

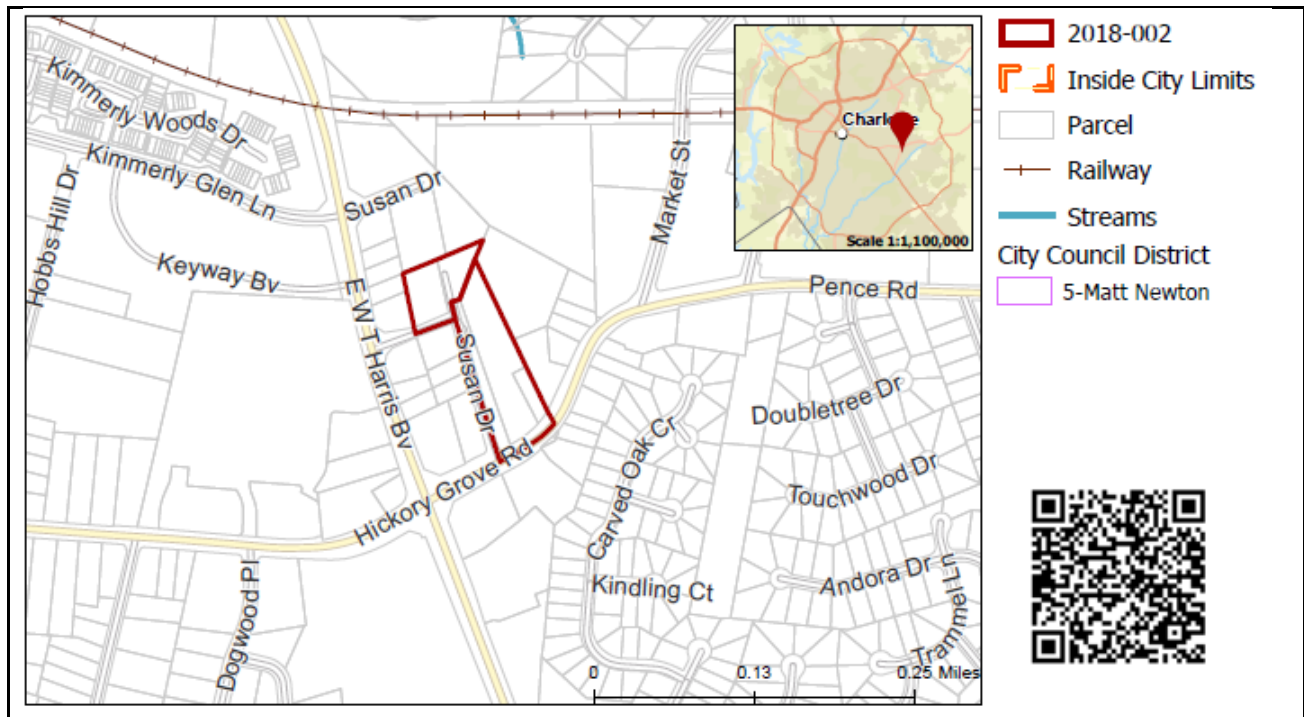
**REQUEST**

Current Zoning: R-8 (single family residential), and B-2(CD) (general business, conditional)

Proposed Zoning: B-2(CD) (general business, conditional) and B-2(CD) SPA (general business, conditional site plan amendment), with five year vested rights.

**LOCATION**

Approximately 4.15 acres located on the north side of Hickory Grove Road, east of W.T. Harris Boulevard.  
(Council District 5 - Newton)



**SUMMARY OF PETITION**

The petition proposes to redevelop five parcels with up to 31,500 square feet of building area. All uses permitted in the B-1 (neighborhood business) district will be allowed, in addition to a contractor’s office and accessory storage, which is allowed in the B-2 (general business) district.

**PROPERTY OWNER**

James Schad

**PETITIONER**

James Schad

**AGENT/REPRESENTATIVE**

N/A

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 3.

**STAFF RECOMMENDATION**

Staff recommends approval of the petition.

Plan Consistency

The portion of the site proposed for B-2(CD) (general business, conditional) is inconsistent with the *Eastside Strategy Plan*, which recommends single family uses at up to eight dwelling units per acre.

The B-2(CD) site plan amendment portion of the site is consistent with the *Eastside Strategy Plan*, which recognizes the previous petition 1995-066 that allowed a 32,128-square-foot screen printing business.

Rationale for Recommendation

- Although the proposal for non-residential uses is inconsistent with the adopted future land use recommendation for residential uses, the site fronts along Susan Drive, which is an established non-residential street.
- The site is surrounded by retail development that fronts on Hickory Grove Road and WT Harris Boulevard.
- The height of the proposed buildings and the proposed buffers will provide an appropriate transition to the adjacent residential properties.
- The proposed request allows all uses in B-1 (neighborhood business) and contractor's offices which are allowed in B-2 (general business) which will minimize impacts on adjacent properties.

