

AGENDA
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
ZONING COMMITTEE WORK SESSION
Charlotte-Mecklenburg Government Center, Rm 280
January 4, 2016

1. [Petition No. 2014-019](#) (Council District 4 – Phipps) **by Carolina Development Services, LLC** for a change in zoning for approximately 26.5 acres located on the west corner of the intersection at Mallard Creek Road and Salome Church Road from CC (commercial center) to CC SPA (commercial center, site plan amendment) with 5-Year Vested Rights.

[Attachment 14](#) (City Council December 14, 2015)

Staff recommends approval of this petition upon resolution of outstanding issues.

The following items have been addressed:

Environment

1. Environmental Features language has been amended to state that that the water quality facility to be constructed on the site will be designed and landscaped as part of the overall site design, and that such areas will be made aesthetically appealing through the use of grass, landscaping, water features, rain gardens or other like features.

Site and Building Design

2. Architectural Standards Note g has been amended to read as follows: "The petitioner reserves the right to combine or relocate building locations so long as the total number of buildings of 380 is not increased, the buildings are within the general Building Pod Areas as illustrated on sheet RZ-3 entitled Street Section/Building/Parking Concepts, the number of units in any single building will not exceed 34 units, and the typical public and private street frontage requirements are met, as further illustrated on this sheet."
3. Lighting language has been amended as follows: "Freestanding lighting on the site located within 200 feet of residential lots within Mallard Lake subdivision will be limited to 20' in height as depicted on the Technical Data Sheet. Other freestanding lighting located throughout the property will be limited to 25' in height. All lighting will utilize full cut-off luminaries."

Transportation

4. The Petitioner has agreed to dedicate in fee simple to NCDOT a minimum of 50 feet right of way, measured from the existing centerline of Salome Church Road along the site's frontage for the future expansion of Salome Church Road and to install the required curb and gutter at its future location.

Technical Revisions

5. References to the CC Area Plan have been removed from the site plan.
6. Note e under Streetscape Landscaping, Buffers, and Setbacks has been revised to state: "With the exception to the 75' buffer adjacent to the Mallard Lake Subdivision, the petitioner may reduce the width of any required buffers by 255 with the installation of a 6' foot high fence or berm with required landscaping as specified in Section 12.302(b)."
7. Revised site plan to note that tree preservation areas will be a minimum of 30 feet in width.

The following item has been added/amended since the public hearing:

1. Modified vignette 3. Typical Open Space/Building Relationship with respect to building locations and treatment of open space and pathways.

The following items are outstanding as a result of the revised site plan:

1. On Sheet RZ-3 add building front note to denote orientation on vignettes 1-5.
2. On Sheet RZ-4 add "front" to all elevation titles unless front and rear are the same which then should be noted.

The following items remain outstanding:

1. Provide a minimum build-to line for all buildings. This comment will be rescinded when the building fronts are noted on the vignettes and elevations.
2. Add a note that the buildings along the internal private driveways will be located at a build-to line of 14 feet from the edge of pavement. This comment will be rescinded when the building fronts are noted on the vignettes and elevations.

