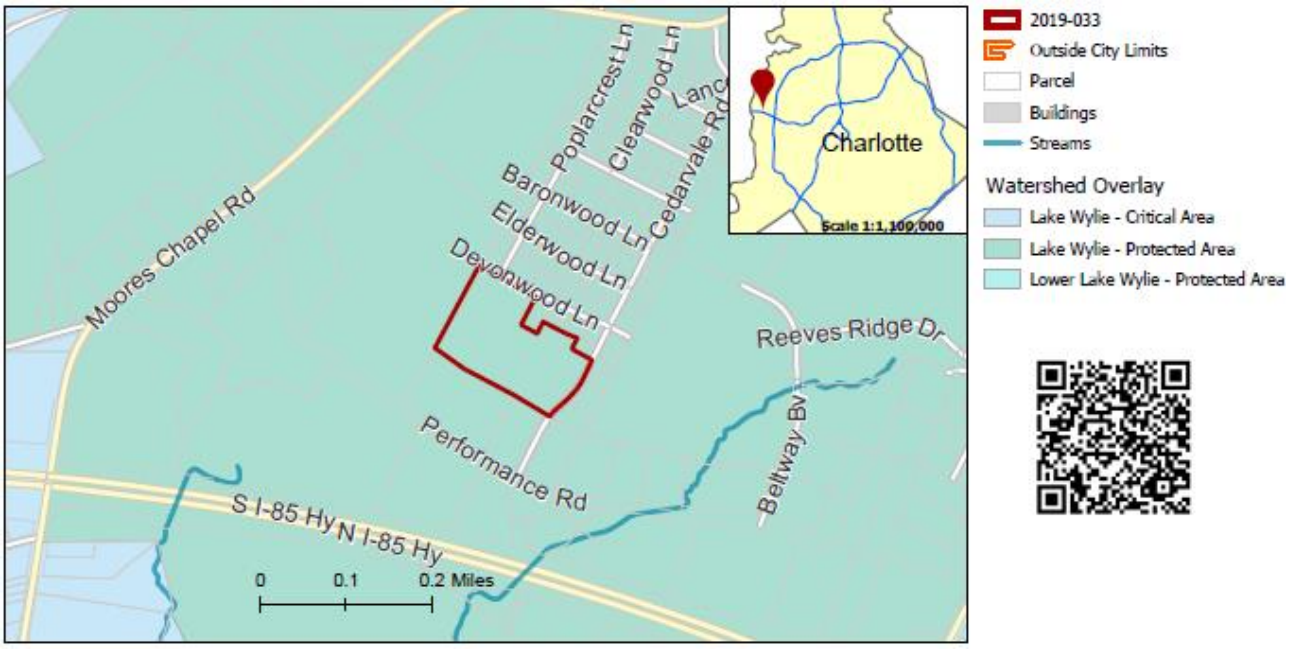
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2019-033
Final Staff Analysis
July 15, 2019

REQUEST	Current Zoning: R-MH LWPA (residential manufacturing housing, Lake Wylie Protected Area) Proposed Zoning: I-2(CD) LWPA (general industrial, conditional, Lake Wylie Protected Area)
LOCATION	Approximately 9.89 acres located on the west side of Cedarvale Road, north of Performance Road and east of Moores Chapel Road.



SUMMARY OF PETITION	The petition proposes to allow all uses in the I-1 zoning district, and a contractor's office and storage yard as permitted in the I-2 zoning district. The subject site is undeveloped and located east of Moores Chapel Road and north of I-85.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Charles W. Gallant III and Susan Harriss Gallant Brown HK Cedarvale, LLC Walter Fields
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 5

STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues related to transportation. <u>Plan Consistency</u> The petition is **inconsistent** with the residential land use recommended for this site, as per the *Catawba Area Plan.* <u>Rationale for Recommendation</u> • The proposed industrial land use is consistent with continued pattern of industrial development in this area.

