



**Application: 2012-592 West Charles St**

**Pre Public Hearing Rezoning Staff Analysis**

**November 28, 2012**

## **Project Summary**

**Location:** 547 West Charles St

**Owner:** Plantation Carolinas LLC

**Agent:**

**Current Zoning:** R-20

**Proposed Zoning:** O-9 (CD)

**Existing Use:** Vacant Lot

**Proposed Use:** Office building

**Community Meeting:** Occurred 10/25

## **Summary of Request**

The property owner intends to construct an office building of up to 4,172 sq. ft. on the property. The intended uses are to be general and medical office however a complete list of uses is attached to this report.

## **Staff Recommendation**

Staff recommends some minor site plan modifications prior to approval of this rezoning request.

## Pre Public Hearing Staff Analysis

### Planning Staff Review

#### **Background And History**

Although the parcel is currently vacant, a single family home originally occupied the site. The home was demolished in 2011. The site benefits from close proximity to both West John Street and Matthews Township Parkway. The West Charles Street extension completed in 2007 gives the site direct access into Downtown Matthews.

#### **Details of the Site Plan**

The proposed building is situated along West Charles and directly faces Lois Street. The site is designed in compliance with the Downtown Overlay District. Planning Staff has determined that the site is in compliance with both the proposed O-9 requirements as well as the Downtown Overlay requirements. The residential style of the building is complementary to the area and consistent with recent new construction in the area.

#### **Summary of Proposed Conditions**

1. O-9 Zoning
2. Building size limited to a maximum of 4,172 square feet
3. Standing seam metal roof and 75% brick veneer exterior
4. Owner to construct sidewalk improvements and curb and gutter
5. Please see the proposed list of allowed uses highlighted in blue on the last pages of this staff report

## Pre Public Hearing Staff Analysis

May 16, 2012

### Planning Staff Review

#### Outstanding Issues/Staff Comments

1. The applicant plans to request a variance to the minimum 10' screening required for the adjacent single family home. Staff recommends modifying the site to allow for the 10' screening in lieu of a variance request.
2. The two parking spaces closest to Lois obstruct the sight triangle and should be removed.
3. Staff encourages the applicant to preserve the large tree and the corner of Lois and West Charles. Town Landscape Manager Ralph Ramsaur has inspected the tree and found it in good condition.
4. The allowed uses that are requested include room renting and accessory dwelling units. Since residential units are not proposed as allowed, these uses should logically be removed from the permitted uses list.



## Pre Public Hearing Staff Analysis

### Consistency with Adopted Plans and Policies and Town Vision Statements

In accordance with the Land Use Plan, Downtown Master Plan and Downtown Overlay District, the proposed use and building style are appropriate for this location.

### Reports from Town Departments and County Agencies

#### **Matthews Police**

None received

#### **Matthews Fire**

None received

#### **Public Works**

None received

#### **Matthews Parks and Recreation**

None received

#### **Charlotte Mecklenburg Schools**

N/A

#### **PCO Concept Plan Approval Required?**

No

Area Zoning Map

**2012-592** Owner: Plantation Carolina LLLP Address: 547 W Charles St Tax Parcel: 193-251-10



Current Zoning: R-20

Proposed Zoning: **O-9 (CD)**

**Site Photo**





**Lois Street Elevation**



**West Charles Elevation**



**Zoning Application 2012-592**  
**547 W Charles Street**  
**Proposed Allowed Uses in Blue**

**§ 153.058 OFFICE DISTRICTS.**

- (B) *Permitted uses.* The following uses are permitted by right in office districts.
- (1) Arboretum.
  - (2) Dwellings, one-family detached.
  - (3) Dwellings, one-family semi-detached.
  - (4) Dwellings, condominium.
  - (5) Dwelling, two-family.
  - (6) Dwellings, multi-family, a single building on a lot.
  - (7) Farms, either in conjunction with or separate from dwellings, which may conduct retail sales of products produced on the premises.
  - (8) Fraternal organizations.
  - (9) Parks and playgrounds, operated on a noncommercial basis for purposes of public recreation.
  - (10) Trailer, recreational, and overnight camping vehicles (stored unoccupied on a lot behind a line established by front of building).
  - (11) Banks.
  - (12) Beauty shops.
  - (13) Barber shops.
  - (14) Buildings for display of sample merchandise to wholesalers and retailers of the merchandise displayed, provided that retail sales and deliveries of merchandise are not made from the premises and materials displayed are visible only from within the building.
  - (15) Business and professional offices, provided that retail sales and deliveries of merchandise are not made from the premises and that merchandise displayed is visible only from within the building.
  - (16) Civic organizations.
  - (17) Clinics, medical, dental, and doctor offices.
  - (18) Commercial schools and schools providing adult training in any of the arts, sciences, trades or professions, provided that no retail sales of merchandise or services are made on the premises.
  - (19) Contractors' offices, excluding accessory storage.
  - (20) Food service for employees with no direct entry from the outside of building, and with the area of the food service facility limited to 10% of the gross floor area of the building.
  - (21) Funeral homes and crematories.
  - (22) Government office buildings and public utility office buildings, such as telephone exchanges and similar uses.
  - (23) Laboratory, dental, medical, and optical.
  - (24) Offices.
  - (25) Post offices.
  - (26) Social and social service organizations.
  - (27) Public utility transmission and distribution lines.
  - (28) Radio and television stations and/or offices.
  - (29) Railroad rights-of-way.
  - (30) Telephone booths.
  - (31) Telephone exchanges.
  - (32) Temporary buildings and storage of materials in conjunction with construction of a building on a lot where construction is taking place or on adjacent lots, those temporary uses to be terminated upon completion of construction, issuance of certificate of occupancy, or invalidation of building permit.
  - (33) Heliport, medically-related.
  - (34) Social gatherings, seminars, receptions which are ancillary to the business of the permitted principal of use, limited to a maximum of 99 persons and on such properties or within such districts designated as historical by the Town. (Ord. No. 1505-A, passed 7-10-06)
- (C) *Uses under prescribed conditions.* The following uses are permitted subject to the conditions governing each use as specified in the appropriate section.
- (1) Cemeteries, public and private. See § 153.189.
  - (2) Churches, synagogues, and related uses. See § 153.053.

