

**AGENDA**  
**CHARLOTTE-MECKLENBURG PLANNING COMMISSION**  
**ZONING COMMITTEE WORK SESSION**  
**Charlotte-Mecklenburg Government Center, 8<sup>th</sup> Floor Uptown Conference Room**  
**May 28, 2008**  
**4:30 P.M.**

<b>Tim Manes</b>	<p>01. <b>Innovative Request for Rezoning Petition 2007-096</b> for Rhein Medall Properties, who is requesting the following innovative approval for Snug Harbor Road near its intersection with Barksdale Lane.</p> <p>Revise Saranita Place to a private street. Petition No. 2007-096 included 7 existing lots in the Palisades MX-3 project. As these lots are now under the MX-3 zoning, the petitioner has requested that Saranita Place (previously Crosshaven Drive) be reclassified from a public street to a private street.</p> <p>Staff recommends approval of this innovative request.</p>
<b>Tom Drake</b>	<p>02. <b>Petition No. 2008-002 by York Development Group</b> for a change in zoning of approximately 6.62 acres located on the northeast corner of North Community House Road and Ballantyne Commons Parkway from BP(CD) to NS.</p> <p>Staff recommends denial of this petition.</p> <p>Attachment 5</p> <p><b>Update: The petitioner has submitted a revised site plan. The fast food restaurant with drive-thru is (freestanding independent building) still included. Usable common open space has been increased around the buildings to an acceptable level. Staff still cannot support this petition due to the fast food restaurant.</b></p>
<b>Tammie Keplinger</b>	<p>03. <b>Petition No. 2008-011 by Eastern Pride, Inc.</b> for a change in zoning of approximately 0.91 acres located between West Trade Street and West 5<sup>th</sup> Street, north of North Bruns Avenue from MUDD(CD)PED to B-1(CD)PED.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 6</p> <p><b>Update: Staff has received a new elevation (attached) for the property Family Dollar Store. The site will have a water quality pond feeding into the underground detention system.</b></p>

Tom Drake	<p>04. <b>Petition No. 2008-063 by Arthur Yessayan</b> for a change in zoning of approximately 10.49 acres located on the west side of Beam Road between Center Park Drive and Shopton Road from I-1(CD) to B-D(CD).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 24</p> <p><b>Update: There are no outstanding site plan issues with this petition.</b></p>
Tom Drake	<p>05. <b>Petition No. 2008-065 by Myers Park Presbyterian Church</b> for a change in zoning of approximately 9.02 acres located on both sides of Providence Road at Oxford Place from R-3, R-43MF, O-2 and O-2(CD) to MUDD-O.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 26</p> <p><b>Update: The petitioner has added the following to the site plan to address neighborhood concerns:</b></p> <ul style="list-style-type: none"> <li><b>The petitioner has included building renderings on both the East and West Campuses.</b></li> <li><b>The petitioner had included a note disallowing parking decks.</b></li> <li><b>The petitioner has shown the dumpster location for the East Campus 150 feet from the southern property line.</b></li> <li><b>The petitioner is limiting the lighting to 20 feet in height and installing fixture so zero food candles cross the property line with 800 Cherokee.</b></li> <li><b>The petitioner has added a note indicating parking will not be allowed on the East Campus within 75 feet of the northern, eastern and southern property lines.</b></li> <li><b>The petitioner has added a note that the existing or future building (if redeveloped) known as 1543 Queens Road will remain residential in character and be limited to two stories.</b></li> </ul>
Tom Drake	<p>06. <b>Petition No. 2008-066 by Financial Enterprises III, LLC</b> for a change in zoning of approximately 6.50 acres located on the northwest corner of North Tryon Street and West W.T. Harris Boulevard from CC and B-1SCD to CC SPA and CC.</p> <p>Staff recommends approval of this petition upon resolution of outstanding site plan issues.</p> <p>Attachment 27</p> <p><b>Update: The petitioner has added the following to the site plan to address staff comments:</b></p> <ul style="list-style-type: none"> <li><b>Additional three (3) parking spaces to proposed parking area within Parcel 2.</b></li> <li><b>Modify proposed four foot sidewalk along portion of J.M. Keynes Drive to five foot width with options to include or omit stairs.</b></li> <li><b>Relocation of proposed crosswalk</b></li> </ul>

