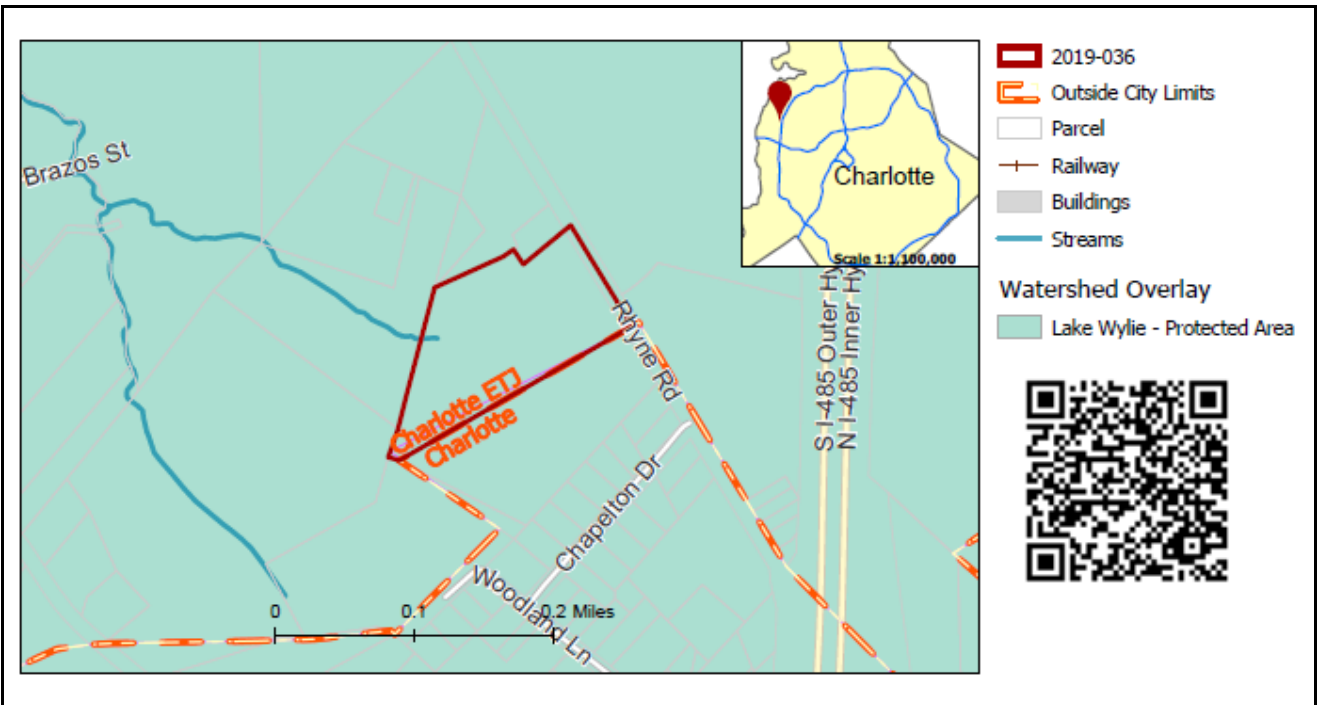


REQUEST

Current Zoning: R-3 LWPA (single family residential, Lake Wylie Protected Area)
Proposed Zoning: I-2(CD) LWPA (general industrial, conditional, Lake Wylie Protected Area)

LOCATION

Approximately 8.70 acres located on the west side of Rhyne Road, south of Mt. Holly Road, west of I-485.



SUMMARY OF PETITION

The petition proposes to allow an industrial park on a vacant parcel located in northwest Charlotte between Belmeade Drive and I-485.

PROPERTY OWNER

Artis Galbreath

PETITIONER

BSL Galbreath Inc.

AGENT/REPRESENTATIVE

Anthony Fox, Parker Poe

COMMUNITY MEETING

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

**STAFF
RECOMMENDATION**

Staff does not recommend approval of this petition in its current form.

Plan Consistency

The petition is **inconsistent** with the land use recommendation as per the *Catawba Area Plan* for residential land uses up to 4 dwelling units per acre.

Rationale for Recommendation

- The subject property is planned for single family residential development, and surrounding properties on the west side of Rhyne Road are also planned and zoned for single family residential use.
- The proposed rezoning will result in the encroachment of industrial zoning into this residentially planned area.

