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| <b>REQUEST</b>                                                | Current Zoning: B-2(CD), general business, conditional, O-1(CD), office, conditional, and B-1, neighborhood business<br>Proposed Zoning: B-2(CD) SPA, general business, conditional, site plan amendment, O-1(CD) SPA, office, conditional, site plan amendment, and B-1(CD), neighborhood business, conditional |
| <b>LOCATION</b>                                               | Approximately 2.94 acres located on the east side of Bob Beatty Road north of the intersection at Reames Road and Old Statesville Road.<br>(Council District 4 – Phipps)                                                                                                                                         |
| <b>SUMMARY OF PETITION</b>                                    | The petition proposes to reuse buildings within the historic Croft Community in order to accommodate the expansion of an existing school.                                                                                                                                                                        |
| <b>PROPERTY OWNER<br/>PETITIONER<br/>AGENT/REPRESENTATIVE</b> | Domenic Polzella, David and Leigh Polzella/Croft Properties, LLC<br>Abigail Jennings: Pioneer Springs Community School<br>Allen L. Brooks                                                                                                                                                                        |
| <b>COMMUNITY MEETING</b>                                      | Meeting is required and has been held. Report available online.                                                                                                                                                                                                                                                  |
| <b>STATEMENT OF<br/>CONSISTENCY</b>                           | This petition is found to be inconsistent with the <i>Northlake Area Plan</i> but to be reasonable and in the public interest, based on information from the staff analysis and the public hearing by a 5-1 vote of the Zoning Committee (motion by Commissioner Dodson seconded by Commissioner Labovitz).      |

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| <b>ZONING COMMITTEE<br/>ACTION</b> | <p>The Zoning Committee voted 5-1 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. Amended Development Data table to correct acreage to reflect 2.94 acres stated on amended application provided by petitioner.</li> <li>2. Amended Development Data table to note existing zoning is B-1, B-2(CD) and O-1(CD).</li> <li>3. Amended Development Data table to note proposed zoning is B-1(CD), B-2(CD) SPA and O-1(CD) SPA.</li> <li>4. Amended Development Data table to note existing uses as school campus, commercial kitchen, and office.</li> <li>5. Amended Development Data table to note proposed uses as school campus and accessory uses, and a commercial kitchen.</li> <li>6. Added a note that indicates that the barn can continue to be used for a commercial kitchen, but that the commercial kitchen use will be discontinued prior to the barn being converted into a classroom.</li> <li>7. Amended Development Data table to add tax parcel number of property zoned B-1.</li> <li>8. Amended Development Data table to specify proposed number of parking spaces, including existing, new and total.</li> <li>9. Amended Development Data table to reflect required setback for the B-1, B-2, and O-1 zoning districts, which is 20 feet.</li> <li>10. Development Data table notes 20-foot rear yard, but only 10 feet is labeled along a portion of the easternmost property line. Revise accordingly (20 feet is required). <i>Staff has rescinded this request as a 10-foot rear yard is required for the B-1 and B-2(CD) zoned properties.</i></li> <li>11. Amended table with building square footages to also note existing square footage of barn (minus addition).</li> <li>12. Amended table with building square footages to specify maximum building square footage for school facility.</li> <li>13. Measured the setback from the proposed Bob Beatty Road right-of-way; labeled other required yards as "rear yard" or "side yard."</li> <li>14. Specified on site plan school grades K-5.</li> </ol> |
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| <ol style="list-style-type: none"> <li>15.</li> <li>16.</li> <li>17.</li> <li>18.</li> <li>19.</li> <li>20.</li> <li>21.</li> <li>22.</li> </ol> | <p>Amended Permitted Uses to state that the site shall be devoted to an elementary school, commercial kitchen and accessory uses as permitted in the Zoning Ordinance.</p> <p>Labeled zoning of abutting parcels on the site plan.</p> <p>Provided ½ of a Class C buffer along northern property line. Petitioner is using the abutting residential development's required buffer to count towards buffer requirement.</p> <p>Labeled 20-foot required setback (taken from proposed property/right-of-way line).</p> <p>Compost area has been removed from rear yard/required buffer.</p> <p>Maximum height of any freestanding lighting has been specified at 20 feet.</p> <p>Addressed CATS and CDOT comments:</p> <ol style="list-style-type: none"> <li>a. Petitioner has dedicated total of 67 feet of right-of-way as measured from existing Southern Railroad "main line centerline" along the site's frontage on Bob Beatty Road, to be used for future improvements to Bob Beatty Road and the proposed North Corridor Commuter Rail Project. Petitioner has added Transportation Note 4 clarifying this right-of-way dedication on the site plan.</li> <li>b. Petitioner has labeled all existing and proposed property and right-of-way lines on the revised site plan.</li> </ol> <p>The petitioner has removed parking out of the setback.</p> |
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**VOTE**