	<p>Note setbacks for Parcel 1 along N. Tryon Street and W. W.T. Harris Boulevard</p> <p>Label existing sidewalk adjacent N. Tryon Street on Parcel 1</p> <p>Additional large and small maturing trees within 100 foot setback along W. W.T. Harris Boulevard</p> <p>Modification to development standards notes regarding parking, uses, setbacks, storm water, and access points and sidewalks.</p> <p>The petitioner has addressed all outstanding items, with the exception of confirmation as to whether or not a 20-foot easement is recorded. The petitioner is working to have this issue resolved prior to the Zoning Committee meeting.</p>
Tom Drake	<p>07. <b>Petition No. 2008-067 by Colwick Medical Partners, LLC</b> for a change in zoning of approximately 1.69 acres located on the east side of Colwick Road between Chiswick Road and Greenwich Road from O-2 to NS.</p> <p>Staff cannot support this petition in its current form.</p> <p>Attachment 28</p> <p><b>Update:</b> The petitioner has submitted a revised site plan. There is no change in: the square footage of the building, tree save/open space, or parking. The site plan notes that 36 new trees will be planting on or near the property. The uses have been modified to eliminate most commercial uses; a pharmacy with no drive-thru is still permitted. The revised parking deficiency is 27 spaces if two spaces are lost to the “potential connection” to the adjoining parking lot. Staff still opposes the petition due to inadequate parking and lack of tree save/open space.</p>
Tom Drake	<p>08. <b>Petition No. 2008-068 by Southern Holdings IV, LLC</b> for a change in zoning of approximately 11.05 acres located on the northeast corner of Eastfield Road and Highland Creek Parkway from R-9PUD to NS.</p> <p>Staff recommends approval of this petition upon resolution of outstanding site plan issues.</p> <p>Attachment 29</p> <p><b>Update:</b> The following changes will be made to the site plan:</p> <p>The total number of parking spaces provided and how they were calculated will be added to the development summary. The total number of parking spaces provided is approximately 430 based on one space per 275 square feet.</p> <p>The maximum building height for the structures on the site will be added to the development summary. The maximum building height is 40 square feet.</p> <p>The Petitioner will replace the existing five (5) foot sidewalk along Highland Creek Parkway with a six (6) foot sidewalk.</p>

The Petitioner will clarify by adding wording to the Development Standards that if buildings One, Two or Three are broken up, the area between the buildings will be used as either pedestrian plazas or landscape areas, parking will not be allowed.

The Petitioner will provide conceptual streetscape renderings that will illustrate the general character of the proposed buildings.

**Resolution of CDOT Issues:**

The site plan will be revised to indicate that the driveway on Eastfield Road will be limited to right-in/right-out unless the North Carolina Department of Transportation approves the driveway with the addition of a left-in access, at which time the driveway will be constructed to allow left turns into the Site from Eastfield Road.

The Petitioner will remove from note 8b the wording regarding “mutual agreement”. The new Note will read that the design of the left turn lane is subject to the applicable CDOT and NCDOT standards.

The Petitioner will be able to widen Eastfield Road asymmetrically as requested. Wording to that effect will be added to the Development Standards.

The existing five (5) foot sidewalk along Eastfield Road will be replaced with a six (6) foot sidewalk.

The Petitioner and CDOT have agreed that the current location for the new internal public street is acceptable.

The proposed public street will be designed and constructed to meet urban street Design Guidelines with the addition of angled parking. The final details to be worked out through the subdivision review process.

Parking along the new public street will be located at least 100 feet from the Highland Creek Parkway and 20 feet from the end of corner radius of any intersecting street or driveway.

**Changes to Plan as a result of Community Meeting and Discussion with Adjoining Owners:**

The Petitioner met with Mr. Alan Buch and agreed to construct a berm and a six (6) foot brick wall (where the berm is not located) between the new public street and Mr. Buch’s property. Detailed drawings of this agreement are shown as a part of the conditional plan.

