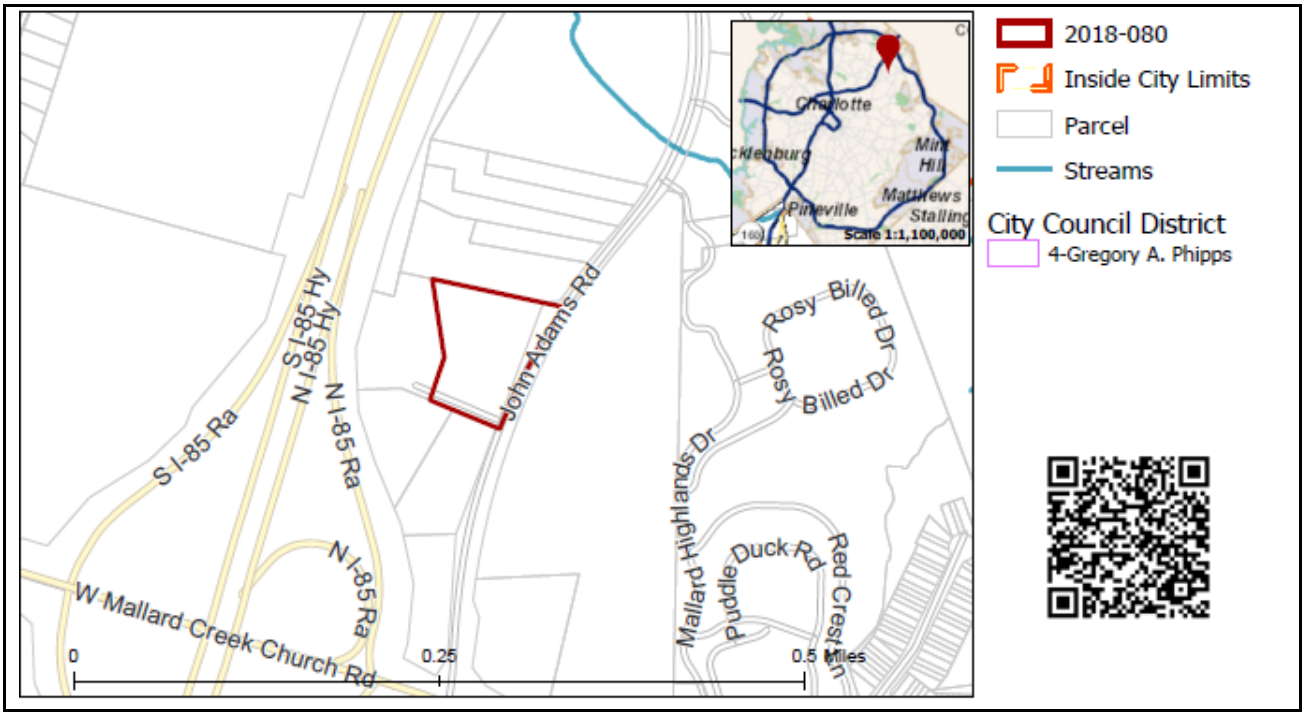
CHARLOTTE.
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2018-080
Final Staff Analysis
November 19, 2018

REQUEST	Current Zoning: O-1(CD) (office, conditional) Proposed Zoning: O-1 (office)
LOCATION	Approximately 3.22 acres located on the west side of John Adams Road, north of W. Mallard Creek Church Road. (Council District 4 - Phipps)



