

REQUEST	Current Zoning: R-3, single family residential Proposed Zoning: INST(CD), institutional, conditional
LOCATION	Approximately 0.45 acres located on the southwest corner of Hickory Grove Road and Lawrence Orr Road.
CENTER, CORRIDOR OR WEDGE	Wedge
SUMMARY OF PETITION	This petition proposes a child care center for up to 30 children in the existing 1,452 square foot building.
Property Owner	Janice White
Petitioner	Janice White
Agent/Representative	Harold Jordan
Community Meeting	Meeting is required and has been held. Report available online.

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted unanimously to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Play area is located outside of side yard. 2. Symbols in the legend for chain link fence, wood fence building setback, and planting strip have been amended. 3. Internal walkway connections will be provided to the public sidewalks along both streets by an existing concrete walkway and a new five-foot walkway. 4. Technical changes include deletion of tree planting notes, removal of note regarding evergreen trees, removal of note about chain link fence location, removal of verbiage allowing the width of the planting strip to vary.
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VOTE	<p>Motion/Second: Rosenburgh/Allen</p> <p>Yeas: Allen, Griffith, Howard, Locher, Rosenburgh, Simmons, Walker</p> <p>Nays: None</p> <p>Absent: None</p> <p>Recused: None</p>
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ZONING COMMITTEE DISCUSSION	<p>Staff reviewed the petition and noted that all outstanding site plan issues had been addressed, in addition to other technical changes. One Committee member asked if the property is currently used as a child care center. Staff responded that it is used as a child care home. The petition is inconsistent with the adopted area plan, which frequently <u>deplan, which frequently does</u> not specify locations for institutional uses. In addition, child care facilities are compatible with residential uses and are encouraged to integrate with neighborhoods.</p>
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STATEMENT OF CONSISTENCY	<p>This petition is found to be inconsistentwith the <i>Eastland Area Plan</i> but to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Locher seconded by Commissioner Rosenburgh)</p>
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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

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Use is limited to a child care center for up to 30 children.
- Class C buffers abutting residential properties.
- Existing 1,452 square foot, one story building will be used.
- Detached lighting limited to 15 feet in height and shielded with full cut-off fixtures.
- Required play space will be fenced and located outside of buffers or setbacks.
- New eight-foot planting strip and five-foot sidewalk along Hickory Grove Road and Lawrence Orr Road.
- Parking screened from view along Lawrence Orr Road.
- A new wooden privacy fence surrounding the building.

- **Public Plans and Policies**

- The *Eastland Area Plan* (2003) recommends single family land use on the subject parcel.
- This petition is inconsistent with the *Eastland Area Plan*. However, area plans frequently do not specify locations for institutional uses. In addition, child care facilities are compatible with residential uses and are encouraged to integrate with neighborhoods.

- **STAFF RECOMMENDATION (Updated)**

- Staff agrees with the recommendation of the Zoning Committee.
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PUBLIC INFRASTRUCTURE UPDATES (see full department reports online)

- **CDOT:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **CATS:** No issues.
 - **Connectivity:** No issues.
 - **Schools:** CMS does not comment on nonresidential petitions.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Storm Water:** No issues.
- **LUESA:** No issues.

Site Design: No issues.

OUTSTANDING ISSUES

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

- Application Form
- CATS Review
- CDOT Review
- CFD Review
- Community Meeting Report
- Fire Department Review
- LUESA Review
- Pre-Hearing Staff Analysis
- Site Plan
- Storm Water Review
- Zoning Committee Recommendation

Planner: Sonja Sanders (704) 336-8327