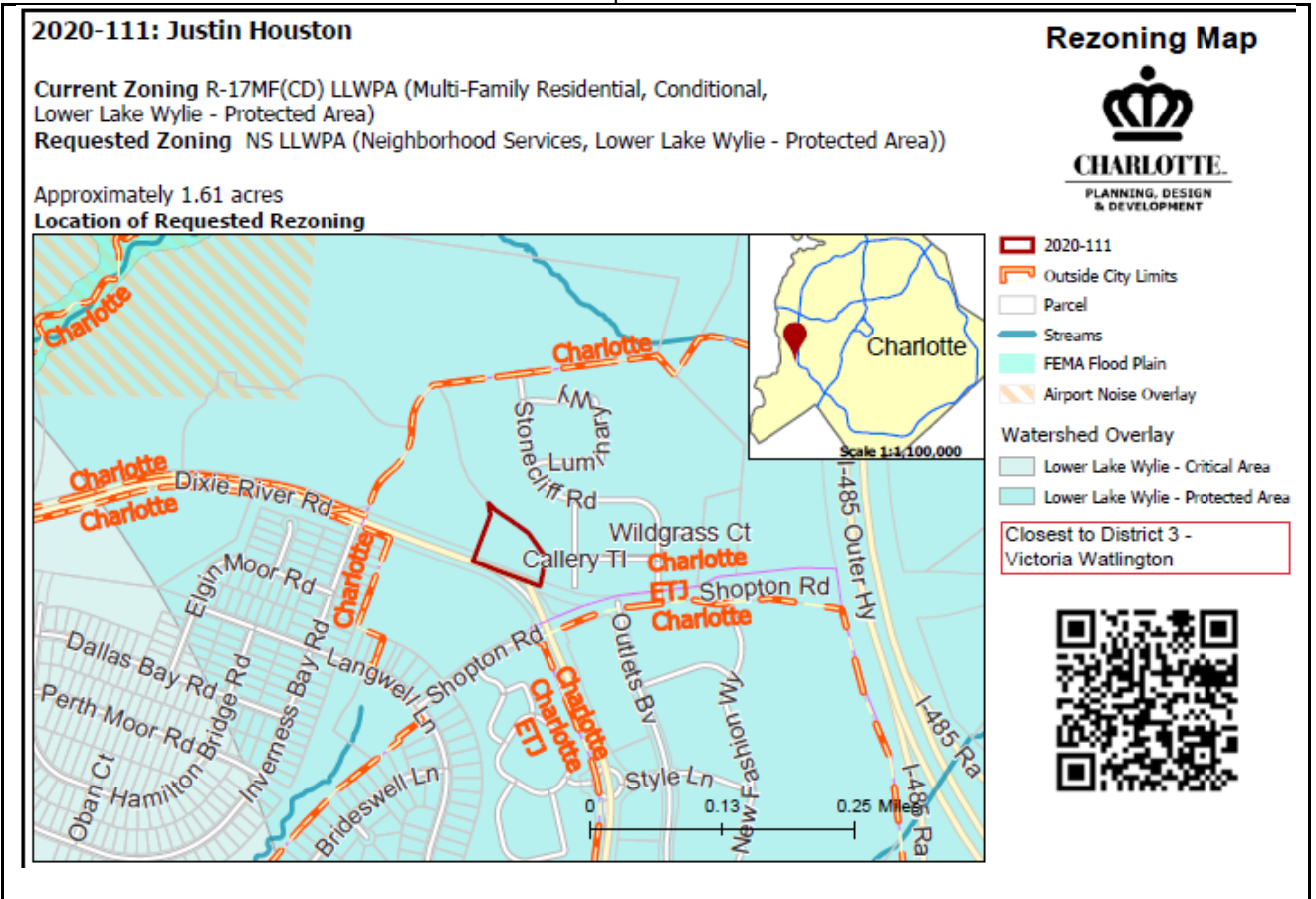


REQUEST

Current Zoning: R-17MF(CD) LLWPA (multifamily residential, conditional, Lower Lake Wylie Protected Area)
Proposed Zoning: NS LLWPA (neighborhood services, Lower Lake Wylie Protected Area)

LOCATION

Approximately 1.61 acres located north of Dixie River Road, just west of Shopton Road.



