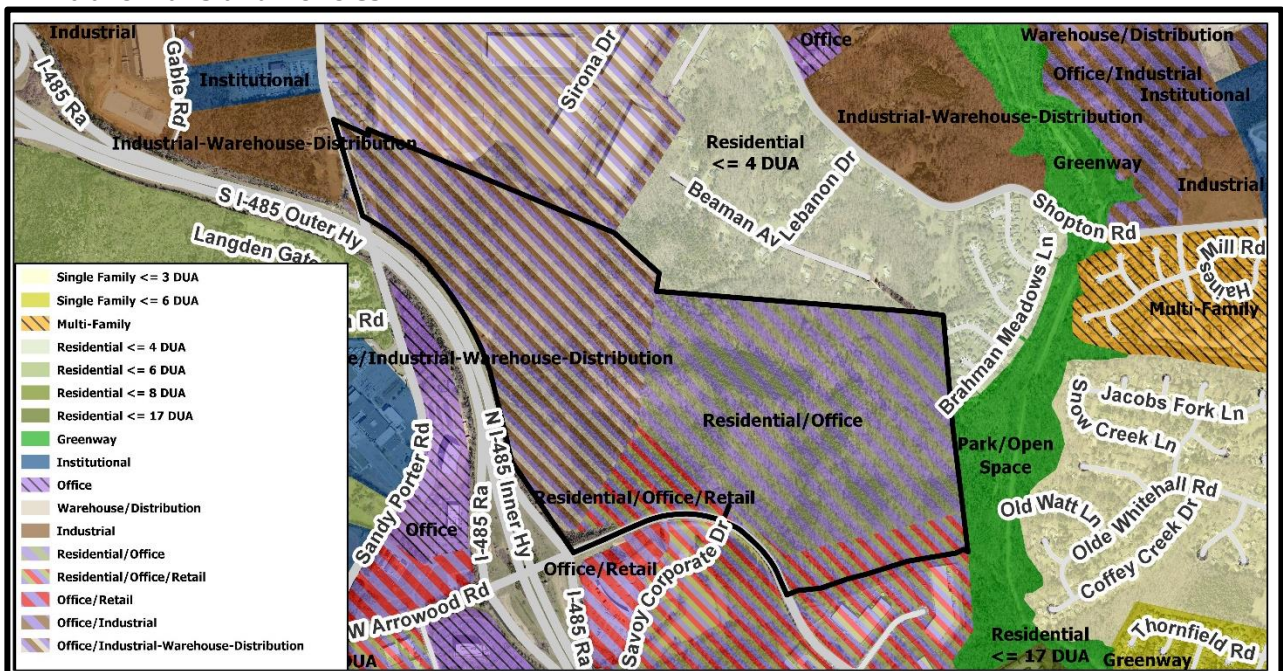
• Rezoning History in Area



Petition Number	Summary of Petition	Status
2018-113	Rezoned approximately 11.339 acres from I-1 AIR (light industrial, Airport Noise Overlay) to INST AIR (institutional, Airport Noise Overlay) to allow all uses in the INST (institutional) district.	Approved
2018-109	I-1(CD) AIR (light industrial, conditional, Airport Noise Overlay) amended an approved site plan for 24.23 acres to allow a maximum of two buildings for office, warehouse, and distribution uses and other uses allowed in the I-1 (light industrial) zoning district	Approved
2017-125	Rezoned 24.23 acres from R-3 AIR (single family residential, Airport Noise Overlay) and I-1(CD) AIR (light industrial, conditional, Airport Noise Overlay) to I-1(CD) AIR (light industrial, Airport Noise Overlay) and I-1(CD) SPA AIR (light industrial, conditional, site plan amendment, Airport Noise Overlay) to allow the development of two buildings for office, warehouse, and distribution uses and other uses allowed in the I-1 (light industrial) zoning district, having a maximum of 255,750 square feet of gross floor area combined.	Approved

2017-097	Rezoned approximately 117 acres from R-3 AIR (single family residential, Airport Noise Overlay) and BD(CD) AIR (distributive business, conditional, Airport Noise Overlay) and I-1(CD) AIR (light industrial, conditional, Airport Noise Overlay) with five year vested rights in order to allow the construction of a commercial/industrial/warehouse park on vacant land generally located between Steele Creek and Beam Roads and north of Interstate 485.	Approved
2017-065	Rezone approximately 11.98 acres from R-3 (single family residential) to R-22MF(CD) (multi-family residential, conditional) to allow up to 240 residential dwelling units (multi-family, duplex, triplex and quadraplex)	Pending
2016-120	Rezoned approximately 76.77 acres from R-3 (single family residential) to R-12MF(CD) (multi-family residential, conditional) with five-year vested rights to allow up to 597 multi-family and townhome units.	Approved
2016-009	Rezoned approximately 48.8 acres from R-3 AIR (single family residential, Airport Noise Overlay) to I-1(CD) (light industrial, conditional, Airport Noise Overlay) with five-year vested rights to allow the development of up to 525,000 square feet of industrial, office, and distribution uses	Approved
2015-066	Rezoned approximately BP(CD) AIR (business park, conditional, Airport Noise Overlay) and MUDD-O AIR (mixed use development, optional, Airport Noise Overlay) to allow an eating/drinking/entertainment establishment (Type 1 and 2) with golf-related outdoor entertainment uses.	Approved
2014-051	Rezoned approximately 20.3 acres from R-3 (single family residential), I-2 (general industrial) and I-2(CD) (general industrial, conditional) to I-2(CD) (general industrial, conditional) and I-2(CD) SPA (general industrial, conditional, site plan amendment) up to 310,000 square feet of industrial, office distribution, and warehouse uses.	Approved

