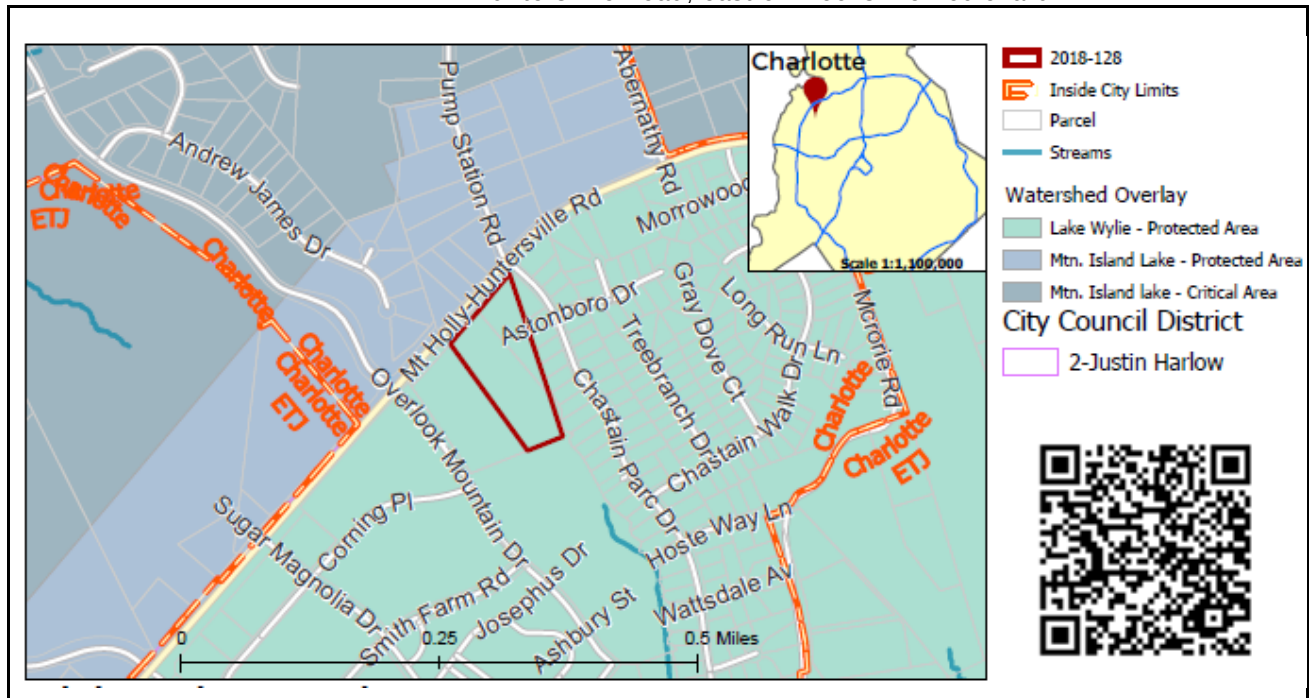


REQUEST

Current Zoning: R-3 LWPA (single family residential, Lake Wylie Protected Area)
Proposed Zoning: NS LWPA (neighborhood services, Lake Wylie Protected Area)

LOCATION

Approximately 5.5 acres located on the south side of Mt. Holly-Huntersville Road, east of Brookshire Boulevard.



SUMMARY OF PETITION

The petition proposes to allow 46,000 square feet of office and commercial uses on a parcel developed with a single family residential home in Northwest Charlotte.

PROPERTY OWNER

Catherine E. Paige; James F. and Virginia P. Poutier

PETITIONER

James Poutier

AGENT/REPRESENTATIVE

Collin Brown and Bailey Patrick, Jr.

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 12 (second community meeting)

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Brookshire/I-485 Area Plan* recommendation for multi-family, office, and/or retail for this site.

