

<b>REQUEST</b>	Current Zoning: RE-3 (research) Proposed Zoning: RE-3 SPA (research, site plan amendment)
<b>LOCATION</b>	Approximately 2.91 acres located on the east side of Interstate 85 along John Adams Road near the intersection of Galloway Road and John Adams Road. (Council District 4 - Phipps)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow the development of a 6,375-square foot banquet hall facility and retention of an existing cell tower.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Saha International Corporation Nasir Ahmad James L. Walters
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 6
<b>STATEMENT OF CONSISTENCY</b>	This petition is found to be consistent with the <i>Northeast District Plan</i> and to be reasonable and in the public interest, based on information from the staff analysis and the public hearing by a 5-0 vote of the Zoning Committee (motion by Commissioner Sullivan seconded by Commissioner Eschert).

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 5-0 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. The proposed use has been modified to an Eating, Drinking and Entertainment Establishment, Type 2.</li> <li>2. A note has been added that vinyl siding will be prohibited as an exterior building material.</li> <li>3. A note has been added that expanses of blank wall will not exceed 20 continuous feet in length.</li> <li>4. Building elevations have been labeled to correspond with the proposed building.</li> <li>5. Note number "5" has been removed from the site data table.</li> <li>6. The possible dumpster location has been shown and labeled on the site plan.</li> <li>7. A note has been added in the development table that the existing cell tower will remain.</li> <li>8. Staff has rescinded the request for the petition to show and label the required yard as undisturbed area. The required eight-foot planting strip and six-foot sidewalk has been shown and labeled to the property line.</li> <li>9. The proposed street cross section has been removed from the site plan.</li> </ol>
------------------------------------	---

<b>VOTE</b>	Motion/Second: Sullivan/Eschert
	Yeas: Dodson, Eschert, Labovitz, Nelson, and Sullivan
	Nays: None
	Absent: Ryan and Walker
	Recused: None

<b>ZONING COMMITTEE DISCUSSION</b>	Staff presented the petition to the Zoning Committee and indicated that all the outstanding issues had been addressed. Staff noted that the petition is consistent with the <i>Northeast District Plan</i> . A Commissioner asked staff if there will be any outdoor entertainment. Staff responded that the establishment will be classified as an Eating,
--	---

Drinking and Establishment Type 2 since the petition proposes an outdoor terrace and alcohol could be served. There was no further discussion of this petition.

**STAFF OPINION**

Staff agrees with the recommendation of the Zoning Committee.

---

**FINAL STAFF ANALYSIS**  
**(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))**

**PLANNING STAFF REVIEW****• Background**

- The subject property was part of a 16-acre rezoning from R-3 (single family residential) to RE-3(CD) (research, conditional) via Petition 1998-021C.
- Petition 2000-032 took the existing RE-3 (research) into the City limits but did not change any entitlements.
- The approved site plan allowed up to 160,000 square feet of RE-1 (research) and RE-2 (research) uses and only hotels and restaurants in RE-3 (research) and included the following conditions:
  - A 100-foot undisturbed building setback along John Adams Road.
  - A 35-foot undisturbed rear yard.
  - Accessory service windows for restaurant uses were prohibited.
  - Provided for a five-foot sidewalk and eight-foot planting strip along public street frontages.

**• Proposed Request Details**

The site plan amendment contains the following changes:

- A maximum of 6,375 square feet for a 4,875-square Eating, Drinking and Entertainment Establishment, Type 2 and a 1,500-square foot accessory storage building.
- A 900-square foot open terrace abutting a garden area.
- Existing wireless communication tower to remain.
- Eight-foot planting strip and six-foot sidewalk along John Adams Road.
- Building elevations and materials consisting of asphalt shingle, aluminum clad fascia, EIFS, and cultured stone wainscot.
- Prohibition on use of vinyl siding as a building material.
- Expanses of blank wall will not exceed 20 continuous feet in length.
- Double row of tree plantings along John Adams Road.
- Tree save area totaling 17 percent.
- Maximum building height limited to two stories and 45 feet.
- Prohibition of accessory service windows for all uses.
- Detached lighting limited to 20 feet in height.
- Setback of 24 feet along John Adams Road.

**• Public Plans and Policies**

- The *Northeast District Plan* (1996), as amended by rezoning petition 2000-32, recommends research uses for the subject parcel.
  - This petition is consistent with the *Northeast District Plan*.
- 

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** No issues.

- **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.
  - **Urban Forestry:** 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*.
    - This site meets minimum ordinance standards.
- 

**OUTSTANDING ISSUES**

- No issues.
- 

**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- 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
- 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