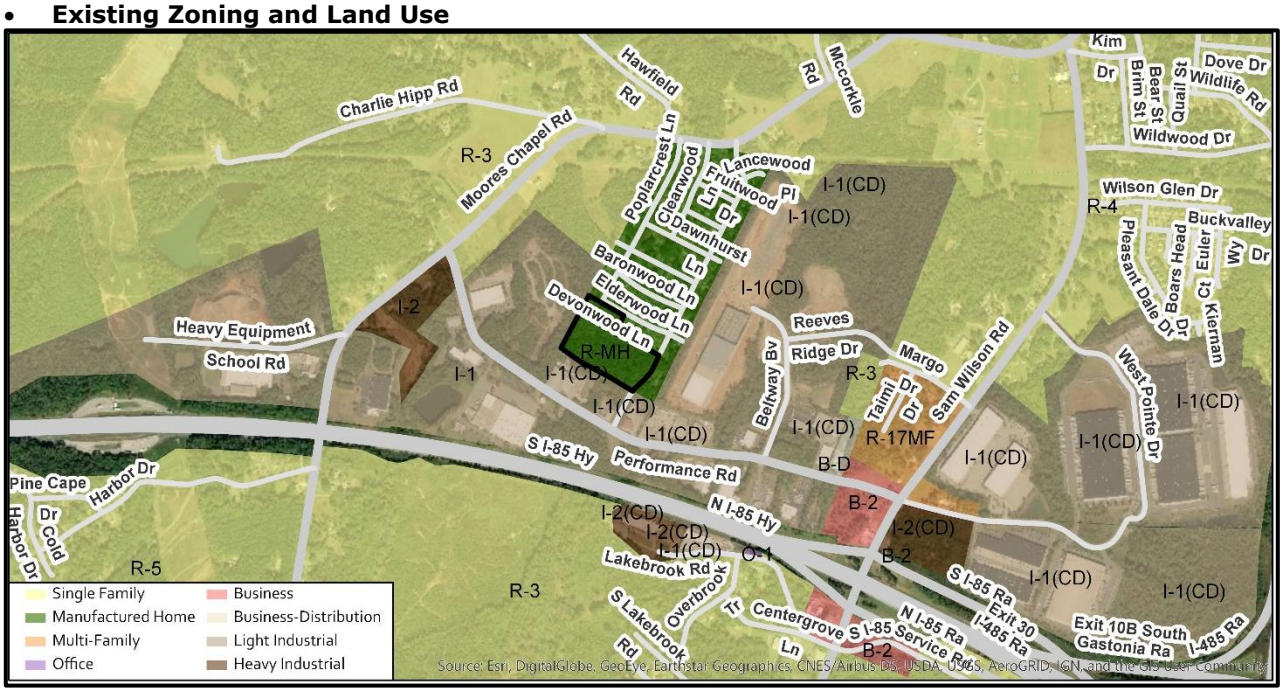
- The industrial land uses are restricted to I-1 uses and a contractor's storage area under I-2 which limits incompatibility with adjacent residential uses.
- The proposed development provides adequate buffers to adjacent residential uses through retention of existing tree canopy, and screening along Cedarvale Rd.
- The project proposes limiting left turn movements onto Cedarvale Rd. to limit impacts of traffic on the adjacent community.
- Cedarvale Road will be improved along the site's frontage to better accommodate additional traffic generated by the site.

The approval of this petition will revise the adopted future land use as specified by the *Catawba Area Plan*, from residential up to 6 DUA land use to industrial land use for the site.

PLANNING STAFF REVIEW

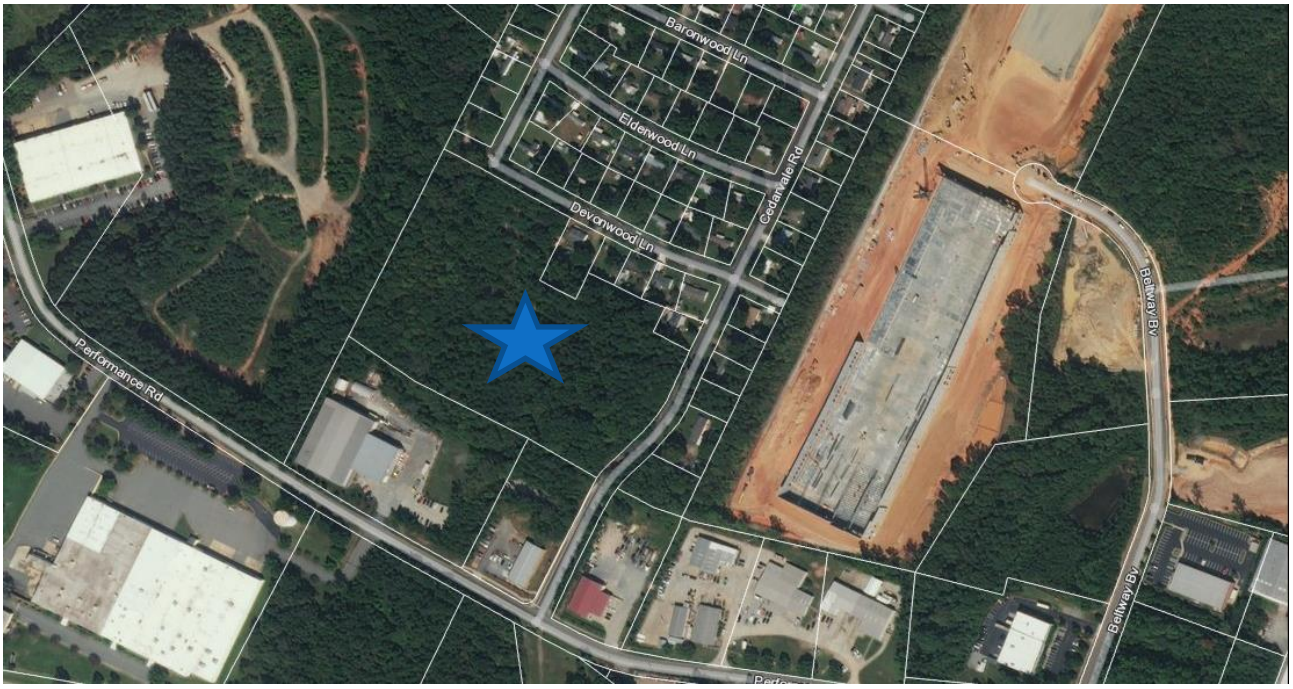
- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Allow uses permitted in the I-1 district, and a contractor's office and storage yard as permitted in the I-2 district.
  - Future building envelope for up to 40,000 square feet along with parking/outdoor storage envelope.
  - Limits building height to 40 feet.
  - A 100-foot Class A buffer along property lines abutting residential uses and/or zoning.
  - A 50-foot Class A buffer along frontages abutting Devonwood Lane and Cedarvale Road.
  - ~~Access via Cedarvale Road and access to Performance Road via adjoining parcel to the south.~~ Access connection to Cedarvale Road and one full access existing connection to Performance Road through adjoining tract. Petitioner will install signage at the driveway connection to Cedarvale Road instructing drivers exiting the site that only right turns are allowed and that no left turn is allowed to Cedarvale Road. This information will also be provided to delivery drivers and others visiting the site.
  - Provides a 5-foot sidewalk and 8 foot planting strip along Cedarvale Road.
  - Limits freestanding lighting to 30 feet in height. Prohibits installation of lighting within 100 feet of any property used for residential uses and requires it to be inwardly directed.
  - Illustrates potential storm water quality, possible tree save areas, and stormwater buffer.

