

REQUEST	Current Zoning: R-4 (LWPA) (single family residential, Lake Wylie Protected Area) Proposed Zoning: INST(CD) (LWPA) (institutional, conditional, Lake Wylie Protected Area)
LOCATION	Approximately 0.504 acres located on the east side of Valleydale Road across from Mellwood Drive. (Council District 2 - Austin)
SUMMARY OF PETITION	The petition proposes to allow the construction of a child care facility, for up to 40 children.
STAFF RECOMMENDATION	Staff does not recommend approval of this petition. This petition is inconsistent with the <i>Northwest District Plan</i> , which recommends single family residential uses at a density of up to four dwelling units per acre. In addition, the proposed use is incompatible with the residential context in which it is located. The proposed child care building is located within close proximity to the adjoining single family homes, the parking is proposed along Valleydale Road in what is considered the front yard for residential properties and does not provide a drop off area, and there are no design commitments to ensure that the building will be designed to maintain the residential character of the area.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Phyllis Hough Phyllis Hough Harold J. Jordan
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 5

PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Allows for the construction of a child care facility for up to 40 children within a new 2,900-square foot building, along with playground area behind the building.
 - Limits building height to 40 feet and one story.
 - Provides 11 parking spaces, including one space for every 10 children and one space for every teacher.
 - All freestanding lighting and all exterior lighting on buildings will be full cut-off type fixtures and shielded in such a way that the light source shall not cast light directly on adjacent residentially used/zoned property. Maximum height of any freestanding lighting shall not exceed 15 feet.
 - Front building elevations with siding of residential style and color to be selected by owner.
 - A 12-foot wide Class "C" buffer abutting residential zoning and/or use, with a six to eight-foot tall wood fence.
 - Detail of proposed wood fence for inclusion as part of required Class "C" buffer.
 - A six-foot sidewalk extending from the building to the public sidewalk along Valleydale Road.
 - A six-foot sidewalk and eight-foot planting strip along the project frontage on Valleydale Road.
- **Existing Zoning and Land Use**
 - The rezoning site is currently undeveloped and immediately surrounded to the north, east, and south by single family residential homes on properties zoned R-3 and R-4(LWPA) (single family residential, Lake Wylie Protected Area). Directly to the east (to the rear of the subject property) is a child day care facility affiliated with a church on property zoned R-4 (LWPA) (single family residential, Lake Wylie Protected Area).
- **Rezoning History in Area**
 - Rezoning petition 2011-074 rezoned approximately 18.60 acres located on the south side of Bellhaven Boulevard and across from Oakridge Drive and Westbourne Drive and immediately to the rear of the subject property from R-8MF(CD) (LWPA) (multi-family residential, conditional,

Lake Wylie Protected Area) to R-4 (LWPA) (single family residential, Lake Wylie Protected Area), in order to allow all uses permitted in the R-4 (single family residential) zoning district. The property has not redeveloped.

- **Public Plans and Policies**

- The *Northwest District Plan* (1990) recommends single family residential uses at a density of up to four dwelling units per acre. Area plans do not typically provide recommendations for institutional uses, and these uses are considered on a case-by-case basis.
- The petition is inconsistent with the *Northwest District Plan*.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** CDOT states that, after reviewing the subject site, the proposed trip generation, and CDOT's experience with drop-off and pick-up operations for day care facilities, CDOT does not believe the site is large enough to accommodate the necessary traffic circulation for the proposed land use.
 - **Vehicle Trip Generation:**
Current Zoning: 110 trips per day.
Proposed Zoning: 175 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 Water:** No issues.
- **Engineering and Property Management:**
- **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

- Land use
 1. The rezoning request is inconsistent with the *Northwest District Plan*, which recommends single family residential up to four dwelling units per acre.
- If this petition is considered for approval, the petitioner should:
 1. Correct Note 2A under Permitted Uses to accurately reflect the proposed building square footage and number of children, as this language is not consistent with the information provided in the Development Data Table.
 2. Amend information regarding Amount of Open Space under Development Data Table to read "Per Ordinance."
 3. Remove Architectural Standards Note 4A from the site plan.
 4. Add Architectural Standards language that states there will be no expanse of blank walls greater than 20 feet.
 5. Add Architectural Standards note that states proposed building will be residential in character.
 6. Amend Existing and Proposed Zoning information under Development Data Table to note LWPA, not LWWPA.

7. Label on site plan zoning of abutting properties.
 8. Label width of Valleydale Road and Mellwood Drive.
 9. Add a note that the required buffers will not be reduced 25% with a wall or a fence.
 10. Label height of proposed chain link fence (with plastic coating) to surround playground.
 11. Correct misspellings on the site plan.
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Attachments Online at www.rezoning.org

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

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