

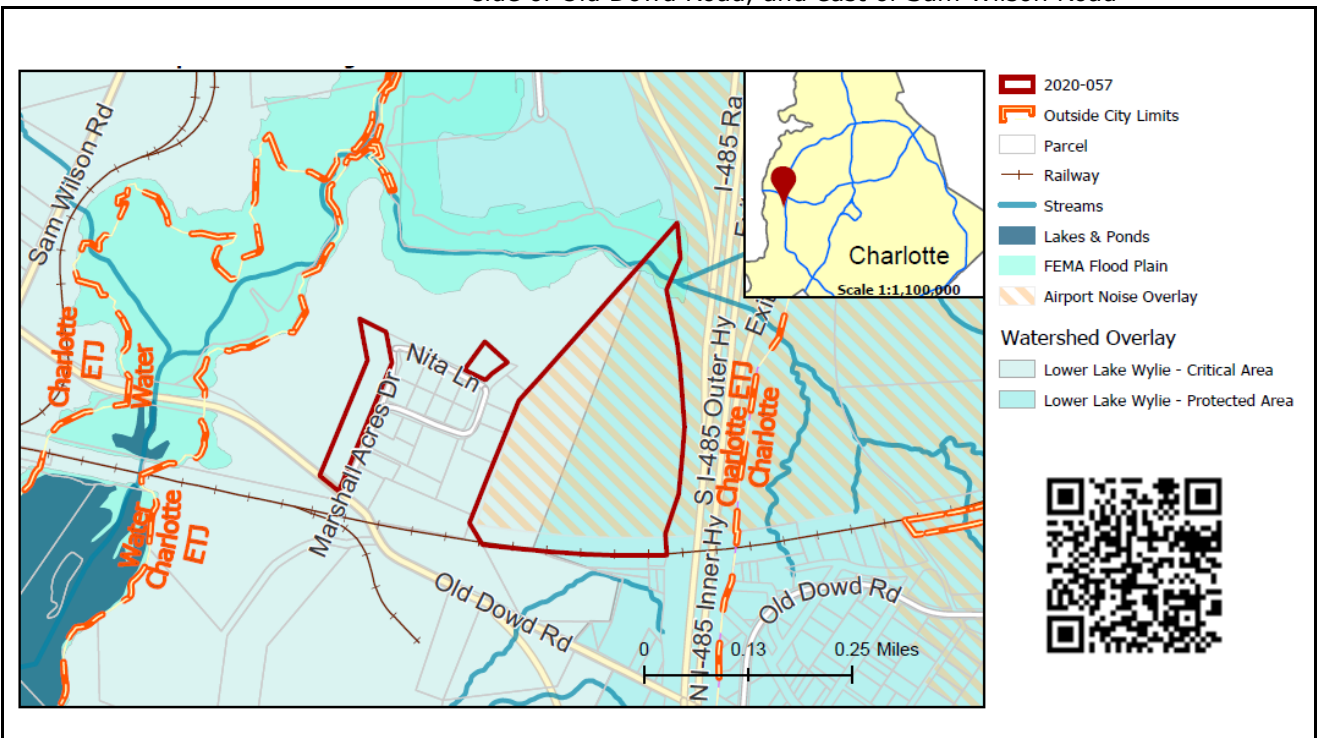
**REQUEST**

Current Zoning: R-4 LLWPA LLWCA AIR (single family residential, Lower Lake Wylie Protected Area, Lower Lake Wylie Critical Area, Airport Noise Overlay)

Proposed Zoning: I-2(CD) LLWPA LLWCA AIR (general industrial, conditional, Lower Lake Wylie Protected Area, Lower Lake Wylie Critical Area, Airport Noise Overlay)

**LOCATION**

Approximately 44 acres located west of Interstate 485, on the north side of Old Dowd Road, and east of Sam Wilson Road



**SUMMARY OF PETITION**

The petition proposes to rezone vacant property to I-2(CD) to allow up to 600,000 square feet of industrial uses.

**PROPERTY OWNER**

William and Elizabeth Bruce, C/O NAI Southern Real Estate

**PETITIONER**

Lakemont Property Investors, LLC

**AGENT/REPRESENTATIVE**

Collin Brown and Brittany Lins, Alexander Ricks

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 1

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Dixie Berryhill Strategic Plan's* recommendation for office/retail/light industrial uses.

