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<b>REQUEST</b>	Current Zoning: R-4, single family residential Proposed Zoning: B-2(CD), neighborhood 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>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon resolution of outstanding issues. In addition, the petitioner should procure a variance prior to a rezoning decision by City Council for that portion of the historic single family house that encroaches into the required rear yard in the proposed O-1 zoning area. This request is consistent with the <i>Northlake Area Plan</i> .
<b>Property Owner</b>	Domenic Polzella David and Leigh Polzella
<b>Petitioner</b>	Domenic Polzella David and Leigh Polzella
<b>Agent/Representative</b>	Allen L. Brooks, ALB Architecture
<b>Community Meeting</b>	Meeting is required and has been held. Report available online.

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#### **PLANNING STAFF REVIEW**

- **Background**

The subject property is known as the "S. W. Davis House and Outbuildings" and was designated as a Local Historic Landmark by the Mecklenburg County Board of Commissioners on October 5, 1992. The property is also listed as a contributing property to the Croft National Register Historic District, which was designated by the U. S. Department of the Interior on June 10, 1999.

- **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 note identifying intent that historic structures remain with no additions, and with acknowledgement that any pertinent alterations will require a Certificate of Appropriateness.
- Submittal of a variance request (Case No. 2009-041) to the Zoning Board of Adjustment to allow the existing three-bay garage to encroach into the required rear yard in the proposed O-1 zoning district. The variance request is scheduled for consideration at the October 27, 2009 Zoning Board of Adjustment meeting.

- **Existing Zoning and Land Use**

The site is currently used as a single family residence with a customary home occupation. The surrounding properties include the historic Croft Schoolhouse directly north, along with a mix of single family homes, offices, businesses and industrial/warehouse uses zoned R-9 PUD, B-1, I-1, and I-2.

- **Rezoning History in Area**

There have been no recent rezonings in the immediate area.

- **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*.
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#### **PUBLIC INFRASTRUCTURE** (see full department reports online)

- **Vehicle Trip Generation:**

Current Zoning: 60 trips per day.

Proposed Zoning: 100 trips per day.

- **CDOT:** CDOT requests the conveyance of 43 feet of right-of-way for a distance of 80 feet north of the southern property line measured from the existing railroad right-of-way. CDOT also requests the conveyance of 35 feet of right-of-way measured from the existing railroad right-of-way for the remainder of the frontage of the property along Bob Beatty Road. This right-of-way will be used for future improvements to Bob Beatty Road as part of the North Corridor Commuter Rail Project. A note requiring the dedication and conveyance of the right-of-way prior to the issuance of building permits should be added to the site plan. CDOT also requests that Conditional Note #12 relating to road improvements be removed from the site plan.
  - **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:** These agencies have reviewed this request and support the request subject to the following:
    1. Amend Development Note #3 and add language stating that no alterations will be made to the historic structures or non-contributing modern structures.
    2. Indicate on site plan how the gravel for the proposed parking areas will be contained.
    3. Show on site plan how the proposed parking areas will be screened from Old Statesville Road and Bob Beatty Road.
    4. Obtain a variance for that portion of the garage encroaching into the required rear yard for the proposed O-1 zoning classification.
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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 existing structures.
  - Minimizes impacts to the City's tree canopy by preserving existing trees beyond minimum ordinance standards.

**OUTSTANDING ISSUES**

- The petitioner should:
    1. Clarify the intent of the statement provided in Note #9.
    2. Amend Development Note #7 to identify Rezoning Petition 1991-09(c).
    3. Amend Development Note #10 and add language to say "full cut-off fixtures".
    4. Ensure the Charlotte-Mecklenburg Historic Landmarks Commission is correctly referenced in all applicable development notes on the site plan.
    5. Indicate how the requirement to provide a five-foot sidewalk from the proposed uses to the abutting right-of-way will be addressed.
    6. Receive the zoning variance prior to City Council decision.
    7. Address comments provided by the Charlotte Historic District Commission and the Charlotte-Mecklenburg Historic Landmarks Commission.
    8. Address all CDOT comments listed above.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- CATS Review
- CDOT Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Utilities Review
- Community Meeting Report
- LUESA Review
- Site Plan
- Storm Water Review

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