

REQUEST Current Zoning: R-5, single family, B-2, general business, and I-2, general industrial
Proposed Zoning: B-2(CD), business general, conditional

LOCATION Approximately 1.02 acres located on the southeast corner of the intersection at East Sugar Creek Road and Atmore Street.

SUMMARY OF PETITION The petition proposes to rezone the property in order to accommodate an automobile dealership.

PROPERTY OWNER Krzysztof & Dorata Broszkiewicz
PETITIONER Krzysztof Broszkiewicz
AGENT/REPRESENTATIVE Robert Brandon

COMMUNITY MEETING Meeting is required and has been held. Report available online.

STATEMENT OF CONSISTENCY This petition is found to be consistent with the *Central District Plan* and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Zoutewelle seconded by Commissioner Griffith).

ZONING COMMITTEE ACTION The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition with the following modifications:

- A decorative fence will be provided along Sugar Creek Road. The details of the fence will be approved by staff prior to City Council’s decision on this petition and will be shown on the site plan.
- That any building expansion will be residential in character with pitched roofs and windows.
- The acreage on the site plan has been amended to 1.02 acres.
- A note has been added that parking will be per the Zoning Ordinance.

VOTE

Motion/Second:	Zoutewelle/Firestone
Yeas:	Dodson, Firestone, Griffith, Phipps, Rosenburgh, and Zoutewelle
Nays:	None
Absent:	Allen
Recused:	None

ZONING COMMITTEE DISCUSSION Staff noted that that all the outstanding issues had been addressed and that the petition is consistent with the *Central District Plan* and recommended for approval by staff. Staff noted that petitioner provided a fence detail but would need to work out the details of the fence before final approval. A Commissioner asked if part of the parcels included in the rezoning were inconsistent with the land use plan why did staff state it was consistent. Staff noted that a majority of the parcels already allow retail uses per the zoning and land use recommendations. The proposed use, the addition of the residential parcel and conditional site plan would allow for a site that would be consistent over all. There was no further discussion of this petition.

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:
 - The use of the existing 1,012 square foot residential building.
 - Proposed building expansions totaling 9,000 square feet.
 - 20-foot Class "B" buffer with a wooden fence.
 - 13-foot planting strip and 6-foot sidewalk along East Sugar Creek.
 - 8-foot planting strip and 6-foot sidewalk along Atmore Street.
 - Sales lot enclosed with a decorative fence along East Sugar Creek Road and Atmore Street.
 - Detached lighting limited to 20 feet in height.
 - Future expansions will be residential in character with pitched roofs and windows.
 - **Public Plans and Policies**
 - The *Central District Plan* (1993) recommends retail, and industrial uses for the portion of the site zoned B-2 and I-2 and residential uses at up to five dwelling units per acre for the remaining, parcel.
 - **Staff Recommendation (Updated)**
 - Staff agrees with the recommendation of the Zoning Committee.
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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.
 - **Charlotte Department of Transportation:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** No issues.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
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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*.
 - This site meets minimum ordinance standards.
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OUTSTANDING ISSUES

- No issues.

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Solid Waste Services Review
- Charlotte Department of Transportation Review
- Charlotte-Douglas International Airport Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

Planner: Solomon Fortune (704) 336-8326