

**AGENDA**  
**CHARLOTTE-MECKLENBURG PLANNING COMMISSION**  
**ZONING COMMITTEE WORK SESSION**  
**Charlotte-Mecklenburg Government Center, CH-14**  
**July 7, 2014**  
**2:00 P.M.**

Please click this link: [June 2014 map](#) to see a map showing the location of all rezoning cases on this agenda.

<p><b>Sandra Montgomery</b></p>	<p>1. <a href="#">Petition No. 2013-090</a> by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to create new definitions and regulations for eating, drinking and entertainment establishments by replacing definitions and regulations for restaurants, nightclubs, bars and lounges. Allows eating, drinking and entertainment establishments by right or with prescribed conditions in the following zoning districts: multi-family, UR-2 (urban residential), UR-3 (urban residential), UR-C (urban residential, commercial), institutional, research, office, business, MX-1 (mixed use), MX-2 (mixed use), MX-3 (mixed use), MUDD (mixed use development), UMUD (uptown mixed use), CC (commercial center), NS (neighborhood services), TOD (transit oriented development), U-I (urban industrial), industrial, PED (pedestrian overlay) and TS (transit supportive overlay). An exemption process is added, including criteria to be eligible to apply for a Certificate of Exemption when an existing eating, drinking, and entertainment establishment cannot meet the proposed separation distance requirements.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 11</p> <p><b>Update: There are no outstanding issues with this petition.</b></p>
<p><b>Claire Lyte-Graham</b></p> <p><b>Deferral</b></p> <p><b>Protest Sufficient</b></p>	<p>2. <a href="#">Petition No. 2014-019</a> (Outside City Limits) by Charlotte-Mecklenburg Planning Department for a change in zoning for two parcels approximately 26.47 acres located on the west corner of the intersection at Mallard Creek Road and Salome Church Road from CC, commercial center to R-4, single family residential.</p> <p>Staff is requesting this petition be sent back for an October public hearing to convert this petition to a conditional plan.</p> <p>Attachment 23 (February 17, 2014 Council Agenda)</p> <p><b>Update: There are no outstanding issues with this petition.</b></p>
<p><b>Sandra Montgomery</b></p>	<p>3. <a href="#">Petition No. 2014-021</a> by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to 1) create a new definition for mobile farmer’s market; 2) allow mobile farmer’s markets in all zoning districts; and 3) create new prescribed conditions for mobile farmer’s markets.</p> <p>Staff is requesting a one-month deferral of this petition to the July 30 meeting.</p> <p>Attachment 3</p> <p><b>Update: There are no outstanding issues with this petition.</b></p>

Sonja Sanders

4. [Petition No. 2014-029](#) (Council District 6 - Smith) by Kyle Short for a change in zoning for approximately 1.58 acres located on the south side of East Woodlawn Road between Old Woods Road and Fairbluff Place from R-4 (single family residential) to UR-2(CD) (urban residential, conditional).

Staff recommends approval of this petition.

Attachment 5

**Update: The following issues have been addressed:**

1. Specified maximum building height as three stories.
2. Specified permitted uses as multi-family residential.
3. Showed and labeled Class C buffer. Specified that buffer will be developed per Class C buffer standards.
4. Provide and label guest parking. Staff has rescinded this request. Site meets parking requirement for the UR-2 district.
5. Show and label a 13-foot wide planting strip and six-foot wide sidewalk along Woodlawn Road per the *Park Woodlawn Area Plan* instead of the 18-foot wide planting strip and sidewalk of undetermined width currently shown on the site plan. Staff rescinds a portion of this request. The six-foot sidewalk has been labeled and the 18-foot wide planting strip as shown is sufficient
6. Amended Development Summary to reflect a 14-foot setback.
7. Amended the sidewalk along the internal street to six feet.
8. Labeled and indicated the dimensions of the area between the private internal street and the sidewalk as a two-foot planning strip.
9. Provided a note that the curb along the internal private street will be standard curb (not roll curb).
10. Provided a six-foot planting strip between the sidewalk and the private street the full length of the area beside unit 1.
11. Indicated the maximum height of the retaining wall will be eight feet.
12. Correctly measured and labeled the 14-foot setback along E. Woodlawn Road as being measured from the back of the future curb.
13. Revised General Provisions Note #1, last sentence, as follows: "Where specified conditions on this plan differ from ordinance, standards, in existence at the time of formal engineering plan review submission, the more restrictive shall apply."
14. Eliminated the following sentence in General Provisions Note #2: "The Site Plan is schematic in nature and represents a firm concept of development with regard to the arrangement of buildings, parking and circulation patterns."
15. Noted that the finished side of the proposed privacy fence will face the adjacent properties.
16. Noted that the stucco or masonry wall along the rear of the buildings backing up to Woodlawn Road will contain gated openings for private access from street, will be 60 inches in height above grade, and will feature decorative pilasters every 20 feet maximum on center.
17. Provided renderings as viewed from E. Woodlawn Road; typical image of exterior, typical image of end unit, and views from adjacent yards with and without tree plantings.
18. Removed tree save area that was located in the right-of-way along E. Woodlawn Road.
19. Submitted plan to Fire Marshall for review as the fire access as shown may be an issue that would dramatically alter the site plan. Fire Department commented that additional information will be needed and possible tweaking may be warranted.
20. Specified two car garages for the two single family detached dwellings, with a shared driveway.

