

REQUEST	Current Zoning: O-2 (office) Proposed Zoning: B-1(CD) (neighborhood business, conditional), five year vested rights.
LOCATION	Approximately 0.39 acres located on the southwest corner at the intersection of Monroe Road and Ross Moore Avenue. (Council District 5: Ajmera)
SUMMARY OF PETITION	The petition proposes to reuse an existing 1,227-square foot building located in the Oakhurst neighborhood to allow a tattoo parlor.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	James Miller and Trang T. Miller Trang T. and James Miller Atul Pathak
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 2
STATEMENT OF CONSISTENCY	<ul style="list-style-type: none"> • The Zoning Committee found this petition to be consistent with the <i>Independence Boulevard Area Plan</i>, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> • The area plan recommends office and retail uses. • 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"> • The subject property is located along the Monroe Road corridor, near a future pedestrian oriented retail node where the adopted area plan encourages adaptive reuse of existing residential structures; and • The majority of nearby properties fronting Monroe Road are developed with nonresidential office uses; and • The petition proposes to reuse an existing residential structure for moderate intensity nonresidential use; and • No building expansions are proposed and the existing trees in the front yard will be retained thereby preserving the residential character while allowing the area to transition to nonresidential use; and • A new planting strip and sidewalk along Monroe Road will be added and parking will be located to the rear or side of the existing structure which will support the desired pedestrian oriented development form; <p>By a 6-0 vote of the Zoning Committee (motion by Majeed seconded by Fryday).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Added a note that the future right-of-way along Monroe Road will be dedicated and conveyed as is labeled on the site plan. 2. Amended site plan to reverse the order of the proposed eight-foot planting strip and six-foot sidewalk along Monroe Road. 3. Reflected minimum five-foot wide sidewalk connections from the building to both public streets.
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VOTE	Motion/Second: Majeed / Fryday
	Yeas: Fryday, Majeed, McClung, Spencer, Watkins and Wiggins
	Nays: None
	Absent: Lathrop

	Recused:	None
ZONING COMMITTEE DISCUSSION		Staff provided an update on the petition pointing out that there are no outstanding site plan issues. Staff noted that the petition is consistent with the <i>Independence Boulevard Area Plan</i> , which recommends office and retail uses for the site. A committee member asked if the plantings proposed at the corner of Monroe Road and Ross Moore Avenue will create sight distance issues? CDOT staff responded that staff will ensure that the plantings are the appropriate height during the permitting process. There was no further discussion.
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:

- Reuse of an existing 1,227 square-foot building on a corner parcel for use as a tattoo parlor with no exterior expansions.
- Maximum building height of 40 feet.
- A 22-foot "Class B" buffer abutting residential zoning or land use, which may be reduced by 25% with the installation of a fence, wall or berm. Buffers may be reduced accordingly if the abutting land uses change such that a lesser buffer is required.
- Providing an eight-foot planting strip and six-foot sidewalk along the site's frontage on Monroe Road.
- Existing mature trees at the front of the house will be retained.

• **Public Plans and Policies**

- The *Independence Boulevard Area Plan* (2011) recommends office and retail uses for the subject site.
- The plan identifies future pedestrian-oriented retail nodes. The areas between the nodes along Monroe Road should primarily be places of moderate intensity non-residential uses to support the nodes, and adaptive reuse of existing residential structures is strongly encouraged.

• **TRANSPORTATION CONSIDERATIONS**

The proposed site is a reuse of the existing building and is not a significant trip generator. CDOT requests that the petitioner consider dedication of right-of-way to for street cross sections that accommodate all users.

• **Vehicle Trip Generation:**

- Current Zoning:
 - Existing Use: 10 trips per day (based on one single family residential dwelling).
 - Entitlement: 150 trips per day (based on 5,850 square feet of office uses).
- Proposed Zoning: Less than 50 trips per day (based on 1,230 square feet of tattoo parlor 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 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 the rezoning boundary via an existing eight-inch water distribution main located along Monroe Road and an existing six-inch water distribution main located along Ross Moore Avenue, and sanitary sewer system availability via an existing eight-inch gravity sewer main located along Monroe Road.
- **Engineering and Property Management:** No issues.

- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
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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
 - Transportation Review

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