

REQUEST	Current Zoning: O-1(CD), office, conditional Proposed Zoning: O-1(CD) SPA, office, conditional, site plan amendment
LOCATION	Approximately 1.20 acres located on the east side of Baucom Road between Mallard Creek Road and Brathay Court. (Council District 2 - Mitchell)
SUMMARY OF PETITION	The petition proposes to reuse the existing 2,800 square foot single family residential structure for civic, social service and fraternal facilities, general office, and medical, dental and optical clinics.
PROPERTY OWNER	Derita American Legion Post 345
PETITIONER	Derita American Legion Post 345
AGENT/REPRESENTATIVE	Sean Reymann
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

ZONING COMMITTEE ACTION	The Zoning Committee voted unanimously to DEFER this petition to the February 27, 2013 Zoning Committee meeting.
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VOTE	Motion/Second: Griffith/Allen Yeas: Allen, Eschert, Griffith, Johnson, Lathrop, and Phipps Nays: None Absent: Labovitz Recused: None
ZONING COMMITTEE DISCUSSION	The Zoning Committee voted to defer this petition until February 27, 2013.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Background**
The rezoning site is part of a larger 3.4-acre parcel rezoned in 2003 (rezoning petition 2003-059) to allow the construction of up 22,000 square feet of office condominiums to be used for medical, dental and/or optical clinic uses (prohibiting veterinary clinics and drive-thru windows). The approval required that the proposed buildings be designed with a residential character and scale, with a height not to exceed 40 feet or two stories. However, the property was never developed.
- **Proposed Request Details**
 - The site plan amendment contains the following changes:
 - Reuse of the existing single family residential structure for civic, social service and fraternal facilities, general office, clinics, (medical, dental and optical).
 - Relocation of existing parking out of the setback and to the side of the existing structure.
 - Installation of a new driveway to access existing gravel parking area.
 - Retention of an existing ADA improved driveway that connects to a handicap parking space, new walkway and ramp.
 - Note stating that any new structures will be designed with a residential character and scale, with minimum 50 percent masonry material along each building elevation.
 - Any new structure to have a maximum 40-foot building height and up to two stories.
 - Limit height of freestanding lighting to 25 feet, with full cutoff fixtures.
- **Public Plans and Policies**
 - The *Northeast District Plan* (1996) recommends office land uses for this parcel.
 - This petition is consistent with the *Northeast District Plan*.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** 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 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 reuse of an existing building and possible redevelopment on an infill lot.
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OUTSTANDING ISSUES

- The petitioner should:
 1. Clarify and better organize development notes to specify scenario involving use of existing structure and scenario involving redevelopment of the site with construction of a new building and associated site improvements.
 - a. Scenario (A) involving use of existing structure should note that the existing 2,800 square foot structure will remain with a maximum 1,000 square-foot expansion permitted. The expansion should note the maximum height of lighting and indicate that the appearance of building expansion will blend with existing structure.
 - b. Scenario (B) should note that if the site is redeveloped the new building will not exceed 7,765 square feet, with a maximum 40-foot building height and no more than two stories. Redevelopment scenario should also note maximum height of lighting and appearance of building. Show a building footprint reflecting the proposed redevelopment scenario.
 2. The site plan is incorrectly labeled "2003-082". Amend the site plan to reflect "Rezoning Petition 2012-082".
 3. Follow the standard for site plan notes.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Claire Lyte-Graham (704) 336-3782