<p><b>2014-029 contd.</b></p>	<p><b>21. Labeled right-of-way along E. Woodlawn Road to be dedicated.</b></p> <p><b>22. Correctly labeled five-foot side yard at rear of property as a 10-foot rear yard.</b></p> <p><b>23. Addressed CDOT comment by adding by dedicating 50 feet of right-of-way measured from the existing centerline along the site's public frontage on Woodlawn Road. The additional 16-foot right of way on E. Woodlawn Road will be dedicated and conveyed to CDOT.</b></p> <p><b>24. Addressed Engineering and Property Management comments by providing a minimum 15-foot wide drainage easement clear of required buffers and structures.</b></p> <p><b>Update: The following items have been added or amended:</b></p> <ol style="list-style-type: none"> <li><b>1. Labeled all tree save areas to ensure compliance with the minimum 15 percent tree save requirement.</b></li> <li><b>2. Provided typical image of building exterior, typical image of end unit, and views from adjacent yards with and without tree plantings.</b></li> <li><b>3. Removed guest parking from location on proposed private street as it violates Fire Code.</b></li> </ol>
<p><b>Solomon Fortune</b></p> <p><b>Protest Sufficient</b></p>	<p><b>5. <a href="#">Petition No. 2014-031</a> (Outside City Limits) by Wilkison Partners, LLC for a change in zoning for approximately 5.9 acres located on the southeast corner at the intersection of Youngblood Road and Shelburne Farms Drive from MX-3(LLWCA) (mixed use, Lower Lake Wylie Critical Area) to MX-3 SPA(LLWCA) (mixed use, site plan amendment, Lower Lake Wylie Critical Area).</b></p> <p>Note: Zoning Committee will need to vote to see if the changes to the site plan require another public hearing and community.</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 6</p> <p><b>Update: The following issues have been addressed:</b></p> <ol style="list-style-type: none"> <li><b>1. A public street stub to the eastern edge of the property has been provided to comply with the Subdivision Ordinance.</b></li> <li><b>2. The site plan shows and provides for both streets to be constructed as public streets.</b></li> <li><b>3. The innovative standards have been listed on the site plan.</b></li> <li><b>4. A note has been added stating, "The petitioner reserves the right to install an entrance feature at the driveway connection to Shelburne Farms Drive subject to approval by North Carolina and Charlotte Departments of Transportation.</b></li> </ol> <p><b>Update: The following items are outstanding:</b></p> <ol style="list-style-type: none"> <li><b>1. Label and note that an eight-foot planting strip and six-foot sidewalk will be provided on both sides of the street for all private streets.</b></li> <li><b>2. Show the number of off-street guest parking spaces which will be provided.</b></li> <li><b>3. Modify the area shown for guest parking and label it as a parking envelope and not common open space.</b></li> <li><b>4. Provide a detail of the proposed ornamental fence.</b></li> <li><b>5. Label the elevations and add a note identifying the proposed building materials on the elevations.</b></li> <li><b>6. Provide a note and show that the off-street guest parking area will be screened with five-foot tall shrubs on all three sides.</b></li> <li><b>7. Label and note the proposed percentage of tree save area for the areas</b></li> </ol>

