

REQUEST	Current Zoning: UR-C(CD) (urban residential - commercial, conditional) Proposed Zoning: NS (neighborhood services)
LOCATION	Approximately 0.44 acres located on the south side of Central Avenue between Crystal Road and Cyrus Drive. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to allow a 1,100-square foot addition and possible 340 square-foot renovation of the existing basement and attic space of an existing 1,390-square foot dental office located in a former single family residential structure in the Briar Creek/Woodland neighborhood.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	3410 Central Avenue LLC Dr. Michael Berglass, DDS Darrel Williams, Neighboring Concepts
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 12

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of requested technical revision.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>Briar Creek/Woodland/Merry Oaks Small Area Plan</i>, as amended by rezoning petition 2008-157, which approved the use of the site for dental office uses in the existing residential structure.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The site directly fronts Central Avenue and is currently used as a dental office. • 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. • Building expansion is designed to blend with the architectural style and residential character of the existing structure. • The dental office will continue to serve the surrounding neighborhood. • Brick monument style sign will be compatible in scale and material with the surrounding residential structures.
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PLANNING STAFF REVIEW

- A second public hearing is being held for Petition 2016-37 due to a change in the proposed zoning from UR-C(CD) (urban residential - commercial, conditional) to NS (neighborhood services) for the purpose of allowing a larger detached sign. The initial public hearing was held March 21, 2016.
- **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 an 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.
- **Existing Zoning and Land Use**
 - Petition 2008-157 rezoned the subject property to UR-C(CD) (urban residential - commercial, conditional) to allow a professional dental office in the existing 1,390-square foot structure, with no expansions.
 - The subject property is currently developed with a dental office.
 - Surrounding properties fronting on both sides of Central Avenue are zoned R-22MF (multi-family, residential), NS (neighborhood services) and O-2 (office), and developed with single family, and multi-family residential dwellings, child care centers, a nursing home, a religious institution, office uses, and a government office building/ police facility.
 - Properties south of the subject property are zoned R-4 (single family residential) and contain single family residential uses located in the Briar Creek/Woodland neighborhood. North of Central Avenue exists R-4 zoning developed primarily with single family residential uses in the Merry Oaks neighborhood.
 - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
 - Petition 2012-65 rezoned property located on the north side of Central Avenue between Merry Oaks Road and Saint Andrews Home Place to NS (neighborhood services) to allow the development of a 16,500-square foot government building to be used for a police facility and other government office space.
- **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 feet of dental office use).
 - Proposed Zoning: 90 trips per day (based on 2,830 square feet of dental office use).

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:** 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. Show all right of way trees protected.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

REQUESTED TECHNICAL REVISIONSLand Use

1. Amend Note A under Permitted Uses to reflect NS (neighborhood services) instead of UR-C (urban residential - commercial) district.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- 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

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