

REQUEST	Current Zoning: R-3 AIR (single family residential, airport noise overlay) and I-1(CD) AIR (light industrial, conditional, airport noise overlay) Proposed Zoning: I-1(CD) AIR (light industrial, airport noise overlay) and I-1(CD) SPA AIR (light industrial, conditional, site plan amendment, airport noise overlay)
LOCATION	Approximately 24.23 acres located on the west side of Sandy Porter Road, north of Interstate 485. (Outside City Limits)
SUMMARY OF PETITION	The petition proposes to allow the development of two buildings for office, warehouse, and distribution uses and other uses allowed in the I-1 (light industrial) zoning district, having a maximum of 255,750 square feet of gross floor area combined. The property is currently developed with a single family home and an auto repair business, and vacant land, and located near the intersection of Sandy Porter Road and Interstate 485.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Eastgroup Properties, LP, Eastgroup Steele Creek, LLC Eastgroup Properties, L.P. John Carmichael Robinson Bradshaw & Hinson, P.A.
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.</p> <p><u>Plan Consistency</u> The petition is consistent with the industrial/warehouse-distribution adopted land use for this site as per the <i>Steele Creek Area Plan</i>, and as amended by rezoning petition 2016-009.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The property is located south of Charlotte-Douglas International Airport and within the "Combined 1996 Noise Exposure/Noise Compatibility Program Noise Contours" which identifies the day/night average sound level at 65 decibels, and which is not conducive to residential development. • The rezoning for the largest portion of the property is consistent with the adopted industrial land uses recommended for the site. • The smaller portion of the site zoned R-3, is recommended for office/industrial land uses by the Steele Creek Area Plan, and includes an existing auto/body repair shop that is a legal non-conforming use. • The proposed development expands an existing warehouse/distribution industrial park along Steele Creek Road, Shopton Road, and Interstate 485 and is compatible with the uses in the surrounding area.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Proposes up to 255,750 square feet of gross floor area of uses permitted by right or under prescribed conditions in the I-1 (light industrial) district. Up to 10%, or 25,575 square feet, may be devoted to office uses.
 - Limits maximum height to 45 feet.
 - Limits the number of principal buildings to two.
 - Prohibits the following uses:
 - Automobiles, truck, and utility trailer rental
 - Automotive repair garages

- Automotive service stations
- Barber and beauty shops
- Financial institutions
- Eating/drinking/entertainment establishments (Types 1 and 2)
- Retail establishments, shopping centers and business, personal and recreational services
- Adult establishments
- Commits to the installation of curb and gutter along Sandy Porter Road as the site is developed. The back-of-curb will be located 19 feet from the existing centerline of Sandy Porter Road, and petitioner will pave the area located between the lip of the newly installed gutter and the existing pavement on Sandy Porter Road.
- Commits to the installation of an eight-foot planting strip and a 12-foot wide asphalt multi-use path along Sandy Porter Road in lieu of a bike lane.
- Prior to issuance of the first certificate of occupancy for a new building constructed on the site, petitioner will pay the sum of \$25,000 to CDOT for future planned improvements to Sandy Porter Road.
- Notes any right-of-way required to be dedicated and conveyed to the City and/or NCDOT will be dedicated and conveyed prior to the issuance of a certificate of occupancy for the first new building constructed on the Site. A sidewalk utility easement will be provided prior to the issuance of a certificate of occupancy for the first new building constructed on the site. The terminus of the right-of-way or sidewalk utility easement will be located two feet behind the back of the 12-foot wide multi-use path.
- Proposed buildings will be compatible, complementary and consistent with the buildings constructed on the Steele Creek Commerce Park site in terms of architectural style and character, types and colors of exterior building materials and fenestration.
- States that the eastern elevation of building designated on rezoning plan as Building 1 (the elevation facing Sandy Porter Road) will have a minimum transparency or glazing of 14%.
- Shows sidewalks connecting entrances to public sidewalk along Sandy Porter Road. Proposed building entrances along the eastern elevation of Building 1 (the elevation facing Sandy Porter Road) are labelled or designated on the Building 1 footprint set out on the Rezoning Plan. However, Building 1 may be a multi-tenant building and as a result, the actual locations of the building entrances may be modified during the design development and permitting process.
- Provides 50-foot Class A buffer along north property line, 50-foot Class C buffer along south property line, and 37.5-foot buffer along a portion of Sandy Porter Road.
- Prohibits construction vehicles serving the site from utilizing Gable Road for ingress to and egress from the site.
- Restricts construction activities to daily from 7:00 a.m. to 7:00 p.m. Slabs for the buildings proposed to be constructed may be poured prior to 7:00 a.m. or after 7:00 p.m. as a result of the need to pour the slabs in cooler temperatures.
- Commits to filing a request for two administrative amendments to the approved conditional rezoning plan for rezoning petition 2016-009 in order to adjust the square footage and to remove a note and replace with another as relates to Gable Road. The administrative amendments must be filed prior to City Council's decision on the subject request.
- **Existing Zoning and Land Use**
 - The site is developed with a single family home, an automotive repair business, and vacant land. It is part of a larger 48.8-acre site rezoned from R-3 AIR (single family residential, airport noise overly) to I-1(CD) AIR (light industrial, conditional, airport noise overly) in order to allow the development of up to 525,00 square feet of industrial, office, and distribution uses.
 - North are a religious institution, vacant land, single family residential homes, and office/industrial/warehouse uses zoned R-3 AIR (single family residential, airport noise overly), I-1 AIR (light industrial, airport noise overly), I-1(CD) AIR (light industrial, conditional, airport noise overly), and I-2 AIR (general industrial, airport noise overly).
 - East, across Sandy Porter Road, are single family homes, office/industrial, warehouse uses, and vacant land zoned R-3 AIR (single family residential, airport noise overly), I-1(CD) AIR (light industrial, conditional, airport noise overly), and O-1(CD) AIR (office, conditional, airport noise overly).
 - South, across Interstate 485, are single family homes, educational facilities, office uses, and vacant land zoned R-3 AIR (single family residential, airport noise overly) and O-1(CD) AIR (office, conditional, airport noise overly).
 - West are office/industrial/warehouse uses and vacant land zoned I-2(CD) AIR (general industrial, conditional, airport noise overly).
 - See "Rezoning Map" for existing zoning in the area.