- Directly across Rhyne Road from the subject site is property planned and zoned for a mix of residential, retail, and office use. Industrial or warehouse development on the subject site could detract from the proposed mixed-use development across the street.
- Uses allowed in the I-2 (general industrial) zoning includes industrial/warehouse uses, which would be more appropriately located in the area at the southwest quadrant of Rhyne and Mount Holly Roads recommended for office/industrial/warehouse-distribution.
- The proposed plan should provide additional uses that would be prohibited on the property to further mitigate impacts to adjacent residential properties.
- The proposed development provides significant buffers to adjacent properties to mitigate any potential impacts

The approval of this petition will revise the adopted future land use as specified by the *Catawba Area Plan*, from residential up to 4 dwelling units per acre to industrial use for the site.

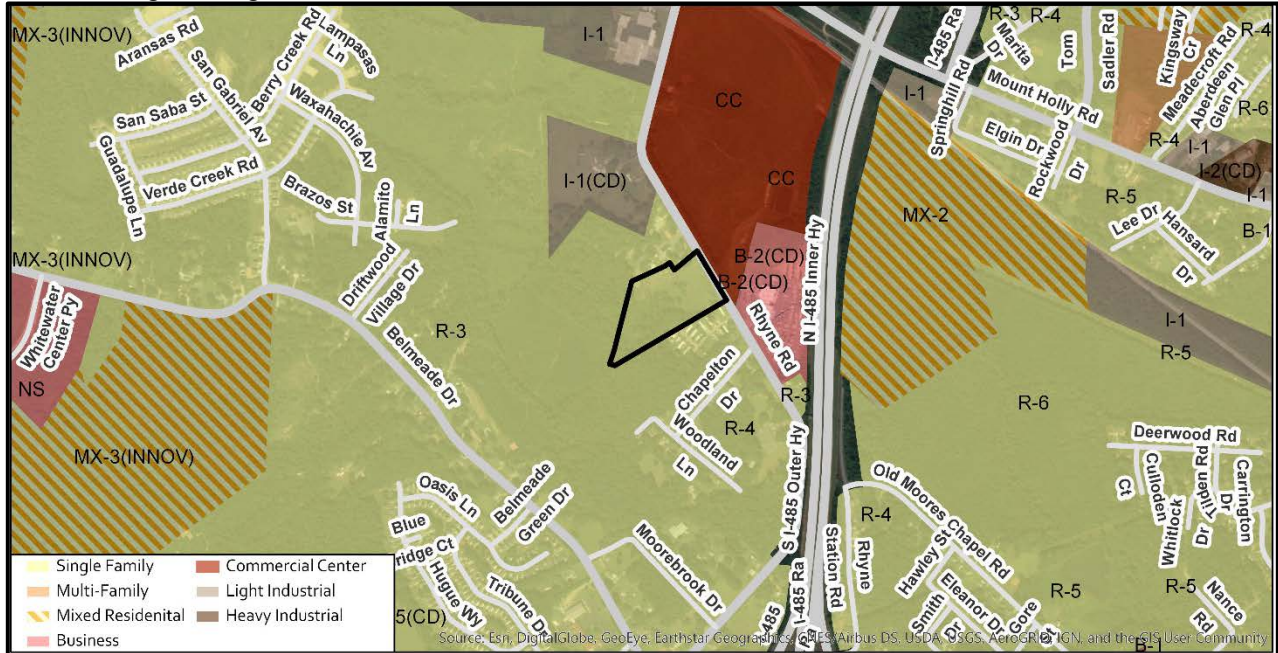
PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows 2 buildings each containing up to 20,000 square feet to accommodate all uses in the I-2 zoning district except for the following:
 - Abattoirs; adult care centers; adult establishments; agricultural industries; amusement, commercial outdoors; animal crematoriums; any establishment containing more than 70,000 square feet of enclosed space engaged in the operation of a flea market; armories for meetings and training of military organizations; auction sales; automotive repair garages; automotive sales and repair; barber and beauty shops; beneficial fill sites; bus and train terminals; car washes; cemeteries; civic, social service and fraternal facilities; EDEE Types 1 and 2; EDEE Types 1 and 2, drive-in services; farms, including retail sales of products grown on premises; heliports and helistops, limited; hotels and motels; junkyards; jails and prisons; land clearing and inert debris landfills (LCID), off-site; manufactured housing repair; manufactured housing sales; medical waste disposal facilities; offices, over 400,000 square feet; offices and government buildings, over 400,000 square feet; open space recreational uses; outdoor recreation; parks, greenways and arboretums; petroleum storage facilities; post offices; raceways and drag strips; recycling centers, including drop-off centers; satellite dish farm; shopping centers; shelters; short-term care facilities; stadiums and arenas; theatres, drive-in motion picture; tire recapping and treading; truck stops; truck terminals; universities, colleges, and junior colleges.
- Proposes 67-foot wide Class A buffers along the west and south property lines, and a Class B buffer ranging in width from 34.5 feet to 46 feet along the north property line.
- Proposes access onto Rhyne Road via new internal public street with 5-foot sidewalk and 4-foot planting strip.
- Illustrates proposed CDOT right-of-way as 29.50 feet from centerline to back of curb. Notes all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued.
- Proposes a 6-foot sidewalk and 8-foot planting strip along Rhyne Road.
- Identifies 30-foot post construction buffer and proposed stormwater facility.
- Provides conceptual rendering elevations of the buildings and overall project layout.
- Notes buildings on the site will be composed of some or any combination of the following building materials: aluminum frames with glass (storefront window systems); brick and/or architectural block; and architectural exterior wood panels.

