

REQUEST	Current Zoning: O-1(CD) (office, conditional) Proposed Zoning: O-1(CD) SPA (office, conditional, site plan amendment)
LOCATION	Approximately 3.62 acres located on the east side of Shopton Road between Pleasant Way Lane and Lebanon Drive. (Outside City Limits)
SUMMARY OF PETITION	The site plan amendment proposes to allow the reuse of the historically designated James Morrow Coffey House located in the Shopton Road area for general and professional office uses, and to accommodate the conversion of the existing open air pole barn constructed on the site to an enclosed (i.e. walled) storage building.
PROPERTY OWNER	C.O. Ackerman, Jr.
PETITIONER	C.O. Ackerman, Jr.
AGENT/REPRESENTATIVE	Ty Shaffer/Robinson, Bradshaw & Hinson, P.A.
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 5

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to building materials and lighting.</p> <p><u>Plan Consistency</u> The petition is consistent with the adopted office land use for this site per the <i>Westside Strategic Plan</i>, as amended by rezoning petition 2005-040.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • This is a designated historic site and structure located in a traditionally rural area. • The request will allow general and professional office uses instead of limiting the uses to only a law office, and the request will not increase the square footage on the site. • The proposed modifications related to uses are minor and are consistent with the adopted land use for this site. • The proposal will maintain the historic character of the house and grounds and will preserve several large trees on the site.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan amendment contains the following changes:
 - Modifies the uses as follows:
 - Currently entitled: Uses within the historic residence are limited to the operation of a law office and a future garage/office addition.
 - Proposed: Uses within the historic residence are limited to general and professional offices and any incidental or accessory uses associated allowed in the O-1 (office) zoning district.
 - Identifies on site plan existing open air storage building (pole barn) in the rear of the property to be converted to an enclosed storage building.
 - Adds note committing to dedication and conveyance of right-of-way totaling 35 feet from the centerline of Shopton Road to CDOT.
 - Modifies sidewalk width along Shopton Road from previously labeled five-foot width to six feet.
 - Eliminates the references to building materials and a note committing to “residential” lighting.
 - Petitioner will request a “parking reduction” from staff to reduce parking by 25 percent to save existing trees.
- **Existing Zoning and Land Use**
 - The site is currently developed with a historic 2,578-square foot structure (The James Coffey House) built in 1915, along with accessory structures. The site is currently used as a law office.
 - The site was rezoned from R-3 (single family residential) to O-1(CD) (office, conditional) via

petition 2005-040 in order to allow a law office in the existing home and construction of a new structure not to exceed 3,500 square feet for a four car garage and office.

- The property is surrounded primarily by undeveloped and vacant acreage, low density residential housing, and limited industrial and warehouse/distribution uses.
- To the north are a single family home, undeveloped and vacant acreage zoned R-3 (single family residential), an industrial operation zoned I-2(CD) (general industrial, conditional), and an office/warehouse/distribution business park zoned BD(CD) (distributive business, conditional).
- East of the site are two single family homes and undeveloped acreage zoned R-3 (single family residential) and BD(CD) (distributive business, conditional).
- To the south are single family homes, undeveloped acreage, and vacant lots zoned R-3 (single family residential) and INST(CD) (institutional, conditional).
- See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
 - There have been no rezonings in the immediate area in recent years.
- **Public Plans and Policies**
 - The adopted future land use for this site is office, as per rezoning petition 2005-040 which amended the *Westside Strategic Plan* (adopted 2000) recommendation for business, office park and industrial uses for this site.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located on Shopton Road, a two-lane undivided minor thoroughfare, and the site plan identifies dedication and conveyance of a 35-foot right-of-way per the Thoroughfare Plan.
 - See Outstanding Issues, Notes 1 and 2.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 80 trips per day (based on existing use as a 2,578 square foot office).
 - Entitlement: 140 trips per day (based on maximum 5,340 square feet of office).
 - Proposed Zoning: 140 trips per day (based maximum 5,340 square feet of office).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Historic Landmarks:** The interior and exterior of the house, known as the James Coffey House, the outbuildings, and the entire tax parcel are locally designated historic landmarks. As such, approval of any material alterations to the property and the addition of an office building must be reviewed and approved by the Historic Landmarks Commission (HCL) before building permits are issued.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing 12-inch water distribution. Charlotte Water currently does not have sewer system availability for the parcels under review. The closest available sewer main is approximately 1,000 feet southeast of parcel 141-07-105 on Lebanon Drive. The applicant should contact Charlotte Water's New Services at (704) 432-5801 for more information regarding accessibility to sewer system connections.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Site and Building Design

1. Petitioner should add the language from the previous rezoning referencing use of building materials for new construction (masonry foundation, siding, shingle or 'tin' roof).
2. Petitioner should add the language from the previous rezoning pertaining to prohibition of detached pole lighting other than typical single family residential style low pole lighting or residential style lighting attached to the structure.

3. Indicate the square footage of the proposed enclosed "pole barn".
4. Add the 3,500 square-foot four car garage and office, which have not been constructed, to the permitted uses in Note B under "General Provisions".

REQUESTED TECHNICAL REVISIONS

5. Add the following language to the last sentence in "General Provisions" Note I.B.: "...to an enclosed (i.e. walled) storage building which will be an accessory use to the principal office uses on the site."
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Historic Landmarks Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

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