Rationale for Recommendation

- The site is located within the Brookshire/I-485 Mixed-Use Activity Center, as per the *Centers Corridors and Wedges Growth Framework*.
- The site is adjacent to a church, single family neighborhood and a mixed-use center under construction, which will include office, retail and multi-family uses.

- The proposed use is compatible with the existing developments in the area, and the mixed-use development under construction directly to the west and south.
- The proposed use is consistent with the recommended office and retail for the site per the Brookshire/I-485 Area Plan.

PLANNING STAFF REVIEW

• Background

- The petitioner originally filed a request in October 2018 to rezone the subject site to UR-2(CD) LWPA (urban residential, conditional, Lake Wylie Protected Area) to allow up to 55 townhomes at a density of 10 units per acre. The petitioner conducted a community meeting on November 26, 2018 to discuss the townhome project. The request has since been modified to propose office and commercial uses on the subject site.

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Up to 46,000 square feet of commercial/office uses. Limits the amount of retail uses to 8,000 square feet.
- Prohibits the following uses: **fuel sales**; jails and prisons; drive-through service windows associated with eating, drinking and entertainment (EDEE) establishments; automobile service stations; automotive repair garages; car washes; tattoo establishments; adult establishments; cemeteries; crematoriums; and outdoor storage.
- Illustrates Building Envelopes A and B and parking envelope.
- Maximum building height of 45 feet.
- **Proposed 20-foot setback along Mt. Holly-Huntersville Road from future back of curb.**
- **Proposed 15-foot setback along proposed public local office/commercial street from proposed back of curb.**
- **Proposed 20-foot side yard along property line abutting properties zoned R-4.**
- Minimum 32-foot Class C buffer along the site's eastern property line along with a 6-foot tall opaque fence.
- Illustrates existing 30-foot stream buffer along a portion of the eastern property line.

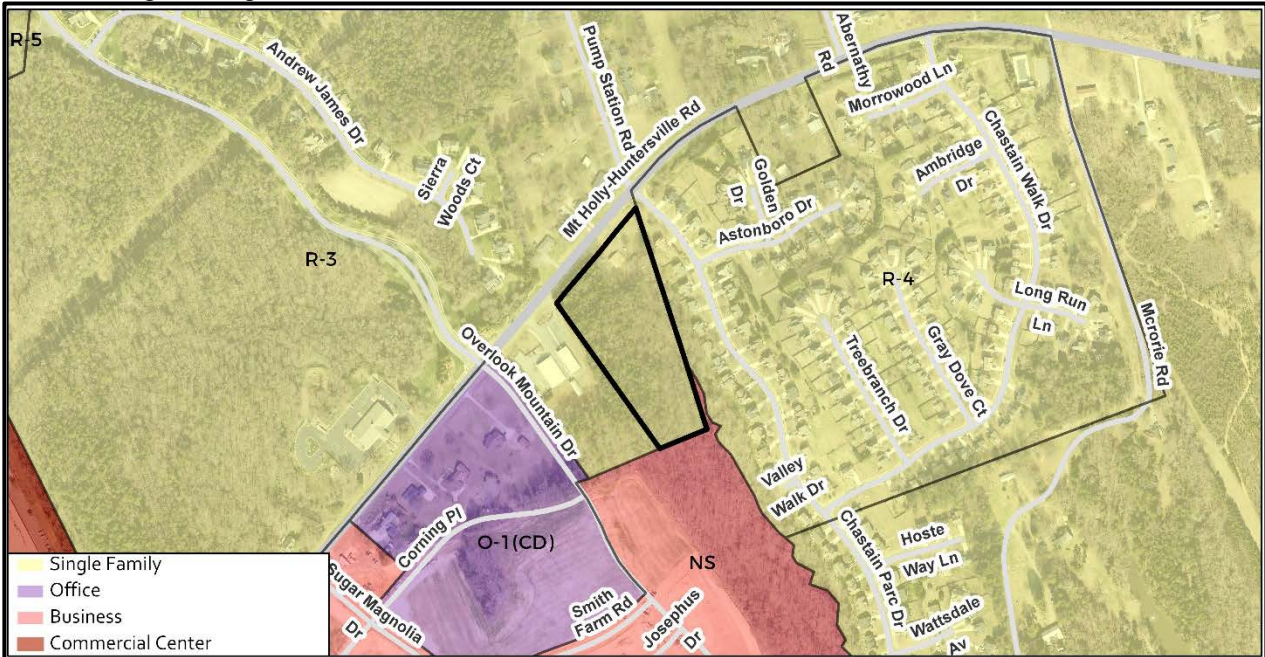
Proposes the following transportation commitments:

