
REQUEST	Current Zoning: R-12MF (multi-family residential) Proposed Zoning: O-1(CD) (office, conditional)
LOCATION	Approximately 0.65 acres located on the east side of West Sugar Creek Road between North Tryon Street and Penny Way. (Council District 4 - Phipps)
SUMMARY OF PETITION	The petition proposes the reuse of a 1,603-square foot existing structure to allow general office uses.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. This petition is inconsistent with the <i>Northeast District Plan</i> , which recommends multi-family residential land use; however, the conditional plan proposes to retain the existing single family home for office uses and the site will retain the existing residential character.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Dona M. Patterson Dona M. Patterson None
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1

PLANNING STAFF REVIEW

- **Background**
 - A conventional rezoning request (Petition 2009-075) for office uses was filed for the subject site in 2009. A public hearing was held for the petition and the Zoning Committee made a recommendation of denial, but several members commented that they could support the rezoning if a conditional request was submitted. The petitioner made a request to indefinitely defer the petition to have a conditional site plan developed. The petitioner has requested that petition 2009-075 be withdrawn.
 - **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

 - Reuse of a 1,603-square foot existing structure to allow general office uses.
 - A maximum building height of 40 feet.
 - A 12-foot Class "C" buffer abutting residential zoning.
 - A note that any new structure will be residential in character.
 - Blank walls of more than 15 feet in length are prohibited and will be broken up by using doors and windows.
 - Detached lighting will be limited to 15 feet in height.
 - Existing sidewalk along West Sugar Creek Road will remain.
 - **Existing Zoning and Land Use**
 - The subject property is currently zoned R-12MF (multi-family residential) and occupied by a single family structure. The surrounding properties to the north and east are currently zoned R-12MF (multi-family residential) and are undeveloped. The properties to the south and west are currently zoned R-17MF (multi-family residential) and developed with a religious structure and a cemetery.
 - **Rezoning History in Area**
 - There have been no rezonings in the immediate area in recent years.
 - **Public Plans and Policies**
 - The *Northeast District Plan* (1996) recommends multi-family residential uses for the subject property.
 - This petition is inconsistent with *Northeast District Plan*.
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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:** The petitioner should indicate on the site plan one-way traffic flow patterns and add a note that pavement markings for each driveway will be provided to show one-way traffic flow.
 - **Vehicle Trip Generation:**
Current Zoning: 170 trips per day.
Proposed Zoning: 60 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
 - **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*.
 - Minimizes impacts to the natural environment by reusing an existing structure.

OUTSTANDING ISSUES

- The petitioner should:
 1. File a variance and receive approval prior to City Council decision on this petition to allow the encroachment of the existing structure into the required 12' foot buffer.
 2. Add a note that the existing structure shall remain and remove any reference to a new structure.
 3. Remove Note 5 from the site plan.
 4. Remove Note 1 from the site plan.
 5. Modify Note 10 to read: "Attached and detached lighting will be downwardly directed. Detached lighting will be limited to a height of 15 feet."
 6. Amend the site data table to reflect the current use as "single-family residence."
 7. Show and label the required five-foot sidewalk from the existing structure to the public sidewalk system.
 8. Show possible dumpster location.
 9. Address transportation comments.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- 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
- Engineering and Property Management Review

- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Solomon Fortune (704) 336-8326