

<b>REQUEST</b>	Current Zoning: R-3 (single family residential) Proposed Zoning: INST(CD) (institutional, conditional)
<b>LOCATION</b>	Approximately 4.35 acres located on the south side of DeArmon Road between Mineral Ridge Way and Hampton Place Drive. (Council District 4 - Phipps)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow a masonic lodge on a vacant parcel located adjacent to the Brownstone View neighborhood.
<b>PROPERTY OWNER</b>	Jerry Ellis
<b>PETITIONER</b>	Derita Masonic Lodge
<b>AGENT/REPRESENTATIVE</b>	Randall E. Baker
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 12

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to infrastructure and design, and minor technical revisions.</p> <p><u>Plan Consistency</u> This petition is consistent with the <i>Prosperity Hucks Area Plan</i> 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.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• The area plan identifies this site as being appropriate for single family development at a density up to four dwelling units per acre.</li> <li>• 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.</li> <li>• This site meets the criteria identified in the area plan for institutional uses. Specifically:             <ul style="list-style-type: none"> <li>• The site is located on DeArmon Road, an existing minor thoroughfare.</li> <li>• 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.</li> </ul> </li> </ul>
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**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.
  - Shows possible tree save areas.

- Provides elevations (front, side, rear) and perspective of new building.
- **Existing Zoning and Land Use**
  - The site is currently developed with a single family detached residence built in 1961.
  - Directly east, south, and west of the rezoning site are single family detached residential neighborhoods and vacant land zoned R-4 (single family residential), R-6(CD) (single family residential, conditional), and B-1(CD) (neighborhood business, conditional).
  - To the north, across DeArmon Road, are scattered single family detached homes on large lots, single family detached residential neighborhoods, and undeveloped acreage zoned R-3 (single family residential).
  - 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 *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 on 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 Issue, Note 1.
  - **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:** See Outstanding Issues, Note 3.
- **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.

#### OUTSTANDING ISSUES

##### Transportation

1. The petitioner may consider revising the site plan and replacing Special Notations 1 and 4 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, etc.) and temporary.”

2. Clarify if the 38 feet of right-of-way from DeArmon Road’s centerline to provide future temporary construction easement(s) will be an easement or a fee simple dedication.

#### Environment

3. A note has been added to the rezoning plan specifying “No perennial or intermittent streams exist on the site”. However, no documentation has been submitted to confirm the statement. Please delete this sentence from the rezoning plan or provide written confirmation of the stream classification as detailed in Section 18-145(a)(2) of the Post Construction Stormwater Ordinance. Otherwise, the proposed driveway may need to be relocated outside the stream buffer limits on the rezoning plan.

#### Land Use

4. Eliminate the note stating all uses in the INST (institutional) district are allowed and limit the uses to the fraternal organization, religious institutions, and general offices.

#### Site and Building Design

5. Under “Development Data”, specify that proposed height will be a maximum of 40 feet or two stories.

### **REQUESTED TECHNICAL REVISIONS**

#### Site and Building Design

6. On site plan, remove “Class C” Buffer label from abutting properties and place on rezoning site.
7. Internal sidewalks should be five feet, not six. The width of the proposed sidewalk along DeArmon Road (six feet) is correct.
8. Modify 40-foot front setback to read “40’ setback”.
9. Modify “20’ side setback & buffer” to read “20’ side yard”.
10. Modify “Lighting” note to specify 21 feet not 20 feet in order to be consistent with industry standards.
11. Remove building floorplan detail from elevation sheet.

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### **Attachments Online at [www.rezoning.org](http://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

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