

*a City-County  
agency providing public Planning  
services to the City of Charlotte and  
the unincorporated areas of  
Mecklenburg County*

# Planning Commission

May 4, 2015  
work session

Charlotte-Mecklenburg  
Government Center

Room 267  
Noon



# Charlotte-Mecklenburg Planning Commission

## Work Session Agenda

May 4, 2015 - Noon

CMGC - Conference Room 267

### Call to Order & Introductions

Tony Lathrop

### Administration

#### Approval of Planning Commission Minutes

Approve the April 6, 2015 minutes.

*Attachment 1*

### Policy

#### Charlotte Department of Transportation (CDOT)

Scott Curry

**Background:** Scott Curry, CDOT Pedestrian Program Manager will provide general information about walkability and future CDOT planning efforts.

**Action:** For discussion only.

#### Comprehensive Neighborhood Improvement Program

Alberto Gonzalez & Tom Warshauer

**Background:** Planning and Neighborhood & Business Services staff will give an update on the Comprehensive Neighborhood Improvement Program initiative.

**Action:** For discussion only.

### Information

#### Planning Director's Report

Garet Johnson

- Zoning Ordinance Update
- Planning Department's Public Outreach Presentations

*Attachment 2*

#### May & June 2015 Meeting Schedules

*Attachment 3*

### Committee Reports

- **Executive Committee**
  - March 16, 2015 Approved Minutes
  - Future Work Session Agenda Items

Tony Lathrop  
*Attachment 4*

Future Work Session Agenda Items	Work Session
1. Transit Oriented Development	TBD

- **Zoning Ordinance Ad Hoc Committee**

Tony Lathrop

- **Zoning Committee**
  - Upcoming Rezoning Petitions
  - April 29, 2015 Agenda

Tracy Dodson  
Tammie Keplinger  
*Attachment 5*

- **Planning Committee**
  - March 17, 2015 Approved Minutes

Tony Lathrop  
*Attachment 6*

- **Historic District Commission (HDC)**
  - April 8, 2015 Meeting Update

Mike Sullivan  
*Attachment 7*

- **Charlotte Regional Transportation Planning Organization (CRTPO)**

Cozzie Watkins

- **Nominating Committee**
  - Slate of Officers

### Communication from Chairperson

Tony Lathrop



## Work Session

April 6, 2015 - 12:00 pm

CMGC- Room 267

## Summary Minutes

### Attendance

**Commissioners Present:** Tony Lathrop (Chairperson), Tracy Dodson (Vice-Chairperson), Emma Allen, Randy Fink, Karen Labovitz, Tom Low, Deb Ryan, Mike Sullivan, Cozzie Watkins and Nancy Wiggins

**Commissioner Absent:** Ray Eschert and Dionne Nelson

**Planning Staff Present:** Ed McKinney (Interim Planning Director), Pontip Aphayarath, Garet Johnson, Kent Main, Melony McCullough, Cheryl Neely and Robin Berkman (temporary employee)

### Welcome & Introductions

Chairperson Lathrop called the meeting to order at 12:13 p.m., welcomed those present and asked everyone to introduce themselves.

### Approval of Minutes

Vice-Chairperson Dodson made a motion to approve the March 2, 2015 work session minutes. Commissioner Wiggins asked that the minutes be revised to read that Commissioners who are involved in rezonings should “refrain” (not recuse themselves) from conversations with other Planning Commissioners and public officials. Vice-Chairperson Dodson made a motion to approve the minutes with the change. Commissioner Allen seconded the motion. The minutes were approved unanimously, as modified.

### Prosperity Hucks Area Plan

Kent Main provided an update on the Prosperity Hucks Area Plan process. The presentation focused on:

- Background & Community Dialog
- Activity Center Refinements & Recommendations
- Illustrative Development Scenarios
- Next Steps

Click on this [link](#) for details and to view the entire presentation. Below is a summary of the discussion which followed the presentation:

Commissioner Sullivan asked about the land use recommendation which indicates that drive thru retail uses or gas stations should be located on frontage roads. Kent Main explained that the plan is very specific about appropriate locations for these types of uses. Commissioner Sullivan asked if staff coordinated with these entities to determine if these locations are good for them from a marketing standpoint. Kent Main replied that staff did not coordinate with these business owners/developers. Garet Johnson added that staff looked at current locations and approved rezonings to determine the logical place to locate these uses.

Commissioner Wiggins stated that frontage roads are an appropriate location for fast food, gas station and hotel uses because typically these types of entities prefer to be located on frontage roads.

Commissioner Ryan asked if the regulatory process would be used to enforce the design components of the plan. Kent Main explained that several rezonings were approved prior to the area plan process and they are not subject to the design recommendations in the plan. However, the rezoning process can be used to negotiate design for new rezoning petitions. Ms. Johnson further explained that this plan has more guidance than previous plans.

Commissioner Fink expressed concern from a financial/retail perspective. He does not think the finance industry will support the amount of proposed retail and multi-family uses.

The Chairperson thanked Kent Main for the presentation and the Commissioners for being engaged in the discussion.

## **Information**

### **Planning Director's Report**

- **Zoning Ordinance Update**

Ed McKinney reported that staff has completed the consultant interviews and identified a short list of potential consultants. Staff will be contacting references to get information about their experiences with these consultants. Staff anticipates recommending a consultant team by the end of April, getting the contract to City Council this summer and beginning the update in the fall.

### **Committee Reports**

- **Executive Committee**

The Chairperson referred the Commission to the Executive Committee's March minutes. He reminded Executive Committee members that the April meeting is at 2:00 pm, immediately following the work session.

- **Zoning Committee**

Vice-Chairperson Dodson referred the Commission to Attachment 5, the Zoning Committee agenda.

- **Planning Committee**

The Chairperson stated that the Planning Committee has five mandatory referrals on their April agenda. The Planning Committee made a recommendation on the BLE/University City Area Plan at their March meeting.

- **Historic District Commission (HDC)**

Commissioner Sullivan reported that Attachment 7 shows the cases that were heard last month. He stated that the meetings are more productive, due to the new meeting time as well as recent changes to the HDC process.

- **Charlotte Regional Transportation Planning Organization (CRTPO)**

Commissioner Watkins announced that CRTPO is holding a special meeting on April 7 to discuss the future use of the I-485 South lane. She invited Commissioners to attend this meeting.

- **Zoning Ordinance Ad Hoc Committee.**

The Chairperson stated that the Zoning Ordinance Ad Hoc Committee held its second meeting earlier today. The Committee discussed process ideas and stakeholders. This Committee will continue to meet monthly, prior to the work session. Chairperson Lathrop invited Commissioners to attend the next meeting.

**Communication from Chairperson**

The Chairperson announced that Commissioners Labovitz, Allen and Watkins will serve on the Nominating Committee. He asked Commissioners who are interested in serving as Chairperson or Vice-Chairperson of the Commission next year to submit a letter of interest to the Nominating Committee. The Nominating Committee will review all submissions and present a slate of officers at the May work session. The election of officers will be held at the June work session.

The Chairperson reminded Commissioners to inform staff if they cannot attend a meeting.

**Adjournment**

The meeting adjourned at 1:15 p.m.



# Charlotte-Mecklenburg Planning Department

## Community Outreach Presentations

#	Date	Presentation	Staff
1	02/03/15	Historic North Charlotte Meeting: Local Historic Districts	Howard/Harpst
2	02/06/15	Greater Charlotte Apartment Assoc: University City Area Plan-Policy Recommendations and Multi-Family	Vari/McKinney
3	02/14/15	Ballantyne Priorities Meeting: Planning and Zoning Questions	McKinney/Main/ McCullough/Fortune
4	03/27/15	Iredell County Mayor's Meeting: I-77 HOT Lanes Bonus Allocation Projects	Cook
5	03/31/15	Reid Park Academy Career Day	McCullough/Young
6	04/08/15	UNCC Center City: "Impact of the Built Environment on Health"	Johnson/Vari
7	04/13/15	"Transportation Planning in the Charlotte Region" for UNC-Charlotte engineering students	Cook
8	04/15/15	Prosperity-Hucks Area Plan - Public Meeting	Main
9	04/16/15	Elizabeth Community - Elizabeth Pedestrian and Bicycle Connectivity Improvements	Goodwin
10	04/17/15	UNCC Center City: Clemson University Master of Real Estate Development Practicum Presentations	Cornett
11	04/22/15	Mayor's Youth Employment Program - Career Discovery Day	Pontip/Fortune/ Neely/McCullough
12	04/30/15	Myers Park High School Career Fair	McCullough



## Meeting Schedule

May 2015

<b>Date</b>	<b>Time</b>	<b>Purpose</b>	<b>Location</b>
<b>Full Planning Commission</b>			
05-04-15	Noon	Work Session	Conference Room 267 2 <sup>nd</sup> Floor - CMGC
<b>Executive Committee</b>			
05-18-15	4:00 p.m.	Work Session	Conference Room 266 2 <sup>nd</sup> Floor – CMGC
<b>Planning Committee</b>			
05-19-15	5:00 p.m.	Work Session	Conference Room 280 2 <sup>nd</sup> Floor - CMGC
<b>Zoning Committee</b>			
05-18-15	5:00 p.m.	Dinner with City Council	Conference Room CH-14 Basement – CMGC
05-18-15	6:00 p.m.	City Rezoning	Meeting Chamber Lobby Level – CMGC
05-27-15	4:30 p.m.	Work Session	Conference Room 280 2 <sup>nd</sup> Floor - CMGC
<b>Zoning Ordinance Ad Hoc Committee</b>			
05-04-15	11:15 a.m.	Meeting	Conference Room 278 2 <sup>nd</sup> Floor - CMGC
<b>Other Committee(s)</b>			
05-01-15	10:00 a.m. – 2:00 p.m.	Historic District Commission Retreat	Conference Room CH-14 Basement - CMGC
05-13-15	Noon	Historic District Commission Workshop	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
05-13-15	1:00 p.m.	Historic District Commission	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
05-20-15	6:00 p.m.	CRTPO Meeting	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
<b>Charlotte-Mecklenburg Planning Department Meetings</b>			
<b>Prosperity Hucks Area Plan</b>			
05-19-15	5:00 p.m.	Planning Committee Public Comment	Conference Room 280 2 <sup>nd</sup> Floor - CMGC



# Charlotte-Mecklenburg Planning Commission

## Meeting Schedule

June 2015

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<b>Date</b>	<b>Time</b>	<b>Purpose</b>	<b>Location</b>
<b>Full Planning Commission</b>			
06-01-15	Noon	Work Session	Conference Room 267 2 <sup>nd</sup> Floor - CMGC
<b>Executive Committee</b>			
06-15-15	4:00 p.m.	Work Session	Conference Room 266 2 <sup>nd</sup> Floor – CMGC
<b>Planning Committee</b>			
06-16-15	5:00 p.m.	Work Session	Conference Room 280 2 <sup>nd</sup> Floor - CMGC
<b>Zoning Committee</b>			
06-15-15	5:00 p.m.	Dinner with City Council	Conference Room CH-14 Basement – CMGC
06-15-15	6:00 p.m.	City Rezoning	Meeting Chamber Lobby Level – CMGC
06-24-15	4:30 p.m.	Work Session	Conference Room 280 2 <sup>nd</sup> Floor - CMGC
<b>Zoning Ordinance Ad Hoc Committee</b>			
06-01-15	11:15 a.m.	Meeting	Conference Room 278 2 <sup>nd</sup> Floor - CMGC
<b>Other Committee(s)</b>			
06-10-15	Noon	Historic District Commission Workshop	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
06-10-15	1:00 p.m.	Historic District Commission	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
06-17-15	6:00 p.m.	CRTPO Meeting	Conference Room 267 2 <sup>nd</sup> Floor – CMGC

### Charlotte-Mecklenburg Planning Department Meetings

There are no Planning Department meetings scheduled at this time.