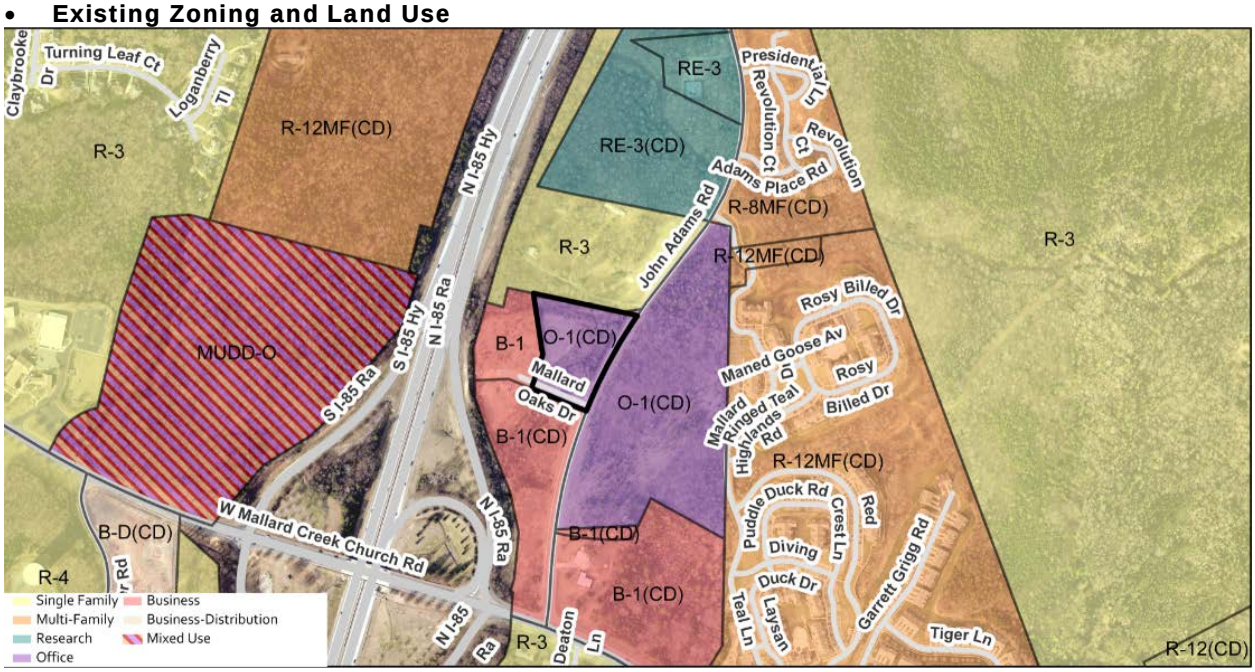
SUMMARY OF PETITION	The conventional petition seeks to allow development of the site with all uses permitted in the office district.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Collin Wolff Collin Wolff Keith MacVean and Jeff Brown, Moore & Van Allen, PLLC
COMMUNITY MEETING	Meeting is not required.

STAFF RECOMMENDATION	Staff recommends approval of this petition. <u>Plan Consistency</u> The petition is consistent with the *Northeast Area Plan*, which recommends office/retail uses. <u>Rationale for Recommendation</u> • The site is located on the west side of John Adams Road, north of W. Mallard Creek Church Road. • The site is adjacent to large lot residential that is currently zoned R-3; however, those parcels and all surrounding parcels are recommended to be redeveloped for a mix of office, retail, and research uses over time. The proposed O-1 district is compatible with those future uses. • The O-1 zoning district allows office uses that are consistent with the vision for a Neighborhood Center in this area.

- There are no critical infrastructure projects, connections, or unique conditions that would warrant a conditional rezoning for this site.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  - This is a conventional rezoning petition with no associated site plan. All the standards, regulations and uses in the O-1 (office) district will apply. Uses allowed in the O-1 (office) district include: barber and beauty shops, dwellings, medical clinics, and offices.
- **Existing Zoning and Land Use**