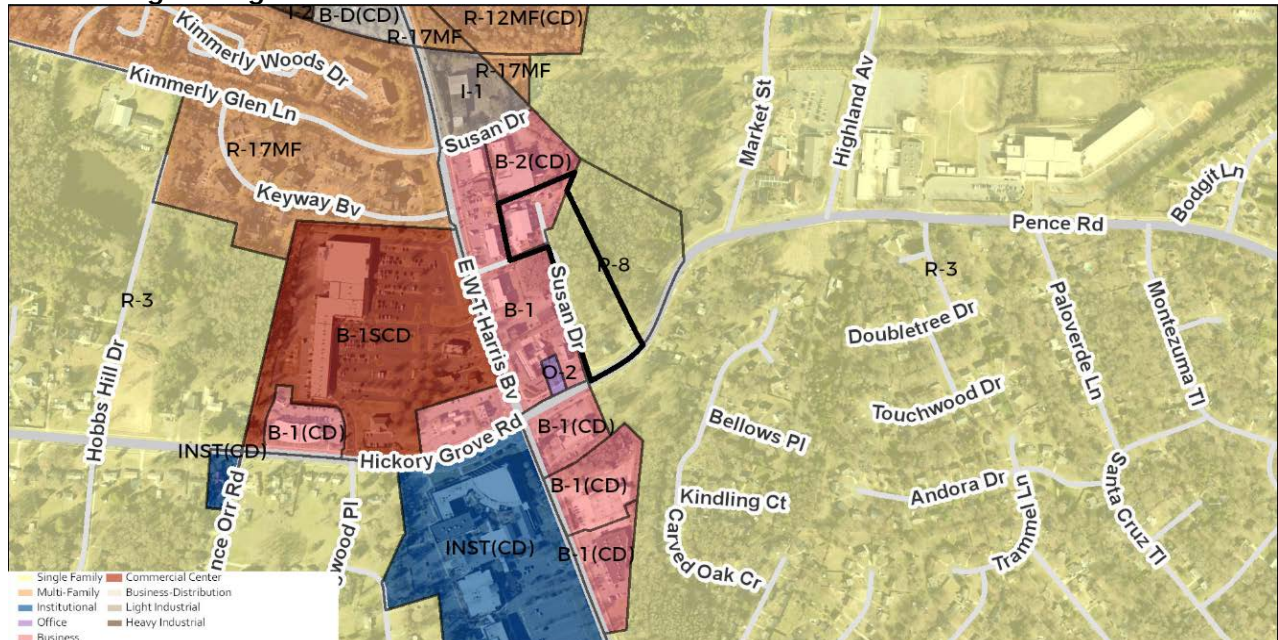
**PLANNING STAFF REVIEW**

**Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Up to ~~31,400~~ 31,500 square feet of new office/flex space and an existing 11,000 square-foot warehouse to allow uses permitted in the B-1 (neighborhood business) district, along with a contractor's office and accessory storage excluding storage of general construction equipment and vehicles.
- Maximum of three buildings on the site including the existing warehouse/retail use in B-2(CD) (general business, conditional).
- Maximum building height of 40 feet.
- Site access via Susan Drive and Lawson Lane.
- Providing a 20-foot setback along Hickory Grove Road.
- A ~~30.5~~ 30.75-foot wide Class "B" buffer located along the eastern property line abutting single family zoning, with a fence or wall.

**Existing Zoning and Land Use**



- Petition 1995-066 rezoned 1.43 acres of the subject property to allow a 32,128 square foot screen printing business.
- The subject property is developed with a warehouse, and two single family homes
- Surrounding parcels north of East W. T. Harris Boulevard are developed with retail, office, institutional, single family and multi-family residential uses. Parcels south of East W.T. Harris Boulevard consist of retail, institutional, single family and multi-family residential uses.



The subject property is developed with a warehouse use.



The subject property is also developed with two single family homes that face Hickory Grove Road.



Properties to the west are a mix of retail and commercial uses between Susan Drive and E. WT Harris Boulevard.

