

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2004-95

Property Owner: Christ Lutheran Church

Petitioner: Christ Lutheran Church

Location: Approximately 9.84 acres located on the east side of Providence Road between Mammoth Oaks Drive and Shelton Street

Request: R-3, single family residential to INST (CD), institutional conditional district

Summary

This petition proposes to rezone the subject property to allow the redevelopment of the church property including the addition of a new sanctuary. The existing church is located on land zoned R-3. A church is a permissible use under prescribed conditions for religious institutions with 750 seats or fewer in this district. The church proposes an expansion to 1,100 seats, which will require rezoning to institutional use.

Conclusion

The proposed use is consistent with the *South District Plan* and upon resolution of the outstanding site plan issues is considered appropriate for approval.

Background

This petition was originally filed in 2004 however it never went to public hearing due to a civil case between the petitioner and the adjacent property owners. The civil issues have been resolved and the petitioner is now ready to move forward.

Existing Zoning and Land Use

The properties surrounding the petitioned site are zoned single family, multi-family, and UR-2 (CD). The church has acquired all except one of the houses on the block which once surrounded the church property on the south and east. To the north across Mammoth Oaks Drive is property zoned R-12 MF, including multi-family condominiums and one single-family house. To the west across Providence Road is a large multi-family development zoned R-17 MF (CD).

Rezoning History in Area

The most recent rezoning in the immediate area was petition 2005-087 for Blue Sky Partners. The rezoning involved 1.7 acres located on the west side of Providence Road, north of Cedar

Lane which was rezoned from R-8MF (CD) to UR-2 (CD) for the development of 15 town homes. The same property was rezoned in 2001 for the development of 12 town homes.

Public Plans and Policies

The *South District Plan* (1993) shows the original existing church property as institutional, and the surrounding properties as single-family residential. These designations reflected conditions as of the time of the plan. This plan remains in force as the guiding plan for the area.

The *General Development Policies* (2003) (GDP) and its Design Standards do not apply to Institutional development such as the subject application.

Proposed Request Details

The site plan accompanying this petition shows the redevelopment of the site including the construction of a new church sanctuary. The site plan also indicates the following:

- Landscaping along Mamolake Road
- Underground detention system
- A new play area
- A future one or two story administration building with new parking
- A new driveway to Shelton Street and to Mammoth Oaks Drive

Public Infrastructure

Traffic Impact / CDOT Comments. This site could generate approximately 470 trips per weekday as currently zoned. Under the proposed zoning the site will generate approximately the same number of trips per weekday. The proposed zoning, which will allow the construction of a new 1,190-seat sanctuary, will have a minor impact on the surrounding thoroughfare system because the main hours of operation for the sanctuary will not coincide with peak hours on the thoroughfare system. CDOT has the following specific comments that are critical to their support of the rezoning petition:

- The existing one-way driveway connection to Providence Road should be shown having a maximum width of 30 feet and perpendicular to street. As shown the driveway is too wide and will not be approved. The parking lot drive aisle that is proposed to connect to this driveway should be marked to prevent vehicles from turning left toward Providence Road.

CATS. CATS did not comment on this petition.

Storm Water. The petitioner shall coordinate storm water efforts and management with the City of Charlotte Storm Water Services Project Manager for the Jefferson SDIP. The petitioner shall tie-in to the existing storm water system(s). The petitioner shall have the receiving drainage system(s) analyzed to ensure that it will not be taken out of standard due to the development. If

it is found that development will cause the storm drainage system(s) to be taken out of standard, the petitioner shall provide alternate methods to prevent this from occurring.

In addition, the petitioner shall maintain the existing drainage structure and drainage system that collects and conveys the ground water base flow to the existing downstream ponds on Lakeview Drive until such time that the City of Charlotte Storm Water Services retrofits the existing drainage system through the Jefferson SDIP.

School Information. The school system will not be impacted by this petition.

Outstanding Issues

Land Use. The request is not consistent with the specific single family use mapped for the expansion parcels. However, it is generally consistent with the plan's concept of an institutional use adjoining the single family neighborhood.

Site plan. The following site plan issues are outstanding:

- The transitional setbacks should be shown on the site plan.
- The 15% tree save area should be indicated.
- 5-foot sidewalks and 6-foot planting strips should be provided along all streets.
- The proposed zoning should be noted as Inst (CD) not "I."
- The site plan shows 9.98 acres and the rezoning application indicates 9.84 acres. This should be clarified.