

REQUEST	Current Zoning: R-3 (single family residential) Proposed Zoning: O-1(CD) (office, conditional)
LOCATION	Approximately 1.55 acres located on the west side of Lancaster Highway between Ardrey Kell Road and Carolina Academy Road (Council District 7 - Driggs)
SUMMARY OF PETITION	The petition proposes an 11,500-square foot, single story building, with all uses allowed in the O-1 zoning district except those specifically prohibited on the site plan.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Numerous, see application on website Real Estate Services Group, Inc. Teresa Hawkins
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1
STATEMENT OF CONSISTENCY	<p>This petition is found to be inconsistent with the <i>South District Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The plan recommends single family use for the site. <p>However, this petition is found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The parcel's shape, size and orientation to a major thoroughfare are not conducive to single family uses; and • The site's vehicular isolation from adjoining parcels is not conducive to single family development or use; and • The site is designed to limit impacts to neighboring single family uses by providing a buffer adjacent to the single family uses and locating buildings toward Lancaster Highway away from the single family homes; and • The building height is limited to 40 feet and one-story with the tenant spaces having entries, clear glass doors and windows facing Lancaster Highway; <p>By a 6-0 vote of the Zoning Committee (motion by Commissioner Sullivan seconded by Commissioner Eschert).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Provided sidewalk connections from each tenant space to the public sidewalk in order to address the request to connect the sidewalk in front of the building to the sidewalk at the back of the planting strip with a minimum five-foot wide connection at the southern edge of the site. 2. Amended the proposed use under the Development Summary to delete the words "by law" and replace with "below." 3. Removed reference details of an earth berm in Trees, Screening, Landscaping and Buffer Areas Note B. 4. Staff rescinded the request to amend Architectural Standards Note B to refer to sheet RZ-1 rather than AS-1.0 as sheet AS-1.0 is provided. 5. Amended Note B under Trees, Screening, Landscaping, and Buffer Areas to specify a six-foot solid wood fence.
------------------------------------	---

VOTE	Motion/Second: Sullivan/Ryan Yeas: Dodson, Eschert, Labovitz, Nelson, Ryan, and Sullivan Nays: None Absent: Walker Recused: None
ZONING COMMITTEE DISCUSSION	Staff provided a summary of the petition and the changes since the public hearing. One commissioner asked why staff did not request connectivity to the street to the rear of the site. Staff explained that the street was within an established single family neighborhood and the property in the neighborhood between the street and the rezoning site was common open space owned by the neighborhood association. The commissioner expressed that they felt the additional connectivity would be beneficial. There was no further discussion.
STAFF OPINION	Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows a maximum 11,500-square foot, single story building.
 - Allows uses permitted by-right and under prescribed conditions in the O-1 (office) district, except animal crematoriums, armories, funeral homes and embalming, outdoor seasonal sales, beneficial fill sites, boarding houses, childcare centers, off street parking as principal use, single room occupancy residences, and accessory drive-through service windows.
 - Prohibits parking between the building and the street.
 - Provides an 18-foot wide "Class C" buffer along the southern and western property lines. A portion of the buffer will include a six-foot wood fence. Where the fence is provided the buffer will not be reduced in width.
 - Limits the height of detached decorative pedestrian lighting to 15 feet.
 - Specifies that trash and recycle collection will be between 8 a.m. and 5 p.m. Monday through Friday.
 - Provides minimum five-foot wide internal sidewalks connecting to a new six-foot wide sidewalk along Lancaster Highway.
 - Specifies building materials and commits to all tenant space having an access facing Lancaster Highway with clear glass in all doors and windows; entries oriented to the parking area will also be provided.
- **Public Plans and Policies**
- The *South District Plan* (1993) recommends residential up to three dwelling units per acre.
 - The petition is inconsistent with the *South 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.
- **Charlotte Water:** No comments received.
- **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*.
 - Minimizes impacts to the natural environment by developing on an infill parcel.
-

OUTSTANDING ISSUES

- No issues.
-

Attachments Online at 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: John Kinley (704) 336-8311