

<b>REQUEST</b>	Current Zoning: UR-C(CD) (urban residential, commercial, conditional) Proposed Zoning: NS (neighborhood services)
<b>LOCATION</b>	Approximately 0.44 acres located on the south side of Central Avenue between Crystal Road and Cyrus Drive. (Council District 1 - Kinsey)
<b>SUMMARY OF PETITION</b>	The petition proposes a site plan amendment to allow a 1,100-square foot addition and possible 340-square foot renovation of the existing basement and attic space of an existing 1,825-square foot dental office located in a former single family residential structure in the Briar Creek/Woodland neighborhood.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	3410 Central Avenue LLC Dr. Michael Berglass, DDS Darrel Williams, Neighboring Concepts
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 12
<b>STATEMENT OF CONSISTENCY</b>	<ul style="list-style-type: none"> <li>• The Zoning Committee found this petition to be consistent with the <i>Briar Creek/Woodland/Merry Oaks Small Area Plan</i>, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> <li>• The plan was updated by rezoning petition 2008-157, which approved the use of the site for dental office uses in the existing residential structure.</li> </ul> </li> <li>• Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> <li>• The site directly fronts Central Avenue and is currently used as a dental office; and</li> <li>• Proposed building expansion and additional parking will be located behind the existing structure and will not change the character of the development as seen from Central Avenue; and</li> <li>• Building expansion is designed to blend with architectural style and residential character of the existing structure; and</li> <li>• The dental office will continue to serve the surrounding neighborhood; and</li> <li>• Brick monument style sign will be compatible in scale and material with the surrounding residential structures;</li> </ul> </li> </ul> <p>By a 6-0 vote of the Zoning Committee (motion by Sullivan seconded by Wiggins).</p>

<b>ZONING COMMITTEE ACTION</b>	The Zoning Committee voted 6-0 to recommend <b>APPROVAL</b> of this petition with the following modifications:  <u>Site and Building Design</u> 1. Amended Note A under Permitted Uses to reflect NS (neighborhood services) instead of UR-C (urban residential, commercial) district.
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<b>VOTE</b>	Motion/Second: Eschert / Sullivan Yeas: Dodson, Eschert, Lathrop, Majeed, Sullivan, and Wiggins Nays: None Absent: Labovitz Recused: None
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**ZONING COMMITTEE** Staff presented this item to the Zoning Committee, noting that there

**DISCUSSION**

were no outstanding issues. Staff noted that this petition is consistent with the *Briar Creek/Woodland/Merry Oaks Small Area Plan*, as amended by rezoning petition 2008-157. A committee member asked if the signage issue had been addressed. Staff responded that the proposed zoning district will allow the size of sign desired and the petitioner has made signage commitments as requested by the neighbors.

**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****• Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Permitted uses limited to dental office or a reuse of the site as a single family residence only in the case of discontinuing the dental office use.
- Reflects existing building square footage as 1,390 square feet, and proposes a 1,100-square foot addition located at the rear of the existing dental office, in addition to potential renovation of up to 340 square feet of the existing basement and attic spaces, for a maximum building area of 2,830 square feet.
- Removal of an existing 560-square foot accessory storage building to allow for additional required parking spaces.
- Parking layout may be modified to save existing trees.
- Vinyl or aluminum as a building material may only be used on windows, soffits and handrails/railings.
- Provision of illustrative building elevations, which reflect a style that is residential in character, with a pitched roof.
- Building addition not to exceed one story and will have a pitched roof.
- No expanse of blank wall will exceed 20 feet in length.
- Detached signage not to exceed seven feet in height and 21 square feet in area.
- Rendering of proposed detached sign.
- Existing six-foot sidewalk and eight-foot planting strip to remain.
- Property owner required to notify the Merry Oaks and Commonwealth Park neighborhood associations prior to submittal of any request for an administrative amendment.
- Property owner may not utilize lighting fixtures on an adjacent parcel or on a public right-of-way to illuminate the site. No flood lights are permitted either within the site or elsewhere to illuminate the property.
- All attached and detached lighting fixtures within the site will be full cut-off fixtures as defined by Illuminating Engineering Society of North America (IESNA), shielded, capped and downwardly directed. Any current nonconforming fixtures will be removed when construction on the addition is complete.
- An existing planted area with trees is reflected on Sheet RZ-2.

**• Public Plans and Policies**

- The *Briar Creek/Woodland/Merry Oaks Small Area Plan* (1998) was updated by rezoning petition 2008-157, which approved the use of the site for dental office uses in the existing single family residential structure.

**• TRANSPORTATION CONSIDERATIONS**

- This petition will not significantly increase the amount of traffic generated by the site. CDOT does not have any concerns or outstanding issues with this petition. This site has direct access to an existing major thoroughfare. CDOT has not identified any negative impacts to the transportation facilities in the area.
- **Vehicle Trip Generation:**  
Current Zoning: 65 trips per day (based on 1,730-square foot dental office).  
Proposed Zoning: 90 trips per day (based on 2,830-square foot dental office).

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

- **Charlotte Area Transit System:** No issues.

- **Charlotte Department of Neighborhood & Business Services:** 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:** Charlotte Water has water system availability via the existing six-inch water main located along Central Avenue and sewer system availability via the existing eight-inch gravity sewer main located along Central Avenue.
  - **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** Development of the site shall comply with the requirements of the City of Charlotte Tree Ordinance. Trees greater than two (2) inches diameter as measured 4.5' above ground and in the street right of way are protected by law; authorization for their removal is to be coordinated through the City Arborist office.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services 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
  - Transportation Review

**Planner:** Sonja Strayhorn Sanders (704) 336-8327