Rationale for Recommendation

- The proposed conditional site plan prohibits the more intense heavy industrial uses allowed in the I-2 zoning district and allows light industrial uses including office/warehouses.

- Industrial development has been approved recently in the area adjacent to this site. The character of the surrounding area is predominantly industrial.
- The proposed site plan provides adequate buffers with existing residential uses adjacent to the site.
- Running through the site is a heavily used Norfolk Southern railroad line, with a 200 foot right-of-way.

The approval of this petition will revise the adopted future land use as specified by the *Dixie Berryhill Strategic Plan*, from office/retail/light industrial to industrial - heavy use for the site.

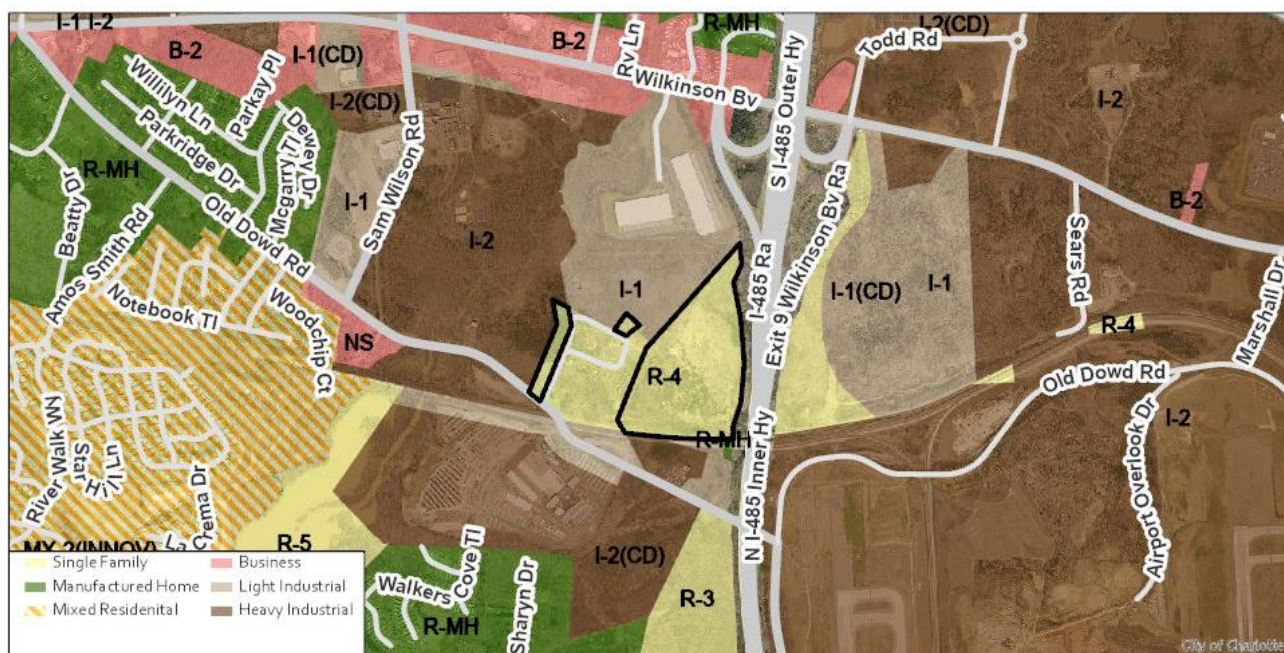
#### **PLANNING STAFF REVIEW**

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 600,000 square feet of I-2 industrial uses with the following uses prohibited:
  - Adult establishment
  - Automobile service stations
  - Automotive repair garages
  - Car washes
  - Dry cleaning and laundry establishments
  - Junk yards
  - Petroleum storage facilities
  - Cemeteries
  - Landfills
  - Quarries
  - Raceway and dragstrips
  - Truck stops
  - Truck terminals
- Includes three separate tracts of land to be included in this rezoning.
- Provides access to the largest parcel included on the rezoning plan from Old Dowd Road through other portions of Parcel 113-031-05A not included in this Rezoning Plan.
- Requires Class A buffers along residential property lines.
- Creates standards for building materials to be used which include: glass, brick, stone, simulated stone, pre-cast stone, pre-cast concrete, synthetic stone, stucco, cementitious siding (such as HardiPlank, panel, shingles, or similar products), metal panels, EIFS, cast on site concrete panel or wood. Vinyl as a building material may only be permitted on windows, soffits, and trim.\