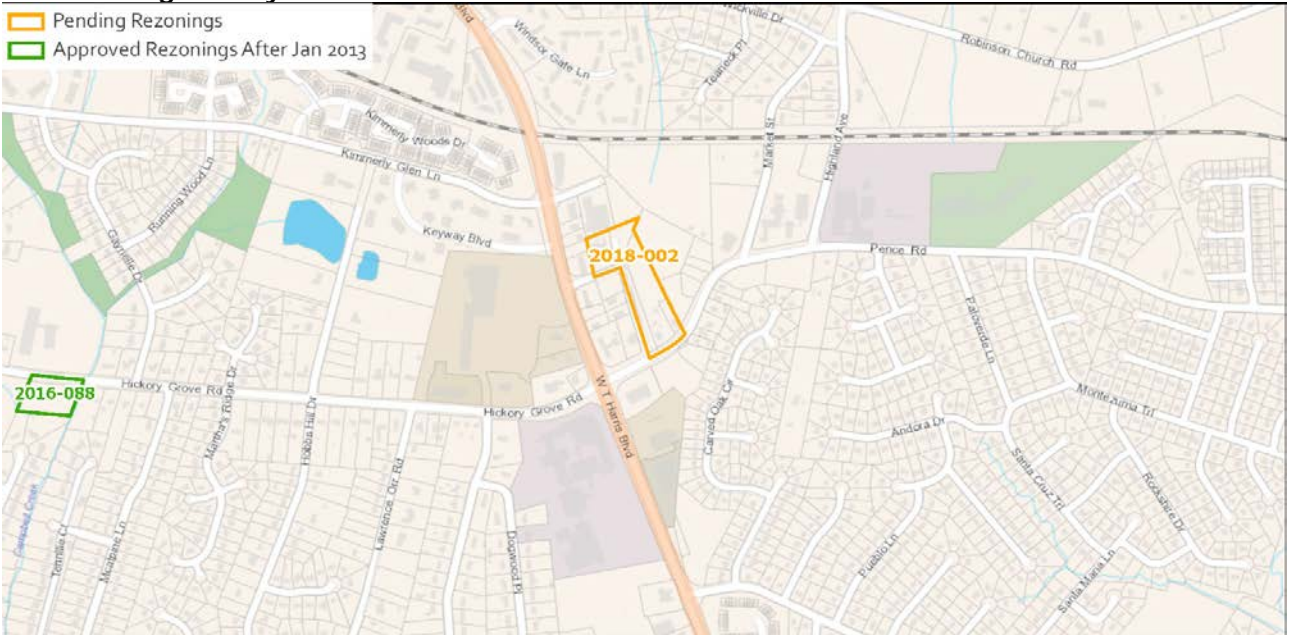


Properties to the south, across Hickory Grove Road, are vacant or developed with single family homes or commercial uses. (View looking from the subject property to the south across Hickory Grove Road.)



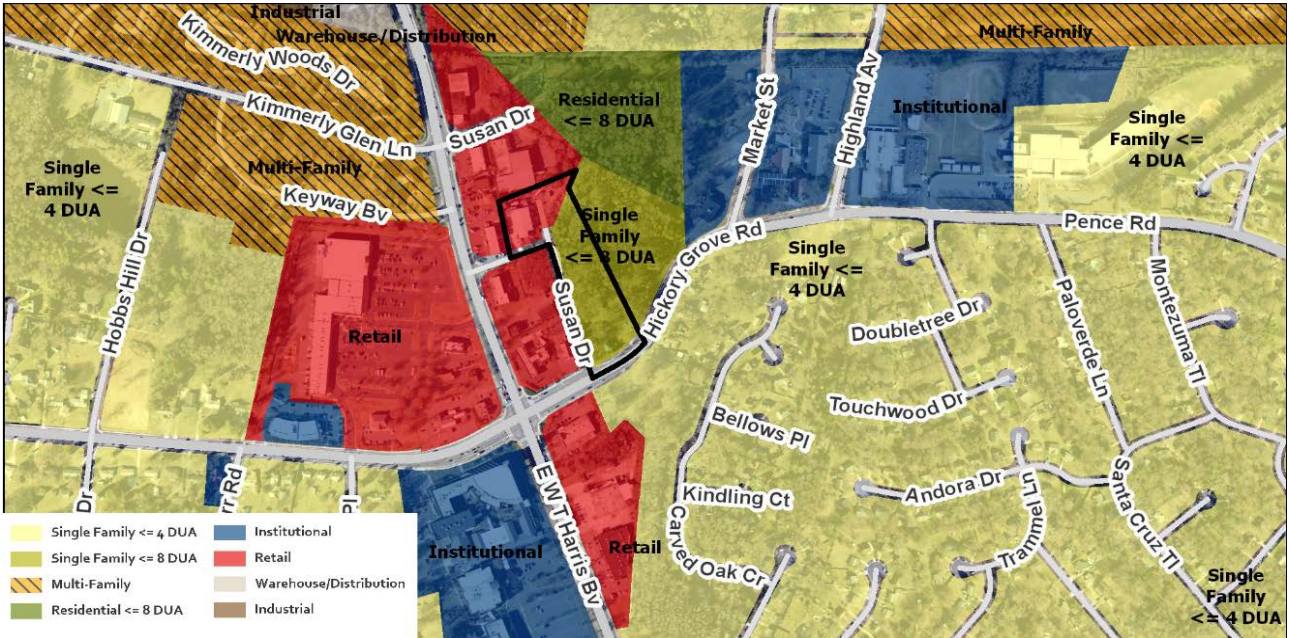
Vacant land and Hickory Grove United Methodist Church are located to the east of the subject property.