• Public Plans and Policies



- The *Steele Creek Area Plan* (2012) recommends residential/office uses for the portion of the site that is adjacent to single family residential; residential/office/retail for the portion of the site along Arrowwood Road and Interstate 485, and office/industrial-warehouse-distribution for the remaining portion of the site up to Sandy Porter Road.

- **TRANSPORTATION CONSIDERATIONS**

- The site has frontage on a major thoroughfare, minor thoroughfare, and a freeway. The site has committed to improvements on Sandy Porter Road in the form of curb and gutter and a multi-use path. CDOT continues to request the petitioner address the outstanding comment including submitting an updated traffic impact study, the commitment to building the correct cross-section for the future Shopton Road-Arrowood Connector and the dedication of right-of-way for said road.
- See Outstanding Issues, Notes 1-4.
- **Vehicle Trip Generation:**
Current Zoning:
Existing Use: 0 trips per day (based on vacant land).
Entitlement: 6,370 trips per day (based on 472 single family homes; 120,000 square feet of office; 135,000 square feet of warehouse; petition 2013-002).
Proposed Zoning: 16,030 trips per day (based on 2,000,000 square feet of warehouse; 270 apartments; 140 hotel rooms; 6,000 square feet convenience store with fuel sales; 25,000 square feet of medical office; 24,000 square feet of retail; 5,000 square feet bank with drive thru, 5,000 square feet hi-turn restaurant; 8,000 square feet fast food with drive thru).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** See Outstanding Issues, Note 5.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** No comments submitted.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along West Arrowood Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing 24-inch gravity sewer main located on subject property.
- **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 outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** See Outstanding Issues, Note 6.

OUTSTANDING ISSUES

Transportation

1. A Traffic Impact Study/Transportation Technical Memorandum is necessary for the complete review of this petition. CDOT approved the traffic study scope on 10/1/18. The traffic impact study was received on 11/26/18. CDOT and NCDOT reviewed and provided comments on 1/3/19. The petitioner has submitted an updated traffic impact study on 3/13 addressing the outstanding comments. CDOT may have further comments once the updated study is reviewed in conjunction with NCDOT.
2. Revise the site plan and conditional notes to show the dedication of right-of-way, fee simple, of 86 feet for the future Shopton Road-Arrowood Connector as identified in the Steele Creek Area Plan, the adopted Comprehensive Transportation Plan, and discussed in previous meetings.
3. The cross-sections for Public Road D and Public Road A (between West Arrowood Road and proposed roundabout) shown in the site plan do not support the future Shopton Road-Arrowood thoroughfare cross section. As stated in comment above, the future right-of-way for the Shopton Road-Arrowood Road Connector is 86 feet to accommodate a cross-section of:
 - a. 3-11' travel lanes
 - b. 2-8' buffer bike lanes
 - c. 2.5' curb and gutter
 - d. 8' planting strip
 - e. 6' sidewalk.

This cross-section would meet the City of Charlotte policy and design standards including the Council adopted Bike Plan and the Comprehensive Transportation Plan.

In addition, the three-lane section will provide space for left-turn lanes requirements into the

future access points along the minor thoroughfare alignment. The need for the left-turn lanes is based on the future vehicular volume on this segment of road.

4. The site is served by CATS local bus route 56 (Arrowood Road) and there is a bus stop at the site along Arrowood Road. The public ROW includes a sidewalk and planting strip. The Petitioner is requested to provide and construct two new waiting pads for the existing bus stops along the site's frontage. Reference standard detail (60.01D) for each of the requested bus stop pads. Coordinate with CATS for final pad location placement to ensure the stops are appropriately spaced.

Environment

5. Arrowood Road is an overland connector from the future Coffey Creek Greenway to the future Steele Creek Greenway per our 2008 Mecklenburg County Park and Recreation Greenway Master Plan. We request a 12-foot sidewalk and applicable plant strip per CDOT/NCDOT standards within the right-of-way of Arrowood Road.

REQUESTED TECHNICAL REVISIONS

6. Petitioner has requested five-year vested rights on the application, but it is not noted on the site plan.
7. Reduce proposed signage optional provision request for Development Area from 150 square feet to 100 square feet (Optional Provision Note 2.e).
8. Reduce proposed signage optional provision request for Development Areas A, B or C from 80 square feet to 64 square feet (Optional Provision Note 2.f).
9. Remove term "non-office commercial uses" and associated definition and use term "retail uses".
10. Optional Provision 2.i (*Master Signage/Flex Option/Existing Outdoor Advertising Sign*) requests that the existing previously approved outdoor advertising sign be allowed to remain. The language permitting this sign needs to be referenced on this site plan.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Fire Department Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

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