

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2006-57

Property Owner: Mecklenburg County

Petitioner: Mecklenburg County Real Estate Services

Location: Approximately 2.2 acres north of Billingsley Road and west of Ellington Street

Request: Change from R-5, single family residential, to O-1(CD), conditional office district

Summary

This petition seeks to expand a parking lot from the Mecklenburg County Mental Health Center onto approximately 14 abutting residential lots. The O-1 district is the least intense district that allows parking as a principal use on a parcel.

Consistency and Conclusion

This proposal is technically inconsistent with adopted land use plans, which call for residential uses on this property. However, the loss of residential lots has been partially offset by other property that the County made available to the City for housing elsewhere in the Grier Heights neighborhood. That offset has been formalized in the approval of two Mandatory Referrals. Therefore, this petition is considered to be consistent with the intent of adopted plans.

Upon correction of the site plan deficiencies noted below this petition would be appropriate for approval.

Existing Zoning and Land Use

Mecklenburg County has several social services facilities to the north and west of the petitioned site that are zoned for office uses. There are single family homes to the east across Ellington Street in the R-5 zoning district. There is a mix of residential types across Billingsley Road to the south that is located in R-22MF zoning.

Rezoning History in Area

There have not been any rezonings in this area since 1990.

Public Plans and Policies

Grier Heights Special Project Plan (1988). This land use plan noted that nonresidential encroachment into the neighborhood was an important issue. It recommended, "Conserve the housing between Ellington Street and the County facilities by opposing expansion of the facilities through acquisition of these residential properties. Deny associated rezoning attempts."

Grier Heights Neighborhood Action Plan (1996). This plan recommended, "Support the land use and zoning recommendations of the Grier Heights Special Project Plan to maintain the existing residential land uses and prevent additional nonresidential encroachment along the neighborhood's edges." It recommended low density mixed residential and R-5 zoning on the petitioned site.

Mandatory Referrals 03-17 and 03-19 Mandatory Referral 03-17 was for the acquisition by the County of 14 lots, totaling 2.2 acres, on the west side of Ellington Street. These lots are the subject of this rezoning. The Mandatory Referral was approved by the Planning Commission. Mandatory Referral 03-19 was for the transfer of 1.05 acres from the County to the City on the east side of Ellington Street. This was intended to mitigate the loss of housing potential resulting from Mandatory Referral 03-17. This Mandatory Referral was approved by the Planning Commission.

Proposed Request Details

This petition seeks to expand a parking lot from the Mecklenburg County Mental Health Center onto approximately 14 abutting residential lots. The site plan accompanying this petition contains these additional provisions:

- Detached lighting may not exceed 20 feet in height.
- Petitioners propose to rebuild the existing sidewalk along both Ellington Street and Billingsley Road to provide an eight-foot planting strip.
- There is vehicular access from Billingsley Road and from the Carlton G. Watkins center to the north.
- Trees 4" or larger in diameter will be preserved in the setback along Ellington Street.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT's request for a connection to the adjoining parking lot to the north has been satisfied.

Connectivity. A connection to the abutting parking lot is provided.

Storm Water. The first phase will utilize the existing detention facility and the second phase will comply with post-construction or other water quality ordinance in effect at that time.

School Information. This petition will not impact the school system.

Engineering. Notes have been added to satisfy the comments of the Engineering department.

Outstanding Issues

Land Use. This proposal is technically inconsistent with adopted land use plans, which call for residential uses on this property. However, the loss of residential lots has been partially offset by other property that the County made available to the City for housing elsewhere in the Grier Heights neighborhood. That offset has been formalized in the approval of two Mandatory Referrals.

Site plan. The site plan accompanying this petition contains the following deficiencies:

- A note needs to be added that large maturing street trees will be planted 40 feet on-center along Ellington Street, either in a planting strip or behind the sidewalk.
- The notes need to clarify that a five-foot sidewalk will be constructed behind an eight-foot planting strip along Ellington.