

## **\*PRE-HEARING STAFF ANALYSIS\***

### **Rezoning Petition No. 2003-100A**

**Property Owner:** Gem Custom Homes, LLC

**Petitioner:** Charlotte-Mecklenburg Planning Commission

**Location:** Approximately 1.4 acres between Neal Drive and Heathway Drive, on the east side of McGill Street

**Request:** Change from R-12MF(CD) (conditional multi-family residential) to R-4 (single family residential)

### **Summary**

This petition seeks to rezone a site that was rezoned in 1990 to allow a day care center. The day care center was never built and Newell Area Plan calls for this rezoning to return to single family residential zoning as the abutting properties are zoned. The petitioned site is undeveloped so no nonconforming uses will be created.

### **Conclusion**

This petition implements adopted public plans and policies and is appropriate for approval.

### **Existing Zoning and Land Use**

Properties to the north and east are occupied by single family homes in R-3 zoning. The site to the south is zoned R-3 but contains a city water tower. Properties to the west are a mix of commercial uses in B-2 zoning.

### **Rezoning History in Area**

The subject property was rezoned to R-12MF(CD) in 1990 for an 88-child day care center. The day care center was never constructed. There have not been any other recent rezonings in the immediate vicinity.

### **Public Plans and Policies**

**Newell Area Plan (2002).** This recently adopted plan recommends single family residential uses for this property and properties to the north, east, and south. Properties to the west across McGill Street are for commercial uses oriented to North Tryon Street.

**Northeast District Plan (1996).** This district plan indicates a commercial future for this site, reflecting the non-residential nature of the approved day care center.

### **Proposed Request Details**

There is no site plan associated with this conventional district request.

### **Public Infrastructure**

**Roads.** All abutting streets are local residential streets with no improvements planned.

**Traffic Impact / CDOT Comments.** CDOT had no comment on this petition.

**CATS.** CATS had no comment on this petition.

**Connectivity.** This property has streets on three sides. Connectivity is not an issue.

**Storm Water.** Despite downstream complaints of flooding, Storm Water Services did not recommend any additional improvements on this site.

**School Information.** This petition is too small to have any significant impact on the school system.

### **Outstanding Issues**

**Land Use.** This petition is consistent with the recommendations of the Newell Area Plan and is appropriate for approval from a land use perspective.

**Site plan.** There is no site plan associated with this conventional district request.