	<p>2. Petition No. 2015-090 (Council District 7 - Driggs) by Copper Builders, Inc. for a change in zoning for approximately 4.53 acres located on the north side of Pineville-Matthews Road between Rea Road and Windswept Drive from INST(CD) (institutional, conditional) to UR-2(CD) (urban residential, conditional).</p> <p>Attachment 13 (City Council December 14, 2015)</p> <p>Staff recommends approval of this petition.</p> <p>The following items have been added or modified since the public hearing:</p> <ol style="list-style-type: none"> 1. Reduced the number of dwelling units from 29 to 25 for a density of 5.51 units per acre. 2. Shifted the driveway approximately 50 feet to accommodate sight lines.
	<p>3. Petition No. 2015-092 (Council District 5- Autry) by QuikTrip Corporation for a change in zoning for approximately 5.11 acres located on the northwest corner at the intersection of East W.T. Harris Boulevard and The Plaza from R-4 (single family residential) and B-1(CD) (neighborhood business, conditional) to B-1(CD) (neighborhood business, conditional) and B-1(CD) SPA (neighborhood business, conditional, site plan amendment).</p> <p>Attachment 18 (City Council December 14, 2015)</p> <p>Staff recommends approval of this petition.</p> <p>The following items have been addressed:</p> <p><u>Land Use</u></p> <ol style="list-style-type: none"> 1. Staff rescinded the request to define incidental/accessory uses and eliminate eating/drinking/entertainment establishments as an accessory use as the petitioner has clarified that there will be only one principal building and no drive through windows. 2. A note has been added that a car wash is not permitted. <p><u>Site and Building Design</u></p> <ol style="list-style-type: none"> 3. The building has been oriented so that the outdoor dining and an entrance are accessible from The Plaza. 4. Staff rescinded the request to remove the parking between the building, the sidewalk along The Plaza as the number of parking spaces has been reduced, and additional landscaping added. 5. The gas pumps have been located at East W. T. Harris Boulevard. <p><u>Transportation</u></p> <ol style="list-style-type: none"> 6. The petitioner committed to changes to The Plaza to provide for a left-turn lane into the site and to extend the storage of the eastbound left-turn lanes. <p><u>Environment</u></p> <ol style="list-style-type: none"> 7. The 30-foot Post Construction Water Quality buffer has been shown and labeled on Sheet RZ-1. 8. Staff rescinded the request to subtract the area of the sanitary sewer easement from the tree save area as this is a general ordinance requirement. <p>The following items have been added or amended following the public hearing:</p> <ol style="list-style-type: none"> 1. Note B (2) has been added as follows: "Accessory drive through service windows shall not be permitted on the site." 2. Note B(4) has been added as follows: "A maximum of one principal building may be located on the site." 3. Note D(4) has been amended as follows: "Prior to the issuance of a certificate of occupancy for the building to be constructed on the site, petitioner shall, at its sole cost and expense, install the transportation improvements on The Plaza that are more particularly depicted on Sheet RZ-4 of the rezoning plan and generally described below: (a) extend the existing inner eastbound left turn lane storage on The Plaza at East W. T. Harris Boulevard from 365 feet to 650 feet with a 50-foot by taper; (b) modify the existing outer eastbound left turn lane storage on The Plaza at East W. T. Harris Boulevard from 535 feet to now terminate as a left turn at the intersection of The Plaza and East W. T. Harris Boulevard; (c) perform approximately 300 feet of widening on the south side of The Plaza from the existing eastbound right turn lane on The Plaza at East W. T. Harris Boulevard to a section of existing shoulder pavement opposite Hunters

	<p>Crossing Lane for the shift in the eastbound through lane. The existing shoulder pavement shall also be marked with a 300-foot transition taper for the shift in the through lane.”</p> <ol style="list-style-type: none"> 4. Note G(1) has been added as follows: Development of the site shall comply with the City of Charlotte Tree Ordinance. 5. The number of parking spaces located between the building and The Plaza has been reduced.
	<ol style="list-style-type: none"> 4. Petition No. 2015-101 (Outside City Limit) by Kolter Acquisitions, LLC for a change in zoning for approximately 371 acres located on the northwest corner at the intersection of Rocky River Church Road and Albemarle Road from R-3 (single family residential), R-12MF (multi-family residential) and B-1(CD) (neighborhood business, conditional) to NS (neighborhood services) 5-year Vested Rights and MX-1(INNOV) (mixed use, innovative) with 5-year Vested Rights. <p>Attachment 20 (City Council December 14, 2015)</p> <p>Staff recommends approval of this petition.</p> <p>The following items have been addressed:</p> <p><u>Site and Building Design</u></p> <ol style="list-style-type: none"> 1. Note 6n has been amended to specify that at least one open space area located within Development Area B and along Street #2 will have a minimum of 30 feet of frontage on Street #2 and a minimum depth of 50 feet. 2. Note 6n has been amended to specify that the open space area will contain seating areas, landscaping and hardscape elements. <p><u>Environment</u></p> <ol style="list-style-type: none"> 3. The approximate locations of tree save/open space areas have been shown on Sheet RZ-3. Added Note 9c to specify that site will comply with the requirements of the City of Charlotte Tree Ordinance. 4. Note 13a was amended to specify that dedication and conveyance of the 100-foot SWIM buffer shall occur as part of the Subdivision approval process for this portion of the site, and that storm water detention/water quality facilities shall not be located within the dedication area. 5. Staff has rescinded the request for the petitioner to maintain the creek that runs through the site as the site plan contains notes committing to the preservation of the open space including the creeks. <p><u>Technical Revisions</u></p> <ol style="list-style-type: none"> 6. The petitioner has removed Note 10c as requested. 7. The definition of gross floor area under Note 3 was deleted. 8. Notes 6f and 6g were amended to add the following: “Angled on-street parking will be provided if allowed by the jurisdiction and/or NCDOT.” 9. Note 7b was amended to state “at least one primary” building entrance. 10. Cell towers were added to the list of permitted uses. 11. Clarified the transfer notes for the continuing care retirement center units in Note 3f under Permitted Uses as follows: “The petitioner reserves the right to increase the allowed number of CCRC units allowed in the Development Area B by 100 units by transferring and converting residential dwelling units from the MX-1 portion of the site. Each residential unit transferred from the MX-1 portion of the site will equal two additional CCRC units available for development on Development Area B. No more than 50 units may be so transferred from the MX-1 portion of the site to Development Area B, and for each unit transferred from the MX-1 portion of the site the total number of units allowed in the MX-1 area will be reduced by an equal amount.” 12. All references to “multi-family” were changed to “continuing care retirement center (CCRC).” <p>The following items have been added or amended following the public hearing:</p> <ol style="list-style-type: none"> 1. Note 4a has been amended as follows: “The following transportation improvements are also illustrated on Figure 15 on Sheet RZ-4. The figure on Sheet RZ-4 is to be used in conjunction with the following notes to determine the extent of the proposed improvements (reference to a number or letter when describing an improvement corresponds to the number or letter found on Figure 15 for the proposed improvement.” 2. Note 41b(i) has been added as follows: Increase the westbound right turn lane storage