SUMMARY OF PETITION

The petition proposes to rezone a vacant parcel to allow for a daycare facility with associated parking and playground area.

**PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE**

Dixie River Land Company, LLC
MR3 Development, LLC
Justin Houston

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 0

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to land use.

Plan Consistency

The petition is **inconsistent** with the *Dixie Berryhill Strategic Plan's* recommendation for this site for multifamily residential at no more than 17 .

Rationale for Recommendation

- The proposed site plan limits the uses allowed in the NS (neighborhood services) zoning district to childcare center.
- Childcare centers are considered institutional land uses and are compatible in residential areas, at appropriate locations.
- The site is located on Dixie River Road, an existing major thoroughfare, one parcel away from Berewick Elementary School.

The approval of this petition will revise the adopted future land use as specified by the *Dixie Berryhill Strategic Plan*, from multi-family land use to institutional land use for the site.

PLANNING STAFF REVIEW

• **Background**

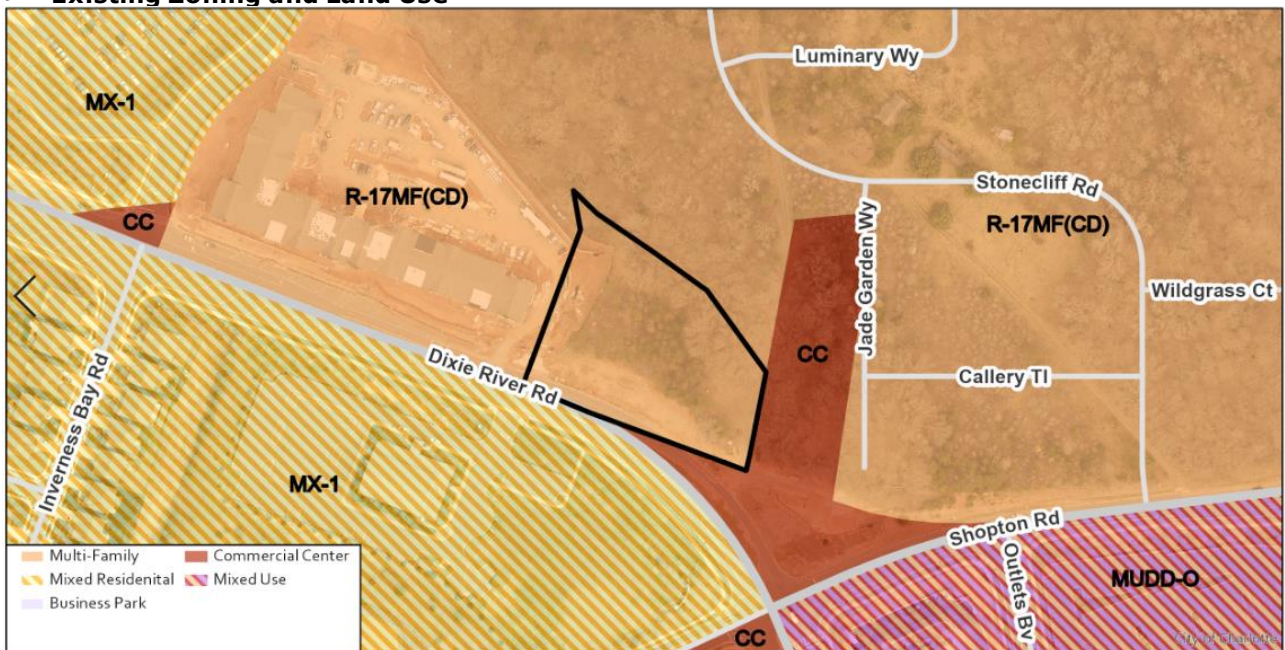
- The site was rezoned by petition 2006-078 to CC as part of the larger Berewick rezoning. It was subsequently rezoned by petition 2009-037 to R-17MF(CD) by the Charlotte-Mecklenburg Housing Partnership with plans for development of up to 108 multifamily units. Those plans never materialized and the property has remained vacant.

