
REQUEST	Current Zoning: B-D, distributive business Proposed Zoning: I-1(CD), light industrial, conditional
LOCATION	Approximately 2.37 acres located on the north side of Pence Road and across from Holly Hill Road.
SUMMARY OF PETITION	The petition proposes to allow the operation of two separate religious institutions within existing buildings on two adjacent properties.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding site plan issues. This petition is inconsistent with the <i>Eastside Strategy Plan</i> , which recommends heavy industrial uses for this subject property. However, area plans frequently do not specify locations for institutional uses and the proposed development is compatible with surrounding uses.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Randall Benderson 1993-I Trust and Master Plumbing Company David H. Baldauf and G.T. Goodwin Sarah Kupiec and Timothy Tucker
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- **Background**
 - The property owners of the subject parcels were cited for illegally operating religious institutions within the B-D district. The purpose of this request is to rezone the parcels to a zoning district that allows religious institutions.
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

 - Allow the operation of two separate religious institutions in two existing structures on two separate parcels.
 - Existing structures consist of approximately 2,280 square feet (up to 131 seats) and approximately 11,400 square feet (up to 229 seats), with existing gravel parking areas.
 - No building expansions are proposed with this request.
 - Allow all uses (including any accessory use) permitted in the I-1 district, except for the following: restaurants with drive-through facilities, convenience stores with gasoline sales, automobile service stations, car sales, and contractor's office and storage.
 - Dedication of 35 feet of right-of-way from centerline of Pence Road.
 - Installation of new six-foot sidewalk and eight-foot planting strip along a portion of Pence Road.
- **Existing Zoning and Land Use**
 - The site is surrounded by a mix of retail, warehouse, single-family and multi-family residential development and undeveloped acreage on properties zoned R-3, R-12MF, O-1, B-2(CD), I-1, and I-1(CD). A Southern Rail Road line is located to the north of the properties.
- **Rezoning History in Area**
 - There have been no recent rezonings in the immediate area.
- **Public Plans and Policies**
 - The *Eastside Strategy Plan* (2001) confirms the recommended future land use within the *East District Plan* (1990) for heavy industrial land uses for the subject property.
 - This petition is inconsistent with the *Eastside Strategy Plan*.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Department of Transportation:** CDOT requests the following:

- Installation of curb and gutter, a minimum eight-foot planting strip and six-foot sidewalk measured from the proposed Pence Road future curb line and a concrete driveway through the setback line associated with tax parcel 10817105. Proposed six-foot sidewalk on this parcel will need to transition at the property line.
 - Existing back of curb sidewalk on tax parcel 10817106 may remain in current location.
 - **Vehicle Trip Generation:** Under the proposed zoning the combined new daily trips for both parcels is approximately 220 trips, which will have a minor impact on the surrounding thoroughfare system.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **City of Charlotte Solid Waste Services:** The type of intended garbage service for the site should be noted on the site plan.
 - **Charlotte-Mecklenburg Schools:** Not applicable.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site meets minimum ordinance standards.

OUTSTANDING ISSUES

- The petitioner should:
 1. Note that the proposed zoning is I-1 (CD).
 2. Remove the headings "CATS", "CDOT", "Fire", "LUESA", "NBS", and "SWS" from the site plan (bubbled portion at the bottom of the zoning plan sheet).
 3. Create a new heading "Transportation" and move language under "Vehicular Access" to this section.
 4. Show the required buffer (7-foot Class "C" buffer) along the entire length of the property line to the east (Parcel 10817106). A note should be added that this buffer may be reduced (5.25 feet with a fence) and if there is not enough room for the buffer, the petitioner/owner may seek a variance.
 5. Revise site plan to eliminate any parking shown within five feet of exterior lot lines. Provide a minimum five-foot walkway from the front of each building to the public sidewalk along Pence Road.
 6. Address CDOT and Solid Waste Services comments.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

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