A note was added to the plan restricting construction access to the site to Eastfield Road subject to approval by the appropriate review agencies. The height of the masonry screen wall along Highland Creek Parkway and Eastfield used to screen the parking spaces on Parcel A was increased in height from two (2) feet to three (3) feet.

A note not allowing Neon signs was added to the plan.

A note was added to the plan indicating that if the Petitioner can secure approval from the City pedestrian cross-walks will be installed on Highland Creek Parkway at the main access to the site.

A note restricting dumpster pick up hours to after 6:30 a.m. and before 11:00 p.m. will be added to the Plan.

<b>Tammie Keplinger</b>	<p>09. <b>Petition No. 2008-069 by City of Charlotte</b> for a change in zoning of approximately 2,165.17 acres located along Wilkinson Boulevard, Tuckaseegee Road, Little Rock Road, Old Dowd Road, Wallace Neal Road, Dixie Road and West Boulevard from B-2(LLWPA), B-D, B-D(LLWPA), B-D(CD)(LLWPA), I-1, I-1(LLWPA), I-1(CD), I-2(CD)(LLWPA), R-3, R-3(LLWPA), R-4(LLWPA) and R-MH(LLWPA) to I-2 and I-2(LLWPA).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 35</p> <p><b>Update: This is a conventional request with no outstanding issues.</b></p>
<b>Tom Drake</b>	<p>10. <b>Petition No. 2008-071 by The Drakeford Company</b> for a change in zoning of approximately 0.64 acres located on the south side of McClintock Road between The Plaza and Nandina Street from B-2(PED) to B-2(PED-O).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 31</p> <p><b>Update: The petitioner has corrected the dwelling units per acres to read 37.5.</b></p>
<b>Tom Drake</b>	<p>11. <b>Petition No. 2008-072 by Charlotte-Mecklenburg Planning Commission</b> for a change in zoning of approximately 1.05 acres located on the west side of South Boulevard between New Bern Street and Greystone Road from I-1 to TOD-M.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 36</p> <p><b>Update: There have been no changes to this petition since the Public Hearing.</b></p>
<b>Tom Drake</b>	<p>12. <b>Petition No. 2008-074 by Public Library of Charlotte &amp; Mecklenburg County</b> for a change in zoning of approximately 1.54 acres located on the north side of Hickory Grove Road between Dogwood Place and Lawrence Orr Road from B-1SCD to B-1(CD).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 32</p> <p><b>Update: Petitioner has addressed all outstanding site plan issues satisfactorily.</b></p>
<b>Tom Drake</b>	<p>13. <b>Petition No. 2008-078 by WP East Acquisitions, LLC</b> for a change in zoning of</p>

approximately 8.12 acres located on the north side of East Mallard Creek Church Road between Stone Quarry Road and Bonnie Cone Lane from INST to R-17MF(CD).

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

Attachment 34

**Update: The petitioner has addressed a number of site plan issues, but the following remain:**

- **There are dual designations for side yards and rear yards along Stone Quarry Road and Bonnie Cone Lane. The petitioner should remove the “rear yard” designations here, and keep the 10’ side yard designation. The rear yard of 40’ should be labeled at the northern tip of the property, measured into the natural area.**
- **All CDOT issues must be resolved.**
- **The left turn lanes and bike lanes should be shown along Bonnie Cone Lane.**
- **The elevations should be revised. The building mass and length (460’+) along Mallard Creek Church should be broken up into separate buildings (2-3 buildings). Open space should be provided in-between the buildings, with sidewalks connecting to the amenity area and Mallard Creek Church Road.**
- **The ground floor elevations for Building #1 needs to better address the pedestrian realm by providing pedestrian level articulation (doors, windows, different materials, balconies, stoops, canopies, grillwork, landscaping, and artwork, etc.).**
- **CMU split face blocks are not appropriate building materials for Building #1 and the portion of Building #2 that faces Bonnie Cone Lane.**