- Existing Zoning and Land Use



- The site is currently undeveloped and is surrounded by single family homes, undeveloped land, an automobile dealership, and office/industrial uses in various zoning districts.



The rezoning site is currently undeveloped.



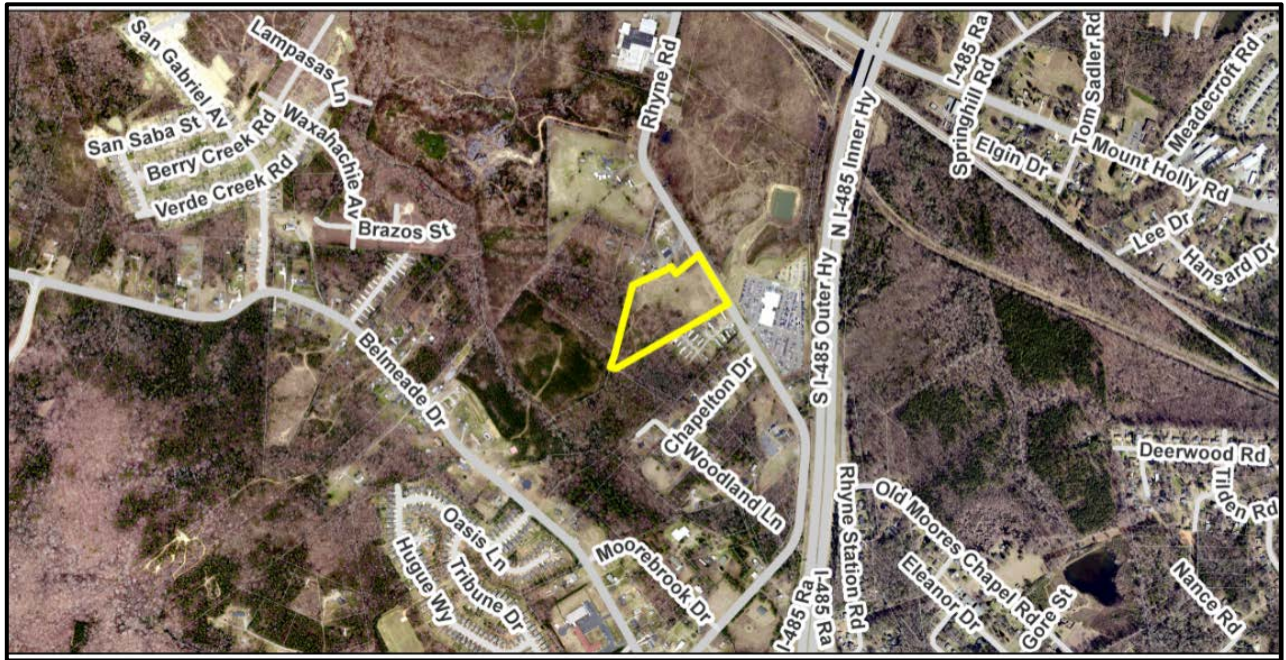
Directly south is a mobile home community.



Also to the south are single family homes.