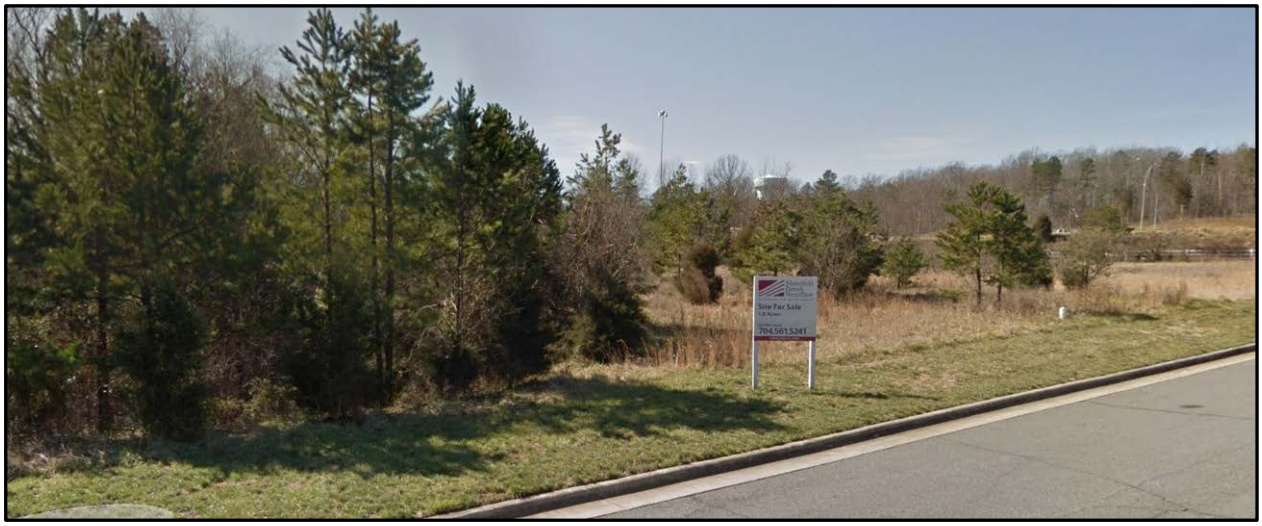
- Petition 1998-003C rezoned the subject property to O-1(CD) (office, conditional). The subject site is identified as Parcel II and allows one or two hotels containing up to 180 rooms, which can be converted to office space at a specified rate.
- The subject property is zoned O-1(CD) (office, conditional), and is vacant.
- Abutting the site to the north is a single family residential use with the remaining surrounding properties being vacant.
- West of the site is the Interstate 85 corridor.



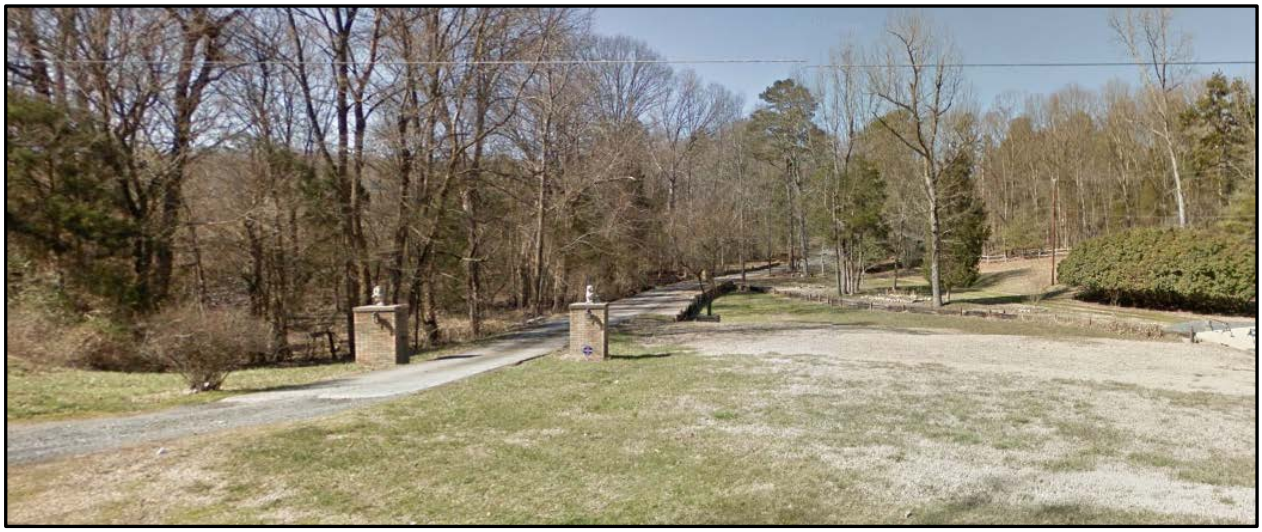
The subject property is vacant.



The property to the east across John Adams Road is vacant.



The property to the south across Mallard Oaks Drive is vacant.

