

Note: The petitioner is requesting an indefinite deferral of this petition.

REQUEST	Current Zoning: R-4, single family residential Proposed Zoning: CC, commercial center
LOCATION	Approximately 1.62 acres located on the east side of West Tyvola Road between South Tryon Street and Tyvola Centre Drive.
CENTER, CORRIDOR OR WEDGE	Wedge
SUMMARY OF PETITION	This petition proposes the development of a BMP storm water detention and water quality facility to serve the shopping center proposed on the adjacent property to the north.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is inconsistent with the <i>Southwest District Plan</i> , but use is limited to a storm water detention and water quality facility for the adjacent shopping center.
Property Owner	Alson L. Goode, Jr.
Petitioner	Connecticut Ave., LLC
Agent/Representative	Teresa Hawkins
Community Meeting	Meeting is required and has not been held.

PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - BMP storm water detention and water quality facility for the shopping center proposed on the adjacent property to the north.
 - Buffers along the eastern and southern property boundaries as required by the Zoning Ordinance.
- **Existing Zoning and Land Use**
The property to the north is zoned CC and is vacant. Single-family residential subdivisions and vacant land are located to the east, southeast, and south within R-4 zoning. The properties to the southwest are developed as a golf facility, office, and vacant land on parcels which are zoned B-2 (CD) and BP (CD).
- **Rezoning History in Area**
The most recent rezoning in the area was petition 2007-052 for the Ghazi Company. This petition rezoned approximately 13 acres to the north of the petitioned site to CC for the development of a planned retail-oriented mixed-use center. The approved development consists of up to 110,000 square feet of retail uses and up to 30,000 square feet of office. The maximum ground floor area of a single tenant use is limited to 50,000 square feet with an expansion area of up to 10,000 square feet. A four-story, mini-storage facility consisting of 110,000 square feet (27,500 square feet per floor) is proposed on the 1.8 acres proposed to be rezoned to BD (CD).
- **Public Plans and Policies**
 - The *Southwest District Plan* (1991) recommends residential land use for the subject property.
 - This petition is inconsistent with the *Southwest District Plan*.

PUBLIC INFRASTRUCTURE (see full department reports online)**Vehicle Trip Generation:**

This request will not generate additional vehicular trips.

CDOT: Requests that the developer dedicate a 60' wide public right-of-way between an approved access point (Rezoning Petition 2007-052) on West Tyvola Road and Sleepy Hollow Road. The connection to Sleepy Hollow Road should not be direct and could "tee" into the proposed street network as shown on the 2007-052 site plan or be designed as a roundabout intersection to provide built-in traffic calming features for this new street connection. This new street needs to follow the *Urban Street Design Guidelines* (USDG) for a Local Office/Commercial Street – Narrow with a 25' back-of-curb width, 8' planting strips, and 5' sidewalks.

Charlotte Fire Department: No comments received.

CATS: No comments received.

Connectivity: CDOT requests a street connection from Sleepy Hollow to Tyvola Road.

Park and Recreation: Requests that the petitioner provide pedestrian connections along South Tryon Street and West Tyvola Road to insure pedestrian and bicycle connectivity to Renaissance Park and the Sugar Creek Greenway.

Schools: CMS does not comment on non-residential petitions.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

Storm Water: No issues.

LUESA: Mecklenburg County Solid Waste requests the petitioner submit a Solid Waste Management Plan prior to initiating land clearing, demolition and/or construction activities.

SITE DESIGN:

Protects environmentally sensitive areas by preserving the SWIM buffer.

Reduces ground level temperatures as no impervious surface is proposed.

OUTSTANDING ISSUES

The petitioner should:

1. Correct the site plan to indicate the proposed zoning as CC not CC (CD).
2. Reference Petition 2007-052 for the adjacent property in note 1.2 and note 1.3.
3. Add the portion of property containing the buffer from petition 2007-052 and move the buffer to the southern boundary of the property to be rezoned. This buffer may not be eliminated through the administrative approval process.
4. Indicate if the buffer to the east is proposed to be reduced by a berm, wall, or fence. Design details and locations should be indicated.
5. Remove the portion of the BMP that is located within the buffer area.
6. Indicate that an 8-foot planting strip and 6-foot sidewalk with large maturing trees planted between the curb and sidewalk along West Tyvola Road.
7. Add a note to the site plan stating that this site is part of a unified development with petition 2007-052.
8. Show the extension of Sleepy Hollow Road as required by the subdivision ordinance and requested by CDOT.
9. Submit a Solid Waste Management Plan per LUESA's request.

Attachments Online at www.rezoning.org

Application
CDOT Review
LUESA Review
Park and Recreation
Site Plan
Storm Water Review

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