

REQUEST	Current Zoning: R-5, single family residential Proposed Zoning: MUDD-O, mixed use development district, optional
LOCATION	Approximately 2.76 acres located between South Mint Street and Wilmore Drive adjacent to Spruce Street and West Park Avenue.
CENTER, CORRIDOR OR WEDGE	Corridor
SUMMARY OF PETITION	This petition proposes to rezone 2.76 acres to allow the expansion of an existing church and development of additional parking.
Property Owner Petitioner Agent/Representative	Greater Galilee Baptist Church Greater Galilee Baptist Church Shirley Fulton
Community Meeting	Meeting is required and has been held. Report available online.

ZONING COMMITTEE ACTION

The Zoning Committee voted 4-2 to recommend **APPROVAL** of this petition with the following modifications.

Update: The following outstanding issues have been addressed:

1. The total square footage at build out will be 26,660 square feet.
2. Tree Save Area had been labeled on the site plan.
3. A note has been added that the height of the building will be 39 feet. The steeple will not be taller than 48 feet.
4. Under the development data "Variations" has been changed to "Optional Requests".
5. A note has been added that the new building will not be exempt from the street wall requirement for the side of the building along Spruce Street. A note has been added that the new building is exempt from the clear glass requirement but the building will utilize decorative glass.
6. The correct Zoning has been added for parcels 11908233 and 11908207.
7. The 8-foot planting strip and 6-foot sidewalk along West Park Avenue has been shown on the site plan.
8. Details have been provided for a screen wall along Spruce Street.
9. The site plan will include a note that changes will be in accordance with Section 6.2 of the Zoning Ordinance.
10. The optional request to allow the new building along the east side of Spruce Street to maintain the existing setback has been removed from the site plan.
11. Portions of the brick wall along Mint Street will be removed to meet sight distance requirements.
12. A parking turnout will be constructed on the Spruce Street parking lot.
13. A note has been added that the two sanctuaries will not be used simultaneously.
14. Four of the houses that will be removed from the petitioned site will be relocated in the Wilmore neighborhood. The fifth house will be moved if it is deemed fit and property can be found within the neighborhood.
15. The permitted uses have been limited to religious facilities and accessory uses.

	<p>16. Notes 6 and 7 under the "Optional Requests from MUDD Development Standards" have been relocated to the "Development Data" as they are not optional requests.</p> <p>17. The new sanctuary will have a minimum 14-foot setback.</p> <p>18. All freestanding lighting will be limited to full cutoff fixtures.</p> <p>19. The five-foot screen wall along Spruce Street and West Park Avenue will consist of a three-foot brick base topped with two feet of wrought iron.</p>
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VOTE	<p>Motion/Second: Walker/Allen</p> <p>Yeas: Allen, Rosenburgh, Simmons, and Walker</p> <p>Nays: Griffith and Dodson</p> <p>Absent: Randolph</p> <p>Recused: None</p>
ZONING COMMITTEE DISCUSSION	<p>Staff reviewed the petition, noting that had be no changes in the petition since October and staff was recommending approval of the petition. Several Committee members expressed a desire to have the petitioner work with area residents to try to address issues regarding massing, parking, and pedestrian scale development.</p>
STATEMENT OF CONSISTENCY	<p>The proposed sanctuary and main church building are found to be consistent with the <i>Central District Plan</i>; however, the accessory office building and parking are inconsistent with the <i>Central District Plan</i> but reasonable and in the public interest, by a 4-2 vote of the Zoning Committee (motion by Commissioner Simmons seconded by Commissioner Walker).</p>
MINORITY OPINION	<p>A minority of the Committee felt they could not support this petition, due to the fact that the issues of massing, scale, and parking had not been addressed with the neighborhood.</p>
STAFF OPINION	<p>Staff agrees with the recommendation of the Zoning Committee.</p>

FINAL STAFF ANALYSIS

(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- A proposed 11,780 square foot addition to an existing church.
- Reuse of an existing 3,210 square foot building for accessory office/administrative uses for the church.
- Development of additional parking for the principal and accessory uses.
- Elevations for the church addition.
- Four existing structures totaling 14,880 square feet.
- Screened parking along Spruce Street.
- Details have been provided for a three foot high and wrought iron fencing for the screen wall.
- The height of the new addition will be 39 feet. The steeple will not be taller than 48 feet.
- 8-foot planting strip and 6-foot sidewalk will be provided along West Park Avenue.
- Permitted uses have been limited to religious and accessory uses.
- A conditional note has been added that the two sanctuaries will not be used simultaneously.
- A conditional note has been added that four of the houses that will be removed from the petitioned site will be relocated in the Wilmore neighborhood.
- The five-foot screen wall along Spruce Street and West Park Avenue will consist of a three-foot brick base topped with two feet of wrought iron.
- All freestanding lighting will be limited to full cutoff fixtures.
- A note has been added that the two sanctuaries will not be used simultaneously.

- Permitted uses limited to religious facilities and accessory uses.
- The new sanctuary will have a minimum 14-foot setback.
- The optional requests will allow:
 - The existing five foot sidewalks along Spruce Street to remain.
 - The existing parking spaces along the east side of Spruce Street to remain since they encroach into the 14' setback.
 - The existing buildings along Spruce Street to maintain a setback of 13 feet.
 - The building wall for the existing structures along Spruce Street to be exempt from the street wall requirements.
 - The new addition will be exempt from the clear glass requirement but will use utilize decorative glass.
 - The existing signage to be retained.

Parking will be allowed between West Park Avenue and both the existing building and the proposed addition.

- **Public Plans and Policies**

- The *Central District Plan* (1993) recommends institutional and single family land uses on the subject parcels.
- The proposed sanctuary and main church building are consistent with the *Central District Plan*. The accessory office building and parking are inconsistent with the plan; however, plans frequently do not specify locations for institutional uses.

PUBLIC INFRASTRUCTURE UPDATES (see full department reports online)

- **CDOT:** No issues.
- **Charlotte Fire Department:** No issues.
- **CATS:** No comments received.
- **Connectivity:** No issues.
- **Schools:** CMS does not comment on non-residential petitions.
- **Park and Recreation:** No issues.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Storm Water:** No issues.
- **LUESA:** No issues.
- **Site Design:** No issues.

OUTSTANDING ISSUES

- There are no outstanding issues.

Attachments Online at www.rezoning.org

- Application Form
- CDOT Review
- Charlotte Fire Department Review
- Community Meeting Report
- LUESA Review
- Park and Recreation Review
- Pre-Hearing Staff Analysis
- Site Plan
- Storm Water Review

Planner: Solomon Fortune (704) 336-8326