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows all uses in the NS district and specifically permits childcare centers.
- Permits a maximum of one building on the site.
- Commits to dedication of 52' of right-of-way from the centerline of Dixie River Road along the site's frontage.
- Commits to implementing a 3' buffer, 5' bike lane, 8' planting strip and 6' sidewalk along Dixie River Road.
- Proposes a 16' Class C buffer around the perimeter of the site.
- Limits all freestanding light fixtures to be fully shielded and downwardly directed.
- States that all vehicular pick up and drop off will utilize parking spaces.

• **Existing Zoning and Land Use**



The property is undeveloped vacant land. Surrounding land uses include apartments, senior apartments, retail, an elementary school, and a church.



The site, denoted by a red star, is in the Berewick community and near the Charlotte Premium Outlets mall.



The property to the north and east of the site is currently being developed with apartments. The site is denoted by a red star.

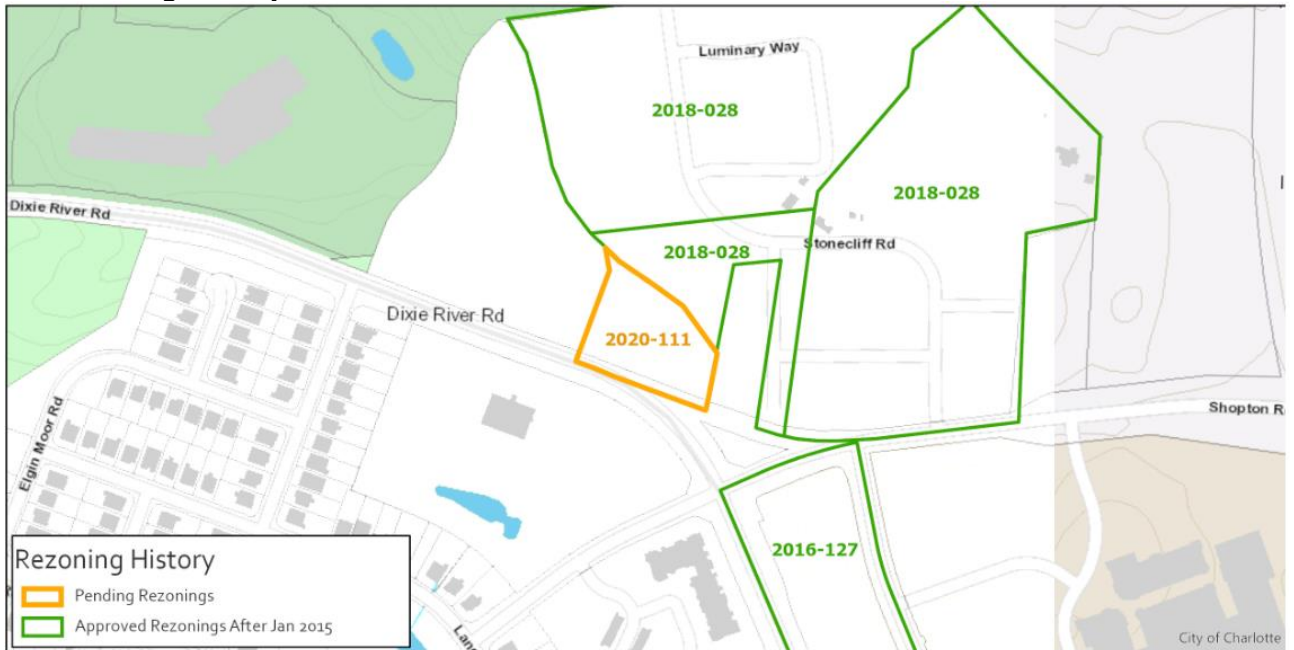


The properties to the south are developed with a church and single family homes.