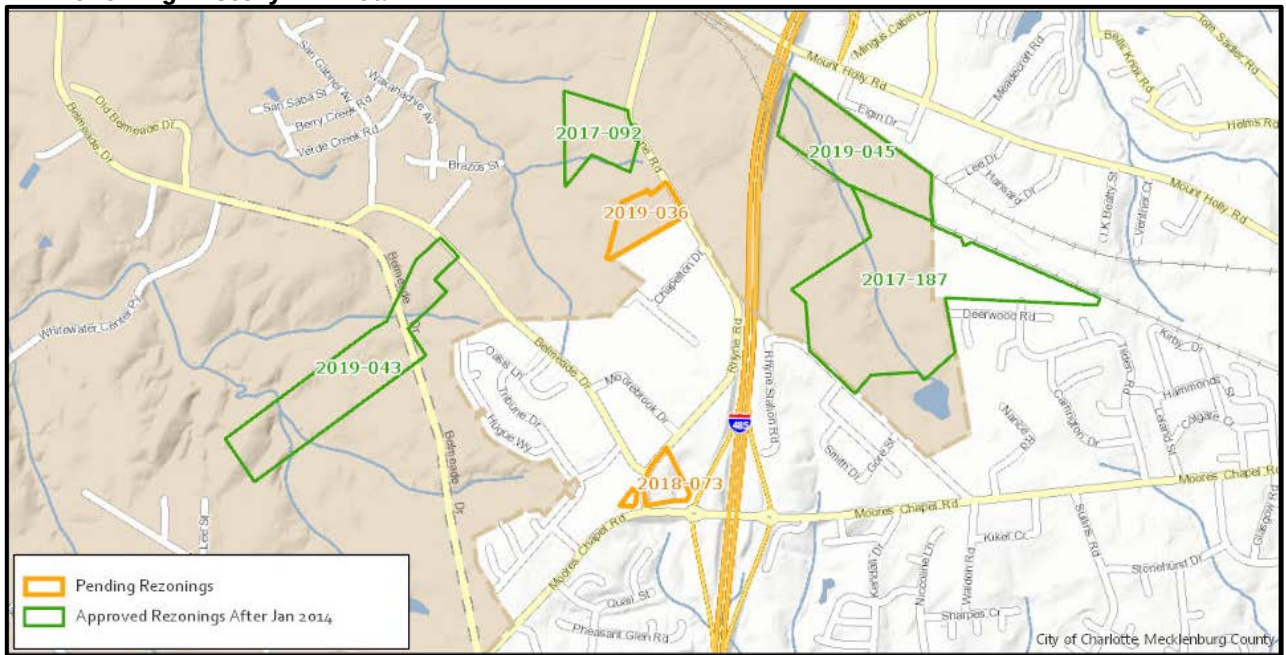


East, across Rhyne Road, is an automobile dealership.



The rezoning site is vacant and surrounded by residential, retail, and industrial uses and vacant land.

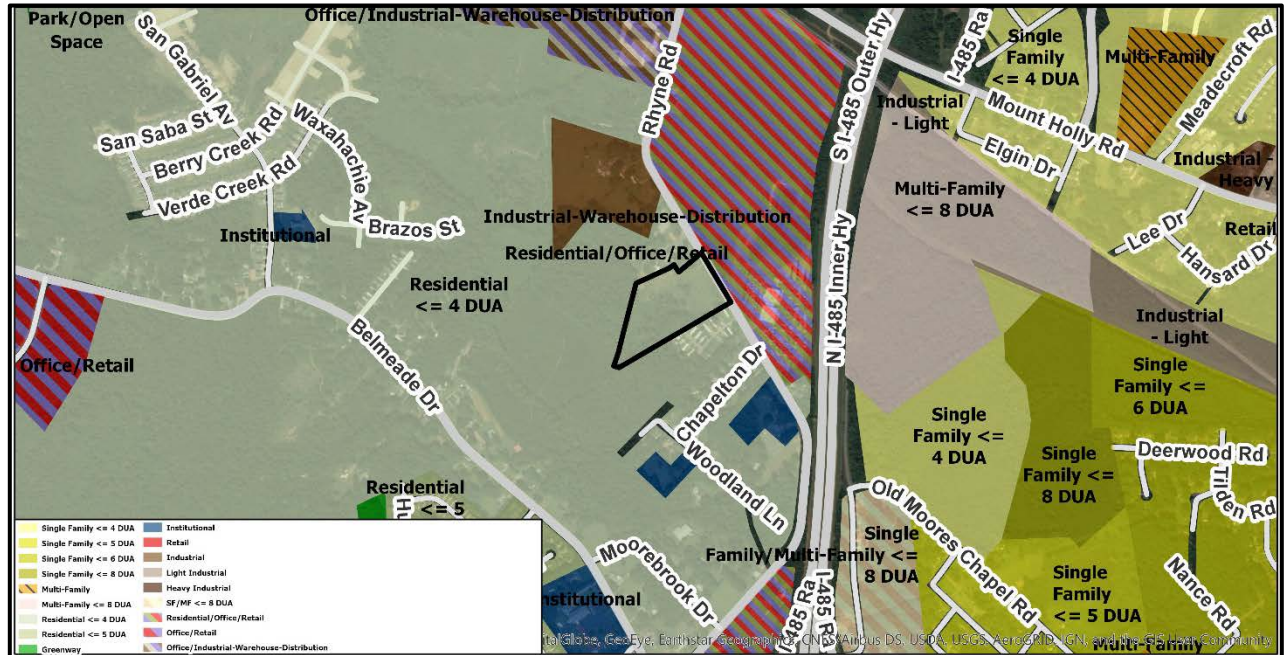
• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-045	MX-2 LWPA site plan amendment for 29.08 acres amending an area originally approved for up to 192 apartments or condominiums to allow up to 152 single family attached residential units.	Approved
2019-043	Rezoned 43.58 acres from R-3 LWPA to MX-2 LWPA to allow up to 165 dwelling units consisting of a combination of single family detached and attached dwelling units (townhomes).	Approved
2018-073	Rezone 3.99 acres from R-3 LLWPA to B-1(CD) LLWPA to allow up to 10,000 square feet of neighborhood services and retail uses, including fuel sales, and tree save, on 2 vacant lots.	Pending