# Charlotte-Mecklenburg Planning Commission

## Executive Committee Meeting

Attachment 4

Approved April 6, 2015

March 16, 2015 - 4:00 p.m.

CMGC - Conference Room 266

Summary Minutes

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### Call to Order & Introductions

Chairperson Lathrop called the meeting to order at 4:05 p.m.

### Attendance

**Commissioners Present:** Tony Lathrop (Chairperson), Tracy Dodson (Vice-Chairperson), Randy Fink and Karen Labovitz

**Commissioners Absent:** None

**Planning Staff Present:** Ed McKinney (Interim Planning Director) and Bridgett Sistrunk (temporary employee)

### Approval of Minutes

A motion was made by Commissioner Fink and seconded by Vice-Chairperson Dodson to approve the February 18, 2015 Executive Committee minutes. The vote was 4 to 0 to approve the minutes.

### Follow-up Assignments

#### **Zoning Ordinance Update Ad Hoc Committee**

Chairperson Lathrop stated that the Zoning Ordinance Update Ad Hoc Committee had their first meeting on March 2, prior to the work session. The discussion focused on the process and the appropriate stakeholder groups. The Chairperson anticipates that the Ad Hoc Committee will be able to share their ideas about the process and how the Commission can add value when the consultant is selected.

The Ad Hoc Committee members are Tony Lathrop, Ray Eschert, Randy Fink, Tom Low and Nancy Wiggins. Their next meeting is scheduled for April 6, 2015 at 11:15 am. Chairperson Lathrop asked Committee members for suggested agenda topics.

Commissioner Fink stated that he liked the open conversation meeting style, but noted that at some point the meetings may need to be a little more structured.

Commissioner Labovitz asked about the timeframe for selecting a consultant. Ed McKinney replied that it will probably be about a month before a consultant is selected. Scope negotiation and Council approval should be completed by mid-summer, with work beginning in the fall.

Commissioner Labovitz asked if the Ad Hoc Committee could provide monthly reports to the full Commission. The Chairperson said he will update the full Commission as part of the Planning Director's Report on the Zoning Ordinance Update.

The Chairperson said that the Ad Hoc Committee meetings are open to the public. Ed McKinney suggested that the Chairperson state the function and role of the Ad Hoc Committee prior to the start of each meeting so that attendees will have a good understanding of the Committee's role.

### **Approval of the April 2015 Work Session Agenda**

The Chairperson asked about the status of the Prosperity Hucks Area Plan. Ed McKinney stated that staff is finalizing the draft plan. There will be a public meeting scheduled in April to present the draft plan to the community, followed by Planning Committee public comment. The Committee agreed to have an update on the Prosperity Hucks Area Plan at the April work session.

The Vice-Chairperson suggested that the Commission have an abbreviated meeting in April, followed by a luncheon with staff. She explained that this was done last year so that the Commissioners and staff could become more acquainted. Ed McKinney said that staff would check into this for the April work session.

Vice-Chairperson Dodson reminded the Chairperson that he will need to appoint the Nominating Committee by the April work session. The Nominating Committee will present a slate of officers in May and elections will take place in June. Chairperson Lathrop asked staff to add the Nominating Committee to the Communication from Chairperson portion of the April agenda. The agenda was approved as modified.

### **Future Work Session Agenda Items**

Chairperson Lathrop asked about the Transit Oriented Development (TOD) and Charlotte Department of Transportation (CDOT) Pedestrian Coordinator future agenda items. Ed McKinney replied that staff will have an update on the TOD initiative by May. The Chairperson asked if the TOD initiative will be used as a “mini pilot” project to test the Zoning Ordinance Update and if it will be a text amendment that will go before the Zoning Committee or full Commission. Ed McKinney replied that the implementation strategy is still being formed. Staff is in the process of determining which issues should be addressed in the short term and which issues should be included in the comprehensive Zoning Ordinance Update. Vice-Chairperson Dodson asked if the TOD presentation could include information explaining TOD Planning department sponsored rezonings versus corrective rezonings.

Mr. McKinney informed the Committee that Scott Curry with CDOT was recently hired as the Pedestrian Coordinator. Mr. Curry is organizing all of their pedestrian efforts into the “Charlotte Walks” umbrella. Mr. McKinney suggested that he be invited to present at a future work session.

### **Approval of the April and May 2015 Meeting Schedules**

The Chairperson stated that he could not attend the Executive Committee meeting on April 20. The Executive Committee rescheduled the meeting to April 6 at 2:00 p.m., immediately following the work session. The committee approved the schedules as modified.

### **Adjournment**

The meeting adjourned at 4:35 p.m.

**AGENDA**  
**CHARLOTTE-MECKLENBURG PLANNING COMMISSION**  
**ZONING COMMITTEE WORK SESSION**  
**Charlotte-Mecklenburg Government Center, RM 280**  
**April 29, 2015**  
**4:30 P.M.**

Called to order: 4:34pmAdjourned: 6:11pm**Commissioners:**

Tracy Dodson✓

Ray Eschert✓

Karen Labovitz✓

Dionne Nelson✓

~~Deb Ryan~~

Mike Sullivan✓

Dwayne Walker✓

**GREEN – RECOMMENDED APPROVAL / APPROVED with MODIFICATIONS****RED – WITHDRAWN / DEFERRED / RECOMMENDED DENIAL / NEW PUBLIC HEARING**

<b>DEFERRED</b>	<p>1. <a href="#">Petition No. 2014-109</a> (Council District 1 - Kinsey) by <b>Midtown Area Partners II, LLC</b> for a change in zoning for approximately 1.99 acres located on the northeast corner of the intersection of Baxter Street and South Kings Drive and the south side of Luther Street between Cecil Street and Cherry Street from UR-C(CD) (urban residential - commercial, conditional), B-1 (neighborhood business) and R-8 (single family residential) to B-2(PED-O) (general business, pedestrian overlay, optional), UR-C(PED-O) (urban residential - commercial, pedestrian overlay, optional) and R-8MF (PED-O) (multi-family residential, pedestrian overlay, optional) with five-year vested rights.</p> <ul style="list-style-type: none"> <li>• <b>The Zoning Committee voted to defer this petition to their May 27, 2015 Zoning Committee meeting.</b> Walker/Sullivan Vote: 5/0</li> </ul>
<b>DEFERRED</b>	<p>2. <a href="#">Petition No. 2014-110</a> (Council District 1 – Kinsey) by <b>Unique Southern Estates, LLC</b> for a change in zoning for approximately 4.54 acres located at the southeast corner of the intersection of The Plaza and Belvedere Avenue from R-5 (single family residential), R-5(HD-O) (single family residential, historic district overlay) and B-2(CD)(HD-O) (general business, conditional, historic district overlay) to MUDD-O (mixed use development, optional) and MUDD-O(HD-O) (mixed use development, optional, historic district overlay).</p> <ul style="list-style-type: none"> <li>• <b>The Zoning Committee voted to defer this petition to their May 27, 2015 Zoning Committee meeting.</b> Walker/Sullivan Vote: 5/0</li> </ul>
<b>RECOMMENDED APPROVAL</b>	<p>3. <a href="#">Petition No. 2014-115</a> (Council District 3 – Mayfield) by <b>Satwinder Singh</b> for a change in zoning for approximately 1.13 acres located on the south side of Parker Drive between Remount Road and Berryhill Road from I-1 (light industrial) to I-2(CD) (general industrial, conditional).</p> <p>Update: The following issues were address previously per March 25<sup>th</sup> Zoning Committee meeting:</p> <ol style="list-style-type: none"> <li>1. Amended Buffer Requirements under Development Standards to reflect the buffer standards discussed in the conditional notes under Streetscape and Landscaping.</li> <li>2. Amended Permitted Uses note 1. to say that, "All uses permitted in the I-1 (light industrial) district plus outdoor material and equipment storage and associated accessory uses are permitted on the site" as opposed to current wording.</li> <li>3. Clarified under Permitted Uses note 2. that diesel or gasoline storage is also prohibited.</li> </ol> <p>Update: The following items have been added or modified:</p> <ol style="list-style-type: none"> <li>1. Provided a survey of the existing conditions on a new sheet showing the existing 1,350 square foot building to be removed and existing impervious and material storage area of 39,385 square feet.</li> <li>2. Limits the onsite material storage area to 23,200 square feet, resulting in a 16,185 square foot reduction of onsite storage area.</li> <li>3. Added a proposed retaining wall along a portion of the southern property line due to topography.</li> </ol>

