

REQUEST	Current Zoning: B-1, neighborhood business and I-2, general industrial Proposed Zoning: R-5, single family residential
LOCATION	Approximately 0.676 acres located on the south of Independence Boulevard along the east and west side of Clement Avenue.
SUMMARY OF PETITION	This petition proposes to rezone an area developed predominantly with single uses from general business and general industrial zoning to single family zoning. This is a corrective rezoning in accordance with the <i>Elizabeth Area Plan</i> , which was adopted in 2011.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	N.C. Department of Transportation et. al. See application online. Charlotte-Mecklenburg Planning Department N/A
COMMUNITY MEETING STATEMENT OF CONSISTENCY	Meeting is not required. This petition is found to be consistent with the <i>Elizabeth Area Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Griffith, seconded by Commissioner Johnson).

ZONING COMMITTEE ACTION	The Zoning Committee voted unanimously to recommend APPROVAL this petition.
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VOTE	Motion/Second: Griffith/Phipps Yeas: Firestone, Griffith, Phipps, and Zoutewelle Nays: None Absent: Allen, Dodson, and Rosenburgh Recused: None
ZONING COMMITTEE DISCUSSION	Corrective rezoning petition 2012-017 was deferred by the Zoning Committee at its March 28 th meeting due to concerns by some of the Commissioners about notification requirements and the public involvement process, and how new zoning districts and regulations would affect property owners' ability to make improvements to structures. Staff presented the above-referenced petitions collectively, providing an overview of the public involvement and noticing process, along with information regarding development requirements under the existing and proposed zoning districts. A Commissioner asked why corrective rezonings are in the interest of the City. Another Commissioner suggested that the area plan process should improve how it looks at conditions throughout a plan area and possible impacts to better determine the appropriateness of a corrective rezoning.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Background**
 - The recently adopted *Elizabeth Area Plan* recommends rezoning the subject properties to align the zoning with the current land use. The existing non-residential zoning was appropriate prior to the Independence widening as several of the properties had frontage along Independence Boulevard. As a result of the widening project the properties are now oriented toward the Elizabeth neighborhood and do not Independence. Therefore, the B-1 and I-2 zoning is no longer appropriate.

- **Proposed Request Details**
 - This is a conventional rezoning petition with no associated site plan.
 - **Public Plans and Policies**
 - The *Elizabeth Area Plan* (2011) recommends residential land uses up to five dwelling units per acre on all of the subject parcels. The plan recommends that lower density residential areas of Elizabeth should be preserved and protected, retaining their existing scale and character, with duplexes, triplexes, and quadruplexes organically interspersed amongst the neighborhood's predominantly single family structures.
 - The petition is consistent with the *Elizabeth Area Plan*.
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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.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** No issues.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
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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*.
 - Not applicable.
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OUTSTANDING ISSUES

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

- Application
- Pre-Hearing Staff Analysis
- 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
- Mecklenburg County Parks and Recreation Review

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