	<p>on Albemarle Road to the I-485 northbound on ramp to 325 feet with a 75 foot taper.</p> <ol style="list-style-type: none"> 3. Note 4 (1)(e)(ii) has been amended as follows: Construct an exclusive right turn lane on the northbound approach of Harrisburg Road. A minimum of 150 feet of full storage and appropriate bay taper should be provided. 4. Note 4 (1)(e)(iii) has been added as follows: "Extend the existing westbound left turn lane from Camp Stewart Road to southbound Harrisburg Road from 150 feet to 250 feet of full storage and appropriate bay taper should be provided." 5. Note 4 (1)(i) has been added: "Extension of Public Street #5 to Novant Health Inc. and to connect to Novant Health Parkway subject to the terms and conditions set forth in this Section 4." (See site plan for full text.) 6. Note 4 (1)(j) has been added as follows: Intersection of Albemarle Road and Blaire Road (NC 51) (Intersection #9). 7. Note 4 (1)(j)(i) has been added as follows: "Extend (restripe) the exclusive northbound left turn storage on Blair Road (NC 51) to westbound Albemarle Road from 425 feet to 575 feet plus appropriate taper." 8. Note 4(II)(b)(i) has been amended as follows: "Petitioner has the right to construct up to the maximum amount of land use densities shown below by constructing the appropriate roadway improvements listed, or by submitting construction plans for the appropriate roadway improvements as indicated in a particular phase, for each level of development without being required to construct the remainder of the required transportation improvements listed above in Section 4.1.a-j until the development density levels shown below are exceeded." Further added the following: "The phase numbers for the nonresidential Development Areas are not meant to require them to be completed in the sequential order they are listed (before the residential or before each other) and as a result may be developed sooner upon the substantial construction of the roadway improvements listed for each nonresidential Development Area." 9. Phasing Notes 4(II)(b)(A-G) have been amended. 10. Note 4(II)(G)(d)(i)(c) has been amended to add the following: (for example the acquisition of the Connector Right-of-way as set forth above). 11. Note 6f has been added as follows: All buildings shall provide street level, pedestrian oriented active uses along Streets numbers 5, 2 and 3. Buildings along these street fronts will also have operable pedestrian doors that face these streets when angled parking is also provided. Angled on-street parking will be provided if allowed by the jurisdiction and/or CDOT. 12. Note 6j has been amended to add the following: "or CCRC buildings." 13. Note 11c has been amended to add the following: "if developed as two separate areas under separate ownership." 14. The legend and some dimensions on Recommended Improvement diagram have been amended. 15. A note had been added that the development Phasing for Offsite Roadway Improvements diagram, and a note stating that the phase #s for the nonresidential Development Areas are not meant to require them to be completed in the sequential order they are listed (before the residential or before each other) and as a result may be developed sooner upon the substantial construction of the roadway improvements listed for each nonresidential Development Area in the development standards.
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	<ol style="list-style-type: none"> 5. Petition No. 2015-107 (Council District 2- Austin) by D.R. Horton, Inc. for a change in zoning for approximately 12.99 acres located on the south side of David Cox Road near the intersection of David Cox Road and Davis Lake Parkway from INST(CD) (institutional, conditional) and MX-2 (INNOV) (mixed use, innovative standards) to MX-2(INNOV) (mixed used, innovative) and MX-2(INNOV) SPA (mixed use, innovative, site plan amendment). <p>Attachment 16 (City Council December 14, 2015)</p> <p>Staff recommends approval of this petition.</p> <p>The following items have been addressed: <u>Site and Building Design</u></p> <ol style="list-style-type: none"> 1. The proposed locations of Common Open Space/Tree Save Areas as referenced in Note b are now shown on the site plan. 2. Innovative Development Standards have been modified 1 to state: "Minimum front setbacks for attached dwellings shall be 20 feet as measured from proposed public right-of-way (or private easements as applicable) or back of sidewalk (whichever is greater)."