- (3) Community recreation centers. See § 153.186.
- (4) Colleges and universities with all accessory facilities except stadium subject to the regulations in § 153.053.
- (5) Commercial uses in conjunction with certain multi-family and office buildings. See § 153.168.
- (6) Country clubs and swimming clubs operated on a noncommercial membership basis. See § 153.186.
- (7) Customary home occupations. See § 153.166.
- (8) Child day care facilities. See § 153.181.
- (9) Dwellings, one family attached. See § 153.171.
- (10) Dwellings, planned multi-family developments. See § 153.165.
- (11) Fire stations. See § 153.053.
- (12) Golf courses, public and private, for daytime use only. See § 153.186.
- (13) Hospitals and sanatorium. See § 153.053.
- (14) Public libraries. See § 153.053.
- (15) Museums and art galleries, operated on a noncommercial basis. See § 153.053.
- (16) Nursing homes, rest homes, and homes for the aged. See § 153.182.
- (17) Police stations. See § 153.053.
- (18) Room renting. See § 153.177.
- (19) Schools elementary, junior and senior high, public and private. See § 153.053.
- (20) Child day care homes. See § 153.181.
- (21) Commercial uses in conjunction with multi-family and office buildings, including beauty shops, barber shops, laundry and dry cleaning pick-up stations, restaurants, cafeterias, snack bars, sundries shops, dispensing of drugs and flower shops. See § 153.168.
- (22) Commercial uses associated with motels, motor courts, and hotels, including dispensing of drugs, flower shops, laundry and dry cleaning pick-up stations, restaurants, lounges, snack bars and sundries shops. See § 153.173.
- (23) Drive-in service window as an accessory part of the principal structure or operations subject to the requirements listed in § 153.178.
- (24) Florist shops. See § 153.168.
- (25) Motels, motor courts, and hotels. See § 153.173.
- (26) Electric and gas sub-stations. See § 153.183.
- (27) Electric and telephone poles supporting hardware systems and communications antennas or communications towers. See § 153.172. (Ord. 912, passed 1-27-97)
- (28) Telephone repeater stations and huts. See § 153.183.
- (29) Demolition disposal site. See § 153.190.
- (30) Temporary uses when such uses are allowed as permanent uses in the district, and short-term temporary uses of seven days or less duration which are of a civic or nonprofit nature, or a festival of local, national or historic significance. See § 153.191.
- (31) Transit stop shelters. See § 153.184.
- (32) Bed and Breakfast establishments. See § 153.169.
- (33) Adult care home. (Ord. No. 1562-A, passed 6-11-07)

(D) *Accessory uses.* The following accessory uses are permitted in all office districts.

- (1) Accessory residential structures and uses, clearly incidental to the permitted principal use, including servants' quarters, guest houses, and bomb shelters, excluding accessory dwellings of other types.
- (2) Petroleum storage, accessory to a permitted principal use or building, subject to the Fire Prevention Code of the National Board of Fire Underwriters.
- (3) Vending machines for cigarettes, candy, soft drinks and similar items located within an enclosed building, and coin-operated laundries located within an enclosed building as an accessory to the uses in the principal building or buildings.
- (4) Accessory uses, clearly incidental to the permitted principal use or structure on the lot.
- (5) Parking for uses permitted within the districts.
- (6) Water storage tanks for fire protection purposes only.
- (7) A temporary, self-contained storage unit, not including trailers for office use, which is intended to be picked up and moved to various locations on demand. Prior to placement, the property/and or business owners providing the storage unit at a specific site are required to register it with the Town Planning Department, showing a scale drawing of its placement in relation to driveways, any existing buildings, fences, or landscaping, street rights-of-way, and any neighboring drives or street intersections within 150' of the proposed placement location. A temporary storage unit shall not be placed within the required front setback. Maximum time a temporary storage unit shall be placed on an occupied parcel is 90 days.