	<p>4. Added a buffer standard stating that even though a fence is provided with the berm the number of shrubs will not be reduced as allowed by the Zoning Ordinance.</p> <p>5. Changed the fence type along Parker Drive to a six foot tall black iron fence to match the material and style of the fence on the adjacent property to the west.</p> <p>6. Amended the buffer and berm to provide the six foot tall wood stockade fence at the top of the berm.</p> <p>7. Provided a new sheet showing landscaping detail, stockade fence detail, typical cross sections and site lines from the multi-family development to the rezoning site.</p> <p>ZC Vote</p> <p>The Zoning Committee found this petition to be consistent with the <i>Central District Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The plan recommends office/industrial land uses for the site.</li> </ul> <p>Therefore, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The site plan commits to buffers that exceed the minimum standards of the Zoning Ordinance; and</li> <li>• The proposed use is similar to other industrial uses in the area.</li> </ul> <p><b>Plan consistency motion: Sullivan / Labovitz</b> <b>Vote: 6/0</b></p> <p><b>Sullivan moved to recommend approval of this petition.</b> <b>Labovitz seconded.</b> <b>Vote: 6/0</b></p>
<p><b>RECOMMENDED APPROVAL</b></p>	<p>4. <b><u>Petition No. 2015-001</u></b> (Council District 1 - Kinsey) <b>by Southern Apartment Group</b> for a change in zoning for approximately 3.63 acres located on the east side of North Davidson Street and bounded by East 27th Street, Yadkin Avenue, East 26th Street, and North Davidson Street from MUDD-O (mixed use development, optional) to TOD-M(O) (transit oriented development - mixed-use, optional).</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> <li>1. On Sheet Z-2.0 under Maximum Gross Square Feet of Development, the last sentence referencing Development Area B has been amended to state residential and non-residential uses as permitted by right and under prescribed conditions in the TOD-M zoning district.</li> <li>2. On Sheet Z-3.0 under General Provisions development note 1.c. (Graphics and Alterations), language beginning with "Since the project has not undergone the design development..." and the remainder of the note has been removed from site plan, as the necessary information pertaining to Section 6.207 is provided in the first paragraph.</li> <li>3. Language on the site plan now specifies the maximum height of the parapet will not exceed five feet in height from the top of the roof structure.</li> <li>4. Measure building height per the zoning ordinance and remove text with alternate height measurement definition. Petitioner has provided a diagram that illustrates proposed building heights as related to the definition of height per the ordinance.</li> <li>5. Reduce the proposed building height and massing at the corner of Yadkin Avenue and E. 26<sup>th</sup> Street to four stories. Site plan notes that the maximum building height at the corner of Yadkin Avenue and E. 26<sup>th</sup> Street will be a maximum 47 feet as measured from the proposed grade at the base of the building. Site plan indicates reduction in the height of this portion of the building from five (5) stories to four (4) stories at the corner of Yadkin and E. 26<sup>th</sup> Street. This reduction in height will be for 100 linear feet along Yadkin Avenue, and for approximately 130 linear feet along E. 26<sup>th</sup> Street. Site plan notes this section of the building will have a potential rooftop amenity. Correspondingly, optional provision related to building height in Development Area A (Note 2.I.e) has been amended to "...have a maximum height of four (4) and five (5) stories and between 47 feet and 62 feet..." as well as to define where variations in height will occur. Site Development Data has also been amended to reflect the modifications in height.</li> </ol>

6. Revise the requested optional provision within Development Area A (2.I.g) to require 75%, instead of only 50%, of the linear street frontage to contain street level active uses. Petitioner has added language under Architectural Standards stating that the screening on the upper levels of the deck will be accomplished with either decorative grills or architectural pre-cast.
7. Language has been added to the site plan providing for a Fenestration Area for the building constructed along N. Davidson Street within Development Area. The standards for application of a Fenestration Area will also apply to Development Area B upon redevelopment.
8. A note has been provided stating that proposed non-residential uses located on ground floor of the building constructed along N. Davidson Street, within Development Area A, will orient and connect a primary entrance to the sidewalk along N. Davidson Street. The entrances to the sidewalk along N. Davidson Street will be open and operable during the business hours of the associated use. This standard will also apply to Development Area B when it undergoes redevelopment.
9. Addressed Transportation comments:
  - a. Modified optional provision pertaining to Development Area A to allow the setback along N. Davidson to be 16 feet as measured from the future back of curb as generally depicted on the Rezoning Plan.
  - b. Added an optional provision pertaining to Development Area B to allow a 16-foot setback as measured from the existing back of curb to be provided along N. Davidson Street. When Development Area B is redeveloped a 16-foot setback as measured from the future back of curb will be provided.
  - c. Modified Streetscape, Landscaping, Open Space and Screening Note 5a. to state that along N. Davidson Street a 16-foot setback as measured from the future back of curb for Development Area A will be provided and a 16-foot setback as measured from the existing back of curb will be provided for Development Area B, as allowed by the Optional Provision above.
  - d. Modified Streetscape, Landscaping, Open Space and Screening Note 5d. to state that the petitioner may elect to modify the existing curb line along Development Area A's N. Davidson Street frontage to provide parallel on-street parking as recommended by the Blue Line Extension Transit Station Area Plan, if approved by the City during the Urban Approval/Building Permit process for the Development Area A.
  - e. Future back of curb as 21.5 feet from road centerline and 16-foot setback from future back of curb are now identified on the site plan.
  - f. Added language to state proposed on-street parking along E. 26<sup>th</sup> Street will follow ADA requirements.

Update: The following items have been added or modified since the public hearing:

1. A note has been added stating that the leasing office associated with the residential dwelling units may not occupy more than 50% of the ground floor area of N. Davidson Street building frontage.
2. A note has been added stating that the Petitioner will donate \$8,000 to the Villa Heights Neighborhood Association for the installation of Villa Heights neighborhood identification signage. The funds will be contributed to the Villa Heights Neighborhood Association after a building permit is issued for the first building within Development Area A and prior to the issuance of the first certificate of occupancy for the first building constructed within Development Area A.
3. Under Site Development Data, parking information has been modified to state that parking as required by the Ordinance for Development Area A for the allowed non-residential uses and minimum for one (1) parking space per bedroom for the residential dwelling units constructed.

ZC Vote (As Amended)

The Zoning Committee found the proposed setbacks and height to be inconsistent with the *Blue Line Extension 25th Street Station Area Plan* and the proposed land use to be consistent with

	<p>the <i>Blue Line Extension 25th Street Station Area Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>The plan recommends transit supportive land uses for the site.</li> </ul> <p>Therefore, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because this rezoning:</p> <ul style="list-style-type: none"> <li>Will allow a transit oriented development; and</li> <li>Will incorporate non-residential ground floor uses along the North Davidson frontage; and</li> <li>Limit the portion of the building closest to single family residential to four stories and allow it to increase to five stories away from the residential.</li> </ul> <p><b>Plan Consistency motion: Labovitz / Nelson</b> <b>Vote: 6/0</b></p> <p><b>Labovitz moved to recommend approval of this petition.</b> <b>Nelson seconded.</b> <b>Vote: 6/0</b></p>
<p><b>RECOMMENDED APPROVAL</b></p>	<p>5. <b><u>Petition No. 2015-020</u></b> (Council District 4 – Phipps) <b>by Carolina States Regional Center, LLC</b> for a change in zoning for approximately 15.43 acres located on the southwest corner at the intersection of US 29 By-Pass Highway and North Tryon Street from B-2 (general business) to TOD-R(O) (transit oriented development-residential, optional).</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> <li>Added a note stating that the existing bench pad at the existing bus stop on North Tryon Street will remain.</li> <li>Added a note committing to working with Orchard Trace community to provide a +/- 45-foot wide public street utility easement along existing Orchard Trace Lane from North Tryon Street to the proposed north/south public street B.</li> <li>Added a note that the petition will remove existing pavement along “Mineral Springs Road” between Reagan Drive and North Tryon, retaining the parking lot and driveway connection at North Tryon Street after public street B is open and operational. Work with NCDOT to possibly abandon a portion of the existing US 29 By-Pass right-of-way.</li> <li>Added a note that the petitioner will make modifications to Orchard Trace Drive to facilitate the new intersection of public street B.</li> <li>Added a note that the location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.</li> <li>Staff rescinded the request to consider relocating Building 10 to public street B between Buildings 7 and 9 to help screen parking. This would eliminate the need for Optional Request 4.</li> <li>Staff rescinded the request to consider relocating Building 11 to public street A between Buildings 6 and 7 to help screen parking. This would eliminate the need for Optional Request 3.</li> <li>Changed the word “abandoned” to “abandoned” in Transportation Note 2.</li> <li>Amended the maximum building height to reflect the proposed height as measured by the Zoning Ordinance. The amended height is 65 feet, a 15 foot increase above the 50 foot maximum recommended by the adopted transit station area plan.</li> </ol> <p>The following items have been added or modified since the March 25<sup>th</sup> Zoning Committee meeting:</p> <ol style="list-style-type: none"> <li>Changed the proposed use to increase the number of multi-family units from 375 to 380 and eliminated other uses allowed in TOD-R (transit oriented development – residential).</li> <li>Provided an additional building elevation and North Tryon Street cross-section.</li> </ol>

	<p>The following issue are outstanding:</p> <ol style="list-style-type: none"> <li>1. Label the building elevations.</li> <li>2. Eliminate the visible stair case from the carriage unit building facing North Tryon Street.</li> </ol> <p>ZC Vote</p> <p>The Zoning Committee found this petition to be consistent with the <i>Blue Line Extension Transit Station Area Plan – Tom Hunter Transit Station Area</i>; however, inconsistent with the height recommendation, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The plan recommends transit supportive land uses for the subject property, and</li> <li>• The plan recommends a maximum building height of 50 feet for the site.</li> </ul> <p>However, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because this rezoning will allow:</p> <ul style="list-style-type: none"> <li>• Proposed request is for a transit supportive multifamily development with building entrances at ground level facing the public streets, and</li> <li>• The site is located within ¼ mile walk of the Tom Hunter Station and ½ mile walk of the University City Blvd Station, and</li> <li>• The site is located 400 feet from the nearest single family homes and is located at a major intersection; and</li> <li>• The proposed development improves mobility in the area by providing two new, network required streets.</li> </ul> <p><b>Plan consistency motion: Nelson/Walker</b> <b>Vote: 6/0</b></p> <p><b>Nelson moved to recommend approval of this petition subject to the petitioner making the adjustments requested from staff. (2 Outstanding Issues listed above)</b> <b>Sullivan seconded.</b> <b>Vote:6/0</b></p>
<p><b>RECOMMENDED APPROVAL</b></p>	<p>6. <b>Petition No. 2015-023</b> (Outside City Limits) <b>by Weldegebriel Ucbeab</b> for a change in zoning for approximately 1.25 acres located on the northeast corner at the intersection of Harrisburg Road and Camp Stewart Road from R-3 (single family residential) to NS (neighborhood services).</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> <li>1. Amended information under heading of Development Data to reflect proposed uses as a convenience store and automotive service station.</li> <li>2. Amended note under heading of Permitted Uses to specify permitted uses as automotive service station and convenience store, and delete the following: “those uses and accessory uses that are permitted in the NS district.”</li> <li>3. Amended note under heading of Purpose to delete reference to a carwash.</li> <li>4. Labeled elevations to reflect the abutting street names.</li> <li>5. Complete a subdivision recombination for tax parcel 111-091-21 prior to a decision on this petition so required buffer will be located on the commercial property.</li> <li>6. Providing a combination of berm, low masonry wall and/or landscaping to minimize the views of the drive-through lanes and pumps.</li> <li>7. Provide a detail of the screen wall along Harrisburg Road.</li> <li>8. Addressed Transportation issues as follows: <ol style="list-style-type: none"> <li>a. Ensured that a fuel delivery truck can maneuver through the site without encroaching upon the required vehicular queuing areas.</li> <li>b. Set back of curb along Harrisburg Road a distance of 35 feet from the centerline of the existing roadway to accommodate a four-lane Avenue cross-section, with center turning lane, and an eight-foot planting strip and six-foot sidewalk.</li> <li>c. Set back of curb along Camp Stewart Road a distance of 24 feet from the centerline of the existing roadway to accommodate a two-lane Avenue cross-section, with center</li> </ol> </li> </ol>

- turning lane, and an eight-foot planting strip and six-foot sidewalk.
- d. Access to Harrisburg Road may be limited to a right-in-right-out condition depending on available intersection sight distance and other variables, to be determined by NCDOT and CDOT during the permitting phase.
- 9. Specified no spandrel glass will be used along front and side elevations.
- 10. Submitted an amended rezoning application that reflects the reduction of acreage.
- 11. Specified building materials under heading of Architectural Standards.
- 12. Amended Note I under the heading of Transportation to reflect the amount the petitioner agrees to pay as \$60,000 instead of \$50,000.
- 13. Amended the note on the building elevations to delete the following: All windows on this elevation are nontransparent, non-reflective, and non-mirrored, and not operable.