- Ingress/egress via a new public street which connects to Mt. Holly Huntersville Road. Access to the site from Mt. Holly-Huntersville Road will be right-in/right-out only.
- ~~A 6-foot sidewalk and~~ An 8-foot planting strip along the site's Mt. Holly-Huntersville Road frontage.
- **Notes the petitioner will donate additional right-of-way and construct a multi-use path along the site's Mt. Holly-Huntersville Road frontage, located in the future cross section location for the future median and divided five-lane road. The road and edge of pavement will remain in the existing location to be widened once final alignment is confirmed, in coordination with CDOT. The existing edge of pavement on Mt. Holly-Huntersville Road will remain in place without the installation of curb and gutter (Per Chapter 19 of the City of Charlotte Code, the petitioner will dedicate the necessary right-of-way defined in Section B-B on Sheet RZ-2 of this rezoning plan in lieu of installing curb and gutter). is dedicating additional right-of-way and a twelve (12) foot multi-use path beyond code required major thoroughfare section defined in Section B-B on Sheet RZ-2 of this Rezoning Plan in lieu of installing curb and gutter).**
- An 80-foot long raised concrete median at the site's proposed Mt. Holly-Huntersville Road access driveway to restrict this driveway to right-in/right-out only access.
- Commits to coordinate with the North State Riverbend, LLC property owner so that the proposed north-south public street connects properly at the site's southern property line.

Architectural Standards:

- Proposes the following combination of building materials: glass, brick, stone, simulated stone, pre-cast stone, pre-cast concrete, synthetic stone, stucco, cementitious siding (such as hardi-plank), EIFS or wood. Vinyl may only be permitted on windows, doors, garage doors, soffits, trim and railings.
- Provides blank wall provisions limiting blank wall expanses to a maximum of 15 feet along the ground floor building level fronting Mt. Holly-Huntersville Road, through use of articulation, decorative lighting, sconces, forward offsets, doors, windows, awnings, faux shutters, and/or other architectural design elements.

- Existing Zoning and Land Use



- A portion of the site is developed with a single-family home; the remaining acreage is vacant. The site is surrounded by single family neighborhoods, religious institutions, and commercial uses in various zoning districts. Also to the west is a multi-use development currently under construction on a 125-acre site consisting of commercial, office, retail, and residential uses along with climate controlled storage and a hotel.