<p>2014-031 contd.</p>	<p><b>shown on the site plan.</b></p> <p><b>8. Submit an administrative request for Petition 2001-016C and reduce the number of "village residential" units by 29 units prior to the City Council decision.</b></p>
<p><b>Sonja Sanders</b></p>	<p>6. <b><u>Petition No. 2014-035</u></b> (Council District 4 - Phipps) <b>by Electrolux North America, Inc.</b> for a change in zoning for approximately 90 acres located on the southeast corner at the intersection of David Taylor Drive and Claude Freeman Drive from RE-2 (research) to RE-3-O (research, optional) and O-1(CD) (office, conditional), with five year vested rights.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 13</p> <p><b>Update: The following issues have been addressed:</b></p> <ol style="list-style-type: none"> <li>1. <b>Provided clarity on the proposed amount and type of retail by limiting retail sales to 70,000 square feet of uses allowed in the B-1 district, and prohibiting a single retail tenant with more than 35,000 square feet of gross floor area.</b></li> <li>2. <b>Provide a six-foot sidewalk along David Taylor Drive approximately 525 feet from proposed street #1 (Electrolux Way) to the eastern property line. <u>Staff has rescinded this request due to topographical issues.</u></b></li> <li>3. <b>Complied with transportation requirements resulting from the review of the traffic impact study by listing the improvements by phase:</b> <ol style="list-style-type: none"> <li>a) <b>Phase I</b> <ol style="list-style-type: none"> <li>(i) <b>Construction of Electrolux Way;</b></li> <li>(ii) <b>Improvements at the intersection of W. T. Harris Boulevard and Research/IBM Drive;</b></li> <li>(iii) <b>Improvements at the intersection of Mallard Creek Road and Governor Hunt Road;</b></li> <li>(iv) <b>Improvements at the intersection of Mallard Creek Church Road and Claude Freeman Drive;</b></li> <li>(v) <b>Improvements at the intersection of Research Drive and David Taylor Drive;</b></li> <li>(vi) <b>Improvements at the intersection of Electrolux Way and David Taylor Drive;</b></li> </ol> </li> <li>b.) <b>Phase II</b> <ol style="list-style-type: none"> <li>(i) <b>Construction of Public Street #2;</b></li> <li>(ii) <b>Improvements at the intersection of Mallard Creek Road and Governor Hunt Road;</b></li> <li>(iii) <b>Improvements at the intersection of Mallard Creek Church Road and Claude Freeman Drive;</b></li> <li>(iv) <b>Improvements at the intersection of Mallard Creek Church Road and Senator Royall Place;</b></li> <li>(v) <b>Improvements at the intersection of David Taylor Drive and Governor Hunt Drive/Existing Access "B"</b></li> </ol> </li> </ol> </li> <li>4. <b>Provided clarity on the optional request for detached directional signs by specifying two detached identification signs up to 50 square feet of sign area and seven feet in height, and two detached directory signs up to 24 square feet and up to five feet in height.</b></li> <li>5. <b>Provided clarity on the width of the existing sidewalk connections to the site from Claude Freeman Drive by showing and labeling four-and six-foot proposed additions to an existing four-foot sidewalk, and noted that an on-site walking trail/sidewalk for use of the employees will be provided that runs between Claude Freeman Drive and David Taylor Drive. There is no existing sidewalk along the site's frontage on Claude Freeman Drive.</b></li> </ol>

