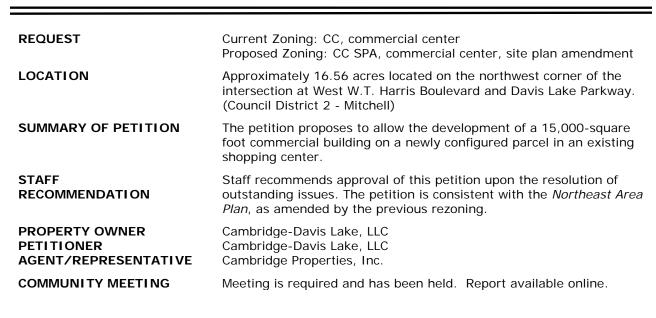
Rezoning Petition 2013-024

PRE-HEARING STAFF ANALYSIS October 21, 2013



PLANNING STAFF REVIEW

Background

The subject property was rezoned via Petition 1996-009(C) to O-1(CD) (office, conditional) and CC (commercial center) as part of a 41-acre shopping center development, The Shoppes at Davis Lake The rezoning allows up to 332,000-square feet of retail, office, and restaurants and up to four outparcels. Development area 2 allowed for 160,000 square feet of retail. A 100-foot buffer was provided along West W.T. Harris Boulevard, of which the outer 50 feet was required to remain undisturbed. A 40-foot landscape buffer with plantings was provided along Davis Lake Parkway. A conditional note requiring similar architecture for the proposed buildings and overall development.

Proposed Request Details

The site plan amendment contains the following changes:

- Creation of a new outparcel identified as Parcel 6, which would allow the development of a 15,000-square foot retail building that meets the following conditions:
 - Modification and reduction of the existing 40-foot landscape buffer to a 20–foot landscape setback along Davis Lake Parkway for this portion of the larger site.
 - Reduction of the 100-foot buffer along West W. T. Harris Boulevard for the Parcel 6 frontage.
 - Building edges pulled to the public streets at the corner of W.T. Harris Boulevard and Davis Lake Parkway.
 - A six-foot sidewalk along the frontage of Parcel 6 along W.T. Harris Boulevard.
 - A low brick screening wall with shrubs along W. T. Harris Boulevard for Parcel 6.
 - Building elevations for the proposed structure.
 - Building materials shall be all masonry.
 - A note stating the building materials, colors, and architectural features for any building on Parcel 6 will match the existing shopping center.
 - Detached lighting will be limited to 25 feet in height.
- A note adding 0.614 acres of abandoned right-of-way from the North Carolina Department of Transportation to the overall development.
- A note stating that that the overall remaining center square footage does not change for the existing center.

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- Provision of a five-foot sidewalk from Parcel 6 to tie into existing sidewalk along Davis Lake Parkway.
- 14-foot setback along W.T. Harris Boulevard for the entire frontage of the shopping center.
- Existing Zoning and Land Use
 - The subject site is currently zoned CC (commercial center) and is vacant. The surrounding properties are zoned R-12MF(CD) (multi-family residential), R-15MF(CD) (multi-family residential), MX-2 (mixed use), MX-3 (mixed use), and I-1 (light industrial) and are either vacant, or developed with residential and commercial structures.
- Rezoning History in Area
 - There have been several rezonings in the area over the past several years:
 - Petition 2012-096 rezoned 2.18 acres north of the site to O-1(CD) (office, conditional) to allow the development of a 25,000-square foot and 40 bed-dependent living facility.
 - Petition 2008-044 rezoned 12.4 acres north of the site to MX-2 (mixed use) to allow the development of 92 townhome units.
 - Petition 2007-080 rezoned 395 acres south of the subject site to MX-3 (mixed use) and MUDD-O (mixed use development, optional) to allow the development of 2,888 dwellings units and 800,000 square feet of non-residential uses.
- Public Plans and Policies
 - The Northeast District Plan (1996) recommends retail uses for the subject site.
 - The petition is consistent with the *Northeast Area Plan*.

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No comments received.
- Charlotte Department of Neighborhood & Business Services: No comments received.
- Charlotte Department of Solid Waste Services: No issues.
- **Transportation:** Petitioner should construct a left turn lane on Davis Lake Parkway.
 - Vehicle Trip Generation: Current Zoning: 9,200 trips per day. Proposed Zoning: 9,200 trips per day.
 - Connectivity: No issues.
- Charlotte Fire Department: No comments received.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- 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 issues.

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*.
 - Facilities the use of alternative modes of transportation by providing a sidewalk path along the sites frontage.

OUTSTANDING ISSUES

- The petitioner should:
 - 1. Provide building elevations and site plan complying with section 11.405 (7)(a)(c)(d)(e).
 - 2. Retain the 100-foot setback along the frontage of W.T. Harris not included in Parcel 6 to the original 100-foot setback.
 - 3. Submit an administrative request to modify and note that the existing outparcels not included in this petition, but covered under petition 1996-009C, will be limited to the existing square footage built, except for the vacant outparcels. Also, provide a maximum square footage for the vacant outparcels.
 - 4. Add a note stating a revised maximum square footage for the site covered by this petition. That square footage should equal the square footage from the 1996-009(C) petition less the square footage from the administrative approval.
 - 5. Show location of proposed loading dock and dumpster/recycling areas
 - 6. Add a note that states that if loading docks or dumpsters are located adjacent to the public right-of-way they will be screened with additional plantings above and beyond the minimal ordinance standards. Provide a detail drawing showing how screening will be accomplished.
 - 7. Provide an eight-foot planting strip and six-foot sidewalk along Davis Lake Parkway for the fronta Parcel 6.
 - 8. Address transportation's comment.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Community Meeting Report
- Charlotte Department of Solid Waste Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review
- Mecklenburg County Parks and Recreation Review

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