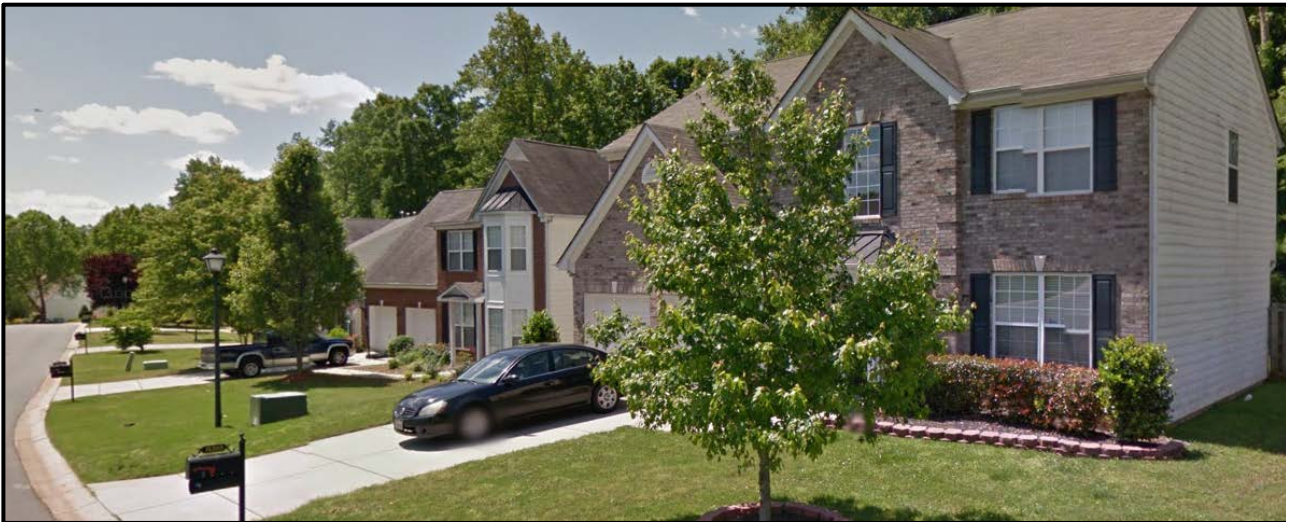
The subject property is developed with a single-family home.



The properties to the north along Mt. Holly-Huntersville Road are developed with single-family homes.



The property to the west along Mt. Holly-Huntersville Road is developed with a church.

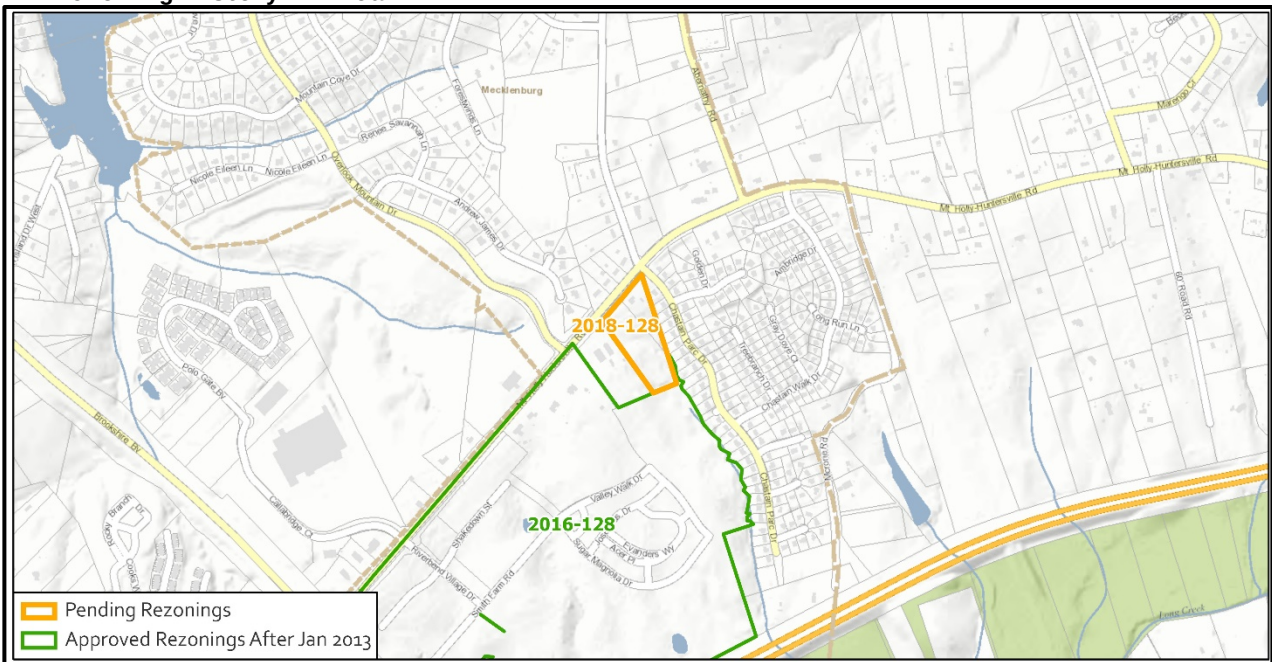


The properties to the east along Chastain Parc Drive are developed with single-family homes.