Update: The following items have been added or modified since the public hearing:

- a. Added Note I under the heading of Transportation as follows: The petitioner agrees to pay up to \$60,000 toward the installation of a wooden pole traffic signal to be located at the intersection of Harrisburg Road and Camp Stewart Road.
- b. Amended Note A under the heading of Lighting to state that detached lighting will be LED fixtures.
- c. Added a note on the building elevations as follows: Window Note: All windows on this elevation are nontransparent, non-reflective, and non-mirrored, and not operable.

ZC Vote (As Amended)

The Zoning Committee found this petition to be consistent with the *Rocky River Road Area Plan*, based on information from the staff analysis and the public hearing, and because:

- The plan recognizes the existing commercial use on the subject property and the need for neighborhood serving retail in the area.

Therefore, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- The proposed use is located at the intersection of two thoroughfares; and
- The use will replace a grandfathered commercial structure used as a convenience store located at this intersection; and
- A traffic signal, if warranted within two years from the approval of the rezoning, will be located at the intersection of Harrisburg Road and Camp Stewart Road and left turn lanes will be provided for driveways on Harrisburg Road and Camp Stewart Road; and
- Building walls facing public streets will not have blank walls exceeding 20 feet in length and no spandrel glass will be used on exterior building elevations.

**Plan consistency motion: Walker/Eschert**  
**Vote: 6/0**

**Walker moved to recommend approval of this petition.**  
**Eschert seconded.**  
**Vote: 6/0**

**RECOMMENDED APPROVAL**

7. **Petition No. 2015-036** (Council District 6 - Smith) **by Ryan Berger** for a change in zoning for approximately 2.98 acres located on the west side of Monroe Road at the intersection of Orchard Lake Drive and Lucy Jane Lane from I-1(CD) (light industrial, conditional) to I-1(CD) SPA (light industrial, conditional, site plan amendment).

Update: The following issues have been addressed:

- 1. Ensured that no parking spaces are located within five feet of an exterior property line.
- 2. Screened all parking from abutting property and from public view from a public street.
- 3. Amended Note 6B to specify that building elevations should include a combination of clear glass, awnings, sunshades, and changes in material or similar architectural elements in combination with landscaping to provide visual interest along Monroe Road, at the pedestrian level.
- 4. Removed Note 2.B. as it is covered by Note 2.C.

	<ol style="list-style-type: none"> <li>5. Clarified the proposed use as a grocer.</li> <li>6. Deleted Note 5.3B, which references Development Area 2.</li> <li>7. Removed references to Development Areas 1A, 1B and 2 unless those areas are shown on the site plan.</li> <li>8. Corrected Note 4.2.C. to reference the correct note.</li> <li>9. Delete Notes 7B, D, F, and G, which are minimum ordinance standards.</li> <li>10. Removed the reference to Note 7.B. in Note 8.1.A as it is not correct.</li> <li>11. Deleted Notes 8.1C and F.</li> <li>12. Addressed Transportation comments by labeling the existing and proposed right-of-ways along the site’s street frontages, and dedicated 50 feet of right-of-way measured from the existing centerline of Monroe Road.</li> <li>13. Amended building elevations to remove reference to tenant signage</li> <li>14. Provided building elevations for Orchard Lake Drive. The corner of the building should serve as a gateway into the project.</li> <li>15. Clearly illustrated an eight-foot planting strip and six-foot sidewalk along Monroe Road. Removed unnecessary labels so the aforementioned items are visible and illustrated with solid lines.</li> <li>16. Amended Development Data Tables on Sheets RZ-2 and RZ-3 to reflect retail square footage as 30,727 square feet.</li> </ol> <p>Update: The following items have been added or modified since the public hearing:</p> <ol style="list-style-type: none"> <li>1. Sheet RZ-2 increased the maximum building square footage from 28,700 square feet to 30,727 square feet.</li> </ol> <p>ZC Vote</p> <p>The Zoning Committee found this petition to be consistent with the <i>Independence Boulevard Area Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The plan recommends office/industrial/warehouse distribution uses for the subject parcel, and anticipated the 70,000 square feet of retail that would be allowed per the recently approved rezoning petition 2009-23.</li> </ul> <p>Therefore, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The proposed retail grocer will serve the surrounding residential area; and</li> <li>• The allowed retail square footage is reduced from 70,000 to 30,727 square feet; and</li> <li>• Maximum building height is reduced from 58 feet to 35 feet; and</li> <li>• Building(s) will front Orchard Lake Drive or Monroe Road with no parking or maneuvering allowed between the building and Monroe Road; and</li> <li>• Provides a minimum 28.5-foot Class “B” buffer abutting the residential uses to the rear of the site; and</li> <li>• The building walls facing Monroe Road will not have blank walls exceeding 20 feet in length and the walls will be activated with display windows.</li> </ul> <p><b>Plan consistency motion: Labovitz/Nelson</b> <b>Vote: 6/0</b></p> <p><b>Labovitz moved to recommend approval of this petition.</b> <b>Nelson seconded.</b> <b>Vote: 6/0</b></p>
<p><b>NEW PUBLIC HEARING</b></p>	<ol style="list-style-type: none"> <li>8. <b>Petition No. 2015-037</b> (Council District 3 – Mayfield) <b>by Dominick Ristaino</b> for a change in zoning for approximately 0.46 acres located on the north side of West Boulevard between South Tryon Street and Wickford Place from R-5 (HD-O) (single family residential, historic district overlay) to B-1 (HD-O) (neighborhood business, historic district overlay).</li> </ol> <ul style="list-style-type: none"> <li>• <b>Sullivan moved to recommend to City Council that a new public hearing be held on this petition.</b> <b>Eschert seconded.</b> <b>Vote: 6/0</b></li> </ul>

**RECOMMENDED  
APPROVAL**

9. **Petition No. 2015-038** (Council District 7 – Driggs) **by Meritage Homes of the Carolinas** for a change in zoning for approximately 9.48 acres located on the west side of Providence Road between Cedar Croft Drive and Candlewyck Lane from R-15PUD (planned unit development) to R-4(CD) (single family residential, conditional) and INST(CD) (institutional, conditional).

Update: The following issues have been addressed:

1. The site plan has been revised to note proposed zonings as INST (CD) and R-4(CD).
2. The width of proposed sidewalks in the residential development are now labeled as five feet.
3. The width of the sidewalk extension that will connect to the sidewalk along Lawton Bluff Road is now specified on the site plan as five feet.
4. The proposed parking spaces (10 new spaces) for the existing religious institution are identified on the site plan.
5. Note 2a. under heading Permitted Uses has been placed under heading General Provisions.
6. Modified Signage note to read "Signage will be provided per ordinance."
7. Petitioner has indicated that pedestrian scale, freestanding lighting fixtures will be installed throughout the site along all internal roads at approximately 225-foot intervals.
8. Addressed Transportation comments as follows:
  - a. Added a private driveway access from the proposed residential subdivision to the church parking lot.
  - b. Extended the minimum five-foot sidewalk from the end of the proposed public street through the religious institution parking lot to the existing sidewalk along Lawton Bluff Road.

Update: The following issues have been added or modified since the public hearing:

1. A note pertaining to installation of a traffic signal at the intersection of Candlewyck Lane and Providence Road has been added to the site plan. The note reads as follows: "Petitioner, if Petitioner purchases the property, agrees to deposit Eighty-Five Thousand Dollars (\$85,000) (the "Traffic Signal Deposit") into an escrow account held by an escrow agent of Petitioner's choosing when the site plan/construction plans are approved. If CDOT/NCDOT determines (by written notification delivered to Petitioner) within two (2) years after approval of the Subdivision Plans that a traffic signal is justified at the intersection of Candlewyck Lane and Providence Road (the "Intersection") based on a traffic impact analysis with standards consistent with those used by CDOT/NCDOT for road intersections within the same classification as the Intersection, then the escrow agent shall deliver the Traffic Signal Deposit to CDOT/NCDOT, which shall be used by CDOT/NCDOT to install a traffic signal at the Intersection pursuant to a signal installation agreement between Petitioner between CDOT/NCDOT. If CDOT/NCDOT fails to make such determination within such 2-year period, then CDOT/NCDOT shall return the Traffic Signal Deposit to Petitioner."
2. A note has been added indicating a 10-foot landscape easement where existing vegetation will remain where feasible, and if cleared additional landscaping will be installed to provide a buffer. Proposed landscape easement is shown along the rear property lines of proposed Lots 7-13.
3. The site plan now shows a proposed speed hump in the existing church parking lot.
4. The proposed east/west road directly accessing Providence Road has been shifted slightly to the north.
5. The proposed number of additional spaces in the church parking lot has been reduced from 12 to 10.

ZC Vote

The Zoning Committee found this petition to be consistent with the *South District Plan*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends institutional land uses for the site.

