

<b>REQUEST</b>	Current Zoning: R-3 (single family residential) Proposed Zoning: INST(CD) (institutional, conditional)
<b>LOCATION</b>	Approximately 0.47 acres located on the west side of Derita Avenue between Maple Street and Hewitt Drive. (Council District 4 - Phipps)
<b>SUMMARY OF PETITION</b>	The petition proposes to reuse the existing residential structure as a child care center for up to 40 children.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is inconsistent with the <i>Northeast District Plan</i> , which recommends single family residential land uses at this location. However, adopted plans typically do not specify suitable locations for institutional uses. The proposed child care center will serve the surrounding neighborhoods and maintain the residential character of the area by reusing the existing residential structure, and the site is located two lots from a post office facility.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Bukola Olasimbo Bukola Olasimbo Harold Jordan
<b>COMMUNITY MEETING</b>	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:
  - Use of a maximum 2,800-square foot residential structure consisting of an existing 1,146-square foot, one story residential structure and a 1,654-square foot addition as a child care center, for up to 40 children.
  - The proposed addition will be residential in character.
  - Building height limited to 40 feet.
  - A 12-foot "Class C" buffer, with possible use of a maximum eight-foot wooden fence abutting residential zoning and land use. The finished side of the fence will face the abutting property.
  - Play area located behind the building and enclosed with a chain link fence.
  - Detached lighting will be limited to 15 feet in height and all lighting will utilize full cut-off fixtures.
  - An eight-foot planting strip and six-foot sidewalk along the project frontage on Derita Avenue, with a six-foot walkway from the building to the public sidewalk.
  - Parking as required by the zoning ordinance will be provided between the building and Derita Avenue.
  - An enclosed wooden privacy fence for roll-out trash cans.
  - Existing shed to be removed from the site.
  - Notes stating that the site will be inspected for water supply wells and septic tanks.
  - Tree save areas shown.
- **Existing Zoning and Land Use**
  - The subject property is developed with a single family detached dwelling. Surrounding properties fronting Derita Avenue are zoned R-3 and R-5 (single family residential), R-6(CD) (single family residential, conditional) and R-15MF (CD) (multi-family residential, conditional) and developed with single family detached dwellings, a post office facility, and a few vacant lots.
  - A railroad line runs parallel with Derita Avenue and W. Sugar Creek Road is on the opposite side of the railroad line. Properties fronting West Sugar Creek Road are developed with commercial, office and warehouse uses, in B-1 (neighborhood business) and B-2(CD) (general business, conditional) zoning, and a school and religious institution are located in R-17MF (multi-family residential) zoning. Single family dwellings and an office use exist in R-3 (single family residential) and O-2 (office) zoning along Hunter Avenue and Rumble Road.

- **Rezoning History in Area**
    - There have been no rezonings in the immediate area in recent years.
  - **Public Plans and Policies**
    - The *Northeast District Plan* (1996) recommends single family land uses in this location. Area plans typically do not provide recommendations for institutional uses, which are considered on a case-by-case basis.
    - The subject property is inconsistent with the *Northeast District Plan*.
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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
  - **Charlotte Department of Neighborhood & Business Services:** No issues.
  - **Transportation:** After reviewing the subject site, and based on the proposed trip generation and CDOT's experience with drop-off and pick-up operations for child care facilities, CDOT does not believe the site is large enough to accommodate the necessary traffic circulation for the proposed land use. Parking spots are limited and a safe drop-off area is not provided. During peak drop-off and pick-up hours this site could become saturated and potentially cause queuing into the street. (Note: The Zoning Ordinance does not contain regulations regarding the circulation for day cares; therefore, this comment has been sent to the petitioner for their consideration.)
    - **Vehicle Trip Generation:**  
Current Zoning: 20 trips per day.  
Proposed Zoning: 175 trips per day.
  - **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:** 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 reusing an existing building.

**OUTSTANDING ISSUES**

- The petitioner should:
    1. Amend Development Data Table to align the minimum parking spaces to be provided with the number of parking spaces shown on the site plan.
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**Attachments Online at [www.rezoning.org](http://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 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:** Sonja Sanders (704) 336-8327