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	<p>3. The site plan has been modified to note a proposed pedestrian connection along Public Road A to the courtyard area of the shopping center to the south.</p> <p>4. The following Architectural Standards have been added:</p> <ul style="list-style-type: none"> • The exterior front wall surfaces, exclusive of windows and doors, of all buildings will be comprised of 100% brick, stone, and/or hardi-plank/fiber cement board. The only exclusion is the fascia board material. • The exterior side and rear surfaces, exclusive of windows and doors, all of buildings will be comprised of 100% brick, stone, and/or hardi-plank/fiber cement board. Vinyl will be excluded from buildings as vertical siding component. <p>5. Details on amenities in the common open space have been provided and are now identified on the site plan. Amenities may include benches and site furnishings, a trail, enhanced landscaping, picnic tables, and specialty lighting.</p> <p><u>Technical Revisions</u></p> <p>6. The information under Site Development Data on Sheet RZ-1 has been modified to specify up to 98 attached, for sale, residential units.</p> <p>7. The labeling on Sheet RZ-1 has been amended to note that the proposed 40-foot setback on David Cox Road will be landscaped. The corresponding Screening and Landscaped Areas Note b has been modified to state the 40-foot setbacks along both David Cox Road and Davis Lake Parkway will be landscaped and noted on the site plan.</p> <p>8. The required 400 square foot open space for each unit is now labeled on the Typical Lot Layout on Sheet RZ-2.</p> <p>9. The maximum building height and parking information in Site Development Data on Sheet RZ-1, has been amended to state that such will be allowed as per ordinance standards.</p> <p>10. All Innovative Development Standards for the MX-2 Area have been combined on Sheet RZ-3.</p> <p>The following items have been added or modified since the public hearing:</p> <p>1. An "Enhanced Screening Area" has been provided along the northwest property line, adjacent to Parcels 043-221-12 and 043-221-02, with Sheet RZ-2 noting specific location. Enhanced Screening Area will consist of an opaque fence (six feet in height) or a dense evergreen screen. An existing 15-foot sewer easement exists in this location, which may impact installation of a fence. If planting is provided, the plant material shall be evergreen large shrubs planted at a maximum of 20 feet on center. The minimum planting height of such material shall be six feet in height at time of installation.</p> <p>2. An "Access Alternate" detail has been added on Sheet RZ-3 for proposed entrance at David Cox Road with No Left Turn Access and Right In/Right Out Access with a note stating: "The decision as to whether right in/right out or full access will be provided at the connection to David Cox Road will be determined by CDOT during the permitting process and will include consideration such as input from City Council as well as the surrounding community. Should right in/right out access be granted for this location, left turn movements into the site from David Cox Road will not be required. If, in the future, the site across the street (David Cox) redevelops then this access could be converted to full access.</p> <p>The following items are outstanding as a result of the revised site plan:</p> <p>1. The following architectural note should be added: "Corner units that face two streets (public or private) shall include a front stoop or porch that wraps the corner of the front and side of the unit."</p> <p>2. The petitioner should remove the noted portion of the "Access Alternate," as indicated below, as CDOT has no mechanism by which to accomplish this:</p> <ul style="list-style-type: none"> • "The decision as to whether right in/right out or full access will be provided at the connection to David Cox Road will be determined by CDOT during the permitting process and will include consideration such as input from City Council as well as the surrounding community.
	<p>6. <u>Petition No. 2015-118</u> (Council District 3- Mayfield) by Pavillion Development Company for a change in zoning for approximately 1.79 acres located on the northeast corner at the intersection of Nations Ford Road and Tyvola Road from CC (commercial center) to CC (SPA) (commercial center, site plan amendment).</p> <p><u>Attachment 17</u> (City Council December 14, 2015)</p> <p>Staff does not recommend approval of this petition.</p>