**• Rezoning History in Area**



Petition Number	Summary of Petition	Status
2016-088	Rezoned approximately 1.79 acres from R-3 (single family residential) to INST(CD) (institutional, conditional) with five year vested rights to allow a 5,600-square foot child care facility with up to 79 students.	Approved

• **Public Plans and Policies**



- The *Eastside Strategy Plan* (2001) recommends single family residential uses up to eight dwelling units for acre for the portion of the site that fronts Susan Drive, and recommends retail uses on the portion of the site currently zoned B-2(CD) (general business, conditional), which recognizes the previous rezoning petition 1995-066.

• **TRANSPORTATION CONSIDERATIONS**

- The site is at the unsignalized intersection of Hickory Grove Rd (minor thoroughfare with bike lanes) and Susan Drive (local). Additional access to the site is available from Lawson (local) to the unsignalized intersection W. T. Harris (major thoroughfare, median divided). The site is located in a wedge outside Route 4. Hickory Grove carries neighborhood shuttle route 222 (Pence Road) and WT Harris carries local route 23 (Shamrock Drive).

- See Outstanding Issues, Note 1.

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 1,710 trips per day (based on two single family dwellings and 11,620 square feet of retail uses).

Entitlement: 2,150 trips per day (based on 23 single family dwellings and 13,800 square feet of retail uses).

Proposed Zoning: 3,860 trips per day (based on 42,000 square feet of retail uses).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 13 students, while the development allowed under the proposed zoning will produce zero students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is zero students.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Hickory Grove Elementary remains at 122%
    - Cochrane Collegiate Academy remains at 115%
    - Garinger High remains at 123%.

- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Hickory Grove Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing eight-inch gravity sewer mains located along Hickory Grove Road, Susan Drive and Lawson Lane.
- **Engineering and Property Management:**
  - **Arborist:** No trees can be removed from the right-of-way of any City maintained street (Hickory Grove Road, Susan Drive, and Lawson Lane) without explicit permission of the City Arborist's office. No trees can be planted in the right-of-way of any City maintained street (Hickory Grove Road., Susan Drive., and Lawson Lane.) without explicit permission of the City Arborist's office. Contact the City Arborist's office to discuss trees species to be planted in the right-of-way of all City of Charlotte maintained street; species must be approved before planting.
  - See Outstanding Issues, Note 2.
  - **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. ~~Update Note 3 to remove the note about additional five feet of right-of-way, additional right-of-way may be required on property to fit road improvement.~~ Addressed

### Environment

2. ~~Submit a tree survey prior to a decision on the rezoning petition for all trees two inches in diameter at breast height (DBH) or larger located in the public right-of-way. Tree survey may be completed by landscape architect, surveyor, or other land development professional.~~ Addressed

### Site and Building Design

3. ~~Show and label minimum five-foot wide sidewalk directly from buildings to the public streets fronted.~~ Addressed
4. ~~Label yard requirements (building setbacks along Lawson Lane and Hickory Grove Road, with a side yard along Susan Drive).~~ Addressed
5. ~~Amend site plan to include tax parcel 10731304 under heading of Development Data as it is listed on the rezoning application and included in the rezoning boundary. Ensure that the existing building is included in the total allowed square footage.~~ Addressed
6. ~~Relocate dumpster/recycling area away from abutting residential zoning.~~ Addressed

### Land Use

7. ~~Amend permitted uses as follows: "with an allowance for contractor offices and accessory storage, excluding the storage of general construction equipment and vehicles."~~ Addressed

### New Outstanding Issues Based on Revised Site Plan

8. ~~Delete note on Sheet 1 that reads as follows: Final setbacks will be based on the orientation of the buildings, with 20-foot front. Side yard will provide eight feet of building separation, at a minimum, with the first side yard no less than eight feet.~~ Addressed
9. ~~Clarify Note 4 under "Development Data" to indicate that the proposed zoning is B-2(CD) allowing all uses in the B-1 plus contractor's offices and accessory storage but not including storage of general construction equipment and vehicles. Remove note 8 under land use which states that the requested zoning is B-1.~~ Addressed

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## Attachments Online at [www.rezoning.org](http://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-Mecklenburg Schools 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:** Sonja Strayhorn Sanders (704)336-8327