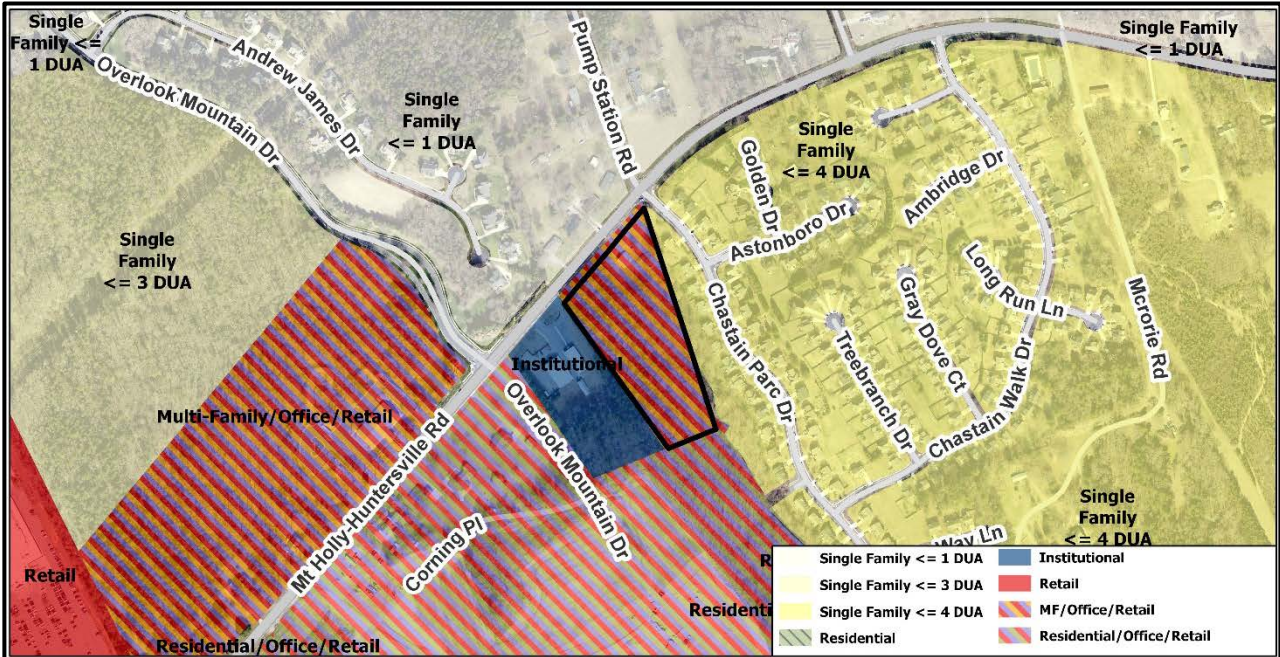
The properties to the west are under construction with a multi-use development (rezoning 2016-128).