	<p>Therefore, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• At a density of 3.52 dwelling units per acre, the proposed residential use is consistent with the surrounding residential land use pattern; and</li> <li>• The petitioner is committing escrow funding for a traffic signal at Candlewyck Road and Providence Road</li> </ul> <p><b>Plan consistency motion: Nelson/Labovitz</b> <b>Vote: 6/0</b></p> <p><b>Nelson moved to recommended approval of this petition.</b> <b>Walker seconded.</b> <b>Vote: 6/0</b></p>
<p><b>RECOMMENDED APPROVAL</b></p>	<p>10. <b>Petition No. 2015-040</b> (Council District 1 - Kinsey) <b>by Charlotte-Mecklenburg Planning Department</b> to establish zoning for approximately 0.46 acres located on the north side of East Independence Boulevard and on the southeast corner at the intersection of Helton Way and Seegars Place to I-2 (PED) (general industrial, pedestrian overlay).</p> <p>Update: There are no outstanding issues with this petition.</p> <p>ZC Vote</p> <p>The Zoning Committee found this petition to be inconsistent with the <i>Central District Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The plan recommends parks and open space for the site.</li> </ul> <p>However, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The property is left over right-of-way from Independence Boulevard; and</li> <li>• The proposed zoning is compatible with adjacent zoning and development.</li> </ul> <p><b>Plan consistency motion: Labovitz/Walker</b> <b>Vote:6/0</b></p> <p><b>Labovitz moved to recommend approval of this petition.</b> <b>Walker seconded.</b> <b>Vote: 6/0</b></p>
<p><b>RECOMMENDED APPROVAL</b></p>	<p>11. <b>Petition No. 2015-041</b> (Council District 1 - Kinsey) <b>by Off Camber Group, Inc.</b> for a change in zoning for approximately 0.52 acres located near the northwest corner at the intersection of St. Mary Avenue and Buford Avenue west of Monroe Road from I-2 (general industrial) to I-1 (light industrial).</p> <p>Update: There are no outstanding issues with this petition.</p> <p>ZC Vote</p> <ul style="list-style-type: none"> <li>• The Zoning Committee found this petition to be consistent with the Independence Boulevard Area Plan, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> <li>• The plan recommends office/retail/industrial-warehouse-distribution for this and surrounding properties.</li> </ul> </li> <li>• Therefore, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> <li>• The rezoning will allow for the establishment of a zoning district and development pattern that is consistent with the plan, as well as the neighboring uses.</li> </ul> </li> </ul>

	<p><b>Plan consistency motion: Eschert/Walker</b>  <b>Vote:6/0</b></p> <p><b>Sullivan moved to recommend approval of this petition.</b>  <b>Walker seconded.</b>  <b>Vote:6/0</b></p>
<p><b>RECOMMENDED APPROVAL</b></p>	<p>12. <b>Petition No. 2015-042</b> (Council District 1 - Kinsey) by Jim Donaldson for a change in zoning for approximately 2.51 acres located on the northeast corner at the intersection of Statesville Avenue and Woodward Avenue from NS (neighborhood services) and I-2 (general industrial) to NS(SPA) (neighborhood services, site plan amendment) and NS (neighborhood services).</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> <li>1. Added a note stating that 60-foot of right-of-way will be dedicated along Statesville Avenue per previously approved rezoning 2008-073.</li> <li>2. Added a note providing a 35-foot-by-35-foot easement for future traffic signal poles, cabinets and other associated appurtenances at the corner of Statesville Avenue and Woodward Avenue.</li> <li>3. Added a note that 30-foot right-of-way will be dedicated along the property's frontage on Woodward Avenue, measured from the centerline of the existing right-of-way.</li> <li>4. Added a note that the petitioner will work with the owner of Parcel 07904301 in a good faith effort to eliminate the short section of substandard sidewalk along Statesville Avenue, and replace with an eight-foot wide planting strip and eight-foot wide sidewalk and any associate easements for construction and maintenance activities.</li> <li>5. Revised the site plan to include a receiving curb ramp on the southeast quadrant of the intersection of Statesville Avenue and Woodward Avenue using a blended transition style curb ramp due to site constraints.</li> <li>6. Staff rescinded the request to provide a pedestrian, sidewalk connection to the multi-family developments to the north of the site.</li> <li>7. Provided "build to" lines along Statesville Avenue and Woodward Avenue.</li> <li>8. Provided a note stating that "buildings located on Statesville and Woodward Avenues will be oriented to the street" and "street-facing walls are to be varied with a frequency of vertical landscape elements, community art, changes in material, and other architectural treatments, and expanses of blank walls over 20 feet are not to be allowed. All buildings are to have four sided architecture" to address the request to carry over architectural standards from the previously approved rezoning 2008-073. While the standards are verbatim they are acceptable to staff.</li> <li>9. Provided conceptual scale building elevations for all sides and identified proposed building materials and features to clearly convey the appearance of the buildings and to indicate how the architectural standards will be addressed.</li> <li>10. Amended the building facade and elevations along Statesville Avenue and Woodward Avenue by providing varying building elements, materials, and landscaping to animate the public realm and to avoid the appearance of expansive blank walls.</li> </ol> <p>The following issue are outstanding:</p> <ol style="list-style-type: none"> <li>1. Provide additional trees/landscaping between the building and the sidewalk to soften the stark appearance of the street-facing facades.</li> <li>2. Indicate the functionality of the louvers, if any, along Statesville Avenue.</li> <li>3. Incorporate additional vertical architectural elements along the Woodward elevation to mitigate the expanse of blank wall and horizontal orientation of the building face.</li> </ol> <p>ZC Vote</p> <p>The Zoning Committee found this petition to be inconsistent with the <i>Statesville Avenue Corridor Area Plan</i>; based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The plan recommends residential up to 22 units per acre for the majority of the site, and</li> <li>• The plan recommends a mix of single family/multi-family/office/retail and residential up to 12 units per acre for the remainder of the site not included in the 2008 rezoning.</li> </ul>

	<p>Therefore, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because this rezoning will allow:</p> <ul style="list-style-type: none"> <li>• Proposed swimming pool facility will complement the surrounding residential community, and</li> <li>• The proposed use will provide a recreational facility for nearby residents</li> </ul> <p><b>Plan consistency motion: Walker/Nelson</b>  <b>Vote: 5/1</b>  <b>Sullivan opposed – Outstanding issues should be addressed.</b></p> <p><b>Walker moved to recommend approval of this petition.</b>  <b>Eschert seconded.</b>  <b>Vote: 6/0</b></p>
<p><b>RECOMMENDED APPROVAL</b></p>	<p>13. <b>Petition No. 2015-043</b> (Outside City Limit) by Prime Business, LLC for a change in zoning for approximately 4.98 acres located on the south side of Mallard Creek Road between Kings Grant Drive and Carolina Lily Lane from R-3 (single family residential) to NS (neighborhood services).</p> <p>Updated: The following issues have been addressed.</p> <ol style="list-style-type: none"> <li>1. Eight-foot planting strips and six-foot sidewalks have been labeled and shown along Carolina Lily Lane and Mallard Creek Road.</li> <li>2. A six-foot planting strip and five-foot sidewalk has been provided along one side of the private drive and labeled on the site plan.</li> <li>3. A note has been added that the drive-through lane will be screened with a low masonry wall and landscaping if located along a public street.</li> <li>4. Under transportation, Note "e" has been modified to read an eight-foot planting strip and six-foot sidewalk will be provided along site's frontage.</li> <li>5. A note has been added that residential dwelling units are a prohibited use on the site.</li> <li>6. Building setbacks along Mallard Creek Road and Carolina Lilly Lane have been labeled.</li> <li>7. A note has been that the building façade facing the corner of Mallard Creek Road and Carolina Lily Lane will have windows and other architectural features.</li> <li>8. Right-turn slip lanes and public street connections have been addressed as per CDOT's request.</li> </ol> <p>Update: The following issue is still outstanding:</p> <ol style="list-style-type: none"> <li>1. Address CDOT's comments regarding access restrictions.</li> </ol> <p>ZC Vote</p> <p>The Zoning Committee found this petition to be consistent with the <i>Northeast District Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The plan recommends residential, institutional, office, and/or retail land uses for the site.</li> </ul> <p>Therefore, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because the petition:</p> <ul style="list-style-type: none"> <li>• Limits the commercial square footage to 20,000 square feet; and</li> <li>• Allows only one drive-through service window; and</li> <li>• Limits the number of buildings to five with associated parking envelopes.</li> </ul> <p><b>Plan consistency motion: Nelson/Eschert</b>  <b>Vote: 6/0</b></p> <p><b>Nelson moved to recommended approval of this petition.</b>  <b>Walker seconded.</b>  <b>Vote: 6/0</b></p>

**RECOMMENDED  
APPROVAL**

14. [Petition No. 2015-045](#) (Council District 3 – Mayfield) by **TWO Capital Partners, LLC** for a change in zoning for approximately 16.98 acres located on the southwest corner at the intersection of Brown-Grier Road, West Arrowood Road, and Sandy Porter Road from R-3 (single family residential), R-8MF(CD) (multi-family residential, conditional) and INST(CD) (institutional, conditional) to UR-2(CD) (urban residential, conditional).

Update: The following issues have been addressed:

1. Converted angled parking to parallel parking along the proposed public streets according to the standards of the Local Residential Wide street type.
2. Added the following condition to the site plan: "The properties shall be inspected for septic systems prior to any site development. Any septic tanks identified shall be pumped by a licensed waste hauler to removal residual contents, crushed and backfilled with suitable materials before site development begins."
3. Provided a greater mixture of building types with the addition of townhome style and carriage style buildings adjacent to the single family neighborhood and zoning with building heights limited to 40 feet within 100 feet of the western and southern property lines.
4. Amended Note 1. d. to change "principal building" at the end of the note to "principal buildings".
5. Removed "private streets" when referencing network required streets. The network required streets need to be public.
6. Amended the proposed use to commit to a minimum number of carriage style and townhome style buildings to be provided. Specified that carriage units will be above garages.
7. Specified that the 271 multi-family units allowed include all unit types and 20 buildings is the total number of residential structures allowed.
8. Deleted the last sentence of Note 3. b. and amend the site plan to reflect that proposed streets, sidewalks and planting strips will be constructed according to Subdivision Ordinance standards.
9. Provided a note stating that if the easements necessary for the sidewalk extension as specified in Note 3. e. are not obtained prior to the issuance of the final Certificate of Occupancy then the petitioner will contribute up to \$10,000 towards the construction of the sidewalk extension.
10. Amended Note 3.h. to refer to Sandy Porter Road rather than Brown-Grier Road.
11. Connected internal sidewalks at the parking lots to the sidewalk along Brown-Grier and Sandy Porter Road.
12. Provided typical dimensions for the sidewalk and planting strips on the proposed public streets.
13. Provided a note stating that if possible existing large maturing trees will be preserved within the 30-foot minimum setback and that the sidewalk may meander in the 30-foot setback to meet this intent.
14. Provided a note stating that no parking is permitted between the buildings and the public and private streets except as generally depicted on the schematic site plan.
15. Provided a note committing to building orientation towards internal public and network required streets.
16. Removed the second part of Note 4. c. that states "as long as the average of the percentage of brick, stone, precast stone, precast concrete, synthetic stone on all the principal buildings constructed on the site is not less than 35%."
17. Specified that Note 5. i. does not apply to sidewalks along the proposed public streets. These sidewalks shall be eight feet in width, with an eight-foot planting strip.
18. Amended Note 7. b. to read "At the ground floor level of the buildings facing, along Brown Grier and Sandy Porter Roads and the internal public streets with a maximum contiguous area without windows or doors not to exceed 15 feet in length."
19. Amended Note 7. e. to change the word "build" to "building."
20. Amended Site Development Data for Maximum Building Height to clarify the maximum building heights. Maximum building height will not exceed 3 stories or 50 feet and no buildings over 40 feet will be permitted within 100 feet of the western and southern property boundaries.
21. Provided typical building elevations for facades facing public streets (front and side). Include elevations for townhome unit facades that face the public streets.
22. Amended the rendering to illustrate the maximum building height of three stories.
23. Specified a minimum of 40% open space, as defined by the Ordinance, will be provided.

24. Extended the 50-foot undisturbed buffer along the southern property line as closely as possible to Carriage Unit # 4.

