

AGENDA
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
ZONING COMMITTEE WORK SESSION
Charlotte-Mecklenburg Government Center, Rm 280
October 30, 2013
4:30 P.M.

Please click this link: [October 2013 map](#) to see a map showing the location of all rezoning cases on this agenda.

Solomon Fortune	<p>1. Petition No. 2013-024 (Council District 2 – Mitchell) by Cambridge-Davis Lake, LLC for a change in zoning for approximately 16.56 acres located on the northwest corner of the intersection at West W.T. Harris Boulevard and Davis Lake Parkway from CC (commercial center) to CC SPA (commercial center, site plan amendment).</p> <p>Staff recommends approval of this petition upon resolution of the outstanding issue.</p> <p>Attachment 19</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. A note has been provided that building elevations and site plan will comply with section 11.405 (7)(a)(c)(d)(e). 2. The 100-foot setback along the frontage of W.T. Harris has been shown on the site plan. 3. Submit an administrative request to modify and note that the existing outparcels not included in this petition, but covered under petition 1996-009C, will be limited to the existing square footage built, except for the vacant outparcels. Also, provide a maximum square footage for the vacant outparcels. 4. Add a note stating a revised maximum square footage for the site covered by this petition. That square footage should equal the square footage from the 1996-009(C) petition less the square footage from the administrative approval. 5. Note has been added that the dumpster and loading areas areas will be screened with masonry walls and the materials will be the same used for the building. 6. An eight-foot planting strip and six-foot sidewalk along WT Harris Boulevard has been show on the plan. 7. Staff has removed the request for the eight-foot planting strip and six-foot sidewalk along W.T. Harris Boulevard. <p>The following new note has been added to the site plan since the public hearing.</p> <ol style="list-style-type: none"> 1. Variance(s) may be requested for the sidewalk and doors along WT Harris Boulevard. If such variance(s) is requested, the tree save area may be eliminated only in area directly impacted by the sidewalk construction and sidewalk. <p>If such variance(s) are not granted, the petitioner/developer will install a 6-foot sidewalk with an 8-foot planting strip along the sites frontage on WT Harris Boulevard. In addition, the building frontage along WT Harris Boulevard will contain doors in compliance with Section 11.405 (7)(a)(c)(d)(e).</p> <p>The following issue is still outstanding:</p> <ol style="list-style-type: none"> 1. Charlotte Department of transportation has requested that a left turn lane be installed along Davis Lake Parkway.
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<p>Sonja Sanders</p> <p>December Decision</p>	<p>2. Petition No. 2013-052 (Council District 4 - Barnes) by Arden Group for a change in zoning for approximately 39.06 acres located on the southeast corner at the intersection of Interstate 85 and University City Boulevard across from IKEA Boulevard from CC (commercial center) to B-2(CD) (general business, conditional).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 6</p> <p>Update: The following issues have been addressed via a revised site plan, and the addition of a booklet that contains development standards, conceptual building façade vignettes, and cross-sections of proposed intersection and streetscape improvements.</p> <p><u>Ikea Boulevard & Site Connectivity</u></p> <ol style="list-style-type: none"> 1. Eliminated inventory parking areas between Ikea Boulevard and the property line (within Duke Power easement). 2. Added notes under heading of Streetscape, Landscaping, Buffers and Common Plaza to require the following: (a) Ikea Boulevard right-of-way streetscape will include large maturing trees planted on both sides of the street, staggered on either side of the sidewalk and 10-foot sidewalk/trail located within and outside the right-of-way; (b) the 20-foot setback will be landscaped; (c) low accent walls will be provided at the private street entrance from Ikea Boulevard; (d) a common plaza area with pedestrian amenities will be located at the private street entrance from Ikea Boulevard; (e) the southwest and southeast corners of City Boulevard and Ikea Boulevard will be designed to create a sense of entry that retains and may add to the existing monumentation. 3. Amended Note 5 under Streetscape, Landscaping, Buffers and Common Plaza heading to state the following: “An easement will be granted and a sidewalk connection will be constructed at the end of Stetson Drive, which will connect to the corner of Ikea Boulevard and City Boulevard. This connection must be made prior to the issuance of the certificate of occupancy.” 4. Provided a graphic of the intersection of City Boulevard and Ikea Boulevard. 5. Provided a street cross-section for Ikea Boulevard. 6. Provided a layout of the plaza area along Ikea Boulevard. <p><u>Pedestrian/Multi-modal Connectivity</u></p> <ol style="list-style-type: none"> 7. Added note requiring Macfarlane Boulevard to be built and extended to connect to the east-west private street and/or the east-west private street shall be aligned to connect to the existing portion of MacFarlane Boulevard. <p><u>Building Placement and Architectural Design</u></p> <ol style="list-style-type: none"> 8. Provided a broader explanation of the Architectural Design Guidelines that categorizes Primary and Secondary building materials and frontages. Added qualifications for the use of allowable building materials, and percentage requirements for materials and frontages (categorized by Primary and Secondary). Provided definitions, examples and illustrations along with visual conceptual vignettes. 9. Added decorative/architecturally finished concrete masonry units (CMU) as an allowable building material. 10. Listed concrete masonry units (CMU) without architecturally or decorative finish, and “stamp type” brick and stone finishings as prohibited exterior building materials. 11. Required buildings to extend the full length of the building frontage. 12. Required a building base to be provided that shall be maintained through material transitions and building articulation.
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13. Addressed massing and scale by requiring façades to be designed to reduce the mass, scale and uniform monolithic appearance of large unadorned walls, while providing visual interest. Large building facades shall be divided into distinct massing elements, and a roof line more than 90 feet in length shall include a change in height that must align with the vertical building bays.
14. Added note requiring building façade along the frontages to provide a two-story appearance to define the street edge.
15. Required building service areas to be screened from view with a minimum 5-foot tall masonry wall that is designed to match and complement the building architecture of adjacent buildings.
16. Amended Note 2(d) to state "In Areas A, C and D, accessory customer parking, accessory inventory parking areas, freestanding structures for accessory uses and plazas and outdoor activity may be located within the building envelopes provided that a principal structure is also located within the building envelope. For Area B, the building envelope standards and conditions only apply should a building be located within this development area. Development Area B may contain only inventory parking without a building."
17. Defined "service areas."

