

REQUEST	Current Zoning: B-2(CD), general business, conditional, O-1(CD), office, conditional, and B-1, neighborhood business Proposed Zoning: B-2(CD) SPA, general business, conditional, site plan amendment, O-1(CD) SPA, office, conditional, site plan amendment, and B-1(CD), neighborhood business, conditional
LOCATION	Approximately 2.94 acres located on the east side of Bob Beatty Road north of the intersection at Reames Road and Old Statesville Road. (Council District 4 – Phipps)
SUMMARY OF PETITION	The petition proposes to reuse buildings within the historic Croft Community in order to accommodate the expansion of an existing school.
STAFF RECOMMENDATION	Staff recommends approval of the petition upon resolution of outstanding issues. The petition is inconsistent with the uses recommended by <i>Northlake Area Plan</i> . However, area plans do not typically specify locations for institutional uses. In addition, the petition does support the plan goal to encourage adaptive reuse of the historic properties in the Croft Community.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Domenic Polzella, David and Leigh Polzella/Croft Properties, LLC Abigail Jennings: Pioneer Springs Community School Allen L. Brooks
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 7

PLANNING STAFF REVIEW

- **Background**
 - Approval of rezoning petition 2009-072 rezoned a 1.68-acre portion of the rezoning site from R-4 (single family residential) to B-2(CD) (general business, conditional) and O-1(CD) (office, conditional) to allow the conversion of the historic S. W. Davis House and a barn into an office and a commercial catering kitchen, respectively. A variance to allow the existing garage to encroach into the required rear yard was approved by the Zoning Board of Adjustment (Case No. 2009-041).
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

 - Establishment of a school campus on the rezoning site. A school currently leases space in the historic Croft School House, with intent to purchase entire property in order to facilitate expansion.
 - Modification of note on approved site plan in order to allow barn currently in use as a commercial catering kitchen to be used for classrooms.
 - Allow improvements in connection with expansion of school to occur in two phases:
 - Phase one improvements: Configure parking layout around barn and at S. W. Davis House and remodel the S. W. Davis House; and construct internal sidewalks connecting buildings.
 - Phase two improvements: Remove commercial kitchen in barn and construct addition to accommodate new classrooms; and construct new 3,500-square foot, two-story classroom building.
 - Maximum 40-foot building height.
 - Language on site acknowledging The S. W. Davis House and Croft School House as contributing structures to the Historic Croft Neighborhood, which is on the National Register of Historic Places. Language commits to ensuring that all additions and new construction and materials reflect the historic nature of the properties and complements the contributing structures as per the Historic Landmarks Commission.

- **Existing Zoning and Land Use**
 - The rezoning site is known as the “Croft Schoolhouse and S. W. Davis House and Outbuildings” and was designated as a Local Historic Landmark by the Mecklenburg County Board of Commissioners on October 5, 1992. The property is also listed as a contributing property to the Croft National Register Historic District, which was designated by the U. S. Department of the Interior on June 10, 1999. The rezoning site consists of the S. W. Davis House (1903), Croft School House (1901), flower house, and a barn currently used as a commercial kitchen. The S. W. Davis House, Croft School House, and flower house are contributing structures. The barn is not considered historic, but received a Certificate of Appropriateness from the Historic Landmarks Commission for its placement and construction on the site, which is a locally designated landmark.
 - The rezoning site is surrounded by single family residential development, industrial/warehouse, office, and retail uses, and undeveloped acreage on properties zoned R-4 (single family residential), R-9 PUD (single family residential, planned unit development), I-1 (light industrial), I-2 (general industrial), and I-2(CD) (general industrial, conditional).
- **Rezoning History in Area**
 - Please refer to the Background section of this staff analysis. No other rezonings have occurred in the immediate area in recent years.
- **Public Plans and Policies**
 - The *Northlake Area Plan* (2008) recommends residential, office, and retail on the rezoning site; one or any combination of these uses is appropriate. The Plan also recommends adaptive reuse of the historic properties in the Croft Community. While area plans do not typically specify locations for institutional uses, the proposed school is compatible with the surrounding industrial, office, residential, and retail uses. It is also appropriate that one of the historic buildings, the Croft Schoolhouse, be used for educational purposes.
 - The request is inconsistent with the land use recommendation contained in the *Northlake Area Plan*, but consistent the Plan’s vision for the reuse of these historic buildings.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** CATS notes that the Norfolk Southern Railroad claims 100 feet of right-of-way along the adjoining rail corridor. The railroad may also oppose any structures within 50 feet of the centerline track. This policy may not apply to roadways, such as Bob Beatty Road.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** CDOT has the following comments:
 - CDOT understands CATS has requested that the petitioner dedicate 50 feet of right-of-way measured from the existing Southern Railroad “main line centerline” (existing eastern tracks) along the site’s frontage on Bob Beatty Road. CDOT requests the petitioner revise the site plan to accurately depict the Southern Railroad eastern right-of-way line. The current site plan only measures 45 feet from the railroad’s main track centerline.
 - CDOT also requests that the petitioner dedicate an additional 17 feet of right-of-way measured from the Southern Railroad eastern right-of-way line along the site’s frontage on Bob Beatty Road. Therefore, the public and Southern Railroad right-of-way request totals 67 feet as measured from the existing Southern Railroad “main line centerline” (existing eastern tracks) along the site’s frontage on Bob Beatty Road. This 67-foot right-of-way will be used for future improvements to Bob Beatty Road as part of the proposed North Corridor Commuter Rail Project.
 - CDOT requests the petitioner label all existing and proposed property and right-of-way lines on the revised site plan.
 - CDOT states that it is their understanding that NCDOT required Bob Beatty Road to be widened along the existing Charter School’s street frontage on Bob Beatty Road (parcel number 027-532-53) as a condition of their driveway permit approval. CDOT has recommended that the petitioner meet with NCDOT early in the rezoning process to identify if additional road widening will be required as a condition of any future driveway permit approvals along the site’s frontage abutting Lot 2 (parcel 027-532-52).