- Existing Zoning and Land Use

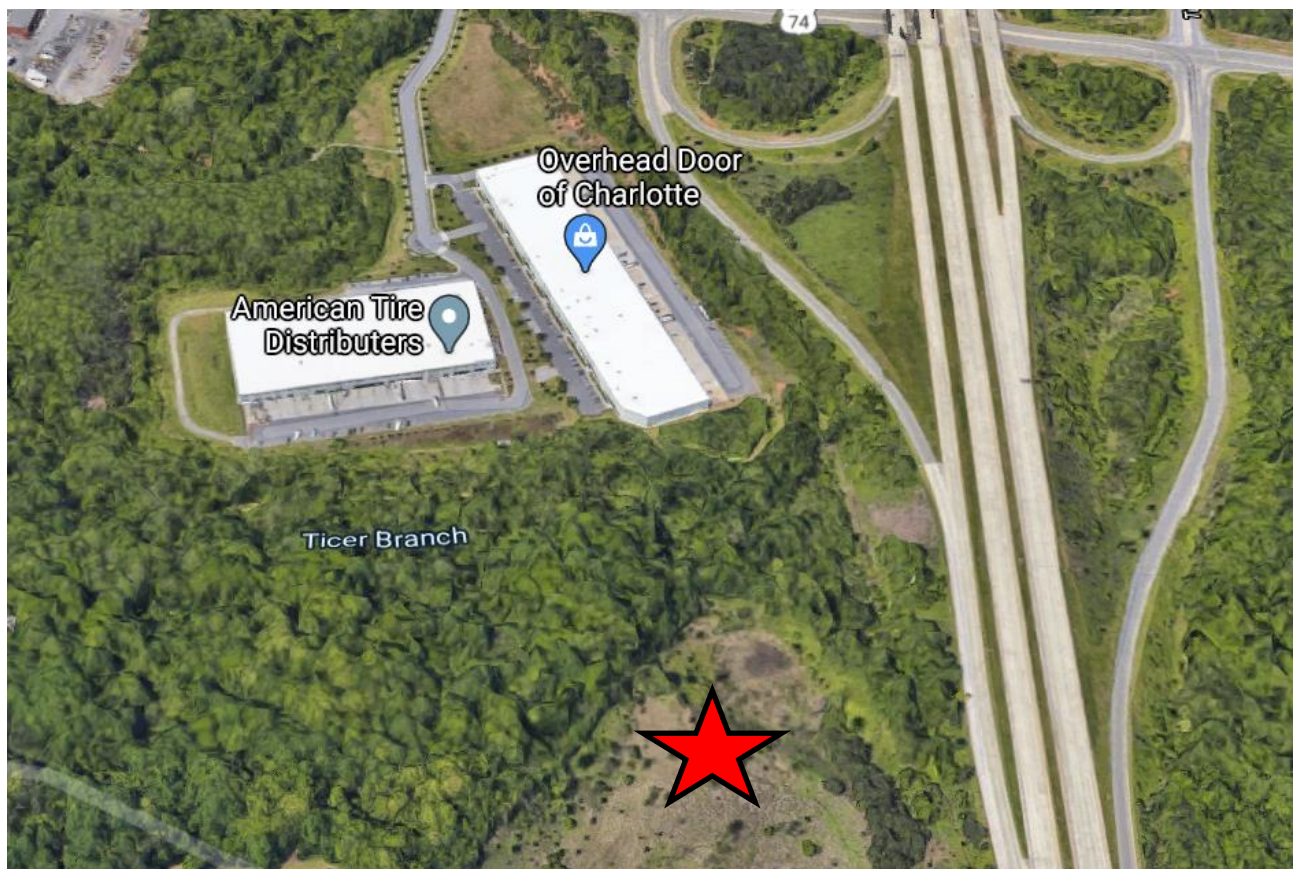


The subject property is undeveloped vacant land. The surrounding land uses include single family residential and industrial uses.



The subject properties is undeveloped vacant land located with single family in the middle. The three sites included in the rezoning petition are marked with a red star.





The properties to the north are developed with industrial buildings. The subject property is marked with a red star for the easternmost parcel included on the rezoning plan.



