
REQUEST	Current Zoning: R-3 LLW-PA, single family residential, Lower Lake Wylie Protected Area Proposed Zoning: B-1(CD) LLW-PA, neighborhood business, conditional, Lower Lake Wylie Protected Area
LOCATION	Approximately 5.27 acres located on the east side of Little Rock Road and north of the intersection at Little Rock Road and Tuckaseegee Road. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to develop a free standing 9,100-square foot building for retail use.
STAFF RECOMMENDATION	Staff does not recommend approval of this petition as currently proposed due to the location of the proposed building and the numerous outstanding site plan issues. The petition is inconsistent with the <i>Northwest District Plan</i> , which recommends single family residential uses. However, due to proximity to existing retail uses and the site's location within the Airport Noise Overlay, the site is more suitable for a nonresidential use. In addition, Little Rock Road will become an entrance to the airport via the future extension of Little Rock Road to Josh Birmingham Parkway. If all outstanding site plan issues are addressed this petition would be considered appropriate for approval.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Ed and Virginia Myers NCDG, LLC; Attention: Brian Hines NA
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:

- A 9,100-square foot free-standing building for retail use.
- A 30-foot Class C buffer abutting the vacant residentially zoned parcels to the north and east, and a 50-foot Class B buffer abutting the existing single family dwelling to the south.

- **Existing Zoning and Land Use**

- The site is composed of two parcels with vacant single family homes and two undeveloped parcels. A proposed street that traversed the property was abandoned by City Council in August 2013.
- The majority of properties located to the north, east and west of the site are zoned R-3 (single family residential) and developed with single family dwellings, institutional uses or are vacant. A lone parcel to the north is zoned R-12MF(CD) (multi-family residential, conditional) and developed with a child care center.

Lots located on the northeast and northwest intersection of Little Rock Road and Tuckaseegee Road are zoned B-1(CD) (neighborhood business, conditional) and developed with a gas station and convenience store and a retail pharmacy respectively. Properties south of Tuckaseegee Road are zoned B-1 (neighborhood business), B-D (distributive business), O-1 (office), B-2 (general business), and R-3 (single family) and are developed with a mixture of uses including single family dwellings, commercial, hotel and light industrial uses.

- **Rezoning History in Area**

Approval of rezoning petition 2011-079 rezoned approximately 1.21 acres located on the northeast corner of Tuckaseegee Road and Little Rock Road from B-1(CD) (neighborhood business, conditional) to B-1(CD) SPA (neighborhood business, conditional, site plan amendment), in order to allow the expansion of an existing convenience store/gas station.

- **Public Plans and Policies**

- The *Northwest District Plan* (1990) recommends single family residential land uses, at a maximum density of four dwelling units per acre.
 - The petition is inconsistent with the *Northwest District Plan*.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No comments received.
 - **Transportation:** CDOT has the following comments:
 - Dedicate in fee simple 50 feet of right-of-way along the site's Little Rock Road frontage as measured from the existing center line.
 - Provide a conceptual layout of how future vehicular access will be provided to the eastern portion of the site (i.e. tax parcel 05917224).
 - **Vehicle Trip Generation:**
Current Zoning: 145 trips per day.
Proposed Zoning: 520 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
 - **Charlotte-Mecklenburg Storm Water Services:** Add the following note on the site plan: "The location, size and type of storm water management systems depicted on the rezoning plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points."
 - **Charlotte-Mecklenburg Utilities:** The proposed building footprint is located on top of the existing eight-inch gravity sewer main. Either the building location or the sewer main should be relocated.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
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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. Organize conditional notes using the standard categories/headings.
 2. Shift proposed building south toward tax parcel 05917208.
 3. Amend development data to reflect proposed zoning of B-1(CD).
 4. Add a note that future amendments to the rezoning plan and these development standards may be applied for by the owner or owners of the site and will be reviewed and approved as allowed by Section 6.207 of the Zoning Ordinance.
 5. Amend proposed uses to include retail, office and restaurants.
 6. Add note that no accessory drive-through windows will be permitted.
 7. Specify building materials and architectural standards.
 8. Provide building elevations.
 9. Add note that all roof mounted equipment will be screened from view from adjacent public right-of-way and abutting properties as viewed from grade.
 10. Show and label a six-foot sidewalk and eight-foot planting strip along the project frontage on Little Rock Road.
 11. Remove the sign from the site plan.
 12. Add a note that all freestanding lighting fixtures installed on the site shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line on the site. Wall-pak type lighting fixtures may not be installed on the building to be constructed on the site.
 13. Add note that the maximum height of any freestanding lighting fixture shall not exceed 20 feet.
 14. The one building shown is the only development permitted on the site. Consider specifying the building envelopes and uses on the remainder of the site or amending the boundary of the rezoning area to remove the portion that does not contain the proposed retail building.
 15. Address Transportation comments.
 16. Address Storm Water Services comments.
 17. Address Charlotte-Mecklenburg Utility Department comments.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Community Meeting Report
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Sonja Sanders (704) 336-8327