2017-187	Rezoned 79.3 acres from R-3, R-4, R-5, and R-8 (all located in Lake Wylie Protected Area) to R-6 LWPA to allow all uses permitted in the R-6 district.	Approved
2017-092	Rezoned 14 acres from R-3 LWPA to I-1(CD) LWPA to allow the development of a business/industrial park.	Approved

• **Public Plans and Policies**



- The *Catawba Area Plan* (2010) recommends residential up to 4 dwelling units per acre for this site.
- **TRANSPORTATION CONSIDERATIONS**
 - The petitioner has met the ordinance requirements in providing the required planting strip and sidewalk along the frontage of Rhyne Road. The petitioner should commit to all transportation improvements shown on the site plan.
 - See Outstanding Issues, Notes 3-5.
 - **Vehicle Trip Generation:**
Current Zoning:
Existing Use: 0 trips per day (based on vacant parcel).
Entitlement: 300 trips per day (based on 26 single family homes).
Proposed Zoning: 110 trips per day (based on 40,000 square feet of warehouse).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Fire Department:** See advisory comments online regarding fire hydrant location. No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** See online advisory comments at www.rezoning.org regarding sewer and water availability. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Rhyne Road. Charlotte Water does not have sewer system accessible for the rezoning boundary under review. The closest available sewer main is approximately 300 feet southeast of the rezoning boundary on Rhyne Road.
- **Engineering and Property Management:**
 - **Arborist:** See advisory comments online at www.rezoning.org.
 - **Erosion Control:** No comments submitted.
 - **Land Development:** See Outstanding Issues, Note 6.
 - **Storm Water Services:** See Outstanding Issues, Note 6.

- **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments online at www.rezoning.org regarding air quality and groundwater and wastewater services. No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUESLand Use

1. Add automotive service stations; automobiles, truck and utility trailer rental; and fuel sales to list of prohibited uses.

Transportation

2. Revise the site plan to add a note specifying dedication and fee simple conveyance of all rights of way to the City before the site's first building certificate of occupancy is issued. CDOT requests right of way set at 2 feet behind back-of-sidewalk where feasible.
3. Revise the Conditional Development Standards to include the commitment to construct all transportation improvements shown in the site plan.
4. Revise the site plan and conditional notes to construct the curb and gutter 13.5 feet from Rhyne Road centerline to the back of curb to include an 11-foot travel lane and 2.5-foot curb and gutter.

Infrastructure

5. The rezoning plan sheet indicates a proposed location for storm water management. Please include the following notes on the plan sheet under "Environmental Features": The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

Site and Building Design

6. Show sidewalk connections from buildings to parking areas and to sidewalks along proposed internal street.
7. Per Section 12.102, rezoning site must meet the minimum setback requirement for uses permitted by right in the abutting R-3 zoning to the north and south (30 feet).
8. The width of any required buffer for industrial uses abutting residential property may be reduced by 25% if a berm is provided meeting the standards per Section 12.302(8a).
9. Development of any industrial use in the I-1 or I-2 zoning districts must locate dumpsters, solid waste containers, or recycling containers a minimum of 60 feet from residentially used or zoned property.

REQUESTED TECHNICAL REVISIONS

10. Under Site Summary note current zoning is R-3 LWPA and proposed zoning is I-2(CD) LWPA.
11. Under Site Summary note proposed maximum building square footage.
12. Move Site Area (acreage) to under Parcel ID under Site Summary.
13. Note that parcels directly to the north and south are zoned R-3.
14. Add "possible" to storm water facility labeling.
15. Under Site Summary remove Existing Build Upon Area, Existing BUA to be Removed, Existing BUA to Remain, Proposed New BUA, Proposed % BUA, Post Construction District, Stream Watershed Name, and Regulated Drinking Watershed.

Attachments Online at www.rezoning.org

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