Other

18. Amended Note 5(g) to state that the existing monumentation will remain but may be added to, provided it will comply with the ordinance.
19. Agreed to preservation of the 50-foot Natural Buffer and 50-foot Landscape Buffer as stipulated in Belgate Rezoning Petition 2008-59.
20. Addressed Urban Forestry comments by stating that the site will comply with the Tree Ordinance.
- ~~24.~~ Amended Site Development Data to list automotive sales and repair excluding tractor trucks and accompanying trailer units as allowed within the B-2 (general business) district as the principal use.
- ~~22.~~ Listed accessory uses that may be included.
- ~~23.~~ Specified that Development Area B may contain inventory parking, with or without a building.
- ~~24.~~ Specified that the site may be developed with up to 275,000 square feet of building area. No single building may exceed 75,000 square feet.
- ~~25.~~ Development Area A is limited to a building size of 45,000 square feet.
- ~~26.~~ Deleted the term "gross floor area" from the Site Development Data.
27. Clarified that building height is limited to a maximum of 40 feet.
28. Clarified that the site may accommodate an auto mall cluster that includes up to five building envelopes within which principal and accessory uses will be located.
29. Reflected proposed zoning as B-2(CD) (general business, conditional).
30. Amended Note 2(b) under Permitted Uses & Development Areas as follows: "Prior to approval by the City Council of 2013-052, the Petitioner and the owner of the property covered by Petition 2008-059 will file an administrative site plan amendment for Petition 2008-059 that will adjust the development right: (i) reduce the development rights pertaining to retail and restaurant uses to 388,000 square feet for Parcels B1, B2, B3, B4 and B5. The maximum floor area for retail, restaurant and office uses (excluding hotels) shall be adjusted to 438,000 square feet. If Petition 2013-052 is approved by the City Council, the adjustments will be binding and may not be added back through the administrative amendment process. If Petition 2013-052 is not approved by the City Council, the administrative site plan amendment will be null and void."
31. Amended Note 2(a) to remove reference to "automated freestanding car wash facility(ies)."
32. Deleted the list of prohibited uses.