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| Motion/Second: | Allen/Eschert                                    |
| Yeas:          | Allen, Dodson, Eschert, Labovitz, and Zoutewelle |
| Nays:          | Ryan                                             |
| Absent:        | Low and Walker                                   |
| Recused:       | None                                             |

**ZONING COMMITTEE DISCUSSION**

Staff presented this item to the Committee, noting that the revised site plan addressed all outstanding issues. A Commissioner asked for clarification regarding the status of the school, and staff responded that the intent is to establish a school campus on the site. A Commissioner requested clarification regarding the status of the commercial kitchen. Staff responded that the commercial kitchen is currently in operation; a portion of the site was rezoned in 2009 to allow its operation in the red barn. Staff stated that a note on the site plan requires that operation of the commercial kitchen cease before classrooms may be located in the red barn. A Commissioner expressed distaste for the red barn, and the amount of parking proposed in front of the structure. There was no further discussion of this petition.

**MINORITY OPINION**

A Commissioner felt the site plan was insensitive to the rural area, and that the proposal for that site should not involve the preservation of the barn.

**STAFF OPINION**

Staff agrees with the recommendation of the majority of the Zoning Committee.

**FINAL STAFF ANALYSIS**  
(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

- **Background**
  - Approval of rezoning petition 2009-072 rezoned a 1.68-acre portion of the rezoning site from R-4 (single family residential) to B-2(CD) (general business, conditional) and O-1(CD) (office, conditional) to allow the conversion of the historic S. W. Davis House and a barn into an office

and a commercial catering kitchen, respectively. A variance to allow the existing garage to encroach into the required rear yard was approved by the Zoning Board of Adjustment (Case No. 2009-041).

- **Proposed Request Details**

- The site plan accompanying this petition contains the following provisions:
  - Establishment of a school campus on the rezoning site. A school currently leases space in the historic Croft School House, with intent to purchase entire property in order to facilitate expansion.
  - Modification of note on approved site plan in order to allow barn currently in use as a commercial catering kitchen to be used for classrooms.
  - Allow improvements in connection with expansion of school to occur in two phases:
    - Phase one improvements: Configure parking layout around barn and at S. W. Davis House and remodel the S. W. Davis House; and construct internal sidewalks connecting buildings.
    - Phase two improvements: Remove commercial kitchen in barn and construct addition to accommodate new classrooms, and construct new 3,500-square foot, two-story classroom building.
  - Maximum 40-foot building height.
  - Language on site plan acknowledging The S. W. Davis House and Croft School House as contributing structures to the Historic Croft Neighborhood, which is on the National Register of Historic Places. Language commits to ensuring that all additions and new construction and materials reflect the historic nature of the properties and complements the contributing structures as per the Historic Landmarks Commission.

- **Public Plans and Policies**

- The *Northlake Area Plan* (2008) recommends residential, office, and retail on the rezoning site; one or any combination of these uses is appropriate. The Plan also recommends adaptive reuse of the historic properties in the Croft Community. While area plans do not typically specify locations for institutional uses, the proposed school is compatible with the surrounding industrial, office, residential, and retail uses. It is also appropriate that one of the historic buildings, the Croft Schoolhouse, be used for educational purposes.
  - The request is inconsistent with the land use recommendation contained in the *Northlake Area Plan*, but consistent the Plan's vision for the reuse of these historic buildings.
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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
  - **Charlotte Department of Neighborhood & Business Services:** No issues.
  - **Transportation:** No issues.
  - **Charlotte Fire Department:** No comments received.
  - **Charlotte-Mecklenburg Historic Landmarks:** No comments received.
  - **Charlotte-Mecklenburg Schools:** Not applicable.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Charlotte-Mecklenburg Utilities:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
    - Minimizes impacts to the natural environment by reusing existing structures.
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**OUTSTANDING ISSUES**

- No issues.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

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