

<b>REQUEST</b>	Current Zoning: R-4, single family residential Proposed Zoning: NS, neighborhood service
<b>LOCATION</b>	Approximately 0.50 acres located on the north side of Central Avenue between Lansdale Drive and Rosehaven Drive.
<b>CENTER, CORRIDOR OR WEDGE</b>	Wedge
<b>SUMMARY OF PETITION</b>	This petition proposes to reuse the existing single family structure for office and/or a beauty shop.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition. The petition is inconsistent with the <i>Eastland Area Plan</i> ; however, the property is located on a major thoroughfare and surrounded by a mix of uses and zoning classifications. Rezoning the property will allow reinvestment in the site to be feasible with minimum impact to the surrounding area.
<b>Property Owner</b>	Rosalia and Jorge Benito
<b>Petitioner</b>	Rosalia and Jorge Benito
<b>Agent/Representative</b>	Collin Brown
<b>Community Meeting</b>	Meeting is required and has been held. Report will be available online when received.

## PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

1. Uses limited to general office and beauty salons.
2. The existing one-story structure to remain.
3. Parking in the rear and front of the existing structure.
4. The existing two-story accessory structure in the rear yard to be removed when any portion of the site is used for purposes not allowed in the R-4 district.
5. Lighting limited to a maximum of 15 feet in height.
6. Free standing signs not to exceed five feet in height and 20 square feet in area.
7. No additions or expansions to the existing one-story structure.

- **Existing Zoning and Land Use**

A single family structure and an unfinished two-story accessory structure are located on the subject property. The properties to the north are zoned R-4 and are developed as single family homes. The properties to the west are zoned R-4 and O-1(CD) and are either single family or office uses. The property to the east is zoned B-1(CD) and is used for commercial purposes. Across Central Avenue the property is zoned R-22 MF and developed as multi-family residential.

- **Rezoning History in Area**

Recent rezoning in the area includes:

- Petition 2005-008, located on the south side of Central Avenue west of Progress Lane, which rezoned a 0.08 acre site from R-17MF to O-1(CD) to allow the existing brick residence to be used for general office and/or medical office uses.

- **Public Plans and Policies**

- The *Eastland Area Plan* (2003) recommends residential up to 8 dwelling units per acre.
- This petition is inconsistent with the *Eastland Area Plan*, however the property is located on a major thoroughfare and surrounded by a mix of uses and zoning classifications. Rezoning the property will allow reinvestment in the site to be feasible with minimum impact to the surrounding area.

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

- **Vehicle Trip Generation:**  
Current Zoning: 10 trips per day.  
Proposed Zoning: 30 trips per day.
- **CDOT:** The City of Charlotte does not allow maneuvering for parking to take place in the right-of-way. The site plan depicts four parking spaces to be located in front of the existing building. It appears that at least one (1) proposed space will need to be removed from the site plan to accommodate maneuvering for the parking lot. However, if the van-accessible handicapped space is exchanged with the regular space as shown east side of the front door, all four (4) spaces may be in compliance. The van-accessible space driver would need to back into this space to unload; therefore he would not need to maneuver in the right-of-way.
- **Charlotte Fire Department:** No issues.
- **CATS:** CATS does not have any concerns or requests at this time but would like to bring to the Petitioner's attention that the future streetcar project, if implemented, would involve use of the curb side travel lane adjacent to the subject property.
- **Connectivity:** No issues.
- **Schools:** CMS does not comment on non-residential petitions.
- **Park and 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*.
  - Minimizes impacts to the natural environment by reusing an existing structure.

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**OUTSTANDING ISSUES**

- The petitioner should:
  1. Address CDOT's concern related to maneuvering within the setback.
  2. Remove the existing two story accessory structure from the buffer prior to obtaining building permits or request and receive a variance prior to rezoning approval.
  3. Indicate how the two story accessory structure will be used if a variance for setbacks is requested. If it is used as a residence the property will be required to be subdivided so that two principal uses are not located on one property.
  4. Remove the following note from the site plan "The existing two-story accessory structure in the rear yard to be removed when any portion of the site is used for purposes not allowed in the R-4 district."

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

- Application
- CATS Review
- CDOT Review
- Charlotte Fire Department Review
- Community Meeting Report
- LUESA Review
- Park and Recreation Review
- Site Plan
- Storm Water Review