- CDOT has provided comments on requirements of the developer that must be satisfied prior to driveway permit approval, with the recommendation that these be reflected on the rezoning plan as appropriate. These comments pertain to private street/driveway and public street connections; driveway permits; fence or wall construction adjacent to sidewalk or street right-of-way; and Right-of-Way Encroachment Agreements.
- **Vehicle Trip Generation:**
Current Zoning: 3,850 trips per day.
Proposed Zoning: 400 trips per day.
- **Connectivity:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Historic Landmarks:** 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.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

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 existing structures.

OUTSTANDING ISSUES

- The petitioner should:
 1. Amend Development Data table to correct acreage to reflect 2.94 acres stated on amended application provided by petitioner.
 2. Amend Development Data table to note existing zoning is B-1, B-2(CD) and O-1(CD).
 3. Amend Development Data table to note proposed zoning is B-1(CD), B-2(CD) SPA and O-1(CD) SPA.
 4. Amend Development Data table to note existing uses as school campus and commercial kitchen (as per petitioner).
 5. Amend Development Data table to note proposed uses as school campus and accessory uses, and a commercial kitchen.
 6. Add a note that indicates that the barn can continue to be used for a commercial kitchen, but that the commercial kitchen use will be discontinued prior to the barn being converted into a classroom.
 7. Amend Development Data table to add tax parcel number of property zoned B-1.
 8. Amend Development Data table to specify proposed number of parking spaces, including existing, new and total.
 9. Amend Development Data table to reflect required setback for the B-1, B-2, and O-1 zoning districts, which is 20 feet.
 10. Development Data table notes 20-foot rear yard, but only 10 feet is labeled along a portion of the easternmost property line. Revise accordingly (20 feet is required).
 11. Amend table with building square footages to also note existing square footage of barn (minus addition).
 12. Amend table with building square footages to specify maximum building square footage for school facility.
 13. Measure the setback from the street; label other required yards as "rear yard" or "side yard."
 14. Specify on the site plan the grades being provided by the school (i.e. grades K-5, elementary).
 15. Amend Permitted Uses to state that the site shall be devoted to a school (specify elementary, middle, high school) and any accessory uses as permitted in the Zoning Ordinance.
 16. Label zoning of abutting parcels on the site plan.

17. The required buffer along the northernmost property line which abuts property that is zoned I-1 with an office use. The proposed institutional use (school campus) on the rezoning site triggers a required ½ of a Class C buffer dependent upon the type of school. This buffer is required for an elementary school (low intensity institutional use).
18. Confirm the required width of the Class C buffer along the property line abutting the residential uses and specify such on the site plan. The approved rezoning (2009-072) utilized the 50-foot buffer for the adjacent Davis Lake residential development to count towards this requirement.
19. Remove the 25-foot and 40-foot setbacks identified on the site plan sheets. The setback is 20 feet for the O-1, B-1, and B-2 zoning districts. Label on the site plan and ensure that it is taken from the proposed public right-of-way line (new property line). The petitioner has been working with CDOT and Planning in better delineating property lines and rights-of-way on the site plan.
20. Remove compost area from rear yard/required buffer.
21. Specify maximum height of any freestanding lighting. Given the nature of this site, staff recommends it not exceed 25 feet, and that it serve to be complimentary to the character of the site.
22. Address CATS and CDOT comments.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

Planner: Claire Lyte-Graham (704) 336-3782