

REQUEST	Current Zoning: R-17MF(CD), multi-family residential, conditional, and NS, neighborhood services Proposed Zoning: O-1(CD), office, conditional
LOCATION	Approximately 22.15 acres located on the west side of Lancaster Highway at the intersection of Lancaster Highway and Johnston Road. (Council District 7 - Cooksey)
SUMMARY OF PETITION	The petition proposes a 264,000-square foot religious institutional facility consisting of a 1,600 seat worship center, office space associated with the church facility, and any other accessory uses.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	YFP, LLC and YFP Timber, LLC Elevation Church Susanne Todd and Brian Schoeck
COMMUNITY MEETING STATEMENT OF CONSISTENCY	Meeting is required and has been held. Report available online. This petition is found to be inconsistent with the <i>South District Plan</i> ; however, to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Allen seconded by Commissioner Eschert).

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted unanimously to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Amended Note 14 to state "prior to approval by the City Council on Rezoning Petition 2013-048, the petitioner and owner of the property covered by Rezoning Petition 2000-02c will file an administrative amendment for Petition 2000-02c that will reduce the number of residential units currently approved to an amount that falls within the allowed density. If Rezoning Petition 2013-048 is approved by City Council, the reduction in the number of allowed units on Rezoning Petition 2000-02c will be binding and may not be added back to Petition 2000-02c through the administrative amendment process. If Rezoning Petition 2012-048 is not approved by the City Council, the administrative amendment will automatically be null and void, and of no effect." 2. Relabeled the area designated for trash as "solid waste and recycling area." 3. Added a note that a low masonry wall and landscaping will be provided to screen parking as shown on the site plan. 4. Provided a minimum five-foot sidewalk on the eastern side of the main interior driveway that runs perpendicular to the proposed public street. 5. Illustrated a five-foot internal sidewalk connection to the proposed six-foot public sidewalk along US Highway 521. 6. Modified the zoning buffer references to indicate a 75-foot Class B buffer. 7. Addressed CDOT comments as follows: <ol style="list-style-type: none"> a. Eliminated the proposed eastbound through-right lane on Lancaster Highway, at the intersection of Johnston Road (US 521) and Lancaster Highway, and let it remain as a through-lane only. Extended the existing right-turn lane on US Highway 521 to provide a total storage of 525 feet.
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- b. Added a note that commits to the installation of pedestrian signals, and high visibility cross-walks on the western approach of the subject intersection.
- c. Per discussion with CDOT, petitioner agrees to provide one of the following two roadway improvement options:
 - (i) Extend the northbound left-turn lane storage on Lancaster Highway at Providence Road West from 150 to 225 feet with a 150-foot bay taper plus;
 - (ii) Re-mark the existing marked out pavement on Ardrey Kell Road at US Highway 521 to a second westbound left-turn lane with 160 feet of storage and;
 - (iii) Provide a 200-foot bay taper; OR
 - (i) Provide a dedicated left-turn and through right combination on the western approach to the intersection of Providence Road West and Lancaster Highway and adding additional asphalt on the eastern approach of the subject intersection to allow for a proper through lane transition across the intersection; plus
 - (ii) Re-mark the existing marked out pavement on Ardrey Kell Road at US Highway 521 to a second westbound left-turn lane with 100 feet of storage using the existing bay taper.
- d. Petitioner agrees to share the cost estimates with CDOT for both options "6a" and "6f" above prior to submitting construction plans, in order to identify the costs associated with each option. Provided that the cost to Petitioner to construct the improvements set forth in option "6b" is equivalent to the cost to construct the improvements set forth in option "6a", Petitioner will construct the improvements set forth in option "6b." Nothing herein shall be construed as requiring Petitioner to provide both options.
- 8. Pedestrian and vehicular connections throughout the Site will be provided in a manner generally shown on the Site Plan.
- 9. Internal sidewalks shall connect the entrances of the building to the sidewalk along the street.
- 10. Petitioner will offer for dedication additional right-of-way along Lancaster Highway to include a minimum 8-foot planting strip and 6-foot sidewalk, generally as depicted on the Site Plan.
- 11. Petitioner will provide a sidewalk easement to allow for a 6-foot sidewalk along US Highway 521 as generally shown on the Site Plan.
- 12. Petitioner is requesting the abandonment of a portion of Lancaster Highway as shown on the Site Plan.

VOTE

Motion/Second: Allen/Nealon
 Yeas: Allen, Eschert, Johnson, Labovitz, Nealon
 Nays: None
 Absent: Lathrop and Walker
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff presented the petition to the Zoning Committee and noted the outstanding issued had been addressed.

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**

- A majority of the subject property was rezoned in 2000, under petition 2000-02c, as part of a larger 258 acres rezoned to R-5(CD) and R-17MF(CD) to allow 752 multi-family dwelling units and 600 single family units. More specifically, the subject property was identified as Parcel B and allowed 696 multi-family units, which was later revised via an administrative amendment to allow 603 units.

A smaller portion of the site was rezoned to NS via petition 2002-022, as part of an overall 4.7 acres rezoned to allow 52,000 square feet of office and retail uses excluding drive through facilities, gasoline sales and restaurants. The subject property was identified as Area C and is allowed one building.

• Proposed Request Details

- The site plan accompanying this petition contains the following provisions:
- Proposed uses limited to a 42,000-square foot worship center with 1,600 seats, a children's ministry area comprised of 22,000 square feet, and up to 200,000 square feet of associated church office uses.
- Worship center limited to maximum 40 feet in height and office building limited to maximum 60 feet in height.
- Dedication of additional right-of-way measuring 50 feet from the centerline of Lancaster Highway.
- Access to the site will be provided via a new public street off of Lancaster Highway built to the standards for a local office/commercial wide street, and a proposed right-in/right-out driveway onto US Highway 521.
- A sidewalk easement will be provided to allow for a six-foot sidewalk along US Highway 521.
- A portion of US Highway 521 will be requested for abandonment.
- Roadway improvements.
- Exterior building materials consisting of metal, glass and concrete.
- Building elevations provided with four-sided architecture on all elevations.
- No expanse of solid wall may exceed 20 feet in length.
- Buildings will have insulated exterior walls to dampen noise transmission to the outside.
- A 75-foot buffer will be provided abutting residential zoning and/or land uses. The buffer may not be reduced except to allow access from the site along US Highway 521.
- A low masonry wall will be provided along portions of the site's frontage on both streets to screen surface parking, in addition to shrubs.
- An outdoor plaza area will be provided abutting the building containing the worship center and children's ministry.
- Freestanding lighting will be limited to 25 feet in height and will have full cut-off lighting fixtures.
- An administrative amendment will be filed for Petition 2000-02c that will reduce the number of residential units currently approved to an amount that falls within the allowed density.

• Public Plans and Policies

- The *South District Plan* (1993) reflects multi-family residential and retail as amended by the previous rezonings. However, area plans frequently do not specify locations for institutional uses. The proposed institutional use is compatible with the surrounding residential and commercial development.
- 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.
 - **Charlotte Department of Solid Waste Services:** Noted that the religious institution will need to verify qualification for small business garbage collection.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Police 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 issues.
 - **Mecklenburg County Parks and Recreation Department:** 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*.
 - This site meets minimum ordinance standards.
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OUTSTANDING ISSUES

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

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Solid Waste Services Review
- Transportation Review
- Charlotte-Mecklenburg Police Department Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

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