<p><b>2014-035</b> <b>contd.</b></p>	<p><b>Update: The following items have been added or amended:</b></p> <ol style="list-style-type: none"> <li>1. Refer to Public Street #1 as Electrolux Way.</li> <li>2. Delineated and labeled a Development Area 2A.</li> <li>3. Amended optional provisions as follows: <ol style="list-style-type: none"> <li>a. Added 2(a)(iv) to specify that retail sales uses and restaurants located in Development Area 2A will not be allowed to provide parking between the building and public street #2.</li> <li>b. Amended 2(c) to state that public urban open space requirements will not be met with private urban open space if retail sales and restaurant uses are located in Development Area 2A.</li> <li>c. Amended Note 2C to request a 24-foot setback along Public Street #2.</li> <li>d. Amended Note 2(f) to not require a six foot sidewalk along the majority of David Taylor Drive, and to allow a sidewalk to be provided along portions of David Taylor Drive and Claude Freeman Drive; this sidewalk will be connected to the existing pedestrian trail along Claude Freeman Drive.</li> <li>e. Amended Note 2(g) exempt retail sales and restaurant uses located within Development Area 2A from the request to not require doorways to be recessed into the face of buildings.</li> <li>f. Amended Note 2(h) to exempt retail sales and restaurant uses located within Development Area 2A from the request to not require each building façade oriented to a street to have an operable pedestrian entrance.</li> </ol> </li> <li>4. Improvements to existing on-site pedestrian tunnel include repair of brige, provision of eight-foot wide concrete sidewalk on each side, repair of lighting inside tunnel. Existing on-site pedestrian trail will be maintained by Electrolux.</li> <li>5. Providing a CATS waiting pad on David Taylor Drive.</li> <li>6. Limited only one accessory drive-through window on the site.</li> <li>7. Amended phasing requirements to allow a certificate of occupancy for up to 390,000 square feet to be allowed upon substantial completion of Phase I transportation improvements.</li> <li>8. Amended phasing requirements to allow a certificate of occupancy for up to 968,874 square feet upon substantial completion of Phase II transportation improvements.</li> </ol>
<p><b>John Kinley</b></p>	<ol style="list-style-type: none"> <li>7. <a href="#"><u>Petition No. 2014-039</u></a> (Council District 1 - Kinsey) <b>by John M. Meyer</b> for a change in zoning for approximately 0.145 acres located along North Davidson Street between East 35th Street and East 36th Street from B-1 (neighborhood business) to MUDD-O (mixed use development, optional).</li> </ol> <p>Staff recommends approval of this petition.</p> <p>Attachment 14</p> <p><b>Update: The following issues have been addressed:</b></p> <ol style="list-style-type: none"> <li>1. Specified the width of the existing sidewalk to remain and clarified if a proposed sidewalk of eight feet is to be provided as shown on the site plan.</li> <li>2. Decreased the amount of exterior seating from 3,100 square-feet to 1,578 square-feet reducing the area of expansion.</li> </ol>

<p><b>2014-039</b> <b>contd.</b></p>	<p><b>Update: The following items have been added:</b></p> <ol style="list-style-type: none"> <li>1. Amended the wording for note III a. 2. to say "14' setback reduced from 16' setback as specified in the MUDD district."</li> <li>2. Removed the label and line for the existing 20-foot setback from sheet 2 Site Layout.</li> </ol>
<p><b>Solomon Fortune</b></p> <p><b>Protest Sufficient</b></p>	<p>8. <b><u>Petition No. 2014-040</u></b> (Council District 6 - Smith) <b>by Sardis Road Land Co., LLC</b> for a change in zoning for approximately 5.05 acres located on the east side of Sardis Road between Waverly Hall Road and Chevron Road from INST(CD) (institutional, conditional) to UR-1(CD) (urban residential, conditional).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 15</p> <p><b>Update: The following issues have been addressed:</b></p> <ol style="list-style-type: none"> <li>1. Note number four under "Access and Transportation." Has been removed.</li> <li>2. Eight-foot planting strips and six-foot sidewalks have been provided along all public street frontages.</li> <li>3. Lots have been modified to show that that storm water detention facilities will be placed in common areas and not on private lots.</li> <li>4. Sidewalks connections for lots 8, 9, have been shown to comply with Section 9.406(8)(d)(v).</li> <li>5. 8 foot planting strip and six foot sidewalk have been provided along all public streets.</li> <li>6. A Wetlands letter has been provided to Engineering and Property Management.</li> <li>7. A minimum spacing distance and number of pedestrian lights has been provided.</li> <li>8. A detail of the brick wall showing the height of the retaining walls along the site's frontage has been provided.</li> <li>9. The request for on-street parking has been rescinded by staff.</li> </ol>
<p><b>Solomon Fortune</b></p>	<p>9. <b><u>Petition No. 2014-041</u></b> (Council District 2 - Austin) <b>by Dominion Investments Properties, LLC</b> for a change in zoning for approximately 2.92 acres located on the north side of Pete Brown Road at the intersection of Old Statesville Road and Pete Brown Road from I-1 (light industrial) to I-2(CD) (general industrial, conditional).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 16</p> <p><b>Update: The following issues have been addressed:</b></p> <ol style="list-style-type: none"> <li>1. A note has been added that all uses in the I-1 district allowed in the I-2 district shall be allowed along with contractor's office with storage.</li> <li>2. All the allowed uses have been placed in one section on the site plan.</li> <li>3. A note has been added that "freestanding light will be fully shielded and downwardly directed."</li> <li>4. Detached lighting has been limited to 20 feet in height.</li> <li>5. Transportation's issue has been addressed with a note that CDOT will review the proposed location of the second proposed driveway location along Pete Brown Road.</li> </ol>