- **Existing Zoning and Land Use**



- The site is currently developed and is surrounded by a mix of residential homes, commercial, office/industrial/warehouse uses, and undeveloped land in various zoning districts.

The site is currently undeveloped.

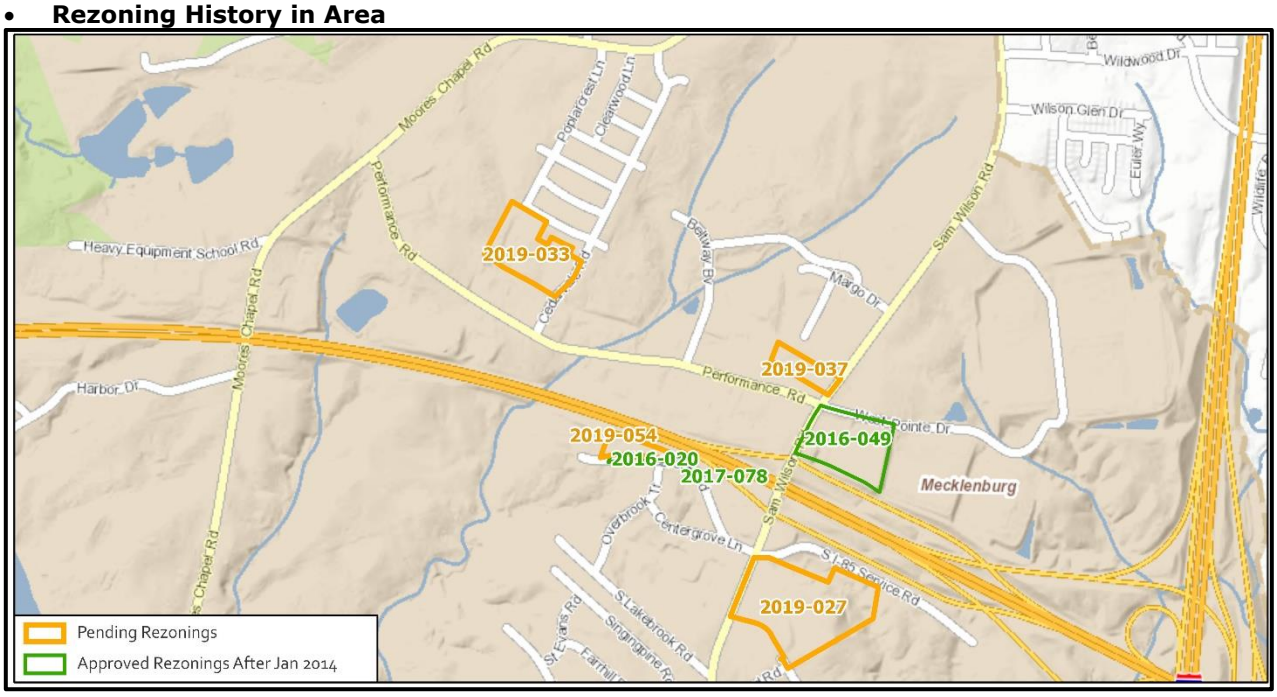


The rezoning site is surrounded by residential, commercial, office/industrial/warehouse uses and undeveloped land.