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Continued

33. Amended Note 3(b) to indicate that the number and location of access points to the development areas will be determined during the building permit process. Approximate driveway locations are shown on the technical data sheet.
34. Amended Note 5(i) to indicate that sidewalk and streetscape improvements will be constructed along the frontage of Macfarlane Boulevard, in accordance with the office-wide street classification standard.
35. Amended Note 3(e)(1) to add the following: "Public street right-of-way dedication (two access points shown) to the edge of the site for connection to tax parcel 04723106 as depicted on the technical data sheet. Provide public street dedication of up to 77 feet of right-of-way as shown on U-05A of the Charlotte Land Development Standards Manual prior to issuance of a final certificate of occupancy or at the time CATS constructs the connection to Ikea Boulevard, whichever occurs first."
36. Amended Note 3(e)(2) to include the following language: "Provide public street dedication of up to 77 feet of right-of-way as shown on U-05A (office commercial wide street classification) of the Charlotte Land Development Standards Manual prior to the issuance of the first certificate of occupancy."
37. Added a Note (e)(3) under Transportation as follows: "The petitioner shall reserve right-of-way adjacent to Area C equal to 28.5 feet measured from the centerline of the existing easement to allow for the future extension of MacFarlane Boulevard prior to the certificate of occupancy for Development Area C. The petitioner agrees to dedicate the right-of-way at such time development occurs on tax parcel 047-231-05. All setbacks for Area C shall be measured and established from the future curblineline of Macfarlane Boulevard."
38. Provided a retaining wall cross-section.

Staff rescinded the following requests:

39. Amend Note 5(g) as follows: "A linear park will be provided (mostly within the utility easement along the south side of Ikea Boulevard) from the corner of City Boulevard and Ikea Boulevard to MacFarlane Boulevard as shown on the Technical Data Sheet. The park and the common plaza will contain a combination of the following pedestrian amenities:
 - a. Seating areas,
 - b. Pedestrian walkway/minimum 10' multi-use trail,
 - c. Land forms (mounds and stabilized slopes),
 - d. Enhanced landscape areas (within the parameters of the Duke Energy guidelines for utility easements), and
 - e. Specialty hardscape."
40. Amend Note 5(g)(ii) to state "pedestrian walkway/minimum 10-foot multi-use trail".
41. Amend Note 5(j) to add that a bike network will be maintained along all of Ikea Boulevard.
42. Amend Note 5(l) to add the following: "This extension will also be provided along the unimproved portion of MacFarlane Boulevard adjacent to the frontage of development Area C."

Update: The following issues are outstanding (all are minor technical items):

1. Amend Technical Data Sheet to connect/label the separated building envelopes on Areas C and D.
2. Delete Page 16 of the Development Standards. Not needed because overhead doors are not permitted along a building frontage.
3. Add a note under General Provisions specifying that "plan" as referenced consists of Sheet RZ-1 and the University City Auto Mall Booklet. Ensure that the University City Auto Mall Booklet is referenced on Sheet RZ-1 and vice versa.

<p>2013-052 continued</p>	<ol style="list-style-type: none"> 4. Add a note under Architectural Standards requiring the petitioner to submit detailed plans to the staff of the Charlotte-Mecklenburg Planning Department for review prior to the issuance of building permits for construction. 5. Rename "Primary Frontage" and "Secondary Frontage" as "Type A Building Frontage" and "Type B Building Frontage". 6. Delete signage renderings on Page 22. 7. Amend Note 3(e)(3) to reflect tax parcel 047-231-05. 8. Add Note 5(e) to limit encroachment into the landscape buffer to no more than 10 feet. 9. Add the following notes under the heading of Streetscape, Landscaping, Buffers and Common Plaza: "Open space corridors will be provided as depicted on the technical data sheet to include: (a) minimum easement of 20 feet; (b) landscaped concept."
<p>Solomon Fortune</p>	<ol style="list-style-type: none"> 3. Petition No. 2013-072 (Council District 4 – Barnes) by Aventine Development, Inc. for a change in zoning for approximately 5.94 acres located at the intersection of Eastfield Road and Prosperity Church Road from R-3 (single family residential) to NS (neighborhood services). <p>Staff does not recommend approval of this petition as currently proposed.</p> <p>Attachment 21</p> <p>Update: The following issues remain outstanding:</p> <ol style="list-style-type: none"> 1. Limit the site to two drive-through accessory service windows. 2. Modify the allowed square footage on sheet RZ 1.0 and under the site data development and the permitted uses on sheet RZ 2 to 30,000 square feet. 3. For the private road, add a note committing to providing an eight-foot planting strip and six-foot sidewalk along one side. 4. Add a note that a public access easement will be provided for the private road. 5. Move the proposed 8,000-square foot building closer to the proposed setback to create an "urban streetscape" along Eastfield Road. 6. Show and label a building edge for the proposed buildings along Eastfield Road. 7. Eliminate the drive-through service window maneuvering between the 8,000-square foot building and Eastfield Road. 8. Relabel the 30-foot landscape area as a 30-foot Class B buffer. 9. Label and show the proposed and existing masonry wall along the western edge of the property. 10. Remove note B under Streetscape and Landscaping. 11. Add a note that detached signage will be ground mounted. 12. Reduce the parking area in the northeast corner of site so that it does not extend beyond the Eastfield Road face of the 13,800-square foot building. 13. Revise the design of the two buildings on the north side of the site so that they are architecturally oriented toward Eastfield Road, with doors and/or clear glass windows that address the street. Clear glass windows and doors should be used on a minimum of 40 percent of the Eastfield Road facades of each of these two buildings. 14. Connect buildings to the Eastfield Road sidewalk with direct sidewalk connections. 15. Label, in feet, the distance from the centerline from Prosperity Church Road and Eastfield Road which will be dedicated as right-of-way. 16. Address Transportation comments. 17. Address Storm Water's and Engineering's comment.