<p><b>Sonja Sanders</b></p>	<p><b>10. <a href="#">Petition No. 2014-045</a></b> (Council District 7 - Driggs) <b>by Parag Patel</b> for a change in zoning for approximately 5.5 acres located on the northeast corner at the intersection of Johnston Road and North Community House Road from CC (commercial center) to CC SPA (commercial center, site plan amendment).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 17</p> <p><b>Update: The following issues have been addressed:</b></p> <ol style="list-style-type: none"> <li>1. <b>Amended Legend and Site Development Date to reflect entire rezone area as 5.5 acres and delineated the 1.35 acre area of proposed expansion.</b></li> <li>2. <b>Amended boundaries of development to reflect entire 5.5 acres. Delineated area of proposed expansion within this boundary.</b></li> <li>3. <b>Addressed Charlotte-Mecklenburg Storm Water Services comments by amending Note 7(b) to state "the petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance," and amended insert drawing on Sheet RZ-3 to remove the note stating "area subject to PCCO storm water regulations."</b></li> </ol> <p><b>Update: The following item has been amended:</b></p> <ol style="list-style-type: none"> <li>1. <b>Amended Note 6(h) to state that the petitioner shall install a chain link fence along the rear of the site to separate the hotel site from property owned by the Catholic Diocese of Charlotte unless a letter agreement between the two property owners is consummated, which stipulates that the chain link fence should not be installed. If such letter from the adjoining property owner is provided to the City, it is agreed that the chain link fence will not be required.</b></li> </ol>
<p><b>Claire Lyte-Graham</b></p>	<p><b>11. <a href="#">Petition No. 2014-046</a></b> (Council District 2 - Austin) <b>by The Housing Partnership</b> for a change in zoning for approximately 3.38 acres located on the northwest corner at the intersection of Statesville Avenue and Moretz Avenue abutting Moss Lane and Tranquil Oak Place from R-22MF (multi-family residential) to UR-2(CD) (urban residential, conditional).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 18</p> <p><b>Update: The following issues have been addressed:</b></p> <ol style="list-style-type: none"> <li>1. <b>Added notes committing to the following design standards:</b> <ol style="list-style-type: none"> <li>a. <b>Buildings along public and private streets shall have clear windows, glass and doors that face these respective streets. The walls of the buildings facing these streets shall be varied with a frequency of windows, doors and other architectural treatments. Long expanses of blank walls with no openings and minimal changes in material or architectural treatment over 20' long will not be allowed. Blank walls shall be treated with some combination of landscaping, building articulation, varied building façade planes, canopies, pedestrian oriented lights, public art or other similar treatment.</b></li> <li>b. <b>The principal buildings constructed on the Site may use a variety of building materials. The building materials used for buildings (other than structured parking facilities) will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, cementitious siding (such as hardi-blank), EIFS or wood. Vinyl as a building material will not be allowed except on windows and soffits.</b></li> <li>c. <b>Residential buildings that front on a public or private street will be</b></li> </ol> </li> </ol>