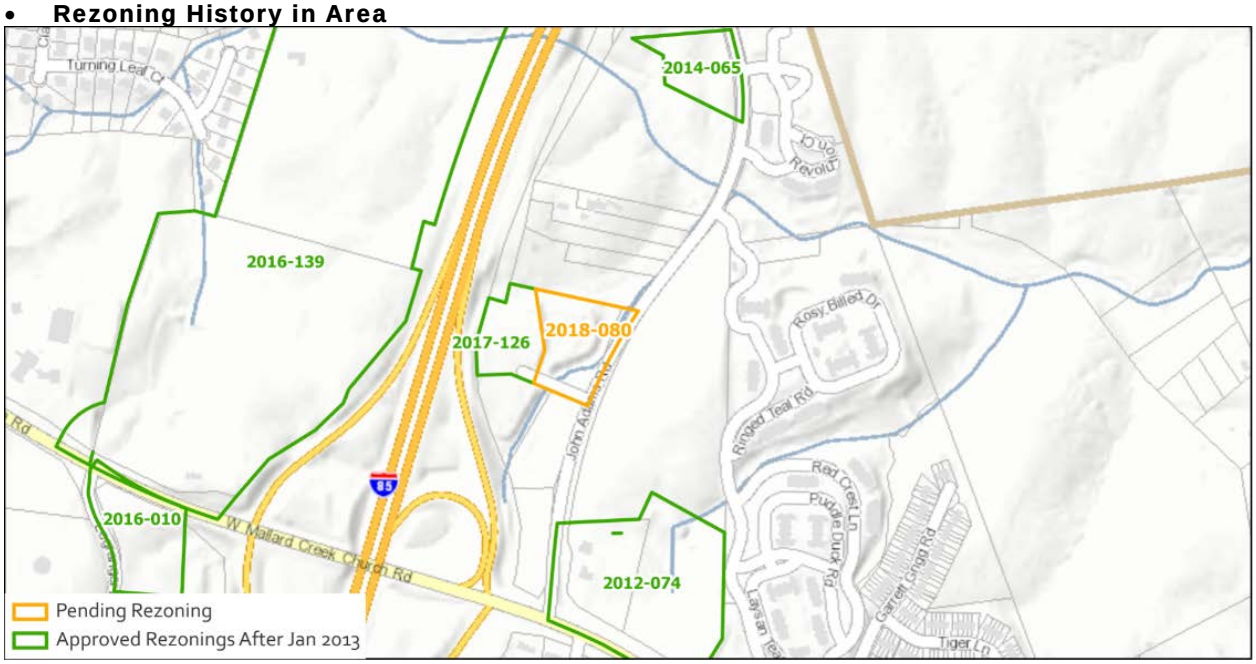


The property to the north is developed with a single family home along John Adams Road.



