

REQUEST	Current Zoning: R-8MF(CD)(LWPA), multi-family residential, conditional, Lake Wylie Protected Area Proposed Zoning: R-4(LWPA), single family residential, Lake Wylie Protected Area
LOCATION	Approximately 18.60 acres located on the south side of Bellhaven Boulevard and across from Oakridge Drive and Westbourne Drive.
SUMMARY OF PETITION	The petition proposes to rezone the subject property to allow uses permitted in the R-4 zoning district.
PROPERTY OWNER PETITIONER COMMUNITY MEETING	Kids Going Bananas Kids Going Bananas/Jerry Chadwick Meeting is not required.
STATEMENT OF CONSISTENCY	This petition is found to be inconsistent with the <i>Northwest District Plan</i> but to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Zoutewelle seconded by Dodson).

ZONING COMMITTEE ACTION	The Zoning Committee voted unanimously to recommend APPROVAL of this petition.
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VOTE	Motion/Second: Zoutewelle/Griffith Yeas: Dodson, Firestone, Griffith, Phipps, Rosenburg and Zoutewelle Nays: None Absent: Allen Recused: None
ZONING COMMITTEE DISCUSSION	Staff presented this item to the Committee, referencing the approved site plan for this site and the intent to rezone the property to its original zoning district in order to accommodate all uses in the R-4 district. There was no discussion of this petition.
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

- **Background**
On April 19, 1999, City Council approved rezoning petition #1999-037, from R-4(LWPA) to R-8MF (CD) (LWPA). A religious institution was in operation on the parcel at the time of this rezoning. The site plan approved in 1999 contains the following conditions:
 - 64 multi-family dwelling units in quadruplex structures at 3.43 units per acre;
 - dedication of greenway (approximately 4.58 acres) along the Gum Branch floodplain traversing along the rear of the parcel prior to issuance of the first certificate of occupancy;

- construction of a left-turn lane on Bellhaven Boulevard; and provision of a 50' Class "C" buffers along the western and property lines (portions reduced to 37.5').
 - **Proposed Request Details**
 - This is a conventional rezoning petition with no associated site plan. The proposed conventional rezoning would replace the current site plan, development proposal and associated provisions approved in 1999.
 - **Public Plans and Policies**
 - The *Northwest District Plan* (1990), as amended by Rezoning petition 1999-037, recommends multi-family residential up to eight dwelling units per acre.
 - This petition is inconsistent with the *Northwest District Plan's* current recommendation for multi-family residential.
 - **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 issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Charlotte Department of Transportation:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** CMS states that the net change in the number of students generated from existing zoning to proposed zoning is 46 students. If this petition is approved and is developed with single family homes at four units per acre, overcrowding and/or reliance upon mobile classrooms at Paw Creek Elementary School, Coulwood Middle School, and West Mecklenburg High School could result.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** LUESA had several comments related to drainage, a preexisting septic system and a possible water supply well. These notes have been relayed to the petitioner.
 - **Mecklenburg County Parks and Recreation Department:** The Parks and Recreation Department notes that the site includes a greenway corridor that has been approved as part of the 2008 Greenway Master Plan, and requests, at a minimum, the conveyance of the 100' SWIM buffer of this parcel for greenway to Mecklenburg County. This rezoning request is not a conditional petition, and therefore this dedication cannot be made through the rezoning process.
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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*.
 - There is no site plan associated with this conventional rezoning request.
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OUTSTANDING ISSUES

- No issues.

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

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