<p><b>2014-046 contd.</b></p>	<p>designed with buildings entrances that face the abutting public or private street, except that buildings with frontage on two streets (either public or private or two legs of a roundabout) may have an entrance to only one street.</p> <p>d. Meter banks, BFP's and other similar utilities will be screened where visible from public view at grade level.</p> <p>e. Roof top HVAC and related mechanical equipment will be screened from public view at grade level.</p> <ol style="list-style-type: none"> <li>2. Included the conceptual renderings provided with the 2008 rezoning.</li> <li>3. Removed UR-2(CD) from Developments Note 1c (Existing and Proposed Zoning).</li> <li>4. Corrected the label in Development Area 11, which refers to Development Area.</li> <li>5. Addressed CATS comments adding a note that states the petitioner will retain existing bus stop location, and that new pad detail 60.01B will be coordinated review and permit process.</li> <li>6. Address Neighborhood and Business Services comments by noting setbacks on site plan.</li> <li>7. Address Transportation comments by providing the following: <ol style="list-style-type: none"> <li>a) Removed the "Proposed Right-In/Right-Out" note from the site plan, allowing for the final access management treatment of this intersection to be determined by CDOT and NCDOT during the driveway permit process.</li> <li>b) Incorporated the public street alignment as per May 21, 2014 meeting with CDOT.</li> </ol> </li> </ol> <p><b>Update: The following item has been amended:</b></p> <ol style="list-style-type: none"> <li>1. <b>Petitioner removed all references to UR-2(CD) as existing zoning from the site plan.</b></li> </ol>
<p><b>Claire Lyte-Graham</b></p>	<p><b>12. <a href="#">Petition No. 2014-047</a></b> (Council District 3 - Mayfield) <b>by Hopper Communities</b> for a change in zoning for approximately 3.21 acres located on the west side of Youngblood Street between Remount Road and Griffith Street and across from Poindexter Drive from I-2 (general industrial) and TOD-M(CD) (transit oriented development, mixed use, conditional) to TOD-M O (transit oriented development, mixed use, optional).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 19</p> <p><b>Update: The following issues have been addressed:</b></p> <ol style="list-style-type: none"> <li>1. <b>Removed optional provision (b), which is not needed because the driveways and garages shown on the site plan open onto alleys and not public or private streets.</b></li> <li>2. <b>Removed optional provision (c), as it is not needed with this request. TOD allows 1.6 parking spaces per unit plus a 25% bonus for structured parking, which equals 2 spaces per unit. Garage parking has been determined to be structured parking, so the option is not needed.</b></li> <li>3. <b>Installed eight-foot planting strip with trees and eight-foot sidewalk along Youngblood Street frontage and both sides of proposed public street.</b></li> <li>4. <b>Added a note stating that windows will be provided on all levels of the end units visible from Youngblood Street and the proposed public street.</b></li> <li>5. <b>Noted that garages will be 5'-7' deep from the edge of the alley.</b></li> <li>6. <b>Screen the ends of alleys from Youngblood Street with architectural and/or landscape screening.</b></li> <li>7. <b>Provide typical building elevations for front, back and sides. <i>Staff has rescinded this comment as the petitioner has provided additional</i></b></li> </ol>

<p><b>2014-047 contd.</b></p>	<p><i>architectural standards and the project will undergo TOD review.</i></p> <ol style="list-style-type: none"> <li>8. <b>Petitioner has provided a note that states that the proposed six-foot high fence will be opaque and that is of wood or vinyl material, or a composite. In addition, brick or stone columns will be inserted at approximately 60' on center along the fence line.</b></li> <li>9. <b>Common open areas are now noted on the site plan.</b></li> </ol>
<p><b>John Kinley</b></p>	<p><b>13. <a href="#">Petition No. 2014-048</a></b> (Council District 1 - Kinsey) <b>by Marsh Euclid Apartments, LLC</b> for a change in zoning for approximately 2.99 acres generally surrounded by South Caldwell Street, Lexington Avenue, Euclid Avenue, and Templeton Avenue from O-2 (office) and TOD-MO (transit oriented development, mixed use, optional) to TOD-MO (transit oriented development, mixed use, optional) and TOD-MO SPA (transit oriented development, mixed use, optional, site plan amendment).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 20</p> <p><b>Update: The following issues have been addressed:</b></p> <ol style="list-style-type: none"> <li>1. <b>Addressed CDOT issue by reducing the curb extensions to five-feet allowing two 10-foot traffic lanes and 5-foot wide on-street parking on both sides of Lexington Avenue.</b></li> <li>2. <b>Revised note 3.d. to say 68 linear feet.</b></li> </ol>
<p><b>Sonja Sanders</b></p> <p><b>Protest Sufficiency TBD</b></p>	<p><b>14. <a href="#">Petition No. 2014-050</a></b> (Council District 6 - Smith) <b>by Copper Builders, Inc. and Cambridge Properties, Inc.</b> for a change in zoning for approximately 9.09 acres located on the southwest corner at the intersection of Carmel Road and Colony Road from R-3 (single family residential) and UR-2(CD) (urban residential, conditional) to UR-2(CD) (urban residential, conditional) and UR-2(CD)SPA (urban residential, conditional, site plan amendment).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 21</p> <p><b>Update: The following issues have been addressed:</b></p> <ol style="list-style-type: none"> <li>1. <b>Showed location of solid waste and recycling facilities as required per Section 12.403 of the City of Charlotte Zoning Ordinance.</b></li> <li>2. <b>Enhanced drawings of typical courtyard and typical drive to better reflect layout of screen wall with pedestrian gates. Deleted proposed screen walls with gated pedestrian street access that were previously shown on Carmel Road and Colony Road.</b></li> <li>3. <b>Showed and labeled proposed tree save areas in Phase I and Phase II that meet the 15 percent requirement. Noted that identified tree save areas where tree canopy does not exist will be replanted at a rate of 36 trees per acre. Specified undisturbed and proposed tree save areas.</b></li> <li>4. <b>The Subdivision Ordinance requires a 30-foot wide internal street that connects to Colony Road and Carmel Road. Street must be 30 feet wide measured from face of curb and a local residential wide street type is required if on-street parking is provided. <u>Staff has rescinded this request. A street connection to Carmel Road is no longer required per the Subdivision Ordinance due to inability to meet the 200-foot site distance requirement along Carmel Road, from the intersection of Carmel Road and Colony Road because of topographical constraints.</u></b></li> <li>5. <b>Showed building and parking footprint for Phase 2 as a separate inset on</b></li> </ol>