The properties to the south are developed with industrial uses.





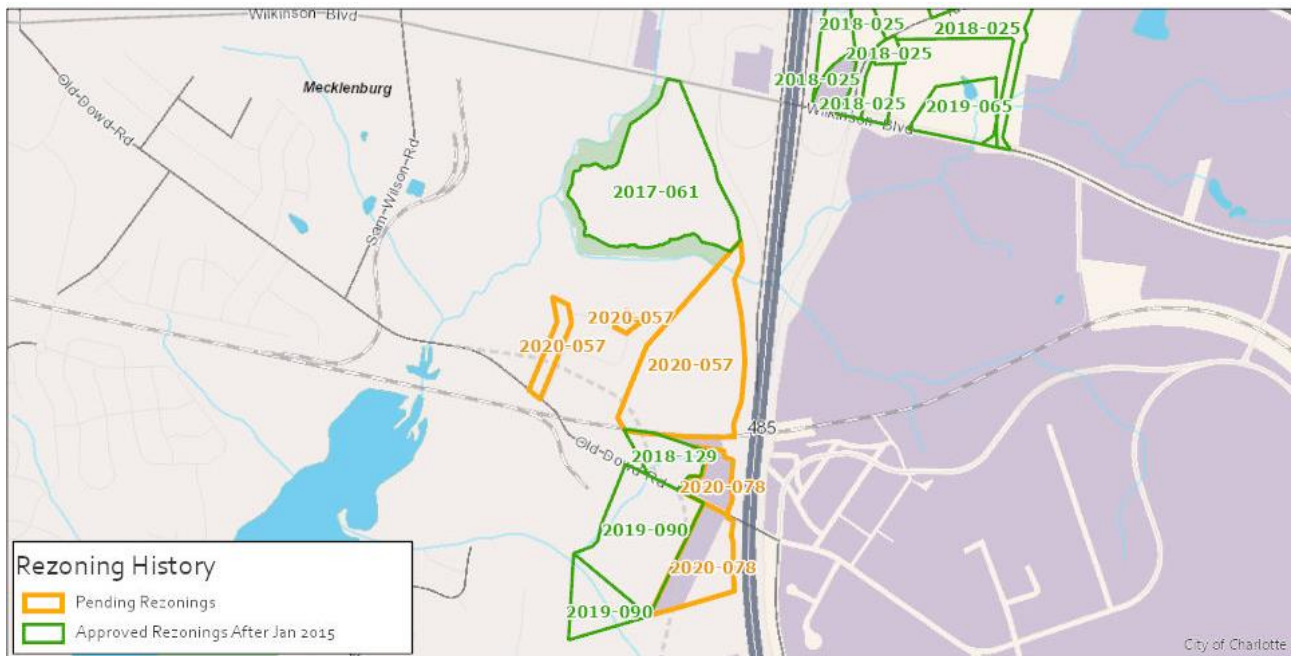
The properties to the west, south, and east are developed with single family residential houses.





The properties to the east are developed with I-485 and then vacant land. The subject property is marked with a red star for the easternmost parcel included on the rezoning plan.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-061	The petition rezoned property to I-1(CD) SPA LLWPA (light industrial, conditional, site plan amendment, Lower Lake Wylie Protected Area) to amend the previously approved site plan in order to eliminate a restriction on the amount of permitted warehouse/distribution space.	Approved
2018-025	The petition rezoned property to I-2 (CD) Air LLWPA to allow the construction of warehouse/ distribution, office and other industrial uses.	Approved
2018-129	The petition rezoned property to I-2(CD) LLWCA to allow a concrete manufacturing facility on land currently used as truck parking and repair.	Approved
2019-065	The petition rezoned property to I-2 AIR LLWPA to rezone the site to allow uses permitted in the I-2 zoning district.	Approved
2019-090	The petition rezoned property to I-2(CD) LLWCA to develop the site to allow a contractor office with accessory storage along with other limited I-2 uses including truck terminals.	Approved
2020-078	The petition proposes to rezone property to I-2 AIR LLWPA to rezone the site to allow uses permitted in the I-2 zoning district.	Pending

- **Public Plans and Policies**



- The *Dixie Berryhill Strategic Plan* (adopted 2003) recommends office/retail and light industrial land uses for the site.

