

REQUEST	Current Zoning: R-3 (single family residential) Proposed Zoning: INST(CD) (institutional, conditional) with five year vested rights
LOCATION	Approximately 1.79 acres located on the south side of Hickory Grove Road between Craigwood Drive and McAlpine Lane. (Council District 5 - Autry)
SUMMARY OF PETITION	The petition proposes to allow the construction a 5,600-square foot child care facility with up to 79 students on an undeveloped/vacant lot generally surrounded by single family residential neighborhoods, and across from a religious institution.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Bruce Gettys Janice White c/o Anointed Future Daycare Mario A. Hodge, HCNC Inc.
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 6

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design, environment and transportation.</p> <p><u>Plan Consistency</u> The petition is inconsistent with the <i>Eastland Area Plan</i> which recommends single family land uses.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The site is located on Hickory Grove Road, an existing minor thoroughfare. • The site is separated from abutting properties by utility lines and water quality buffers. • As a result, this site is isolated and a cohesive and interconnected development that includes this site and abutting properties is not feasible. • Although the proposed institutional use is inconsistent with the residential land use recommended by the area plan, locations for new institutional uses are not typically identified within adopted plans. • Instead, these uses are considered on a case-by-case basis, taking into account the compatibility of the specific use with the surrounding development. • In this case, the proposed daycare is separated from other properties; is located across Hickory Grove Road from another institutional use, Hickory Grove Church of God; and is limited to 5,600 square feet and 40 feet in height, a size that is appropriate for a residential environment.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Construction of a 5,600-square foot building to accommodate a child care facility with up to 79 students.
 - Maximum building height of 40 feet.
 - Outdoor play space provided to rear of site.
 - Architectural commitments include proposed metal roof; James Hardie or Typical (non-vinyl) lap siding; and store front windows and entrance doors, with doors to the play area.
 - Two new driveways will allow access to Hickory Grove Road.
 - Internal five-foot sidewalk system connecting building to outdoor play areas, parking areas, and new sidewalk along Hickory Grove Road.

- New six-foot sidewalk and eight-foot planting strip are proposed along Hickory Grove Road.
- A 35-foot Post Construction Stormwater Ordinance buffer is identified adjacent to the rear property line.
- Dedication of a 50-foot Post Construction buffer.
- **Existing Zoning and Land Use**
 - The rezoning site is currently undeveloped/vacant, with a Duke Power transmission line and access drive that run along the eastern property line.
 - North of the site, across Hickory Grove Road, are a religious institution and single family homes zoned R-3 (single family residential).
 - East, south, and west are single family residential homes on properties zoned R-3 (single family residential) and MX-1 (mixed use).
 - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
 - There have been no rezonings in the immediate area in recent years.
- **Public Plans and Policies**
 - The *Eastland Area Plan* (2003) recommends single family residential land uses at up to four units per acre.
- **TRANSPORTATION CONSIDERATIONS**
 - The site will have two direct access points to a minor thoroughfare. CDOT has identified potential circulation issues because the proposed 11-foot wide rear drive aisle is not a sufficient width for two-way vehicular movement which could cause conflict with pedestrians on the adjacent sidewalk and/or encroach into the rear yard setback.
 - See Outstanding Transportation Issues, Note 1.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on vacant land).
 - Entitlement: 70 trips per day (based on five single family dwellings).
 - Proposed Zoning: 415 trips per day (based on 5,600 square foot child care center).

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 issues.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** See Outstanding Issues, Note 6.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** See Outstanding Issues, Note 7.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** See Outstanding Issues, Note 5.

OUTSTANDING ISSUES

Transportation

1. Show the proposed vehicular movement within the site (one-way or two-way) for all drive aisles.

Site and Building Design

2. Show and label the required 18-foot "Class C" buffer required along the sides and rear of the site abutting single family residential zoning. Buffer may not be located in power or gas easements. If buffer width will be reduced as allowed per Section 12.302(8) of the zoning ordinance, indicate buffer width and method of reduction.
3. Add notes under "Architectural Standards" that the front of the building will be detailed with an entrance that will read as a primary entrance and the building will be residential in character with a pitched roof (no less than 5:12), will not exceed two stories, that windows will be of residential character, and there will be visible trim around windows, doors and cornices.

Environment

4. Amend Note 5a under "Streetscape and Landscaping" to provide specific tree save commitments.
5. Amend Note 7A under "Parks, Greenways and Open Space" to state the 50-foot Post Construction Ordinance buffer will be dedicated to Mecklenburg County and the dedication must take place prior to the issuance of the first certificate of occupancy for the building.

6. Correct the 35-foot Post Construction Stormwater Ordinance buffer delineation along the rear property line and the 50-foot Post Construction Stormwater Ordinance buffer delineation along the eastern side of the parcel to reflect measurement outward from the top of the channel bank.
7. Submit a wetland determination letter.

REQUESTED TECHNICAL REVISIONSLand Use

8. Specify the correct maximum building area under Development Data, Permitted Uses and on Sheet RZ-1.
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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 Fire Department 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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