The following items have been added or modified since the March 25<sup>th</sup> Zoning Committee meeting:

1. Reduced the number of units to 271, 20 less than originally proposed, resulting in a proposed density of 15.91 units per acre.
2. Eliminated a multi-family building and added townhome style units. Specified that townhome style units will be designed as side by side units with or without garages.
3. Added a note committing to landscaping the setback to class C buffer standards along Brown Grier Road between the intersection of Sandy Porter Road and the tree save area in front of building number three.
4. Added a new section of notes dealing with buffer, wall and building treatments along the southern property boundary adjacent to parcel 201-473-01.

The following issue are outstanding:

1. Convert the land use to single family residential and reduce the density to four dwelling units per acre for the portions zoned R-3 (single family residential).
2. Reduce the density to eight units per acre for the portions of the property zoned R-8MF (CD) (multi-family residential, conditional) and INST (CD) (institutional conditional).

#### ZC Vote

The Zoning Committee found the residential use to be consistent with the *Steele Creek Area Plan and Centers, Corridors and Wedges Growth Framework* recommended land use; however, inconsistent with the density recommended by the plan based on information from the staff analysis and the public hearing, because:

- The plan recommends portion of the site for the single family residential up to four units per acre, a portion for multi-family residential up to eight units per acre and a portion for institutional land uses, and
- The *Centers, Corridors and Wedges Growth Framework* identifies the area as a Wedge Area and appropriate for low to moderate density residential land uses.

Therefore, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- The proposal is immediately adjacent to the center activity center; and
- The proposed development is directly at an intersection of two meaningful thoroughfares; and
- The proposed development is across from institutional uses making this a transition between the center and the wedge area.

**Plan consistency motion: Nelson/Labovitz**

**Vote: 6/0**

**Nelson moved to recommend approval of this petition.**

**Sullivan seconded.**

**Vote: 6/0**



**Charlotte-Mecklenburg Planning Commission****Planning Committee Meeting Minutes**

March 17, 2015 – 5:00 p.m.

CMGC – 2<sup>nd</sup> Floor, Room 280

APPROVED

April 21, 2015

**Attendance:**

**Commissioners Present:** Chairperson Tony Lathrop, Vice-Chairperson Randy Fink, Cozzie Watkins, Nancy Wiggins and Tom Low

**Commissioner Absent:** Commissioner Emma Allen

**Planning Staff Present:** Kathy Cornett, Garet Johnson, Sonda Kennedy, Kent Main, Melony McCullough, Ed McKinney (Interim Planning Director), Catherine Stutts, Amanda Vari and Jonathan Wells

**Other Staff Present:** Amanda Byrum and Tim O'Brien (City Real Estate), Peggy Hey (Charlotte-Mecklenburg Schools) and Jennifer Morell (County Asset and Facility Management)

**Call to Order and Introductions**

Chairperson Lathrop called the meeting to order at 5:07 p.m., welcomed those present and asked everyone to introduce themselves.

**Approve January 20, 2015 Minutes and March 2, 2015 Minutes**

A motion was made by Commissioner Watkins and seconded by Commissioner Wiggins to approve the January 20, 2015 minutes and March 2, 2015 minutes. The vote was unanimous to approve the minutes.

**M.R. #15-03: Proposal by Charlotte-Mecklenburg Schools to Build a School on the Corner of West Boulevard and Billy Graham Parkway (The Renaissance)**

Catherine Stutts (Planning) gave an overview of Charlotte-Mecklenburg Schools' (CMS) proposal to develop a new 49-classroom school (Pre-Kindergarten through Grade 8) on the northeast corner of West Boulevard and Billy Graham Parkway in The Renaissance development (former Boulevard Homes site). Charlotte Housing Authority will convey this land to CMS. The project will provide crowding relief for Berryhill School and Reid Park Academy. Construction of a relief school is consistent with the CMS Capital Needs Assessment and the *Central District Plan* (1993) adopted land use for this site.

Commissioner Wiggins asked if there are a number of old schools in the area, some of which have been leased to charter schools. Peggy Hey, Executive Director of Facilities Planning and Management (Charlotte-Mecklenburg Schools) introduced herself. She said Commissioner Wiggins may be speaking about Amay James. Commissioner Wiggins agreed and said she thought Brookstone had a charter school at that location. Ms. Hey confirmed that there was a charter school at the Amay James location. It is no longer there.

*A motion was made by Vice-Chairperson Fink and seconded by Commissioner Watkins to approve Planning staff's recommendation for Mandatory Referral #15-03. The vote was unanimous to approve staff's recommendation for Mandatory Referral #15-03.*

**M.R. #15-04: Proposal by the City of Charlotte to Sale or Transfer Property Located at 2839 Mayfair Avenue**

Catherine Stutts gave an overview of the City of Charlotte’s Neighborhood and Business Services Department’s (N&BS) proposal to sell or transfer approximately 0.13 acres located at 2839 Mayfair Avenue for reoccupation by a low income family. The transfer of this parcel supports City Council’s recommendation to develop affordable housing. This project also provides support for home ownership opportunities and neighborhood revitalization.

Ms. Stutts stated that this parcel became City property as the result of a foreclosure. The use of this property for residential purposes is consistent with land use recommendations in the *Central District Plan* (1993) and staff recommends approval.

*A motion was made by Commissioner Wiggins and seconded by Vice-Chairperson Fink to approve Planning staff’s recommendation for Mandatory Referral #15-04. The vote was unanimous to approve staff’s recommendation for Mandatory Referral #15-04.*

**M.R. #15-05: Proposal by Mecklenburg County to Acquire Land to Serve as Future Teddington Neighborhood Park**

Amanda Vari (Planning) gave an overview of Mecklenburg County’s proposal to acquire approximately 1.6 acres located at 5829 Freedom Drive for the development of Teddington Neighborhood Park. The property will be assembled with adjoining park property. *The Mecklenburg County Park and Recreation 10 Year Master Plan (2008)* supports creating and expanding neighborhood parks. The property lies within the *Northwest District Plan (adopted 1990)* and is consistent with the adopted land use plans.

*A motion was made by Commissioner Wiggins and seconded by Commissioner Watkins to approve Planning staff’s recommendation for Mandatory Referral #15-05. The vote was unanimous to approve staff’s recommendation for Mandatory Referral #15-05.*

**M.R. #15-08: Proposal by Mecklenburg County to Acquire Land Located on Amay James Avenue for Expansion of Reid Neighborhood Park**

Catherine Stutts gave an overview of Mecklenburg County’s proposal to acquire two parcels totaling approximately 0.28 acres located on Amay James Avenue in the Reid Park neighborhood. Most of the surrounding land will be used for the future Reid Neighborhood Park and Irwin Creek Greenway. Vice-Chairperson Fink asked if the home is owner occupied. Commissioner Watkins asked if ownership will delay the sale. Jennifer Morrell (County Real Estate) answered that the home is owner occupied and the owner has expressed an interest in selling the property.

*A motion was made by Commissioner Watkins and seconded by Commissioner Low to approve Planning staff’s recommendation for Mandatory Referral #15-08. The vote was unanimous to approve staff’s recommendation for Mandatory Referral #15-08.*

**M.R. #15-09: Proposal by the City of Charlotte to Sale .51 acres of Land Located at 1215 South Boulevard (Fire Investigation Task Force Building)**

Kent Main (Planning) gave an overview of the City of Charlotte’s proposal to sale a 0.51 acre parcel of City-owned land located at 1215 South Boulevard. The property includes one 6500 square foot structure that is currently being used by the Fire Investigation Task Force. The task force is relocating to offices on North Graham Street near the new Fire Administration facility. This project is consistent with the adopted public policies and consistent with the *South End Transit Station Area Plan (adopted*

2005). Commissioner Low asked if this is an historical building and Mr. Main replied that it is not. However, there is a historic Fire Station in the next block.

*A motion was made by Vice-Chairperson Fink and seconded by Commissioner Watkins to approve Planning staff's recommendation for Mandatory Referral #15-09. The vote was unanimous to approve staff's recommendation for Mandatory Referral #15-09.*

**M.R. #15-10: Proposal by the City of Charlotte to Sale 5.3 acres of Land Located on West Tyvola Road**  
Catherine Stutts (Planning) gave an overview of the City of Charlotte's proposal to sale a 5.3 acre parcel of City-owned land located on West Tyvola Road adjacent to the site of the Veterans Administration hospital currently under construction. Commissioner Wiggins asked if this is a methane prone area. Jennifer Morell (County Asset and Facility Management) said there are no known environmental issues in the area. Commissioner Watkins asked if environmental concerns would have been researched and addressed prior to construction of the new Veterans Administration's building.

Ms. Stutts shared that Neighborhood & Business Services have expressed an interest in a multi-family development geared toward veterans at this location. Vice-Chairperson Fink mentioned the age of the *Central District Plan* which was adopted in 1993. The adopted land use for this site is office/industrial as per the *Central District Plan* (1993). However, since the property is currently zoned R-22MF (Multi-family), the property would have to be rezoned to allow office or industrial land uses.

Tim O'Brien (City Real Estate) explained that if a buyer comes in they will try to market for other uses. He further explained that staff cannot restrict the use of the property because they will restrict the sale and they are supposed to get the highest price. Also, he added that the Veterans Administration may work with the County to create a park setting in the area.

Vice-Chairperson Fink added that although this is not a recently adopted plan, he thinks that any development should be consistent with the adopted plan. He wants the inconsistency between the land use and zoning to be acknowledged. He thinks that this is the one area where the Committee can add value to the mandatory referral process - to make sure that requests are consistent with the plan.

*A motion was made by Commissioner Wiggins and seconded by Commissioner Watkins to approve Planning staff's recommendation for Mandatory Referral #15-10. The vote was 4 to 1 to approve staff's recommendation for Mandatory Referral #15-10.*

*Yeas: Chairperson Lathrop and Commissioners Low, Watkins and Wiggins*

*Nays: Vice-chairperson Fink*

**M.R. #15-11: Proposal by the City of Charlotte to Sale or Transfer Four Parcels of Land Located in the Freedom Drive/Thomasboro-Hoskins Area**

Amanda Vari (Planning) gave an overview of the City of Charlotte's proposal to sale or transfer four parcels located along Freedom Drive, near Edgewood Road and Bradford Drive that are no longer needed for City use. The parcels, which are vacant, were purchased for the Freedom Drive road widening project that is complete. This mandatory referral includes parcels that were originally included in M.R. #15-01. The Committee discussed M.R. #15-01 at their January meeting and recommended approval of a portion of M.R. #15-01. Action on these four parcels was deferred.

The four properties (PIDs 063-052-04, 063-052-05, 063-041-01, and 063-041-15) are within the *Thomasboro-Hoskins Area Plan (2002)* and are recommended for single family residential land uses with a density of up to 5 dwelling units per acre. However, the parcels are zoned R-22MF which allows multi-family residential development at a density of up to 22 dwelling units per acre. The properties will be sold as currently zoned with no intended use at this time. Ms. Vari stated that staff will not support a rezoning for a density higher than 5 dwelling units per acre.

