

REQUEST	Current Zoning: R-3 (single family residential) and MX-2 (mixed use) Proposed Zoning: O-1(CD) (office, conditional)
LOCATION	Approximately 4.65 acres located on the southeast corner at the intersection of Ardrey Kell Road and Marvin Road. (Council District 7 - Driggs)
SUMMARY OF PETITION	The petition proposes an office development limited to 50,000 square feet.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. This petition is inconsistent with the <i>South District Plan</i> which recommends single family residential uses. However, the size of the site, its orientation towards two thoroughfares, and its isolation from adjoining parcels make it difficult to develop a stand-alone single family development or use. With the commercial uses on two other intersection corners, the proposed office use serves as a transition to the adjoining residential townhomes.
PROPERTY OWNER	H. Melvin Johnston, Yvonne R. Johnston and Owners Association Princeton at South Hampton
PETITIONER AGENT/REPRESENTATIVE	George Macon N/A
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of People attending the Community Meeting: 4.

PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Maximum 50,000-square foot office development to allow medical, dental and optical clinics, barber and beauty shops, child care centers, cultural facilities, financial institutions, laboratories, offices and studios. Retail and Eating, Drinking and Entertainment Establishments (Type 1) may be permitted as accessory uses per the zoning ordinance.
 - Maximum of three buildings to front along Marvin Road.
 - Eight-foot planting strip and six-foot sidewalk along Marvin Road and Ardrey Kell Road.
 - Proposed buildings will be constructed out of brick and glass, with stone and EIFS accents.
 - Buildings will utilize four-sided architecture.
 - No drive-through facilities will be permitted on site.
 - Access to the site via Marvin Road and Ardrey Kell Road.
 - Street trees along Marvin and Ardrey Kell Road will match the adjacent street trees.
 - In areas where proposed buildings do not currently exist but are proposed, landscaping and tree plantings equal to a ten-foot buffer will be used to screen any parking until future buildings are constructed.
 - Blank walls of more than 20 feet in length are prohibited and will be broken up by using windows and architectural elements.
 - Freestanding lighting will utilize full cut-off light fixtures and are limited to 25 feet in height.
 - A 50-foot Class "C" buffer abutting residential zoning to the east will be installed if the existing buffer cannot be used for the "Alternative" buffer.
- **Existing Zoning and Land Use**
 - The subject property is currently zoned R-3 (single family) and developed with a residential structure. The surrounding properties are zoned MX-1 (mixed use), MX-2 (mixed use), and NS (neighborhood services) and developed with residential and commercial structures.
- **Rezoning History in Area**
 - Petition 2010-023 was a site plan amendment to NS (neighborhood services) and UR-2(CD) (urban residential, conditional) zoned property located just west of the site to allow up to 9,000 square feet of office and convert 30 live/work units to townhomes.

- **Public Plans and Policies**

- The *South District Plan* (1993) recommends single family use for the subject property.
 - This petition is inconsistent with the *South District 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.
 - **Vehicle Trip Generation:**
Current Zoning: 160 trips per day.
Proposed Zoning: 780 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** 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.
 - **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 preserving existing trees.

OUTSTANDING ISSUES

- The petitioner should:
 1. Modify Note D3 to read "no parking will be allowed between the building and the public streets."
 2. Modify and relocate proposed dumpster location to the rear of the site near the proposed tree save area.
 3. Modify the proposed uses to: "all O-1 uses except financial institutions, laboratories, child care centers and residential uses" and change "restaurants" to "Eating, Drinking and Entertainment Establishments (Type 1)".
 4. Provide building elevations.
 5. Show where all three proposed buildings will be located within the building envelope.
 6. Remove note H.2 and modify to read: "A signed approval letter from the South Hampton Home Owners Association agreeing upon the final locations of the proposed tree save and dumpster areas during site design will be provided to the Charlotte-Mecklenburg Planning Department prior to submitting for any permit on the subject site."
 7. Amend Development Conditions to add MX-2 under proposed zoning and the accompanying parcel number.
 8. Modify the Class "C" buffer along the driveway to Ardrey Kell Road to 30 feet.
 9. Label and show sidewalk connections from the proposed buildings to Marvin Road along both sides of the proposed driveway.
 10. Clarify the meaning of the following note: "Street trees along Marvin and Ardrey Kell Road will match the adjacent street trees."
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Solomon Fortune (704) 336-8326