- **Rezoning History in Area**

- Rezoning petition 2014-051 rezoned approximately 20.3 acres on the west side of Gable Road between Shopton Road and Interstate 485 from R-3 (single family residential), I-2 (general industrial) and I-2(CD) (general industrial, conditional) to I-2(CD) (general industrial conditional) and I-2(CD) SPA (general industrial, conditional, site plan amendment) to allow the development of Phase II of Steele Creek Commerce Park, consisting of up to 310,000 square feet of industrial, office distribution, and warehouse uses.
- Petition 2013-021 rezoned approximately 43.29 acres on the southeast corner of the intersection of Steele Creek Road and Shopton Road from R-3 (single family residential) and I-1(CD) (light industrial, conditional) to I-2(CD) (general industrial, conditional) to allow the development of Phase I of Steele Creek Commerce Park, consisting of 525,000 square feet of office/distribution and light industrial uses.
- Petition 2013-002 rezoned approximately 114 acres on the east side of Interstate 485 at the intersection of Sandy Porter Road and Interstate 485 from R-3 (single family residential) to O-1(CD) (office, conditional) and I-1(CD) (light industrial, conditional) to allow the construction up to 255,000 square feet of business park with office uses, limited industrial uses and certain other permitted uses.

- **Public Plans and Policies**

- The adopted plan recommends industrial/warehouse-distribution land uses for the portion of the site zoned I-1(CD) (light industrial, conditional) per rezoning petition 2016-009. The portion of the site zoned R-3 (single family residential) is recommended for office/industrial/warehouse-distribution land uses by the *Steele Creek Area Plan* (2012).

- **TRANSPORTATION CONSIDERATIONS**

- The site is located on a minor thoroughfare north of the I-485 interchange. The site plan maintains the prior rezoning (2016-009) commitments for transportation improvements across the site frontage. Furthermore, the petitioner has committed to contribute \$25,000 towards the City CNIP project on Sandy Porter Road.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 100 trips per day (based on car care center; single family dwelling).

Entitlement: 910 trips per day (based on five single family homes and 236,000 square feet of warehouse).

Proposed Zoning: 910 trips per day (based on 255,750 square feet of warehouse).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Housing and Neighborhood 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 Water:** Charlotte Water has water system availability for the rezoning boundary via an existing 12-inch water distribution main located along Sandy Porter Road and an existing 16-inch water transmission main located along Sandy Porter Road. Charlotte Water has sewer system availability for the rezoning boundary via existing eight-inch gravity sewer main located within the rezoning boundary.
- **Engineering and Property Management:**
 - **Arborist:** Project is outside Charlotte City Limits. If annexed into the City of Charlotte, shall following the following requirements:
 - No trees can be removed or planted in the right-of-way of any state maintained street without permission of NC Department of Transportation and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact Laurie Reid (704-336-5753) at the City Arborist's office for a tree planting permit before planting trees in the NCDOT right-of-way once plans have been approved by the City.
 - Trees cannot be removed from or planted in the right-of-way of all City of Charlotte maintained streets. Contact Laurie Reid (704-336-5753) at the City Arborist's office to discuss trees species to be planted in the right-of-way on a City of Charlotte maintained street; species must be approved before planting.
 - **Erosion Control:** No issues.
 - **Land Development:** No issues.

- **Storm Water Services:** No issues.
- **Urban Forestry:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUESSite and Building Design

1. ~~Show building entrances on building fronting Sandy Porter Road. Commit to 20% minimum transparency on this frontage.~~ **Addressed.**
 2. ~~Show sidewalks connecting entrances to public sidewalk.~~ **Addressed.**
 3. ~~With respect to Note 4.C. describe architectural elements.~~ **Addressed.**
 4. ~~Fulfill commitment to filing a request for two administrative amendments to the approved conditional rezoning plan for rezoning petition 2016-009 in order to adjust the square footage and to remove a note and replace with another as relates to Gable Road. The administrative amendments must be filed prior to City Council's decision on the subject request.~~ **Addressed.**
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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 Housing and Neighborhood Services Review
 - Charlotte Fire Department Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - City Arborist
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

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