*Vice-Chairperson* Fink asked if there is a way to stop by-right development of R-22MF. Vice-Chairperson Fink stated that the nature of ownership would prevent development at R-22 MF and possible small developers. Commissioner Wiggins said that it probably needs to be rezoned. Ms. Vari stated that this could be developed to single family up to five units.

Vice-Chairperson Fink shared that his concerns are similar to his concerns about the previous mandatory referral. He thinks that any development should be consistent with land use recommendations in the adopted plan.

*A motion was made by Vice-Chairperson Fink not to approve Planning staff's recommendation for Mandatory Referral #15-11 because the zoning is inconsistent with the plan recommendation. The motion died for a lack of a second.*

*A motion was made by Commissioner Wiggins and seconded by Commissioner Watkins to approve Planning staff's recommendation for Mandatory Referral #15-11. The vote was 4 to 1 to approve Planning staff's recommendation for Mandatory Referral #15-11.*

*Yeas: Chairperson Lathrop and Commissioners Low, Watkins and Wiggins*

*Nays: Vice-chairperson Fink*

### **Draft University City Area Plan Update**

Amanda Vari gave an overview of the plan and reminded the Planning Committee that they received public comments on the draft *University City Area Plan* update at their January meeting. Ms. Vari shared responses to public comments, explained the implementation process and summarized proposed revisions to the draft plan. As a part of her presentation, she highlighted some of the issues and concerns shared during the public comment session at the January Planning Committee meeting:

- Concern that retail is not shown on maps at specific sites
- Desire for transit-oriented development within ½ mile of transit stations
- Consideration for a senior center
- Desire for open space opportunities
- Desire for public art
- Need to see the Implementation Plan.

Additional details were shared by Ms. Vari and included in the packet that was distributed at the meeting. She reviewed some of the changes to the plan. She emphasized the importance of referring to the document in order to fully understand the land use recommendations and not solely the color on the map.

Commissioner Fink asked about pedestrian and bike access to the library. Ms. Vari stated that University Hospital Drive is a private street and does not meet City standards. The plan recommends

connections between the university and the hospital. It also recommends a trail system that provides connectivity in the area. Ms. Vari explained that a multi-path is proposed in the area that will separate pedestrians and bicyclists from cars.

Magnasco, Matt (Charlotte Department of Transportation) stated that all City streets are built to accommodate bikes and pedestrians. The plan recommends that City staff work with North Carolina Department of Transportation to address this issue. Vice-chairperson Fink said that this is important to the library . Commissioner Watkins said that if lanes are widened, drivers will just drive faster.

Commissioner Low explained Transit-Oriented Development (TOD) versus Traditional Neighborhood Development (TND) which is less dense than TOD, He emphasized that a part of the challenge in not having the right tools in place and said that TND is needed in addition to TOD. Ed McKinney (Interim Planning Director) responded that there are a range of tools and he believes that we have the needed tools. Commissioner Low shared his concern about the 5 year zoning ordinance rewrite and what may take place in the meantime.

Commissioner Wiggins read her report (*see attachment to the minutes*). She shared her concern about height restrictions. Mr. McKinney stated that we do not want to get too descriptive with the minimum or maximum heights. He said that we are trying to strike the right balance. Recommendations in the plan are an effort to reach that balance.

Chairperson Lathrop asked the Committee to suspend the rules so that questions could be asked of Mr. Fields. Mr. Fields stated that he has not seen the information that staff passed out today. However, he will continue to work with staff. He is looking for clarity and understanding.

Commissioner Wiggins made a motion to recommend approval of the plan and direct staff to respond to Mr. Field's concerns. Commissioner Wiggins is concerned about the height issue. Commissioner Low thinks the land use recommendations are too vague which is Mr. Field's concern. Chairperson Lathrop suspended the rules and asked Mr. Fields if this discussion addresses his concerns. Mr. Fields said he is not sure and he believes that staff will continue to work with him on the Mallard Pointe Shopping Center issue. However, he thinks there are other areas that face similar issues to Mallard Pointe. He is concerned that he will be back in the future because every development request will require a rezoning. Therefore, he is looking for clarity and understanding.

Vice-chairperson Fink assumed the role of the chair and Chairperson Lathrop made a substitute motion to recommend approval of the plan with the following actions:

1. *Incorporate staff's recommended changes (see attachment to the minutes)*
2. *Staff continue editing the plan to incorporate walkable urbanism principles at stations as well as other areas in the plan;*
3. *Staff work to provide clarity about how the plan is going to be administered, particularly to address the concerns in Mr. Walter Fields' emails;*
4. *Staff add language in the plan to clarify that building heights will not have required minimums nor maximum caps; and*
5. Commissioner Wiggins made a friendly amendment for staff to include language to reference the current Zoning Ordinance.

*The vote was unanimous to recommend adoption of the draft University City Area Plan update.*

### **Area Plan Status and Meeting Report**

There were no reports since the *University City Area Plan* update has been discussed.

**Adjourned at 7:00 p.m.**

# Planning Committee Report on the University City Area Plan Public Hearing January 2015-Commissioner Nancy Wiggins Remarks Regarding Testimony & the Citizens' Comments

Blue - in Update

Nancy Wiggins, Commissioner

Thank you Mr. Chairman and thank you Staff for your hard work on the project. I would like once again to commend the residents of the Northeast Corridor who came out to the Public Hearing and made comments both for the public record and to the Commissioners regarding this exciting opportunity. The entire group was enthusiastic about the overall project even when expressing concern over problems or having reservations about certain policy issues.

I will be making my remarks in rather thematic summaries of the individual remarks that I heard and have reviewed in the document presented to the Committee. First I believe that the inclusion of those neighborhoods to be considered within the "Transit Oriented Development" should include neighborhoods within a pedestrian mile of a station (as Mr. Zimmerman recommended. As a practical matter in other mass transit corridors this is the rule "of transit impact" not the exception. Our neighborhoods like Hidden Valley need to be somehow included into this TOP as do neighborhoods on the south side of Tryon Street down as far as Garinger High School.

Secondly, I have a sincere concern that the Plan as devised does not address ways in which we can assist our current businesses in weathering the "development/construction" storm and maintaining their current viability into the immediate future without deleterious effects. I believe that we need to address these serious issues.

Third, I believe that we need to address our intersections to make them safe for all concerned. We need to direct engineering to take precautions to keep pedestrian and auto related accidents to a minimum. Transit platforms also need to be safe. CMPD also needs to take a role in this activity.

Fourth, as stated, the Plan calls for residential and office to be the primary forms of development. The omission of retail as a component has caused concerned by commercial owners, their representatives, and local residents like in the public hearing. This lack of retail is a serious omission from the typical transit model because retail provides much of the vibrancy necessary for the station's urban character.

I personally believe that the Plan should call for **Commercial, Institutional and Residential** development giving each of those groupings the broadest inclusionary list of subgroups -i.e. commercial should include light manufacturing. As the CEO of University Partners testified, the University Area is the second largest employment center in Charlotte. Given the strength of the Engineering, Architecture, Business and Science schools of UNC-Charlotte, it would be reasonable for a drone, robot or other new device to setup a factory in the corridor. I do not believe that this Plan should narrow the potential commercial development opportunities available in the future for the corridor.

# Planning Committee Report on the University City Area Plan Public Hearing January 2015-Commissioner Nancy Wiggins Remarks Regarding Testimony & the Citizens' Comments

Blue Line Update

Nancy Wiggins ,Commissioner

Most of the speakers and members of the audience wanted us to provide each station with a sense of place- be it with greenspace, a special work of art, or unique gathering opportunities. To the degree possible I hope that we can deliver on these requests.

One issue ,that has come to our attention after the fact of receiving out packet that concerns me greatly ,involves the notion that this Plan involves placing height and density restrictions on this area. I for one believe that the issue was resolved decades ago by the University itself when it developed high rise buildings to accommodate its needs for academic and residential space. Given the anticipated Urban Growth anticipated in the future of Charlotte, this seems like an unrealistic and burdensome demand on the community that will be expensive to undo this aspect of the Plan when the time for that type of growth presents itself.

~~I would like to close by asking the Chair and fellow Commissioners to accept a motion to include Mr. Field's email comments into our report and request Staff to respond to his concerns before we vote on the Plan itself.~~

**University City Area Plan – Issue Matrix**  
**Staff Proposed Revisions to Draft Plan**  
As of March 9, 2015

#	Recommendation and Location	Purpose of Change	Current Text, Map or Graphic	Proposed Revision
1	Entire Document	Minor edits to correct text, graphics, or tables that don't affect the content or intent of the document. Staff will make these changes as needed.	Entire Document	Not identified.
2	A-3: North Bridge cross section (Pg. 97) – Requested by CDOT.	To be consistent with Policy Area 8 #14. Since the cycle-track and/or multi-use path are being investigated.	Pg. 97, Cross Section dimensions	Sidewalk: TBD (footnote 1) Planting Strip: 8' (footnote 2) Bike Lane: TBD (footnote 1) Travel Lanes 11'-NA-NA-NA-11' (footnote 3) Bike Lane: TBD (footnote 1) Planting Strip: 8' (footnote 2) Sidewalk: TBD (footnote 1)  <i>Footnotes:</i> 1. Determinations of the appropriate pedestrian and bicycle treatments to be deferred to project planning process for the I-85 North Bridge project. 2. Across the bridge, the planting strip can be deleted. Add additional width to pedestrian and/or bicycle treatment as appropriate. 3. 11-foot left-turn lanes permitted where needed
3	<i>Character Area 2: Regional Services South</i> description (Pg. 30)	Sentence in summary needs to be revised to be consistent with the actual policy area language which does allow these uses in some areas, but focuses on how they are designed.	Pg. 30, paragraph 3	Existing sentence: "Pedestrian unfriendly uses are discouraged, such as drive-throughs, strip shopping centers, heavy industrial uses, and parking or ancillary structures between buildings and key streets.  Revision: "Pedestrian unfriendly design is discouraged in this area. Uses with drive through facilities, gasoline pumps, or large surface parking lots should be designed to comfortably accommodate pedestrians.

