

<b>REQUEST</b>	Current Zoning: R-3, single family residential Proposed Zoning: O-1(CD), office, conditional
<b>LOCATION</b>	Approximately 3.56 acres located on the south side of Ballantyne Commons Parkway between Rea Road and Williams Pond Lane.
<b>SUMMARY OF PETITION</b>	The petition proposes to reuse an existing school building for a child care center for up to 250 children.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of the petition upon resolution of outstanding issues. The petition is inconsistent with the <i>South District Plan</i> . However, area plans frequently do not specify locations for institutional uses.
<b>PROPERTY OWNER</b>	AEA, LLC
<b>PETITIONER</b>	AEA, LLC
<b>AGENT/REPRESENTATIVE</b>	John Carmichael, Robinson Bradshaw & Hinson, P.A.
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online.

#### **PLANNING STAFF REVIEW**

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Reuse of an existing one-story, 13,190 square foot building as a child care center for up to 250 children, along with an existing 900 square foot accessory building.
- The existing outdoor playground and recreational facilities and areas may be converted to other types of outdoor playground and recreational facilities that are accessory to a child care center.
- Access to site from Ballantyne Commons Parkway.
- Extension of a five-foot sidewalk from front of building to tie in to the public sidewalk along Ballantyne Commons Parkway.
- No building expansions.
- A 26-foot Class C buffer abutting residential dwellings in single family zoning to the south.
- Installation of a five-foot sidewalk and eight-foot planting strip, along with curb and gutter along the site's frontage on Williams Pond Lane. Width of planting strip may be tapered to less than eight feet in some areas to allow connection to the existing sidewalk along Williams Pond Lane.
- Freestanding lighting limited to 20 feet in height.

- **Existing Zoning and Land Use**

The subject property is developed with a 13,190 square foot structure formerly used as a school. The site is abutted by single family dwellings in R-3 zoning to the east, and offices in O-1(CD) and O-2(CD) to the east and west. Properties across Ballantyne Commons Parkway, east of Rea Road, contain office, multi-family and single family dwellings, and vacant lots in B-1SCD, B-D(CD), O-1(CD) and R-3 zoning. Single family dwellings exist in R-3 zoning across Williams Pond Lane.

- **Rezoning History in Area**

Petition 2008-139 rezoned seven acres located on the north side of Ballantyne Commons Parkway between Rea Road and Williams Pond Lane from R-12MF to B-D(CD) and O-1(CD) to allow a 93,000 square foot self-storage facility, and 77,800 square feet of office uses, and an adult care center.

- **Public Plans and Policies**

- The *South District Plan* recommends single family residential dwellings at a maximum density of three dwelling units per acre.
- The petition is inconsistent with the *South 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:** CDOT has the following comments on this petition:
    - Petitioner should provide child care information on how vehicular marshaling will occur on-site during the peak drop-off and pick-up times to ensure vehicles do not back into the public right-of-way.
    - **Vehicle Trip Generation:**  
Current Zoning: 100 trips per day.  
Proposed Zoning: 1,100 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.
  - **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
  - **Mecklenburg County Parks 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 reusing an existing building.

**OUTSTANDING ISSUES**

- The petitioner should:
    1. Address CDOT comments.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

**Planner:** Sonja Sanders (704) 336-8327