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2016-128	Modified an approved multi-use development on 125.13 acres to allow 303,000 square feet of commercial/retail uses (including 60,000 square feet of entertainment); 200 hotel rooms; 365,000 square feet of office; 127,000 square feet of climate controlled storage (with up to 3,000 square feet of non-residential uses) or up to 8,000 square feet of non-residential uses; up to 500 multi-family residential units; and up to 100 townhomes or single-family homes.	Approved

• Public Plans and Policies



- The *Brookshire Boulevard/I-485 Area Plan* (2002) recommends a mix of multi-family, office, and retail for the area in which this site is located.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located on a major thoroughfare, requiring 100' of total right-of-way. CDOT continues to request the site plan commit to ROW dedication for future expansion of the corridor for consistency with transportation corridor rights-of-way for the proposed zoning district of Urban Residential (UR-2). The petitioner updated the site plan and added conditional notes committing to pedestrian/bike improvements (i.e.: a 12' MUP along the site's Mt. Holly-Huntersville Rd. frontage). In addition, the petitioner provided sufficient right-of-way for an additional "future" EB through lane along Mt. Holly-Huntersville Road to mitigate for the additional traffic being generated on the road.
 - ~~See Outstanding Issues 1-4:~~ **Addressed.**
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 10 trips per day (based on single family home).
 - Entitlement: 160 trips per day (based on 16 single family homes).
 - Proposed Zoning: 1,490 trips per day (based on 8,000 square feet of retail and 38,000 square feet of office).

DEPARTMENT COMMENTS (see full department reports online)

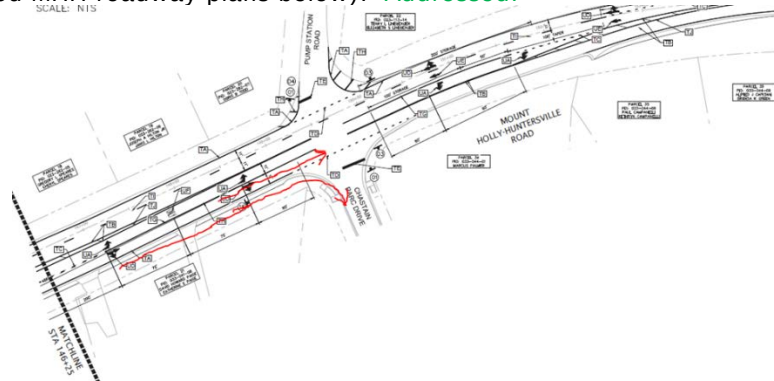
- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Fire Department:** Fire hydrant must be within 750 feet of the most remote point of building as fire truck travels. No on street parking allowed on road with less than 26 feet clear width. Access must comply with Section D107 of IFC 2012.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Chastain Parc Drive. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 15-inch gravity sewer main located along Mount Holly-Huntersville Road.
- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry:** No outstanding issues.

- **Mecklenburg County Land Use and Environmental Services Agency:** No comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

- ~~1. The proposed zoning district has a setback measured from back of the existing or proposed future curbline. The location of the future back of curb needs to match the recent approved Mt. Holly Huntersville Road (MHH) Widening Plans to a 4-lane divided facility (see below approved Riverbend Roadway construction plans) to establish the future back of curb location. Additional information: The site plan should commit to the dedication of right of way for the ultimate cross-section for Mount Holly Huntersville Road. Addressed.~~
- ~~2. Revise the site plan and conditional note(s) to depict, label and commit to an additional 11-foot eastbound MHH travel lane which will terminate as a right turn drop lane at Chasten Parc Drive. (see approved MHH roadway plans below). Addressed.~~



- ~~3. Revise the site plan and conditional note(s) to specify the proposed north-south street as a local office/Commercial narrow street section with a total of 55' sidewalks and 5' sidewalks. Call out and label this street using CLDSM U-04.17). Addressed.~~
- ~~4. Revise the site plan and conditional notes to commit to the dedication of 50' of right-of-way measured from the centerline. Addressed.~~

REQUESTED TECHNICAL REVISIONS

- ~~5. Increase side yard adjacent to existing single-family neighborhood to the east from 10 feet to 20 feet. Addressed~~
- ~~6. Provide a buffer along the property line abutting the existing single-family neighborhood to the east to Class B standards. Rescinded~~
- ~~7. Add fuel sales to the list of prohibited uses. Addressed~~

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

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