

AGENDA
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
ZONING COMMITTEE WORK SESSION
Charlotte-Mecklenburg Government Center, **Room 280**
November 25, 2008
4:30 P.M.

<p>Tammie Keplinger</p>	<p>01. Petition No. 2008-126 (hearing) by Frederick Watson for a change in zoning of approximately 0.17 acres located on the north side of Wilkinson Boulevard between Holton Avenue and Crispin Avenue from B-2 to UR-C (CD).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issue.</p> <p>Attachment 18</p> <p>Update: The following outstanding issues have been addressed:</p> <ol style="list-style-type: none"> 1. Lot area has been listed as 0.17 acres. 2. The number of parking spaces required and provided is referenced as eight. 3. Note 2 under <u>Section 9.407 Development Standards for Various Uses</u> has been amended to delete the request regarding bonus parking. 4. Note 4 under <u>Section 9.408 Off-Street Parking and Loading</u> has been deleted. 5. Deleted note under <u>Section 12.301</u> that no buffer is required between the project and the B-2 zoned property to the west. 6. Note 1 under <u>Additional Notes</u> has been amended to state that full cut-off fixtures will be used for all outdoor lighting. 7. Note 5 has been added under <u>Additional Notes</u> that the petitioner will submit a solid waste management plan to Mecklenburg County Solid Waste prior to initiating demolition and/or construction activities. Further, it has been noted that the site will be fully secured during non-working hours. 8. The adjacent lot to the north zoned R-8 has been correctly labeled. <p>The following outstanding issue has <u>not</u> been addressed:</p> <ol style="list-style-type: none"> 1. Note under Section 12.301 should be amended to delete statement that adjacent site to the north is currently vacant.
<p>Tammie Keplinger</p>	<p>02. Petition No. 2008-130 (decision) by Issa Rafidi for a change in zoning of approximately 0.20 acres located on the northwest corner of North Davidson Street and Charles Avenue from R-5 to MUDD-O.</p> <p>Staff recommends approval of this petition as modified.</p> <p>Attachment 07</p> <p>This petition was deferred from the September 24, 2008 and the October 29, 2008 Zoning Committee meetings.</p> <p>Update (10-29-08): The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. The petitioner should show and provide details of the screen fence. The details of the fence are now shown on the site plan. 2. The petitioner should clarify the legend for gravel walkway and sidewalk. The materials look the same on the site plan. This has been clarified and a legend provided. 3. The petitioner should show new six-foot minimum sidewalks and their

	<p>location on site plan. This is now indicated on the plan.</p> <ol style="list-style-type: none"> 4. The petitioner should change the optional request to read "The Petitioner requests to allow an encroachment of the existing building and patio into the 14 foot setback." This modification has been made. 5. The petitioner should remove the note "C" under Section 2 Streetscape Design Standards. This note has been removed. 6. The petitioner should remove the Note under parking "remainder of notes under parking & loading standards removed". This note has been removed. 7. The petitioner should add the square footage of the outdoor seating area to the plan and include it in the parking calculations. This has been added to the site plan indicating that a total of 2,196 square feet will require eight (8) parking spaces. 8. The petitioner has removed the optional request related to the sidewalk and planting strip. <p>Update (11-25-08): The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. The petitioner added a note granting a sidewalk easement from 2-feet behind the sidewalk to the right-of-way along N. Davidson Street.
Tammie Keplinger	<p>03. Petition No. 2008-131 (decision) by Crescent Resources, LLC for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to modify the regulation for drive-through service windows for small restaurants under specific, limited circumstances.</p> <p>Staff recommends denial of this petition in its current form.</p> <p>Attachment 08</p> <p>This petition was deferred from the October 29, 2008 Zoning Committee meeting.</p> <p>Update (10-29-08): Staff has met with the petitioner to discuss the staff analysis and text amendment. Staff continues to recommend denial because the text amendment would permit small restaurants with drive-through windows in zoning districts (B-1, NS) where it is not currently permitted. The result would be that the number of potential businesses that would be allowed to have a drive-through service window would increase. In addition, the B-1 and NS districts are designed to provide services for nearby residents and be pedestrian friendly, not auto-oriented.</p> <p>Update (11-25-08): The petitioner is requesting that this petition be withdrawn.</p>
Tammie Keplinger	<p>04. Petition No. 2008-141 (hearing) by the Charlotte-Mecklenburg Planning Commission for a change in zoning of approximately 2.17 acres located on the southwest corner of South Tryon Street and West Tremont Avenue from I-1 to TOD-M.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 25</p> <p>Update: This is a conventional petition with no associated site plan.</p>
Tammie	<p>05. Petition No. 2008-142 (hearing) by Simone and David Locke for a change in</p>

Keplinger	<p>zoning of approximately 1.76 acres located on the southwest corner of Monroe Road and Rama Road from O-1(CD) to R-3.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 21</p> <p>Update: This is a conventional petition with no associated site plan.</p>
Tammie Keplinger	<p>06. Petition No. 2008-144 (hearing) by HK Patel for a change in zoning of approximately 2.60 acres located northwest of the intersection of East Independence Boulevard and Sardis Road North from CC to CC SPA.</p> <p>Staff recommends approval of this petition as modified.</p> <p>Attachment 22</p> <p>Update: The following outstanding issues have been addressed:</p> <ol style="list-style-type: none"> 1. The five foot sidewalk surrounding the building has been labeled. 2. Note 10 has been amended to specify a maximum building height of 55 feet instead of an average building height. 3. The boundaries of the rezoning area have been clearly delineated and labeled. 4. Note 11 has been amended to state that the petitioner agrees to dedicate and convey, prior to the issuance of a building permit, any right-of-way necessary for the widening of East Independence Boulevard and the construction of the interchange at Sardis Road North. 5. Plan has been amended to reflect a six foot sidewalk with eight foot planting strip from the building to the northern property line. Reference to the sidewalk and planting strip that were to be provided to East Independence Boulevard if permission is granted from the abutting property owner has been deleted. 6. Petitioner has deleted the location of the proposed sign. Note 5 under <u>Site Plan Conditions</u> states that signage will comply with Chapter 13 of the Zoning Ordinance and specifies the type, maximum square footage and maximum height of proposed signage.
Tammie Keplinger	<p>07. Petition No. 2008-156 (hearing) by Metrolina Regional Scholars Academy for a change in zoning of approximately 4.13 acres located on the north side of Seventy Seven Center Drive from I-2 to O-2.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 24</p> <p>Update: This is a conventional petition with no associated site plan.</p>