The following items have been addressed:

Site and Building Design

1. The Architectural Standards language (transparency note) has been revised to address façade facing Nations Ford Road in addition to Tyvola Road and the access drive as currently noted by adding the following language: “The buildings must be designed to encourage and complement the pedestrian scale interest and activity by the use of transparent windows and doors arranged so that the uses are visible from and/or accessible to the street and right-in access driveway off Tyvola and Nations Ford Road on at least 50% of the length of the first floor frontage facing the street and right-in access driveway. Windows must not be blocked by equipment, window adhesives, or other means.”
2. Revised Architectural Standards language has been revised to state blank walls shall not exceed 20 feet and shall be mitigated by providing architectural detail such as a substantial change in material and/or articulation greater than 12 inches in depth.
3. Petitioner added a note to site plan identifying proposed trees along right-of-way to be protected.
4. The petitioner clarified that the subject parcels will be designed with materials compatible with adjacent residential neighborhood by providing the following language under heading Architectural Standards: “The subject parcels shall be designed with materials compatible with adjacent residential neighborhood. Adjacent residential neighborhood is constructed with plank siding and non-architectural roofing. Pursuant to restriction on our property and previous staff comments, our materials are high quality architectural precast stone and fiber cement board. Building materials used will be high quality architectural precast stone, fiber cement board and sloped standing seam metal roof.”
5. The petitioner incorporated CDOT’s requested design refinements to the pedestrian refuge medians.

Technical Revisions

6. The site Data was revised to remove “(CD)” from Existing Zoning and Proposed Zoning lines as the Commercial Center zoning district is conditional.

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

1. The petitioner has added a note under heading Permitted Uses stating that the petitioner agrees that in the event the proposed convenience store is vacated, the motor fuel facility will be restored to a commercial standard.
2. A note has been added under heading Permitted Uses that states that Parcel 4B will be restricted from being a 24-hour diner.

The following item is outstanding as a result of the revised site plan:

1. Revise Architectural Standards Note F1 to remove the following language: “Adjacent residential neighborhood is constructed with plank siding and non-architectural roofing. Pursuant to the restrictions on our property and previous staff comments, our materials are high quality architectural precast stone and fiber cement board.”

The following items remain outstanding:

1. The proposed land use on Parcel 4A is inconsistent with the *Southwest District Plan*, as amended by petition 1997-015.
2. Under Purpose statement, remove reference to automobile service station and associated convenience store.
3. Under Permitted Uses heading, add automobile service station as a prohibited use.

7. **Petition No. 2015-123** (Council District 3- Mayfield) **by Bainbridge Communities Acquisition I, LLC** for a change in zoning for approximately 1.6 acres located on the northwest corner of South Boulevard and Poindexter Drive from I-1 (light industrial) and TOD-M (transit oriented development – mixed-use) to TOD-RO (transit oriented development - residential, optional).

Attachment 21 (City Council December 14, 2015)

Staff recommends approval of this petition.

