

REQUEST	Current Zoning: NS (neighborhood services) Proposed Zoning: NS SPA (neighborhood services, site plan amendment)
LOCATION	Approximately 0.9 acres located on the southeast corner at the intersection of Elm Lane and Williams Pond Lane. (Council District 7 - Driggs)
SUMMARY OF PETITION	The petition proposes construction of a retail, office or financial institution up to 4,500 square feet on a vacant development pad in the area west of Rea Road and south of the Stonecrest Shopping Center.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Pembroke Partners LP Michael L. Lavelle NA
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 0.

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design, environment and requested technical revisions.</p> <p><u>Plan Consistency</u> The petition is consistent with the retail land use recommendation in the <i>South District Plan</i> as amended by a prior rezoning.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The subject outparcel is a part of a commercial center approved by rezoning petition 2006-081. • The approved site plan for the overall center allows commercial, office, and eating/drinking/ entertainment establishments; however, it limits the use of the subject outparcel to a financial institution. • The proposed request expands the allowable uses for the subject outparcel to include office and retail uses as well as a financial institution, and prohibits the following: <ul style="list-style-type: none"> • auto-oriented retail uses; • convenience stores; • gasoline sales; and • drive-through windows other than those associated with a financial institution. • The proposed changes do not alter the character of the overall center as: <ul style="list-style-type: none"> • The proposed building occupies the same area as a previously approved financial institution; • The proposed building is generally the same size with a slight increase of only 100 square feet; and • The building height is reduced from 48 feet to 35 feet.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan amendment contains the following changes:
 - Changes the proposed use from only a financial institution to retail, office, or financial institution; however, specifically prohibits convenience stores, gasoline sales, retail tenants over 4,500 square feet, and drive-through service windows as accessory to any use other than a financial institution or financial institution.
 - Adds a limit to the maximum building square footage of 4,500 square feet.
 - Proposes the building to be constructed on the established building pad. The existing parking and maneuvering will remain instead of constructing a drive-through facility as shown on the

- previously approved plan.
- Reduces the maximum building height from 48 feet to 35 feet.
- Maintains the existing sidewalk and planting strip along Elm Lane and Williams Pond Road recently reconstructed in 2014 when improvements were made to the intersection of Elm Lane and Williams Pond Road.
- Adds landscaped screening for the parking along Elm Lane and Williams Pond Road.
- **Existing Zoning and Land Use**
 - The parcel was previously rezoned under Petition 2006-081 and specified as an outparcel, proposed for a financial institution, as part of a shopping center with up to 44,000 square feet at the intersection Williams Pond Road and Rea Road.
 - The subject property is partially developed with parking. A development pad was also created to allow for the construction of a future building on the site.
 - To the west across Elm Lane is a grocery-anchored strip shopping center zoned B-1(CD) (neighborhood business, conditional), and to the North across Williams Pond Lane is Saint Matthew Catholic Church zoned INST (institutional) and an animal hospital zoned O-1(CD) (office, conditional).
 - Adjacent to the site and to the south is an apartment development zoned R-12MF (multi-family residential).
 - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
 - Petition 2015-007 rezoned the adjacent shopping center from NS (neighborhood services) to NS SPA (neighborhood services, site plan amendment) to allow the expansion of areas for outdoor dining. This rezoning did not include the subject outparcel.
- **Public Plans and Policies**
 - The *South District Plan* (1993) as modified by the prior rezoning (petition 2006-081) recommends retail use for the subject parcel.
- **TRANSPORTATION CONSIDERATIONS**
 - Site is at the unsignalized intersection of two major collectors. Transportation improvements were accomplished as part of the original rezoning. CDOT does not have any outstanding issues relative to this petition.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on existing parking lot).
 - Entitlement: 905 trips per day (based on 4,600 square-foot financial institution).
 - Proposed Zoning: 905 trips per day (based on 4,500 square-foot retail).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** 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:** See Requested Technical Revisions, Note 8.
- **Charlotte Water:** Charlotte Water has water system availability via an existing 12-inch water distribution main located along Elm Lane and a 16-inch water main located along Williams Pond Lane. Charlotte Water currently does not have sewer system availability for the parcel under review. The closest available sewer main is approximately 320 feet northeast of parcel 229-101-16 on Williams Pond Lane. The applicant should contact Charlotte Water's New Services at (704) 432-5801 for more information regarding accessibility to sewer system connections.
- **Engineering and Property Management:** No trees can be removed from or planted in the right-of-way on Elm Lane without permission of NC Department of Transportation and the City Arborist's office. No trees can be planted in the right-of-way of Williams Pond Lane without permission of the City Arborist's office.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Site and Building Design

1. Revise the site plan to show the current as built conditions of the sidewalk, planting strip and curb along Elm Lane and Williams Pond Road. The site plan currently shows the conditions prior to the 2014 intersection improvements.
2. Increase the width of the sidewalks abutting between the building and parking spaces to 10 feet or add a note that wheel stops will be installed. This is to ensure adequate sidewalk widths will be maintained.
3. Provide building elevations referenced in Note D1.
4. Delete Note G2 regarding detached monument project identification signs.

Environment

5. Remove the words "except where existing CDOT ROW improvements do not allow" from Note 1 under Tree Save Area.

REQUESTED TECHNICAL REVISIONSSite and Building Design

6. Change references to Petition number 2016.013 to 2016-148.
7. Change the word "may" to "shall" and add the words "consistent with Section 12.303 of the Zoning Ordinance" to Note I2 regarding adding shrubs to screen the parking.

Environment

8. Delete Note 1 under Storm Water Management and replace with the following "The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Storm Water Ordinance."
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

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