



ZONING COMMITTEE RECOMMENDATION

March 24, 2010

REQUEST	Current Zoning: R-22MF, multi-family residential Proposed Zoning: R-8, single family residential
LOCATION	Approximately 24.55 acres located on the west side of Sarah Drive, south of West Cama Street and on both sides of Orchard Circle.
CENTER, CORRIDOR OR WEDGE	Corridor
SUMMARY OF PETITION	This petition proposes to rezone an area developed predominantly with single family uses from multi-family to single family. This is a corrective rezoning in accordance with the <i>Scaleybark Transit Station Area Plan</i> .
Property Owner Petitioner Agent/Representative	Numerous. See application online. Charlotte-Mecklenburg Planning Commission N/A
Community Meeting	Meeting not required.

ZONING COMMITTEE ACTION	The Zoning Committee voted unanimously to recommend APPROVAL of this petition.
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VOTE	Motion/Second: Simmons/Allen
	Yeas: Allen, Dodson, Griffith Randolph, Simmons, and Walker
	Nays: None
	Absent: Rosenburgh
	Recused: None

ZONING COMMITTEE DISCUSSION Staff reviewed the petition noting the corrective rezonings are recommended by the recently adopted *Scaleybark Transit Station Area Plan*. It was also noted that the petition is in keeping with the Corrective Rezoning Guidelines adopted by the Charlotte City Council on March 28, 2005, whereby:

- The rezonings align zoning with the exiting land uses to protect the surrounding residential areas. The majority of the structures in the area a single family homes.
- The rezonings align zoning with adopted future land use.
- Non-conforming uses will not be created by the rezonings.

One Commissioner asked staff to explain the contact with the property owners within the area to be rezoned. Staff noted that during the plan adoption process, there were three (3) mail notices to all property owners and two (2) meetings about the plan. This is in addition to the notices required for the rezoning process. Another Commissioner asked if staff had received any calls concerning the rezoning. Staff responded that there were several speakers at the public hearing and staff received several calls.

Another Commissioner asked staff to clarify the location of the access to the church property on Orchard Road. It was noted that Peterson Drive dead-ends into the church property and that there is access on Orchard Road.

STATEMENT OF CONSISTENCY

This petition is found to be consistent with the *Scaleybark Transit Station Area Plan* and to be reasonable and in the public interest, by a 6-0 vote of the Zoning Committee (motion by Commissioner Simmons seconded by Commissioner Allen).

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

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:

- This is a conventional rezoning petition with no associated site plan.

• Public Plans and Policies

- The *Scaleybark Transit Station Area Plan* (2008) recommends single family residential for this location. The implementation section of the plan identified this area for a corrective rezoning.
 - This petition is consistent with the *Scaleybark Transit Station Area Plan*.
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PUBLIC INFRASTRUCTURE UPDATES (see full department reports online)

- **CDOT:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **CATS:** No issues.
 - **Connectivity:** No issues.
 - **Neighborhood and Business Services:** No issues.
 - **Schools:** No comments received.
 - **Park and Recreation:** No comments received.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Storm Water:** No issues.
 - **LUESA:** No issues.
 - **Site Design:** There is no site plan associated with this conventional rezoning request.
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OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application Form
- CATS Review
- CDOT Review
- LUESA Review
- Neighborhood and Business Services Review
- Pre-Hearing Staff Analysis
- Storm Water Review

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