

<b>REQUEST</b>	Proposed Zoning: INST(CD)(LWPA) SPA, institutional, conditional, Lake Wylie Protected Area, site plan amendment
<b>LOCATION</b>	Approximately 2.38 acres located at the north corner of the intersection of Mt. Holly-Huntersville Road, Harwood Lane, and Mountain Aire Circle.
<b>SUMMARY OF PETITION</b>	The petition proposes a site plan amendment to modify phasing of improvements to the site as related to the construction and establishment of a child day care facility for up to 150 students.
<b>PROPERTY OWNER</b>	Debra Spencer and Michelle Dolphus
<b>PETITIONER</b>	City of Charlotte Neighborhood & Business Services/A.C. Shull
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online.
<b>STATEMENT OF CONSISTENCY</b>	This petition is found to be consistent with the <i>Northwest District Plan</i> and to be reasonable and in the public interest, by a unanimous 6-0 vote of the Zoning Committee (motion by Commissioner Lipton seconded by Commissioner Allen).

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted unanimously to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. The architectural elevations have been modified and a note added stating the building will have a residential look with a base of stone or brick with shingle siding and an architectural shingle roof.</li> <li>2. The number of required parking spaces has been confirmed under Note B1 and the proposed number of employees added in order to calculate the required parking.</li> <li>3. Per CDOT's request, the petitioner has added notes phasing transportation improvements to correspond with the phasing of the proposed structures. Phase I (3,000 square foot building and accessory building) will require the dedication and conveyance of right-of-way along Mt Holly-Huntersville Road and Harwood Lane in fee simple; the construction of the sidewalks along Mt Holly-Huntersville Road and Harwood Lane; and the vehicle access connection onto Harwood Lane. Phase II (7,500 square foot building) will require the widening and/or realigning of Harwood Lane.</li> <li>4. Notes have been clarified on site plan to state the proposed use is a child day care facility.</li> <li>5. The maximum total building square footage proposed under "Design Guidelines" has been revised to note the maximum 10,500 square feet of building area and the 1,000 square-foot storage building.</li> <li>6. The site plan has been revised to provide a clearer layout of the phasing of the parking area, including the ultimate number of parking spaces upon completion of both Phases I and II.</li> <li>7. Class "C" buffers are labeled on the site plan.</li> <li>8. Notes C ("Storm Water Management"), E ("Signs"), and "Internal Tree" Requirements have been removed as these are minimum ordinance requirements.</li> </ol>
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<b>VOTE</b>	Motion/Second:	Lipton/Allen
	Yeas:	Allen, Fallon, Griffith, Johnson, Lipton, and Zoutewelle
	Nays:	None
	Absent:	Phipps
	Recused:	None
<b>ZONING COMMITTEE DISCUSSION</b>	Staff presented this item to the Committee, briefly reviewing the proposed changes, and noting that this petition was deferred by the Committee at its June 27, 2011 meeting. A Commissioner clarified the reason for the deferral, stating it was because revised site plan was not submitted in sufficient time for review. Staff stated that all outstanding issues had been addressed. There was no further discussion of this petition.	
<b>STAFF OPINION</b>	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**

- **Background**

Rezoning petition 2005-103 was approved on August 22, 2005, rezoning the subject site from R-3(LWPA) to INST(CD)(LWPA). The approved site plan allows a day care facility with a maximum 13,000 square feet of building area and up to 150 children.
  - **Proposed Request Details**
    - The site plan amendment contains the following changes:
      - Addition of one building (for a total of three structures, including two modular buildings and one storage building).
      - Reduction in maximum building square footage from 13,000 square feet to 11,500 square feet.
      - Shift location of proposed modular buildings to accommodate additional play area.
      - Phasing of installation of parking spaces.
      - Increase in the width of proposed sidewalks along Mt. Holly-Huntersville Road and Harwood Lane from five-feet to six-feet.
      - Phasing of transportation improvements to correspond with the phasing of the proposed structures as follows:
        - Phase I (3,000 square foot building and accessory building) will require the dedication and conveyance of right-of-way along Mt Holly-Huntersville Road and Harwood Lane in fee simple; the construction of the sidewalks along Mt Holly-Huntersville Road and Harwood Lane; and the vehicle access connection onto Harwood Lane.
        - Phase II (7,500 square foot building) will require the widening and/or realigning of Harwood Lane.
  - **Public Plans and Policies**
    - The *Northwest District Plan* (1990), as amended by rezoning petition 2005-103, recommends institutional uses on this site.
    - The proposed day care facility is consistent with the *Northwest District Plan*.
  - **Staff Recommendation (Updated)**
    - Staff agrees with the recommendation of the Zoning Committee.
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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Department of Transportation:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** Not applicable.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.

**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.

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**OUTSTANDING ISSUES**

- No issues.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- 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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