

REQUEST	Current Zoning: NS (neighborhood services) Proposed Zoning: R-3 (single family residential)
LOCATION	Approximately 5.73 acres located on the southeast corner at the intersection of West Sugar Creek Road and David Cox Road. (Council District 2 - Austin)
SUMMARY OF PETITION	The petition proposes to allow all uses in the R-3 (single family residential) zoning district.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Diocese of NC Protestant Episcopal Church St. Michael and All Angels Connie Sessoms, Jr.
COMMUNITY MEETING	Meeting is not required.
STATEMENT OF CONSISTENCY	This petition is found to be inconsistent with the <i>Northeast District Plan</i> but to be reasonable and in the public interest, based on information from the staff analysis and the public hearing by a 7-0 vote of the Zoning Committee (motion by Commissioner Allen seconded by Commissioner Ryan).

ZONING COMMITTEE ACTION	The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.
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VOTE	Motion/Second: Allen/Ryan Yeas: Allen, Ryan, Labovitz, Dodson, Sullivan, Walker, Nelson Nays: None Absent: None Recused: None
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ZONING COMMITTEE DISCUSSION Staff presented this petition and noted that it is a conventional request with no associated site plan. The *Northeast District Plan* recommends a mix of retail and office uses based on the previous rezoning in 2004. Staff noted that prior to the 2004 rezoning, the land use plan recommended single family uses for the parcel.

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

- **Background**
 - Rezoning Petition 2004-021 rezoned the property from R-3 (single family residential) and O-1(CD) (office, conditional) to NS (neighborhood services) to allow restaurant, retail, and office uses not to exceed 35,000 square feet, plus community open space.
- **Proposed Request Details**
 - This is a conventional rezoning petition with no associated site plan.
- **Public Plans and Policies**
 - The *Northeast District Plan* (1996), as amended by rezoning petition 2004-021, recommends a mix of retail and office uses. Prior to the 2004-021 rezoning, the land use plan recommended single family residential uses.
 - The petition is inconsistent with the *Northeast District Plan*; however, the uses allowed in R-3 (single family residential) are appropriate in this location.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No comments received.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 0 (zero) students, while the development allowed under the proposed zoning will produce 11 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 11 students.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** 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*.
 - There is no site plan associated with this conventional rezoning request.
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OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Locator Map
- Charlotte Area Transit System Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

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