

**Note: There is a valid protest petition filed for this rezoning petition.**

<b>REQUEST</b>	Current Zoning: R-5, single family residential Proposed Zoning: MUDD-O, mixed use development district, optional
<b>LOCATION</b>	Approximately 2.76 acres located between South Mint Street and Wilmore Drive adjacent to Spruce Street and West Park Avenue.
<b>CENTER, CORRIDOR OR WEDGE</b>	Corridor
<b>SUMMARY OF PETITION</b>	This petition proposes to rezone 2.76 acres to allow the expansion of an existing church and development of additional parking.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon resolution of the outstanding issues. The proposed sanctuary and main church building are consistent with the <i>Central District Plan</i> . The accessory office building and parking are inconsistent with plan; however, plans frequently do not specify locations for institutional uses. Staff believes the church and permitted accessory uses are compatible uses and create an institutional campus that is appropriate for this location.
<b>Property Owner</b>	Greater Galilee Baptist Church
<b>Petitioner</b>	Greater Galilee Baptist Church
<b>Agent/Representative</b>	Shirley Fulton
<b>Community Meeting</b>	Meeting is required and has been held. Report available online.

**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 West Park Avenue.
- 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 along Spruce Street to be exempt from the street wall requirements.
  - The existing signage to be retained.
  - Parking between West Park Avenue and both the existing building and the proposed addition.

• **Existing Zoning and Land Use**

The subject parcels are zoned R-5 and are occupied by several existing structures being used for church related purposes. Properties to the north, south and west are zoned R-5 and developed with single family homes. The properties to the east are zoned B-2 and developed with commercial structures.

• **Rezoning History in Area**

Petition 2007-146 rezoned 0.13 acres located on the east side of South Mint Street to TOD-M(O) to allow residential, office and restaurant uses.

• **Public Plans and Policies**

- The *Central District Plan* (2003) 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.

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**PUBLIC INFRASTRUCTURE** (see full department reports online)

- **Vehicle Trip Generation:**  
Current Zoning: 20 trips per day.  
Proposed Zoning: 100 trips per day.
- **CDOT:** The petitioner should include parking calculations and show parking spaces on site plan.
- **Charlotte Fire Department:** No issues.
- **CATS:** No comments received.
- **Connectivity:** No issues.
- **Schools:** CMS does not comment on non-residential petitions.
- **Parks & Recreation:** No issues.

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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Storm Water:** No issues.
- **LUESA:** No issues.
- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies*.
  - Building on infill lot that scores high on *General Development Policies* for accessibility and connectivity.

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**OUTSTANDING ISSUES**

- The petitioner should:
  - Correct the total amount of square footage at build out. Current numbers add up to 26,660 and site plan has listed 26,680.
  - Label tree save areas.
  - Amend the maximum height listed as the elevation reflects a steeple that exceeds 40 feet.
  - Under the development data change the "Variations" from the MUDD district to "Optional Requests".
  - Amend Optional Request #4 to request that only the existing building be exempt from the Street Wall requirement.
  - Specify current zoning of parcels 11908233 and 11908207 on site plan.
  - Label and show eight-foot planting strip along West Park Avenue.
  - Provide details of the four-foot high screen fence along Spruce Street.
  - Under Building Configuration: Reference Chapter 6 of the Zoning Ordinance.
  - Remove optional request to allow buildings along the east side of Spruce Street to maintain existing setback as this is already allowed by the Ordinance.
  - Address CDOT comments.

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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- CDOT Review
- Charlotte Fire Department Review
- Community Meeting Report
- LUESA Review
- Parks & Recreation Review
- Site Plan
- Storm Water Review