

REQUEST	Current Zoning: R-3, single family residential Proposed Zoning: O-1(CD), office, conditional
LOCATION	Approximately 1.26 acres located on the north side of Ballantyne Commons Parkway across from Williams Pond Lane. (District 7 - Cooksey)
SUMMARY OF PETITION	The petition proposes to allow the conversion of an existing single family residential structure for all office uses as allowed in O-1.
PROPERTY OWNER	Lisa Hoover-Khojasteh, Mak Khojasteh
PETITIONER	Lisa Hoover-Khojasteh and Mak Khojasteh
AGENT/REPRESENTATIVE	N/A
COMMUNITY MEETING	Meeting is required and has been held. Report available online.
STATEMENT OF CONSISTENCY	This petition is found to be inconsistent with the <i>South District Plan</i> but to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Walker seconded by Commissioner Nealon).

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. Amended Streetscape and Landscape Note B to specify the required Class C buffer and the option to reduce it by 25% if a wall or fence is provided.2. Labeled the required Class C buffer along all affected property lines on the site plan.3. Removed reference to utilization of gravel to widen the existing driveway.4. Removed all references to "Potential Future Connection Ref. Rezoning Petition #2008-139", including Transportation Note E and associated depiction.5. Addressed the Transportation comment by removing Type II Commercial language from site plan.6. Removed labeling on site plan associated with Transportation comment.
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VOTE	Motion/Second: Walker/Labovitz
	Yeas: Eschert, Johnson, Labovitz, Lathrop, Nealon, and Walker
	Nays: None
	Absent: Allen
	Recused: None

ZONING COMMITTEE DISCUSSION	Staff presented this item to the Committee. Committee members inquired about buffering and if the reduction in the width is permissible. Staff responded by stating that the required buffers were noted along affected property lines, and that per code the required buffer could be reduced by 25% with the addition of a wall or fence. A Committee member asked about the proposed gravel walkway, including material. Staff responded that this type of walkway is acceptable (<i>Sec. 12.529 of the zoning ordinance provides for flexibility with respect to construction of sidewalk connections to public streets</i>).
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STAFF OPINION	Staff agrees with the recommendation of the Zoning Committee.
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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:
 - Conversion of an existing two-story, 2,982 square foot single family residential home constructed in 1983 to office uses as allowed in the O-1 district.
 - Provide a total of 10 parking spaces, including 1 handicap space (concrete), and two spaces via the existing two car garage. The remaining seven parking spaces will be gravel with continuous landscape timbers to contain the gravel.
 - Gravel will be added to widen existing driveway accessing Ballantyne Commons Parkway.
 - Provide a bicycle rack on a 126 square-foot concrete pad.
 - Install a 5-foot gravel walkway to connect to existing sidewalk along Ballantyne Commons Parkway.
 - Retention of existing 5-foot walkway along Ballantyne Commons Parkway.
 - Class C buffers proposed abutting residential properties.
 - No additional outdoor lighting to be allowed on existing structure.
 - No trees will be removed from the site.

- **Public Plans and Policies**

- The *South District Plan* (1993) recommends single family residential up to three dwelling units per acre. However, the proposed office use will serve as a transition from a more intense mix of commercial and multifamily residential uses further west on Ballantyne Commons Parkway to the single family residential neighborhood to the east.
 - This petition is inconsistent with the *South District Plan*.
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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 Schools:** Not applicable.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Engineering and Property Management:** 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 reusing the existing building.
 - Minimizes impacts to the natural environment by preserving all existing trees on site.
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OUTSTANDING ISSUES

- No issues.
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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
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

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