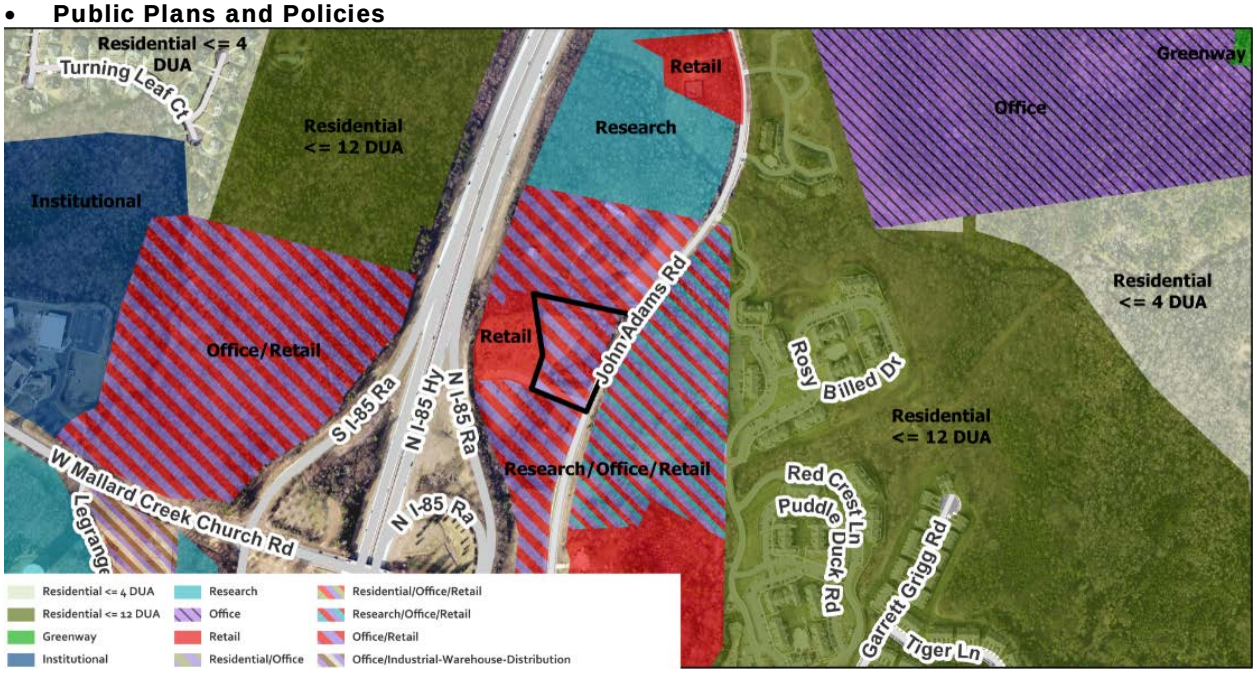
The property to the west on Mallard Oaks Drive is vacant.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-126	Rezoned 2.50 acres to B-1 (neighborhood business) to allow all uses permitted in the district.	Approved
2016-139	Rezoned 65.7 acres to MUDD-O (mixed use development, optional) and R-12MF(CD) (multi-family residential, conditional MUDD-O (mixed use development, optional) and R-12MF(CD) (multi-family residential, conditional to allow up to 395 multi-family residential units, up to 45,000 square feet of uses as allowed in MUDD, and an eating/drinking/entertainment (Type 1 and/or Type 2).	Approved
2016-010	Rezoned 4.3 acres to BD(CD) (distributive business, conditional) to allow the development of a climate controlled self-storage facility and accessory management office.	Approved
2014-065	Rezoned 2.91 acres to RE-3 SPA (research, site plan amendment) to allow the development of a 6,375-square foot banquet hall facility and to retain an existing cell tower.	Approved
2012-074	Rezoned 9.55 acres to B-1(CD) (neighborhood business, conditional) and B-1(CD) SPA (neighborhood business, conditional, site plan amendment) to allow an amendment to allow 30,000 square feet of uses permitted in the B-1 (neighborhood business) district.	Approved

- **Public Plans and Policies**



  - The *Northeast Area Plan* (2000) recommends office/retail uses for the area in which the site is located. Per the plan, retail uses should not exceed 100,000 square feet.
  - The plan recommends a Neighborhood Center in this vicinity, generally constituting the retail uses noted above.

- **TRANSPORTATION CONSIDERATIONS**
  - The site is located on a local street approximately 1,000 feet from West Mallard Creek Church Road (major thoroughfare). John Adams Road is 36 feet from back-of-curb to back-of-curb within a 65-foot right-of-way. There is a six-foot sidewalk at back-of-curb along the John Adams Road frontage. During permitting, CDOT will work with the petitioner to upgrade the planting strip and sidewalk to current city standards.
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 0 trips per day (based on vacant land).
    Entitlement: 850 trips per day (based on 104 hotel rooms).
    Proposed Zoning: 540 trips per day (based on 31,500 square feet of office).

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:** No comments

Charlotte Water: Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along John Adams Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing eight-inch gravity sewer mains located along John Adams Road and along Mallard Oaks Drive.

- **Engineering and Property Management:**
  - **Arborist:** ~~See Outstanding Issues, Note 1.~~ Rescinded by staff.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** The site appears to be intersected by jurisdictional waters which would require 401/404 permits for impacts. Stream buffers may also be required; stream/wetland survey required prior to submission of a civil site plan during the permitting process.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** Site must comply with the Tree Ordinance during the permitting process.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments submitted.

- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Environment

1. ~~Submit a tree survey for all trees two inches in diameter at breast height (DBH) or larger located in the public right-of-way.~~ Rescinded by staff as the survey will be submitted during permitting.

Attachments Online at www.rezoning.org

- Application
- Locator Map
- 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: Sonja Strayhorn Sanders (704-336-8327)