<p>Sonja Sanders</p>	<p>4. Petition No. 2013-080 (Council District 7 – Cooksey) by LightWay Properties, LLC for a change in zoning for approximately 5.7 acres located on the north side of Ballantyne Commons Parkway between Annalexa Lane and Providence Promenade Drive North from O-1(CD) (office, conditional) to UR-2(CD) (urban residential, conditional).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 23</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Addressed Solid Waste Services comment as follows: <ol style="list-style-type: none"> (a). Showed and labeled the on-site location for garbage recycling and bulky item collection, as required per Section 12.403 of the City of Charlotte Zoning Ordinance. 2. Address Transportation comments as follows: <ol style="list-style-type: none"> (a) The Subdivision Ordinance allows the existing access that traverses tax parcel 22511253 to be constructed as a private street. This connection will be made by converting the existing westernmost private drive into a private street that will be extended to Ballantyne Commons Parkway, which will be restricted to right-in/right-out via the installation of a raised concrete median at the petitioner’s cost. The driveway will be configured so that maneuvering associated with the gated entry is prevented in the setback and right-of-way. (b) The existing access easement that traverses tax parcel 22511253 will be constructed as a private street. (c) The driveway and gate design will be determined and approved by NCDOT/CDOT during the construction permit process. (This will address sight distance triangles and tapering of pavement edge to allow a planting strip, and tie in of sidewalk at a location that matches the existing sidewalk located on tax parcel 22535348). (d) Amended Note 5 (1) under Transportation to indicate that streets are private and not built to public street standards. (e) Added a note that the new sidewalk along Ballantyne Commons Parkway will tie into the existing sidewalk at a location that matches the existing sidewalk located on tax parcel 22535248. 3. Main masonry wall section with pedestrian gate along Ballantyne Commons Parkway has been broken up with iron fenestration and wood panel inserts between brick or stone columns and landscaping along the frontage. The main masonry wall along Ballantyne Commons Parkway will be six to seven feet in height with access and pedestrian gates and connecting sidewalks. The wall will have planting along the side of Ballantyne Commons Parkway consisting of evergreen pencil plants and evergreen vines to provide future wall covering. The wall is located entirely behind the site line along Ballantyne Commons Parkway and, in part, at least six feet behind the sidewalk. 4. Showed and committed to provision of a right-in/right-out gated access point on Ballantyne Commons Parkway. <p>Update: The following notes have been added to the site plan:</p> <ol style="list-style-type: none"> 1. Evergreen plant material will be provided on abutting tax parcel 22535248 in areas located along the petitioner’s masonry wall that are agreeable both to the owner and petitioner. Transplantation/relocation/removal of existing trees along the masonry wall side of tax parcel 22535248 may be sought to properly place new planting. 2. Rear elevations of the townhome along the west and north property boundaries will be two-story units with no roof dormers and the exterior finish will be brick veneer.
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<p>John Kinley</p>	<p>5. Petition No. 2013-081 (Council District 3 – Mayfield) by Joanna Andrinopoulos for a change in zoning for approximately 0.45 acres located on the west side of South Boulevard between East Kingston Avenue and East Boulevard from B-1 (neighborhood business) to MUDD(O) (mixed use development district, optional).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 24</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Clarified how the exit drive onto South Boulevard aligns with the existing tree planters. 2. Provided a method to prevent vehicles on the southernmost parking spaces from pulling forward and turning the wrong way. 3. Eliminated Note 1 under "Lighting." 4. Eliminated Note 1 under "Signage." 5. Modified note under "Lighting" to read "All outdoor lighting shall utilize full cut-off, downwardly shielded lighting fixtures and detached lighting fixtures will be limited to 25 feet in height." 6. Addressed CDOT issue.
<p>Sonja Sanders</p> <p>December Decision</p>	<p>6. Petition No. 2013-082 (Council District 6 – Dulin) by Grubb Properties, Inc. for a change in zoning for approximately 7.95 acres located on the west side of Sharon Road between Morrocroft Lane and Sharon Township Lane from MUDD(O) (mixed use development, optional) to MUDD(O) SPA (mixed use development, optional, site plan amendment).</p> <p>Staff recommends approval of this petition upon resolution of the outstanding issue.</p> <p>Attachment 25</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Address Transportation issue as follows: <ol style="list-style-type: none"> (a). Amended Note L under Access Point and Note 1 under Transportation to state" The petitioner is currently proposing a right-in/right-out driveway at Access C, which shall be constructed prior to the issuance of any certificate of occupancy for any new development on the site. Upon further evaluation of physical, operational, and cost impacts, Petitioner may elect to convert the existing right-in/right-out at Access B to a full movement driveway, only if such access is signalized. 2. Amended Note 10 under Architectural Controls to remove the word "substantially." <p>Update: The following issue has not been addressed:</p> <ol style="list-style-type: none"> 1. Petitioner should add a note committing to the full cost of the design, installation and construction of a traffic signal that may be warranted at driveway Access B and any associated turn lanes and geometric modifications necessary to install and operate the subject traffic signal.

