



Rezoning Petition – 2009-002

ZONING COMMITTEE RECOMMENDATION

December 23, 2008

REQUEST	Current Zoning: R-3, single family residential Proposed Zoning: I-1(CD), light industrial, conditional
LOCATION	Approximately 4.80 acres located on the south side of Erwin Road between South Tryon Street and Moss Road.
CENTER, CORRIDOR OR WEDGE	Wedge
SUMMARY OF PETITION	This petition proposes to continue the public utility use on this site with the addition of a contractor's office, within a recently renovated 18,300 square foot building. The request would allow a future expansion of 1,700 square feet.
Property Owner Petitioner Agent/Representative	Bellsouth Telecommunications, Inc. Bellsouth Telecommunications, Inc. Wayne Harris
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. Variances from the Zoning Board of Adjustments have been secured to allow reduced buffers in areas where the driveway will be located and where existing detention exists.2. It has been noted that the 35-foot setback along Erwin Road will be planted to Class "A" buffer standards.3. The proposed square footage has been corrected to a maximum of 20,000 square feet, which includes 1,700 square feet for future additions.4. A note has been added indicating a Solid Waste Management Plan will be submitted to Mecklenburg County Solid Waste prior to initiating any demolition and/or construction activities.
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VOTE	Motion/Second: Griffith/Randolph Yeas: Allen, Griffith, Howard, Johnson, Lipton, Randolph, and Rosenburgh Nays: None Absent: None Recused: None
ZONING COMMITTEE DISCUSSION	Staff summarized the request and reviewed the changes to the petition since the public hearing (noted above).
STATEMENT OF CONSISTENCY	This petition is found to be inconsistent with the <i>Southwest District Plan</i> but to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Lipton seconded by Commissioner Johnson)

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:

Public utility use and contractor's office within a renovated 18,300 square foot building with a possible future expansion to 20,000 square feet.

Storage of service vehicles, providing contractor services, limited to the rear of the existing structure.

Access to the site provided by an existing driveway to Erwin Road.

Variances have been secured to portions of the required 70-foot wide buffers along the northern and southern property lines to accommodate existing detention and the access drive to the parking lot.

Public Plans and Policies

The *Southwest District Plan* (1991) recommends single family development at a density of three dwelling units per acre. However, district plans frequently do not indicate locations for public utility structures.

The petition is inconsistent with the *Southwest District Plan*, but the additional use, a contractor's office will be located within an existing building.

STAFF RECOMMENDATION (Updated)

Staff recommends approval of this petition.

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 non-residential petitions.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

Storm Water: No issues.

LUESA: No issues.

Site Design: No issues.

OUTSTANDING ISSUES

No issues.

Attachments Online at www.rezoning.org

Application Form
CDOT Review
CMS Review
Community Meeting Report
Fire Department Review
LUESA Review
Pre-Hearing Staff Analysis
Site Plan
Storm Water Review

Planner: Tim Manes (704) 336-8320