

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2006-07

Property Owner: Paul and Janette Skyers

Petitioner: Janette Skyers

Location: Approximately 2.1 acres located west of Beatties Ford Road, between Kidd Lane and Frank Vance Road.

Request: R-3, single family residential, up to three dwelling units per acre to INST(CD), institutional, conditional district request

Summary

This petition seeks to rezone from R-3 to INST(CD) to allow development of a child care center for up to 58 children. The existing 1,257 square foot building will remain with a proposed 5,895 square feet of phased additions.

Consistency and Conclusion

The proposed petition is not consistent with the land use recommendation set forth in the Northwest District Plan, which recommends single family residential development of up to four dwelling units per acre at this location. However, the placement of institutional land uses is characteristically reviewed on a case-by-case basis for compliance with the criteria for child care centers set forth in the zoning ordinance. Child care centers for up to 79 children are permitted as a use by-right in the institutional zoning district. The site is located on a major thoroughfare and meets the required lot area for the Institutional district. Therefore, this petition is considered appropriate for approval.

Existing Zoning and Land Use

The subject property is zoned R-3 and occupied by a single family residence. The majority of properties on both sides of Beatties Ford Road are zoned R-3 and developed with large lot single family homes or are vacant. Properties south of Frank Vance Road are zoned R-4 and B-2 and developed with residential and commercial uses.

Rezoning History in Area

There have been no recent rezonings in the immediate vicinity.

Public Plans and Policies

Northwest District Plan (1990). The Northwest District Plan recommends single family land uses up to four dwelling units per acre.

Proposed Request Details

The site plan accompanying this petition proposes a child care center for up to 58 children. The site plan contains the following provisions:

- Total building square footage will not exceed 7,152 square feet.
- Existing 1,257 square foot building will remain with a proposed 5,895 square feet of phased additions.
- Maximum building height is 40-feet and limited to one story.
- Fenced play area will be provided in the rear of the site.
- 30 feet of right-of-way on Beatties Ford Road will be dedicated and conveyed prior to the issuance of a building permit.
- A six-foot walkway will be provided from the building to the public sidewalk along Beatties Ford Road.
- An 8-foot planting strip and 6-foot sidewalk will be provided along the project frontage on Beatties Ford Road.
- An 18-foot Class C buffer will be provided abutting the R-3 zoning.
- 13 parking spaces will be provided.
- Freestanding lighting fixtures will be limited to 15 feet in height.
- Detached signage will be limited to four feet in height.

Public Infrastructure

Traffic Impact / CDOT Comments. This site could generate approximately 50 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 260 trips per day, reduced from 540 trips per day under the previous site plan because of a reduction in the proposed number of students. This will have a minor impact on the surrounding thoroughfare system. CDOT has the following specific comment:

- The right-of-way dedication along Beatties Ford Road needs to be 50 feet in width, not 30 feet as shown.

CATS. There is currently no transit service to the subject property.

Connectivity. There are no connectivity issues associated with this petition.

Storm Water. The petitioner shall include the following notes on the petition:

- The petitioner shall control and treat the entire runoff volume for the post-development 1-year 24-hour storm. Runoff draw down time shall be a minimum of 24 hours, but not more than 120 hours. Peak storm water release rates should match pre-development rates for the 2-year and 10-year 6-hour storm events.
- The use of structural storm water treatment systems (wet ponds, extended detention wetlands, bio-retention, etc) shall be incorporated into the site and designed to have an 85% average annual removal for Total Suspended Solids generated from the development according to specifications in the most recent version of the N.C. Department of Environment and Natural Resources Best Management Practices Manual (Design Standards shall be met according to the City of Charlotte BMP Manual, when available).

School Information. This nonresidential rezoning request will have no impact on the school system.

Outstanding Issues

Land Use. The proposed petition is not consistent with the land use recommendation set forth in the Northwest District Plan, which recommends single family residential development of up to four dwelling units per acre at this location. However, the placement of institutional land uses is characteristically reviewed on a case-by-case basis for compliance with the criteria for child care centers set forth in the zoning ordinance. Child care centers for up to 79 children are permitted as a use by-right in the institutional zoning district. The site is located on a major thoroughfare and meets the required lot area for the Institutional district.

Site plan. The following site plan issues are outstanding:

- Provide and label bicycle parking, per Section 12.202.
- Amend Note #4 under Design Guidelines. Maximum building square footage incorrectly listed as 9,000 square feet.
- Label zoning on abutting properties.
- Provide elevations of the development, including the existing structure. Buildings proposed in Phases 1 and 2 should compliment the existing building and neighboring structures.
- Add Storm Water comments.
- Amend the right-of-way dedication along Beatties Ford Road to reflect 50 feet in width instead of 30 feet.