

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2008 - 100

Property Owner: Vernell Belin

Petitioner: Vernell Belin

Location: Approximately 0.93 acres located on the north side of Joyce Drive between Kildare Drive and Milton Road.

Center, Corridor, or Wedge: Wedge

Request: R-8MF, multi-family residential to UR-C(CD), urban residential commercial conditional district

Summary

This request proposes to rezone 0.93 acres from R-8MF to UR-C(CD) to allow the expansion of an existing large child care center to 130 children.

Consistency and Conclusion

Child care facilities are generally considered compatible land uses in residential areas. Therefore, this petition is considered appropriate for approval from a land use perspective upon resolution of the outstanding site plan issues.

Existing Zoning and Land Use

The site is zoned R-8MF and is developed as a childcare center. Properties to the north and west are occupied with single family residences. Multi-family residences are located across Joyce Drive directly to the south. There is an automobile service garage adjacent to the east side of the site. In addition, there is a school, religious institution and retail development located along Milton Road.

Rezoning History in Area

The site was rezoned under petition 2001-002 from R-4 to R-8MF. The maximum number of children allowed in the R-4 district is 12. The rezoning to R-8MF brought the child care center into conformance with the zoning and allowed for an expansion of up to 79 children.

Public Plans and Policies

The *East District Plan* (1990) recommends residential land uses at a density of up to 8 dwelling units per acre.

Proposed Request Details

The proposed request will allow the expansion of an existing child care facility to allow 130 children. Once the outdoor play space is moved outside of the required rear yard the prescribed conditions required by the Zoning Ordinance for a large child care center will have been met.

- Class “C” Buffer of 14’ has been provided.
- Proposed addition is approximately 905 square feet.
- 14’ setback, 5’ side yard and 20’ rear yard will be provided.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT estimates that trips generated from the site would increase from the existing 100 to approximately 550. This will have a minor impact on the surrounding thoroughfare system.

CATS. CATS did not comment on this petition.

Connectivity. There are no opportunities for additional connectivity.

Storm Water. The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

School Information. This non-residential request will not add students to the school system.

Outstanding Issues

Land Use. This petition is considered appropriate for approval from a land use perspective.

Site plan. The site plan accompanying this petition contains the following deficiencies:

- The petitioner should show 8’ planting strip and 6’ sidewalk along Joyce Drive as required per the Ordinance.
- Remove note that states “Sidewalk and planting strips are existing to remain on the Site as depicted on the Site Plan.”
- Square footage for addition area in the Site Summary table appears to be incorrect based on site plan schematics. The petitioner should change the addition area to 905 square feet and change the total building area to 7,013 square feet.
- Maximum parking allowed under the UR-C district equals 18 spaces for the building square footage proposed on this site. Remove note stating “Existing parking on site 22 spaces to remain.” The petitioner should show 18 parking spaces on site plan.
- The petitioner should move the parking lot screening out of the right-of-way.
- As a dumpster is shown on the site, the petitioner should remove the “Garbage to be curb roll out service no dumpster will be used” note. Try to relocate dumpster location away from the street and towards the rear of the parking lot.
- The play space and fencing should be moved out of the right-of-way and rear yard.
- The petitioner should indicate the size of play space that will be provided.
- The petitioner should show a 14’ buffer along the entire eastern and northern edge of property.
- The petitioner should include a note on the site plan that the petitioner will comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.