<p>Claire Lyte-Graham</p>	<p>7. Petition No. 2013-083 (Council District 1 – Maddalon) by Dilworth Center for a change in zoning for approximately 0.50 acres located on the west side of Park Road across from Charlotte Drive from B-1(CD) (neighborhood business, conditional) to B-1(CD) SPA (neighborhood business, conditional, site plan amendment).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 26</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> The petitioner has addressed the Transportation comment by removing Transportation Note 3.b.2 regarding additional sidewalks required for egress as this is a minimum ordinance requirement that will be addressed at permit.
<p>Claire Lyte-Graham</p>	<p>8. Petition No. 2013-086 (Council District 1 – Maddalon) by Grandfather Homes for a change in zoning for approximately 3.61 acres located on the west side of Little Hope Road between Marsh Road and Paddock Circle from UR-1(CD) (urban residential, conditional) to UR-1(CD) SPA (urban residential, conditional, site plan amendment).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 28</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> The required six-foot sidewalk and eight-foot planting strip along Little Hope Road frontage is now shown on the site plan. The proposed fence at boundary lines shared with 3416 Little Hope Road will be constructed of wood <p>Update: The following items have been added to the site plan since the public hearing, and as a result of the community meeting (these items placed under new heading <i>Community Meeting</i>):</p> <ol style="list-style-type: none"> The petitioner agrees to limit the homes on Lots 1 and 15 to 1-½ story structures. The petitioner agrees to install a wooden privacy fence between 3416 Little Hope Road and Lot 1. The petitioner agrees to incorporate historical findings into the development by naming streets and development after historical persons or items. The petitioner will work with current residents to determine the names. All street names will comply with the street naming policies of the city.
<p>John Kinley</p>	<p>9. Petition No. 2013-087 (Council District 2 – Mitchell) by Beacon #30, LLC for a change in zoning for approximately 20.47 acres located on the west side of Twin Lakes Parkway between Vance Davis Drive and Statesville Road from BP (business park) to I-1 (light industrial).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 29</p> <p>Update: There are no outstanding issues with this petition.</p>

<p>John Kinley</p>	<p>10. <u>Petition No. 2013-088</u> (Council District 3 – Mayfield) by Charlotte-Mecklenburg Planning Department for a change in zoning for approximately 0.60 acres located on the southeast corner at the intersection of South Tryon Street and East Carson Boulevard from I-2 (general industrial) to TOD-M (transit oriented development-mixed use).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 32</p> <p>Update: There are no outstanding issues with this petition.</p>
<p>John Kinley</p>	<p>11. <u>Petition No. 2013-089</u> (Council District 4 – Barnes) by Charlotte-Mecklenburg Planning Department for a change in zoning for approximately 11.44 acres located on the north side of North Tryon Street and I-85 Service Road, between Macfarlane Boulevard and Stetson Drive from I-1 (light industrial) to TOD-M (transit oriented development-mixed use).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 33</p> <p>Update: There are no outstanding issues with this petition.</p>