

<b>REQUEST</b>	Current Zoning: R-4, single family residential Proposed Zoning: B-2(CD), general business, conditional and O-1(CD), office, conditional
<b>LOCATION</b>	Approximately 1.68 acres located on the east side of Bob Beatty Road near Reames Road.
<b>CENTER, CORRIDOR OR WEDGE</b>	Wedge
<b>SUMMARY OF PETITION</b>	This petition proposes to allow the conversion of an existing historic single family house into an office, and conversion of a barn into a commercial catering kitchen.
<b>Property Owner</b>	Domenic Polzella
<b>Petitioner</b>	David and Leigh Polzella
<b>Agent/Representative</b>	Domenic Polzella David and Leigh Polzella
<b>Community Meeting</b>	Allen L. Brooks, ALB Architecture
	Meeting is required and has been held. Report available online.

**ZONING COMMITTEE ACTION**

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition with the following modifications:

1. The petitioner clarified the language contained in Note #9 to state that all existing buildings will remain unchanged and comply with the maximum building 40 foot height.
2. The petitioner amended Development Note #7 to identify Rezoning Petition 1991-09(c).
3. The petitioner amended Development Note #10 and added language to say "full cut-off fixtures".
4. All references to the Charlotte-Mecklenburg Historic Landmarks Commission have been correctly referenced.
5. The required five-foot sidewalk from the proposed uses to the abutting right-of-way is a minimum ordinance requirement that will be addressed at the development process rather than on the site plan.
6. The petitioner obtained a variance (Case #2009-041), scheduled on October 27, 2009 from the Zoning Board of Adjustment for the garage encroachment into the rear yard.
7. The petitioner addressed comments provided by the Charlotte Historic District Commission and the Charlotte-Mecklenburg Historic Landmarks Commission by providing notes on the site plan regarding review and approval of any proposed site improvements or alterations to the interior of the historic house; siting the parking in such a way as to be the least impacting on the overall site; and a variance request for the garage encroachment into the rear yard.
8. The petitioner has addressed CDOT comments regarding conveyance of right-of-way for future improvements to Bob Beatty Road as part of the North Corridor Commuter Rail Project, and the removal of Conditional Note #12 relating to road improvements.

**VOTE**

Motion/Second: Allen/Walker  
 Yeas: Allen, Dodson, Randolph, Rosenburgh, Simmons and Walker  
 Nays: None  
 Absent: Griffith  
 Recused: None

**ZONING COMMITTEE DISCUSSION**

Staff reviewed this petition and noted that the property is designated as a Local Historic Landmark, and is listed as a contributing property to the Croft National Register Historic District. Staff pointed out that a variance to allow the existing garage to encroach into the required rear yard was approved by the Zoning Board of Adjustment on October 27, 2009. Staff stated that the request is consistent with the *Northlake Area Plan*. A Committee member inquired into the scheduling of the Zoning Board of Adjustment meeting date, concerned with the proximity of that meeting date and the Zoning Committee meeting. Staff responded by stating that if the rezoning necessitates a variance, then the variance should typically be secured prior to City Council decision. There was no further discussion of the request.

**STATEMENT OF CONSISTENCY**

This petition is found to be consistent with the *Northlake Area Plan* and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Simmons seconded by Commissioner Allen).

**STAFF OPINION**

Staff agrees with the recommendation of the Zoning Committee.

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**FINAL STAFF ANALYSIS**

(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

- **Proposed Request Details**

- The site plan accompanying this petition contains the following provisions:
- An office to be located in the historic S. W. Davis House (approximately 4,398 square feet) and a commercial kitchen to be located in the adjacent barn (approximately 1,980 square feet).
- Use of outbuildings on site for storage and existing three-bay garage to support required parking.
- Installation of gravel parking spaces and covered bicycle parking areas.
- Substitution of 50-foot buffer identified in Rezoning Petition 1991-09(c) for abutting Davis Lake development in place of required Class "B" and Class "C" buffers on subject property, as permitted per Section 12.302(5) of the City of Charlotte Zoning Ordinance.
- Identification of proposed right-of-way, property line, and street setback in affiliation with future North Transit Line.
- Maximum building height of 40 feet.
- Development notes have been added indicating that historic structures will remain with no additions, and that any pertinent alterations will require a Certificate of Appropriateness.
- A note indicating that a variance (Case No. 2009-041) has been approved to allow the existing three-bay garage to encroach into the required rear yard in the proposed O-1 zoning district.

- **Public Plans and Policies**

- The *Northlake Area Plan* (2008) recommends residential, office or retail, or a mix of any of the aforementioned uses for the subject property. The plan encourages adaptive reuse of the historic properties in the Croft community.
- This petition is consistent with the *Northlake Area Plan*.

- **STAFF RECOMMENDATION (Updated)**

- Staff agrees with the recommendation of the Zoning Committee.

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

- **CDOT:** No issues.
  - **Charlotte Fire Department:** No issues.
  - **CATS:** No issues.
  - **Connectivity:** No issues.
  - **Schools:** CMS does not comment on non-residential petitions.
  - **Park and Recreation:** No comments received.
  - **Charlotte Historic District Commission and Charlotte-Mecklenburg Historic Landmarks Commission:** No issues.
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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

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

- There are no outstanding issues.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application Form
- CATS Review
- CDOT Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Utilities Review
- Community Meeting Report
- LUESA Review
- Pre-Hearing Staff Analysis
- Site Plan
- Storm Water Review

**Planner:** Claire Lyte-Graham (704) 336-3782