	<p>The following items have been addressed:</p> <p><u>Site and Building Design</u></p> <ol style="list-style-type: none"> 1. The optional building height had been listed as a maximum height of 84 feet and 10 stories. 2. Decorative benches, landscaping, and decorative building elements have been provided along the Poindexter Drive. 3. Hardscape has been added along South Boulevard. 4. A detail has been provided for the ground level units showing entrances and low wall detail. 5. Residential ground level units along South Boulevard have been modified to show and provide individual units. 6. A detail showing active uses, landscaped area, seating area and decorative grill work has been shown along Poindexter Drive. 7. Clear glazing, windows, and club office has been provided for along Poindexter Drive. 8. The building elevations have shown the parking being screened with decorative grills, masonry block, and landscaping. 9. A note has been added that doors and elevations are conceptual. <p><u>Technical Revisions</u></p> <ol style="list-style-type: none"> 1. The 24-foot setback has been labeled along South Boulevard. 2. A detail has been provided showing the proposed street trees will be in curbed planters. 3. The word potential has been removed from the proposed sidewalk connections.
	<p>8. <u>Petition No. 2015-125</u> (Council District 1-Kinsey) by White Point Paces Properties, LLC for a change in zoning for approximately 4.781 acres located east of 13th Street, west of Belmont Avenue between North Brevard Street and North Davidson Street from B-1 (neighborhood business), B-2 (general business), and I-2 (general industrial) to TOD-M (transit oriented development – mixed-use).</p> <p><u>Attachment 09</u> (City Council December 14, 2015)</p> <p>Staff recommends approval of this conventional petition.</p>
	<p>9. <u>Petition No. 2015-128</u> (Council District 3-Mayfield) by Cousins Acquisition Entity LLC for a change in zoning for approximately 2.3 acres located on the west side of South Tryon Street between West Park Avenue and Camden Road from B-1 (neighborhood business), TOD-M (transit oriented development – mixed-use) and MUDD-O (mixed use development, optional) to TOD-M(O) (transit oriented development – mixed-use, optional) with 5-Year Vested Rights.</p> <p><u>Attachment 11</u> (City Council December 14, 2015)</p> <p>Staff recommends approval of this petition upon resolution of the outstanding issues.</p> <p>The following items have been addressed:</p> <p><u>Site and Building Design</u></p> <ol style="list-style-type: none"> 1. A minimum of 15,500 square feet will be provided for retail, eating/drinking/entertainment establishments and personal services. 2. Optional sign requests have been modified for 50 square foot ground mounted sign and wall signs to allow up to 200 square feet. 3. Optional request “d” has been modified as requested. 4. Note 3C has not been removed. (See note 1 under New modifications.) 5. The detail has been modified showing doors to allow access from the proposed plaza area along South Tryon Street and Camden Road. 6. A note has been added to address the pedestrian plaza along South Tryon Street. 7. The plaza area along Camden Road has been modified to provide for a possible festival street. 8. A detail has been provided showing retail entrances along South Tryon Street. 9. The South Tryon Street elevation has been updated with the proposed materials and appearance. 10. Elevations for the three public streets have been provided. 11. The Camden Road crosswalk has been removed from the plans. 12. The proposed cross section of the festival street has been provided.

- 13. Notes have been added for the festival street.
- 14. The planting area between the back of West Park Avenue has been removed.
- 15. Notes have been added to the site plan to address the concern of the change of grades for the site.

Technical Revisions

- 16. Note 5B has been modified and landscaping has been removed as the only option for screening.
- 17. Note 5b has been modified to read that decorative screening and landscaping will be used to meet the required screening requirements.
- 18. The minimum of 4,000 square feet of open space area has been provided.
- 19. The proposed building elevations have been modified.
- 20. The table on RZ-3 has been modified to show the overall request.
- 21. The table on RZ-3 has been modified as requested.

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

- 1. A note has been added that the proposed commercial space along South Tryon Street will be marketed for 18 months but will have the base equipment such intake and exhaust hoods, grease trap connections, and fire suppression systems for a possible EDEE. After 18 months the space may be used for active uses associated with the proposed office building.
- 2. A note has been added that the grade falls and will only have a difference of 24 inches between the building and the Camden Road.

The following issues are outstanding:

- 1. Modify note 1G to remove fitness studios from the allowed uses.
- 2. Modify the proposed stairs and plaza area along Camden Street. The stairway is inconsistent with the "festival street" concept. The proposed retail finish should step down with the sidewalk grade to be generally flush with the public sidewalk to the back of curb.

The following issue is outstanding as a result of the revised site plan:

- 1. Eliminate the new note related to the marketing and use of the commercial space along South Tryon Street.

- 10. [Petition No. 2015-129](#) (Council District 1- Kinsey) **by Doug Bradley** for a change in zoning for approximately 2.98 acres located on the northwest corner at the intersection of Otts Street and Louise Avenue from I-2 (general industrial) to MUDD-O (mixed use development, optional).

