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| REQUEST | Current Zoning: O-1(CD), office, conditional Proposed Zoning: O-1(CD) SPA, office, conditional, site plan amendment |
| LOCATION | Approximately 1.20 acres located on the east side of Baucom Road between Mallard Creek Road and Brathay Court. (Council District 2 - Mitchell) |
| SUMMARY OF PETITION | The petition proposes to reuse the existing 2,800 square foot single family residential structure for civic, social service and fraternal facilities, general office, and medical, dental and optical clinics. |
| STAFF RECOMMENDATION | Staff recommends approval of this petition upon resolution of outstanding issues. The petition is consistent with the <i>Northeast District Plan</i> . |
| PROPERTY OWNER | Derita American Legion Post 345 |
| PETITIONER | Derita American Legion Post 345 |
| AGENT/REPRESENTATIVE | Sean Reymann |
| COMMUNITY MEETING | Meeting is required and has been held. Report available online. |

PLANNING STAFF REVIEW

- **Background**

The rezoning site is part of a larger 3.4-acre parcel rezoned in 2003 (rezoning petition 2003-059) to allow the construction of up 22,000 square feet of office condominiums to be used for medical, dental and/or optical clinic uses (prohibiting veterinary clinics and drive-thru windows). The approval required that the proposed buildings be designed with a residential character and scale, with a height not to exceed 40 feet or two stories. However, the property was never developed.

- **Proposed Request Details**

The site plan amendment contains the following details:

- Reuse of the existing single family residential structure for civic, social service and fraternal facilities, general office, clinics, (medical, dental and optical).
- Relocation of existing parking out of the setback and to the side of the existing structure.
- Installation of a new driveway to access existing gravel parking area.
- Retention of an existing ADA improved driveway that connects to a handicap parking space, new walkway and ramp.
- Note stating that any new structures will be designed with a residential character and scale, with minimum 50 percent masonry material along each building elevation.
- Any new structure to have a maximum 40-foot building height and up to two stories.
- Limit height of freestanding lighting to 25 feet, with full cutoff fixtures.

- **Existing Zoning and Land Use**

The site is developed with a single family structure now used for civic purposes, and a gravel parking area. The property is immediately surrounded by single family and multi-family residential developments, office, commercial, civic, and undeveloped acreage on properties zoned R-3, R-4, MX-2, R-12MF(CD), R-15MF(CD), R-17MF(CD), RE-1, and RE-2.

- **Rezoning History in Area**

There have been no recent rezonings in the immediate area.

- **Public Plans and Policies**

- The *Northeast District Plan* (1996) recommends office land uses for this parcel.
- This petition is consistent with the *Northeast District Plan*.

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.
 - **Vehicle Trip Generation:**
Current Zoning: 35 trips per day.
Proposed Zoning: 40 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Park and Recreation Department:** No issues.
 - **Urban Forestry:** 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*.
 - Minimizes impacts to the natural environment by reuse of an existing building and possible redevelopment on an infill lot.

OUTSTANDING ISSUES

- The petitioner should:
 1. Clarify and better organize development notes to specify scenario involving use of existing structure and scenario involving redevelopment of the site with construction of a new building and associated site improvements.
 - a. Scenario (A) involving use of existing structure should note that the existing 2,800 square foot structure will remain with a maximum 1,000 square-foot expansion permitted. The expansion should note the maximum height of lighting and indicate that the appearance of building expansion will blend with existing structure.
 - b. Scenario (B) should note that if the site is redeveloped the new building will not exceed 7,765 square feet, with a maximum 40-foot building height and no more than two stories. Redevelopment scenario should also note maximum height of lighting and appearance of building. Show a building footprint reflecting the proposed redevelopment scenario.
 2. The site plan is incorrectly labeled "2003-082". Amend the site plan to reflect "Rezoning Petition 2012-082".
 3. Follow the standard for site plan notes.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Park and Recreation Review
- Urban Forestry Review

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