- **TRANSPORTATION SUMMARY**

- The site is located off of Old Dowd Road, an existing state-maintained minor thoroughfare, in between Sam Wilson Rd. and I-485. The petitioner has agreed to provide left and right turn-lanes, on Old Dowd Road, into the site. Additionally, the petitioner has accommodated for the future Old Dowd Road realignment by dedicating 120-feet of right-of-way for the four-lane grade separated crossing, over the existing Norfolk Southern Railroad, and designing for an internal three-lane access drive cross section. Lastly, in accordance with Charlotte WALKS, the petitioner will provide an 8-foot planting strip and 6-foot sidewalk along the site's Old Dowd Road frontage.

There are three ongoing issues preventing this petition from moving forward. The first issue is simply labeling and dimensioning the sidewalk and planting strip from the center line of Old Dowd Road. Second, CDOT has requested the petitioner to construct an overland connector along the future Paw Creek Greenway on existing Old Dowd Road to meet the City of Charlotte BIKES Policy and Greenway Master Plan. Third, CDOT is asking for clarification regarding the proposed quantity of buildings to determine applicability of the Subdivision Ordinance. These issues are actively being negotiated with the petitioner.

- **Active Projects:**

- Old Dowd Road Realignment/Grade Separation (TIP #P-5602JA)
    - Feasibility study about realigning and grade-separating Old Dowd Road as it crosses the Norfolk-Southern Railroad tracks
    - Schedule/Phasing N/A
    - NCDOT project
  - Paw Creek Greenway (mainline follows Paw Creek; overland connector along Old Dowd Dr. to Marshall Dr. at the Airport)
    - Mecklenburg County project
    - Unfunded

- **Transportation Considerations**

- See Outstanding Issues, Notes 2-3

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on vacant land).

Entitlement: 1,750 trips per day (based on 176 dwellings).

Proposed Zoning: 945 trips per day (based on 600,000 SF warehouse).

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

- **Charlotte Area Transit System:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** No comments submitted.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** See Requested Technical Revisions, Note 10
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** See Outstanding Issues, Note 4

**OUTSTANDING ISSUES**Transportation

1. Please remove "This dedication area shall in no way impact the portions of Parcel 113-031-05A not included in this Rezoning Petition" from note III.d. **ADDRESSED**
2. The petitioner should revise the site plan and conditional note(s) to commit to construct an overland connector along the future Paw Creek Greenway on existing Old Dowd Road to meet the City of Charlotte BIKES Policy and Greenway Master Plan. **RESCINDED**
3. The petitioner should revise the site plan and conditional note(s) to confirm whether the proposed development will consist of one or two buildings, to determine applicability of the Subdivision Ordinance. **RESCINDED**
4. The site plan should label and dimension both planting strip and sidewalk from the edge-of-pavement/shoulder and road centerline. - **OUTSTANDING**

Environment

5. MCPR requests the petitioner dedicating and conveying to Mecklenburg County the 100' SWIM Buffers of Tiser Branch and Paw Creek. These creeks are on the MCPR Greenway Master Plan. **ADDRESSED**

**REQUESTED TECHNICAL REVISIONS**Site and Building Design

6. Increase the size of buffer along the residential properties that front Barry Oak Circle. **OUTSTANDING**
7. The parking/building area is still large and generalized. Please consider locating the building footprints. **RESCINDED**
8. Under note V., please clarify that 100' Class A is the minimum with reductions in areas shown on the plan. **ADDRESSED**
9. Please add watershed information to proposed zoning under the Site Development Data, it should read "Proposed Zoning: I-2(CD)-LLWPA-LLWCA-AIR (general industrial, Lower Lake Wylie Protected Area, Lower Lake Wylie Critical Area, Airport Noise Overlay)". **ADDRESSED**
10. Please revise location map on site plan to reflect the actual zoning boundaries included in this petition. **ADDRESSED**

Environment

11. The rezoning plan sheet indicates a 100-ft SWIM Buffer on site. Please revise buffer label to read "100-ft SWIM/Watershed/PCSO Buffer." **ADDRESSED**
12. Please include the following note under Environmental Features: Development within the SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance. Stream Delineation Reports are subject to review and approval by Charlotte Storm Water Services. **ADDRESSED**



**Planner:** Joe Mangum (704-353-1908)