[Attachment 10](#) (City Council December 14, 2015)

Staff recommends approval of this petition.

The following items have been addressed:

Site and Building Design

- 1. The maximum building square footage has been specified as 62,657 square feet.
- 2. The note under heading of "Purpose" has been amended to state that the site will require a rezoning to modify this plan if more than 20 percent of the conditioned floor area of the existing building is demolished.
- 3. The note under "Architectural Standards" has been amended to state that artwork or vertical landscaping will also be added to the retaining wall along Otts Street.
- 4. Note B under "Transportation" has been amended as follows: "The parking on the site may be restriped or reconfigured to accommodate the planting of street trees and the removal of obsolete industrial components on the site. As a result of these reconfigured areas, both existing and additional parking and maneuvering will be necessary between the building and the street and are hereby included as a component of the Optional request."

- 11. [Petition No. 2015-131](#) (Council District 6-Smith) **by Synco Properties** for a change in zoning for approximately 27 acres located on the west side of Sharon Road between Morrison Boulevard and Colony Road from R-17MF (multi-family residential) to MUDD-O (mixed use development, optional), with 5-Year Vested Rights.

[Attachment 12](#) (City Council December 14, 2015)

Staff recommends approval of this petition.

The following items have been addressed:

Transportation

1. Removed inset images on Sheet RZ-8 related to the connection through Area B to Colony Road.
2. Amended Note 6d to describe the pass through connections through Areas B and C, and then amended the Design Intent to match. The pass through in Area B commits to no head-in parking; however, parallel parking may be provided, with a minimum six-foot sidewalk on the eastern side and a minimum ten-foot sidewalk on the western side of the drive. Area C commits to either a minimum eight-foot sidewalk on one side or six-foot sidewalks on both sides of the drive.

Requested Technical Revisions

3. Amended Note 3b to read "allow up to three porte-cocheres and valet parking service areas on the site between buildings and streets."
4. Amended the last sentence in Note 3j because access points are not lettered on the site plan.
5. Amended Note 8l to change "connection" to "connections" in the second sentence.
6. Amended Note 8m to read "except as specified in Paragraph (l) above..."
7. Amended the words "Tree Save Edge" on sheet RZ-8 to "Perimeter Tree Zone" and amended Note 9b to change "tree save areas" to "perimeter tree zone."
8. Ensured that the Development Notes and the Design Intent are consistent with one another throughout.
9. Amended Note 8j and 8k and the Design Intent to specify that the setback is measured from the future back of curb. State that except in locations where widening is proposed as part of the transportation improvements described in the notes, the existing and future back of curb are the same.

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

1. Added a note that the petitioner shall provide and construct a waiting area for the existing bus stop on Sharon Road.
2. Removed "and as applicable, NCDOT", from a note related to reviewing administrative changes to street improvements.
3. Reduced the amount of vehicle storage from 250 feet to 200 feet for directional crossover on Sharon Road.
4. Amended a note to clarify the location of a pedestrian refuge island on Colony Road.
5. Clarified that setbacks along the existing public streets are measured from the future back of curb.
6. Amended the design intent to clarify that phase 1 is development area A and phase 2 and 3 is development area C.

12. [Petition No. 2015-132](#) (Council District 1-Kinsey) by **Simonini Saratoga, LLC** for a change in zoning for approximately 0.36 acres located on the north side of Huntley Place near the intersection of Huntley Place and Providence Road from R-4 (single-family residential) and B-1 (neighborhood business) to UR-3(CD) (urban residential, conditional).

[Attachment 22](#) (City Council December 14, 2015)

Staff recommends approval of this petition.

The following items have been addressed:

Site and Building Design

1. Petitioner has added a note that landscaping and shrubs will be provided near the back of the existing public sidewalk.
2. Sidewalk connections to the public street network have been shown on the plan for each unit.
3. The building setback has been labeled and shown as 20 feet from the back of the existing sidewalk, for an overall building face setback of 32.5 feet from the back of curb along Huntley Place.
4. Recessed doors and landscaped area have been provided for the two proposed internal units.

