
REQUEST	Current Zoning: R-3 (LWPA), single family residential, Lake Wylie Protected Area and B-1SCD (LWPA), shopping center district, Lake Wylie Protected Area Proposed Zoning: B-1 (CD) (LWPA), neighborhood business, conditional, Lake Wylie Protected Area
LOCATION	Approximately 24.81 acres located on the southwest corner of Brookshire Boulevard and Old Plank Road.
CENTER, CORRIDOR OR WEDGE	Wedge
SUMMARY OF PETITION	This petition proposes to convert an approved shopping center that has not been constructed to a mixed use development with apartments and retail, and a public pre-k school (to be constructed by Charlotte-Mecklenburg Schools).
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is consistent with the <i>Northwest District Plan</i> and the <i>General Development Policies (GDP)</i> with respect to the retail component, but inconsistent with the <i>GDP</i> with respect to the proposed residential density. However, staff feels that as the proposed mix of uses can serve to support one another, the density requested is appropriate for this location.
Property Owner	Westlake Holdings, LLC
Petitioner	Westlake Holdings, LLC
Agent/Representative	Teresa Hawkins
Community Meeting	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:

- Maximum of 192 multi-family units on approximately 11.80 acres, at a density of 16.61 dwelling units per acre.
- Creation of Outparcels A, B, and C on approximately 5.26 acres, with square footage being transferable between the outparcels and total square footage not to exceed 55,000 square feet.
- Two drive-through service windows permitted on Outparcels A and B.
- Parking areas to service residential and retail development, including 288 spaces for multi-family and 220 spaces for retail.
- Public pre-k school on approximately 7.75 acres, with 20 classrooms, playgrounds, and parking and service areas (facility to be constructed by Charlotte-Mecklenburg Schools).
- Internal pedestrian system connecting residential uses to non-residential uses, parking areas, and streets.
- A public street traversing the property from Old Plank Road to Bellhaven Boulevard.
- A private street, with the section accessing multi-family development to be gated.
- Provision of Class B and C buffers, minimum 10 percent tree save area, and storm water improvements.
- Construction of left-turn lanes on Old Plank Road and Bellhaven Boulevard to serve the proposed public street and the private street accessing Bellhaven Boulevard.

- Existing History of Subject Site**

Rezoning Petition 1987-037(C) rezoned most of the subject property from I-1 and R-12 to B-1SCD to allow a shopping center of up to 130,000 square feet, with three outparcels not to exceed 6,000 square feet each.

- **Existing Zoning and Land Use**

The subject property is zoned R-3 and B-1SCD, and is currently undeveloped. The site is surrounded by single family residential homes, a manufactured home park, industrial uses, and undeveloped land on properties zoned R-3, R-4, O-1(CD), R-MH, I-1, and I-2.

- **Rezoning History in Area**

Recent rezoning petitions in the immediate area requested single family homes, medical and general office uses, and retail and include the following petitions:

- Rezoning Petition 2004-031 rezoned 1.1 acres from R-8MF (CD) to R-3 to allow the construction of single family homes.
- Rezoning Petition 2004-010 rezoned five acres 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* (1990) recommends a neighborhood center at this location. The *General Development Policies (GDP, 2003)* provide criteria for neighborhood centers that generally consist of up to 100,000 square feet of retail uses and up to 30,000 square feet of office development. The retail component of this request is consistent with the *GDP*.

Assessment Criteria	Density Category - > 12 up to 17 du/a
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (Medium)
Connectivity Analysis	2 (Med-low)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
Minimum Points Needed: 13	Total Points: 11

PUBLIC INFRASTRUCTURE (see full department reports online)

- **Vehicle Trip Generation:**

Current Zoning: 8,800 trips per day.

Proposed Zoning: 6,400 trips per day.

- **CDOT:** NCDOT may require a traffic study as part of their driveway permit approval process. CDOT has also provided the following comments:

- The private street needs to be designed to public-street standards with curb/gutter, planting strips, and sidewalks on both sides of the street. This street needs to be designed to Residential Wide standards. While this street cross section supports parallel parking, it does not support the 90-degree parking adjacent to the pool.
- A left-turn lane should be constructed on Bellhaven Boulevard into the private street.
- CDOT does not support gating the private street serving the multi-family development. If the gates are approved, CDOT requests that a note be added to the site plan indicating both gates will be open daily from 6:00 a.m. to 10:00 p.m. The gates will need to be designed to comply with CDOT's standards.

- **Charlotte Fire Department:** No comments received.

- **CATS:** No comments received.

- **Connectivity:** As indicated above, CDOT does not support gating the proposed private street. At a minimum, CDOT requests that the gates be in operation for use by the residents for a specified time daily.

- **Schools:** The development allowed under the existing zoning would not generate students, while the development allowed under the proposed zoning will produce 113 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 113.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Storm Water:** Per the high density option provisions of the Lake Wylie Watershed Overlay District, Gum Branch (on the western edge of the site) is a perennial stream which requires a 100-foot vegetative buffer. The buffer width is measured from the top of bank. Storm Water Services is requesting that this buffer be shown on the site plan and that any impervious/built-upon area be removed from this buffer.
 - **LUESA:** No issues.
 - **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies*.
 - Protects/restores environmentally sensitive areas and minimizes impacts to the City's tree canopy by providing a ten percent tree save area along the creek and within the multi-family component.
 - Facilitates the use of alternative modes of transportation by providing a pedestrian circulation system between the various uses and by providing a ten-foot shared bike/pedestrian path, bicycle lanes and parking.
-

OUTSTANDING ISSUES

- The petitioner should:
 1. Confirm the section between the multi-family and retail is consistent with what is drawn on the site plan and meets all required dimensions per code. In addition, the petitioner should place the required buffer on the commercial property.
 2. Enhance pedestrian connectivity between the retail parcels and new private and public streets by extending walkways from the retail portion to connect to the sidewalks along the adjacent proposed public and private streets.
 3. Satisfy CDOT and Storm Water comments as noted above.
-

Attachments Online at www.rezoning.org

- Application
- CDOT Review
- CMS Review
- Community Meeting Report
- LUESA Review
- Site Plan
- Storm Water Review

Planner: Claire Lyte-Graham 704-336-3782