

REQUEST Current Zoning: R-3 (single family residential)
Proposed Zoning: INST(CD) (institutional, conditional)

LOCATION Approximately 4.35 acres located on the south side of DeArmon Road between Mineral Ridge Way and Hampton Place Drive. (Council District 4 - Phipps)

SUMMARY OF PETITION The petition proposes to allow a masonic lodge on a vacant parcel located adjacent to the Brownstone View neighborhood.

PROPERTY OWNER Jerry Ellis
PETITIONER Derita Masonic Lodge
AGENT/REPRESENTATIVE Randall E. Baker

COMMUNITY MEETING Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 12

STATEMENT OF CONSISTENCY

- The Zoning Committee found this petition to be consistent with the *Prosperity Hucks Area Plan*, based on information from the staff analysis and the public hearing, and because:
 - This petition is consistent *with the Prosperity Hucks Area Plan* which recommends single family land uses at a density of four dwelling units per acre, but also states that institutional uses are appropriate if criteria pertaining to site and building design, as well as transportation access, are met.
- 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:
 - The area plan identifies this site as being appropriate for single family development at a density up to four dwelling units per acre; and
 - However, the plan also states that, for some sites, institutional may be an appropriate alternative use if the site meets criteria pertaining to building massing, scale, buffers, site access and connectivity in relation to existing properties; and
 - This site meets the criteria identified in the area plan for institutional uses. Specifically:
 - The site is located on DeArmon Road, an existing minor thoroughfare; and
 - The proposed civic use is separated from other properties within adjoining neighborhoods by a 28-foot buffer; is limited to 5,600 square feet which is a size that is appropriate for a residential environment; and will provide new sidewalks and planting strips long DeArmon Road;

By a 7-0 vote of the Zoning Committee (motion by Spencer seconded by Majeed).

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications:</p> <p><u>Transportation</u></p> <ol style="list-style-type: none"> 1. The petitioner has replaced Special Notation 1-092316 with “The City will fund and build the curb and gutter and associated storm drainage along the frontage of 12100 DeArmon Road during construction of the DeArmon Road Complete Street Improvements project. In exchange, the petitioner/developer of the Derita Masonic Lodge agrees to donate/dedicate all necessary easements to build the improvements at no charge to the City. Easements include permanent (such as right-of-way, utility, storm drainage,
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	<p>etc.) and temporary.”</p> <p>2. Site plan has been amended to note 40-foot right-of-way to provide future temporary construction easement, with commitment stated in Special Notation 1-092316.</p> <p><u>Environment</u></p> <p>3. The note stating “No perennial or intermittent streams exist on the site” has been removed from the site plan.</p> <p><u>Land Use</u></p> <p>4. Eliminated the note stating all uses in the INST (institutional) district are allowed and limits the uses to the fraternal organization, religious institutions, and general offices.</p> <p><u>Site and Building Design</u></p> <p>5. Under “Architectural Standards”, specified that proposed height will be a maximum of 40 feet or two stories.</p> <p>REQUESTED TECHNICAL REVISIONS</p> <p>6. On site plan, removed “Class C” Buffer label from abutting properties and placed on rezoning site.</p> <p>7. Internal sidewalks are now shown as five feet, not six.</p> <p>8. Modified 40-foot front setback to read “40’ setback”.</p> <p>9. Modified “20’ side setback & buffer” to read “20’ side yard”.</p> <p>10. Modified “Lighting” note to specify 21 feet not 20 feet in order to be consistent with industry standards.</p> <p>11. Removed building floorplan detail from elevation sheet.</p> <p>12. Added a note regarding availability of water and sewer service for the site.</p> <p>13. Added a note pertaining to adherence to the City of Charlotte Tree Ordinance, specifying tree save area will be a minimum 30 feet wide, and no structures will be allowed within ten feet of the tree save areas.</p>
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VOTE

Motion/Second: Spencer / Majeed
 Yeas: Eschert, Labovitz, Lathrop, Majeed, Spencer, Watkins and Wiggins
 Nays: None
 Absent: None
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff presented this rezoning request to the Committee, noting that all outstanding issues had been addressed. Staff also noted that this petition is consistent with the *Prosperity Hucks Area Plan*.

A Committee member commented that it is hoped that this facility adheres to the zoning ordinance because another similar type use appeared to not have followed the regulations. Another Committee member complimented the petitioner on the building elevations. There was no further discussion of this petition.

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:
 - Proposes a new 5,600-square foot building with associated parking to accommodate a masonic lodge.
 - Proposes installation of new internal sidewalks connecting the new building to gardens and parking areas and to a new public sidewalk along DeArmon Road.
 - Provides a new six-foot sidewalk and eight-foot planting strip along DeArmon Road.
 - Provides a minimum 28-foot wide “Class C” buffer along all property lines abutting parcels located in a residential zoning district or parcels in residential use.

- Provides access to the site via two new driveways connecting to DeArmon Road.
- Dedicates in fee 38 feet of right-of-way from DeArmon Road's centerline to provide future temporary construction easement(s) at no cost to the City of Charlotte when requested for the DeArmon Road street project.
- Adds a note committing to donate/dedicate all necessary easements for the City to install improvements related to the DeArmon Road Complete Street Improvements Project.
- Shows possible tree save areas.
- Provides elevations (front, side, rear) and perspective of new building.
- **Public Plans and Policies**
 - The *Prosperity Hucks Area Plan* (2015) recommends single family residential at four dwelling units per acre for this area.
 - The plan also specifies that future institutional uses would be appropriate throughout the plan area if compatible with adjoining uses. Principal considerations in determining compatibility are massing, scale, and buffers in relation to nearby existing development. Ample site access and street connectivity not dependent upon local residential streets are also significant factors in determining compatibility.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located on a minor thoroughfare between two unsignalized local street connections. The current site plan provides pedestrian facilities and commits to donation of permanent and temporary easements along the site's DeArmon Road frontage to accommodate the City's "Complete Street Project." The Subdivision Ordinance does not require the extension of the Ridgeline Lane stub to DeArmon Road.
 - See Outstanding Issues, Notes 1 and 2.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 10 trips per day (based on one single family dwelling).
 - Entitlement: 160 trips per day (based on 13 single family dwellings).
 - Proposed Zoning: 50 trips per day (based on 5,600 square feet of religious uses).

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:** No issues.
- **Charlotte Water:** Charlotte Water has water system availability for this site via an existing 12-inch water distribution main located along DeArmon Road and existing six-inch water distribution main located along Ridgeline Lane. Sewer system availability is via an existing eight-inch gravity sewer main located in the western portion of the rezoning area and along DeArmon Road, as well as an existing eight-inch gravity sewer main located along Ridgeline Lane.
- **Engineering and Property Management:** Development of the site shall comply with the requirements of the City of Charlotte Tree Ordinance. Property is located in the Wedge, therefore tree save shall be provided on site. Tree save area to be minimum 30 feet wide; no structures allowed within ten feet of tree save area.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

Attachments Online at 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 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

Planner: Claire Lyte-Graham (704) 336-3782