#	Recommendation and Location	Purpose of Change	Current Text, Map or Graphic	Proposed Revision
4	<i>Character Area 10: Primarily Residential</i> (Pg. 72) Opportunities bullet	UCP and the University believe we have adequate supply [of housing] for the University's projected growth for the next 3-5 years. Restate Character Area description for Character Area 10 - Opportunities	Pg. 72, Opportunities and Challenges	Existing sentence: "Strong demand for student housing, but need to provide housing for other residents as well"  Change to: Need to provide adequate supply and mix of housing options to meet demand
5	Implementation Guide	Library is not sure when funding will be available.	Pg. 112, Action Items for Policy P-6	Change from: Long (>10 years)  Change to: As funding becomes available
6	Street Activation  Transit Station Areas and Policy Areas 5 and 8	Street activation policies (E.g. Pg. 23 Policy 1a #8) are too limiting.	Pg. 23 Policy Area 1a #8; Pg. 26 Policy Area 1b #7; Pg. 29 Policy Area 1c #5; Pg. 42 Policy Area 3 #8; Pg. 51 Policy Area 5 #10; Pg. 57 Policy Area 7a #11; Pg. 60 Policy Area 7b #6; Pg. 63 Policy Area 8 #11	The intent is to provide a menu of options to achieve street activation. Staff proposes the following change for this policy in every applicable Policy Area.  Existing language: The ground floor of buildings should be designed to activate streets and open space through a variety of design techniques that may include, but are not limited to: <ul style="list-style-type: none"> <li>a. Non-residential ground floor uses should have clear glass windows and prominent entrances with operable doors allowing access from the sidewalk.</li> <li>b. Non-residential and multi-family building facades should have architectural elements that will help distinguish the ground floor from upper stories. Building corners at street intersections should be designed to feature prominent entrances and distinctive architectural features.</li> <li>c. Multi-family residential development should include direct connections to the sidewalk. Where feasible, ground floor units should also have direct connections to the sidewalk. For the privacy of residents, ground floor units should include vertical separation and/or increased setbacks from the sidewalk.</li> </ul> Revision: The ground floor of buildings should be designed to activate streets and open space through a combination of design techniques that

#	Recommendation and Location	Purpose of Change	Current Text, Map or Graphic	Proposed Revision
				<p>may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>a. Non-residential ground floor uses with clear glass windows and prominent entrances with operable doors allowing access from the sidewalk.</li> <li>b. Non-residential and multi-family building facades with architectural elements that will help distinguish the ground floor from upper stories.</li> <li>c. Building corners that feature prominent entrances and distinctive architectural design.</li> <li>d. Multi-family residential development with direct connections to the sidewalk, preferably for ground floor units, where feasible. Ground floor residential units may have vertical and/or horizontal separation from the sidewalk for privacy or to address site issues.</li> </ul>
7	<p>Diversity of housing/building types</p> <p>Policy Areas 1a, 1c, 2b, 2c, 2d, 3, 4a, 5, 8, 9a, 9c, 10a, 10b, 10c</p>	<p>Policy language to require at least two building types for residential development is not clear. Seems to indicate that every development must include at least two types of housing. May not be feasible on smaller sites.</p>	<p>Pg. 22 Policy Area 1a #3 and add new design policy; Pg. 26 Policy Area 1b add new design policy, Pg. 28 Policy Area 1c #1 and add new design policy; Pg. 33 Policy Area 2b #1 and add new design policy; Pg. 35 Policy Area 2c #1 and #5; Pg. 37 Policy Area 2d #2 and add new design policy; Pg. 41 Policy Area 3 #3 and add new design policy; Pg. 45 Policy Area 4a #1 and #6; Pg. 50 Policy Area 5 #4 and #9; Pg. 57 Policy Area 7a add new design policy, Pg. 60 Policy Area 7b add new design policy, Pg. 62 Policy Area 8 #1 and #10;</p>	<p>The intent is to minimize the potential for several large multi-family buildings and to achieve a diversity of building types of different height, sizes, and scales – regardless of the type of housing.</p> <p>Existing language: E.g. Pg. 22 Policy Area 1a #3: Development outside of the core and beyond approximately 500 ft. of N. Tryon St. should include more than one building type, such as single family, duplexes, triplexes, townhomes, and multi-family buildings. Retail services...area.</p> <p>Revision: Land Use Policy revision E.G. Pg. 22 Policy Area 1a #3: Development outside of the core and beyond approximately 500 ft. of N. Tryon St. is appropriate for moderate to high density residential development (8 to above 22 DUA). <b>Development in this area is encouraged to include a variety of housing options (e.g. single family, duplex, triplex, quadraplex, multi-family, etc.).</b> Retail services...area. <i>(Highlighted sentence is recommended revision – rest of the policy language should remain as is for each Policy Area).</i></p> <p><b>Add Community Design Policy:</b></p>

#	Recommendation and Location	Purpose of Change	Current Text, Map or Graphic	Proposed Revision
			Pg. 66 Policy Area 9a #4 and add new design policy; Pg. 70 Policy Area 9c #2 and add new design policy; Pg. 73 Policy Area 10a #1 and #6; Pg. 75 Policy Area 10b #2 and #6; Pg. 77 Policy Area 10c #1 and #3	Buildings should be designed to avoid the appearance of having a long, continuous building wall and to break up visual mass and bulk. Consider a combination of design techniques to achieve this including, but not limited to: <ul style="list-style-type: none"> <li>a. Façade modulation that provides variation in the building wall.</li> <li>b. Building mass separation between all, or part, of a single building to create the appearance of multiple buildings.</li> <li>c. Use of varying architectural styles, building heights, and/or roof pitches to reduce the apparent size of a building.</li> <li>d. Multi-family residential development with a variety of building mass, scale, and type (e.g. townhomes, carriage houses, apartments, etc.).</li> </ul>
8	Land Use Recommendations related to areas currently developed as primarily retail  Policy Areas 3, 7a, and 7b	These areas are developed as primarily retail uses. While these areas are in transit station areas, they are outside the “core” area where TOD is more likely to occur in the short term. The proposed revision is intended to allow flexibility for future redevelopment, and transition to a mixed use, walkable, urban form.	Policy Area 3 #2 and #5; Policy Area 7a #2 and #7; Policy Area 7b #1 and #3	The proposed revision is intended to allow flexibility for future redevelopment, and transition to a mixed use, walkable, urban form.  Existing Policy Language: (e.g. Pg. 56, Policy Area 7a, #2)  2. In areas outside of the core, existing businesses and residences are anticipated to remain in the near term. Over time, properties should be redeveloped for residential, office, and civic/institutional uses. Retail uses are also appropriate if located within multi-storied buildings. Ground floor retail uses may include drive through facilities only if they meet the Community Design criteria below (#7). Structured parking should be lined with active uses along the street or screened from view from streets and sidewalks. Commercial uses with gasoline pumps are not appropriate in the transit station area.  7. In areas outside of the core, buildings should be multi-storied (typically 3-5) and be placed at or near the back of the sidewalk. Surface parking lots should be located to the rear or side of buildings. No more than 35% of a site’s street frontage should be

#	Recommendation and Location	Purpose of Change	Current Text, Map or Graphic	Proposed Revision
				<p>devoted to surface parking or driveway access. Drive-through facilities may be appropriate in areas indicated above (#2) if located on the interior of a parking deck and are designed to minimize conflicts with pedestrians.</p> <p>Proposed Revision:</p> <p><b>Land Use Policy</b>  In areas outside of the core, existing businesses and residences are anticipated to remain in the near term. Over time, properties should be redeveloped with a mix of residential, office, retail, and civic/institutional uses. Residential and office uses should be the primary uses in these areas. Retail uses should complement the primary uses and be integrated into a multi- or mixed-use development. Ground floor retail uses may include drive through facilities only if they meet the Community Design criteria below (#7). Structured parking should be lined with active uses along the street or screened from view from streets and sidewalks. Commercial uses with gasoline pumps are not appropriate in the transit station area.</p> <p><b>Design policy:</b>  In areas outside of the core, buildings should be multi-stories (typically 3-5 stories) and be placed at or near the back of the sidewalk. Surface parking lots should be located to the rear or side of buildings. Not more than 35% of a site's street frontage should be devoted to surface parking or driveway access. Retail uses should activate the street with appropriate building orientation, accessible entrances, and space for outdoor seating and display near the sidewalk. Retail uses should not have parking located between the building and the street. Structured parking for retail uses is strongly encouraged to reduce the need for surface parking. Drive-through facilities may be appropriate in areas indicated above (#2) if located on the interior of a parking deck and are designed to minimize conflicts with pedestrians.</p>



## CHARLOTTE HISTORIC DISTRICT COMMISSION

MEETING AGENDA – APRIL 8, 2015

HDC WORKSHOP – 12:00 PM. THE PUBLIC IS WELCOME TO ATTEND

**HDC WORKSHOP – 12:00 PM**

1. HDC USER FEES AND FINES

**HDC MEETING: - 1:00**

1. CALL TO ORDER
2. APPROVAL OF MARCH MINUTES
3. APPLICATIONS FOR CERTIFICATES OF APPROPRIATENESS

**CONTINUED APPLICATIONS**

1. 245 W. KINGSTON AVENUE  
WILMORE HISTORIC DISTRICT  
CASE NO. [HDC 2014-273](#) CONTINUED  
FENCE  
MICHAEL FLAUM, APPLICANT
2. 1712 EUCLID AVENUE  
DILWORTH HISTORIC DISTRICT  
CASE NO. [HDC 2014-268](#) APPROVED  
NEW CONSTRUCTION  
JASON MCARTHUR, APPLICANT
3. 316 W. PARK AVENUE  
WILMORE HISTORIC DISTRICT  
CASE NO. [HDC 2015-030](#) APPROVED  
ADDITION  
JOSH GLASSBERG, APPLICANT

**NEW APPLICATIONS**

4. 1114 LINGANORE PLACE  
DILWORTH HISTORIC DISTRICT  
CASE NO. [HDC 2015-046](#) CONTINUED  
GARAGE  
KENT LINEBERGER, APPLICANT
5. 1142 BERKELEY AVENUE  
DILWORTH HISTORIC DISTRICT  
CASE NO. [HDC 2015-067](#) APPROVED  
ADDITION  
KENT LINEBERGER, APPLICANT
6. 1623 DILWORTH ROAD WEST  
DILWORTH HISTORIC DISTRICT  
CASE NO. [HDC 2015-057](#) DENIED  
ADDITION  
ZACK WHITTINGTON, APPLICANT

7. 220 E. KINGSTON AVENUE  
DILWORTH HISTORIC DISTRICT  
CASE NO. [HDC 2015-061](#) APPROVED  
FENESTRATION CHANGES  
MARK BOSTIAN, APPLICANT
8. 709 E. WORTHINGTON AVENUE  
DILWORTH HISTORIC DISTRICT  
CASE NO. [HDC 2015-063](#) CONTINUED  
ADDITION  
GREG MILLER, APPLICANT
9. 2119 WILMORE DRIVE  
WILMORE HISTORIC DISTRICT  
CASE NO. [HDC 2015-064](#) CONTINUED  
NEW CONSTRUCTION  
JASON MURPHY, APPLICANT
10. 2200 PARK ROAD  
DILWORTH HISTORIC DISTRICT  
CASE NO. [HDC 2015-065](#) CONTINUED  
ADDITION  
LANCE BIUNDELL, APPLICANT
11. WESLEY HEIGHTS TOWNHOMES  
WESLEY HEIGHTS HISTORIC DISTRICT  
CASE NO. [HDC 2015-027](#) APPROVED  
NEW CONSTRUCTION  
MARK FISHERO, APPLICANT