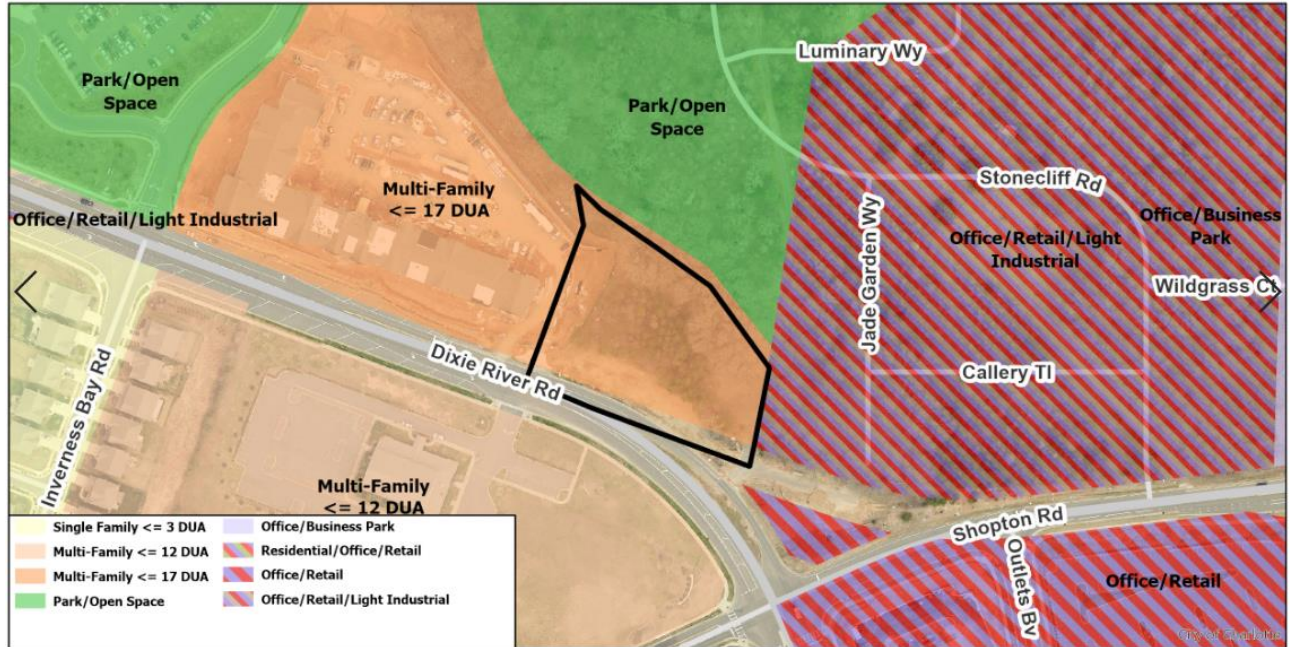
The property to the west is developed with senior apartments.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2018-028	The petition rezoned 28.05 acres to R-17MF(CD) LLWPA to allow up to 330 multifamily dwelling units.	Approved
2016-127	The petition rezoned 6.02 acres to CC SPA & MUDD-O SPA to permit an accessory drive, add a second hotel with up to 125 rooms, and eliminate a gas station/convenience store.	Approved

• **Public Plans and Policies**



- The *Dixie Berryhill Strategic Plan (adopted 2003)* recommends multi-family dwelling units at up to 17 dwelling units per acre for the site.

• **TRANSPORTATION SUMMARY**

- The site is located on Dixie River Road, a State-maintained major thoroughfare, just north of the Shopton Road intersection. Although a TIS was not triggered, the petitioner will be dedicating right-of-way on Dixie River Road to remove obsolete driveways. In accordance with Charlotte BIKES and WALKS, this site will provide both pedestrian and bicycle infrastructure that will tie into the adjacent Berewick Senior Apartments and Shopton Road Apartments, adding onto the existing bicycle and pedestrian network in the area. All CDOT comments have been addressed.

• **Active Projects:**

- There are no active projects near the site.

• **Transportation Considerations**

- No outstanding issues.

• **Vehicle Trip Generation:**

Current Zoning:

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

Entitlement: 145 trips per day (based on 27 multifamily dwelling units).

Proposed Zoning: 300 trips per day (based on 6,237 square foot daycare center).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **Charlotte-Mecklenburg Police Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Water and sewer service is accessible for this rezoning boundary. See advisory comments at www.rezoning.org

- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.
 - **Erosion Control:** No comments submitted.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** See advisory comments at www.rezoning.org
 - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.

REQUESTED TECHNICAL REVISIONSLand Use

1. Add LLWPA (Lower Lake Wylie Protected Area) to both the existing zoning and proposed zoning on the site plan.
2. Remove notes 3.1 and 3.2 relating to NS uses. They are in conflict with note 3.2.1 and the labeling of the building on the site plan as "proposed two-story childcare".

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

Planner: Joe Mangum (704) 353-1908