North are residential homes.

South are office/warehouse uses.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-054	Rezone approximately 1.93 acres from I-1(CD) to I-1 to allow all uses in the light industrial district.	Pending
2019-037	Rezone approximately 3.08 acres from R-17MF to B-2 to allow all uses in the general business zoning district.	Pending
2019-027	Rezone approximately 20.51 acres from R-3 LLWPA to I-2(CD) LLWPA to allow a 250,000 square foot industrial building.	Pending
2017-078	Rezoned approximately 0.19 acres from R-3 LWPA to O-1 LWPA to allow all uses in the office district.	Approved
2016-049	Rezoned approximately 10.22 acres from B-2 LLWpA and CC LLWPA to I-2(CD) LLWPA to allow the construction of a truck stop facility which includes a convenience store, attached restaurant drive-through service window, and a tire shop.	Approved
2016-020	Rezoned approximately 1.93 acres from I-2(CD) LWPA to I-1(CD) LWPA to allow boat and recreational vehicle display and sales.	Approved

- **Public Plans and Policies**
  - The *Catawba Area Plan* (2010) recommends residential land use up to 6 DUA for this site, and for the adjacent single family community.
  - The *Catawba Area Plan* included a recommendation that if all residential parcels in this area were to be assembled, then office/industrial land uses may be considered, with a site plan addressing design policies detailed in the community design section of the plan.

- **TRANSPORTATION CONSIDERATIONS**
  - The site is on Cedarvale Road (local) and is located in a corridor outside Route 4 and in Charlotte's ETJ. The site is within the limits of the *Catawba Area Plan*.
  - See Outstanding Issues, Note 1.
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 0 trips per day (based on vacant land).
    Entitlement: 300 trips per day (based on 59 dwellings).
    Proposed Zoning: 110 trips per day (based on 40,000 square feet of warehouse).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Fire Department:** Fire hydrant must be 750 feet from the most remote point of the building as the truck travels.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Charlotte Water currently does not have water system accessible for the rezoning boundary under review. The closest water distribution main is approximately 400 feet south of the rezoning boundary at the intersection of Cedarvale Road and Performance Road. A developer donated project will be required in cases there is not direct service.

  Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The closest available sewer main is approximately 450 feet south of the rezoning boundary at the intersection of Cedarvale Road and Performance Road. A developer donated project will be required in cases there is not direct service.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No comments submitted.
  - **Land Development:** ~~See Outstanding Issues, Notes 2-3.~~ Addressed
  - **Storm Water Services:** ~~See Outstanding Issues, Notes 2-3.~~ Addressed
  - **Urban Forestry:** No outstanding issues.

- **Mecklenburg County Land Use and Environmental Services Agency:**
  See advisory comments online at rezoning.org regarding existing groundwater contamination sites on or within 1,500 feet of the subject property, and possible restrictions on well water if public water is not available. No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

1. ~~Revise the site plan and conditional note(s) to provide an eastbound Performance Dr. 150-foot left turn storage lane with an appropriate bay taper at Cedarvale Road.~~ – **After further review of the existing developments on Performance Road, adjacent, and daily trips, CDOT is RESCINDING the comment.**

Infrastructure

2. ~~City of Charlotte GIS data indicates 30-ft and 35-ft PCSO buffers on site. Please include labels for buffer sizes for each respective buffer on the site plan.~~ Addressed
3. ~~Petitioner is advised that approximate stream buffer delineations shown on the rezoning plan are subject to review and approval upon submission of development plans for permitting and are not approved with rezoning decisions. Additional stream buffer requirements, including those specified in Charlotte Zoning Ordinance Chapter 10, Part 6, may be applicable depending upon the intermittent/perennial stream delineation reports to be submitted for City review and approval as part of the permitting process.~~ Rescinded—item will be addressed at permit.

Site and Building Design

4. ~~Provide a proposal with zoning classification and land uses in compliance with the area plan recommendation.~~ Rescinded
5. ~~Petitioner should explain why Architectural Standards note has been added to the site plan when there appear to be no existing buildings on site.~~ Addressed
6. ~~The Streets and Landscaping development note should note a Class A buffer. The site plan also calls for 50-foot Class A buffers adjacent rights-of-way.~~ Addressed
7. ~~Provide option to limit truck traffic turning left on to Cedarvale Rd. to go north on that road.~~ Addressed

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

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