2014-050  
contd.

Sheet RZ-2.

- 6. Provided a typical front, side and rear elevation for any façade that will be oriented toward a public or private street. Shown on Sheet RZ-4.
- 7. Designed elevations for end units that front Colony Road with architectural details that create a sense of entry and develop a pedestrian scale orientation towards Colony Road.
- 8. Amended Sheet RZ-1 to state that existing residential structure is to remain in Phase 1.
- 9. Addressed CDOT comment to relocate the retaining wall at the intersection of Carmel Road and Colony Road out of the 35-foot by 35-foot site triangle.
- 10. CDOT rescinded comments regarding a proposed street connection to Carmel Road, and a request to show the installation of a median along the access drive on Carmel Road because a street connection to Carmel Road is no longer required per the Subdivision Ordinance.

The following items have been added or amended:

- 1. Relabeled "screen wall" along Colony Road and Carmel Road as "proposed site retaining wall."
- 2. Specified acreage of Tract A and Tract B in the development data.
- 3. Amended development data to indicate that all units in Phase I and Phase 2 shall be provided a minimum 400 square feet of private open space.
- 4. Clarified that each single family attached unit will have a two car garage.
- 5. Added note that the internal private street shall not be required to connect to Carmel Road, per determination of the Subdivision Administrator.
- 6. Added note that the petitioners shall install a northbound left turn lane on Colony Road prior to the issuance of the first certificate of occupancy for any single family attached dwelling unit constructed on the site.
- 7. Added note that a door shall not be required on the side elevation of Units 3-6, 31-32 and 34.
- 8. Noted that the finished grade of each single family attached unit located with frontage on Carmel Road shall be a minimum of three feet below the elevation of the sidewalk located on Carmel Road.
- 9. Added note that any railings required to be installed on to of retaining walls along the site's frontage on Colony Road and Carmel Road will be constructed of decorative metal.
- 10. Provided a streetscape elevation of the proposed residential community along Colony Road.
- 11. Provided a conceptual landscaping plan.
- 12. Added a note that the shrubs to be located between the retaining walls and the sidewalks along the site's frontage on Colony Road and Carmel Road will be installed during the first available planting season.
- 13. Added note that petitioner shall install irrigation for the perimeter landscaping to be installed prior to the issuance of the first certificate of occupancy for any single family attached dwelling unit.
- 14. The on-site pond will be preserved.

John Kinley

- 15. **Petition No. 2014-052** (Council District 1 - Kinsey) by **Snider Fleet Solutions** for a change in zoning for approximately 6.26 acres located on the east side of North Graham Street and generally surrounded by Interstate 85, Reagan Drive, and North Graham Street from I-2 (general industrial) to I-1 (light industrial).

Staff recommends approval of this petition.

Attachment 22

**Update: There are no outstanding issues with this petition.**