	<p>5. A note has been added to the "Architectural Standards" that decorative garage doors will be provided.</p>
	<p>13. Petition No. 2015-133 (Council District 4-Phipps) by BRC Salome Church LLC for a change in zoning for approximately 20.6 acres located near the northwest corner at the intersection of Salome Church Road and North Tryon Street from R-3 (single family residential) and R-22MF(CD) (multi-family residential, conditional) to R-12MF(CD) (multi-family residential, conditional).</p> <p>Attachment 15 (City Council December 14, 2015)</p> <p>Staff recommends approval of this petition.</p> <p>The following items have been addressed:</p> <p><u>Transportation</u></p> <ol style="list-style-type: none"> 1. The proposed southernmost private driveway has been labeled for Emergency Access Only. 2. The petitioner committed to one-half of the widening of the future Salome Church Road cross-section along the site frontage, including a shared use path for pedestrians and cyclists. 3. A pedestrian/bicycle connection to the adjacent multi-family site has been provided. <p><u>Site and Building Design</u></p> <ol style="list-style-type: none"> 4. The petitioner added vertical architectural elements to the short side of Building 1. <p><u>Technical Revisions</u></p> <ol style="list-style-type: none"> 5. Note 5f was amended as follows: "Parking lots will be screened from internal private streets if applicable." 6. The word "wainscot" referenced in the General Design Guidelines Note D was removed. 7. The "Preferred Exterior Building Materials" referenced in the General Design Guidelines Note D were defined as brick, stone, precast stone, precast concrete, stucco and decorative block. <p>The following items have been added or amended following the public hearing:</p> <ol style="list-style-type: none"> 1. Note 3e has been added as follow: "Petitioner will improve Salome Church Road. The improvements along Salome Church Road will include the required left-turn lanes, an 11-foot southbound through lane, two and a half (2.5) foot curb and gutter, an eight-foot planting strip and an 11-foot asphalt multi-use trail." 2. Note 3f has been added as follows: "Petitioner will work with CDOT to set the proposed curb and gutter to include the improvements described above plus the additional pavement needed to create a future second southbound through lane on Salome Church Road, as generally depicted on the Rezoning Plan. The petitioner will provide the necessary improvement to construct a future second southbound through lane if the petitioner and City enter into Pavement Widening Reimbursement Agreement that will reimburse the petitioner for the cost of the pavement associated with a future second southbound through lane. Due to the nature of the widening by the petitioner, the amount of pavement needed for the future second southbound through lane will be less than a full lane width." 3. Note 3g has been added as follows: "The petitioner will provide an 11-foot asphalt multi-use trail and an eight-foot planting strip along the site's frontage on Salome Church Road. The 11-foot multi-use trail will be constructed in lieu of a sidewalk along Salome Church Road. Along the two new public streets eight-foot planting strips and six foot sidewalks will be constructed along both sides." 4. Cross-sections have been added for the major thoroughfare ultimate section and interim section for Salome Church Road.
	<p>14. Petition No. 2015-134 (Council District 1-Kinsey) by Charlotte Merlane FDS 713525 for a change in zoning for approximately 1.84 acres located on the northwest corner at the intersection of West Sugar Creek Road and Merlane Drive from R-4 (single family residential) to NS (neighborhood services).</p> <p>Attachment 23 (City Council December 14, 2015)</p> <p>Staff recommends denial of this petition.</p>

The following items have been addressed:

Site and Building Design

1. Clarified note under Architectural Standards to state that the primary building entrance for each building will be a corner entrance that is oriented to West Sugar Creek Road.

Transportation

2. Depicted an eight-foot wide planting strip and six-foot wide sidewalk along the site's frontages on Merlane Drive and West Sugar Creek Road.
3. Committed to dedicate in fee simple 40 feet of right-of-way as measured from the existing centerline of West Sugar Creek Road.

Requested Technical Revisions

4. Aligned the maximum square footage listed under Permitted Uses and in the Development Data Summary to reflect 13,000 square feet.

The following items are outstanding:

Land Use

1. The petition is inconsistent with the Central District Plan recommendation for residential development up to four dwelling units per acre.

Site and Building Design

2. Add a note that minimum building height for both buildings will be 22 feet.

Requested Technical Revisions

3. Specify boundaries of the ten-foot "Class C" buffer, and provide a buffer at the rear of the property abutting single family residential uses and zoning.
4. Delete the "Alternate use for parcel 08707125" which shows the parcel being used for a public or private road.
5. Add a minimum 30-foot wide tree save on the site plan.