

AGENDA
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
ZONING COMMITTEE WORK SESSION
Charlotte-Mecklenburg Government Center, **RM CH 14**
February 25, 2009
4:30 P.M.

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| <p>Protest Sufficient</p> | <p>01. Petition No. 2008-102 by The Drakeford Company for a change in zoning of approximately 0.82 acres located on the north side of Marsh Road between South Boulevard and Melbourne Court from R-4 to UR-2(CD).</p> <p>Staff does not recommend approval of this petition. The petition is inconsistent with the <i>New Bern Transit Station Area Plan</i> and is not reasonable and in the public interest.</p> <p>Attachment 13</p> <p>Update: The following outstanding issues have not been addressed:</p> <p>Increase the setback to match setbacks on existing structures on adjoining lots.</p> <p>Include the fence materials proposed to enclose the parking.</p> <p>Provide sidewalks from the building to the sidewalk along Marsh Road that are a minimum of five feet wide.</p> <p>Align the centerline of the proposed driveway with the centerline of Melbourne Court.</p> <p>Address acreage discrepancy of 0.81 acres on application and 0.83 acres on site plan</p> |
| <p>Deferral (indefinite)</p> | <p>02. Petition No. 2008-154 by Robert Nixon for a change in zoning of approximately 0.19 acres located at the intersection of Pecan Avenue and Gordon Street from MUDD-O(PED) to MUDD-O(PED)SPA.</p> <p>Staff recommends approval of this petition, upon resolution of outstanding issues. The petition is consistent with the <i>Plaza-Central Pedscape Plan</i> and is reasonable and in the public interest.</p> <p>Attachment 03</p> <p>Update: The petitioner is requesting an indefinite deferral of this petition to secure an executed lease agreement for the leased parking.</p> |
| <p>Deferral (one-month)</p> | <p>03. Petition No. 2008-158 by Greater Galilee Baptist Church for a change in zoning of approximately 0.15 acres located on the northwest corner of South Mint Street and West Park Avenue from R-5 to UR-C.</p> <p>Staff recommends a one-month deferral of this petition.</p> <p>Attachment 05</p> |

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| | <p>04. Petition No. 2009-012 by The Charlotte-Mecklenburg Planning Commission for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to modify certain regulations in TOD to protect the character of adjacent single family neighborhoods, particularly where TOD is across the street from, or on the same side of the street as single family development and to make minor revisions such as clarifying text, etc.</p> <p>Staff recommends approval of this petition. The petition is consistent with adopted policies and is reasonable and in the public interest.</p> <p>Attachment 10</p> <p>Update: A stakeholder meeting was held on February 12, 2009 to discuss comments received at the public hearing, and to consider adjustments to the text amendments. Numerous modifications have been made, and these are highlighted on the attached revision of the text amendment.</p> |
| | <p>05. Petition No. 2009-013 by The Charlotte-Mecklenburg Planning Commission for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to modify certain regulations in TS to protect the character of adjacent single family neighborhoods, particularly where TS is across the street from, or on the same side of the street as single family development and to make minor revisions such as clarifying text, etc.</p> <p>Staff recommends approval of this petition. This petition is consistent with adopted policies and is reasonable and in the public interest.</p> <p>Attachment 11</p> <p>Update: A stakeholder meeting was held on February 12, 2009 to discuss comments received at the public hearing, and to consider adjustments to the text amendment. Numerous modifications have been made, and these are highlighted on the attached revision of the text amendment.</p> |
| | <p>06. Petition No. 2009-016 by John Michael Bodner for a change in zoning of approximately 3.24 acres located on the northwest corner of the intersection at Steecroft Parkway and Steele Creek Road from CC to CC SPA.</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues. This petition is consistent with the <i>Lower Steele Creek Special Project Plan</i> and is reasonable and in the public interest.</p> <p>Attachment 19</p> <p>Update: The following issues have been addressed:</p> <p>Note #10 has been revised to state "Rear elevation <u>will</u> be broken by windows, doors..." The petitioner has committed to submit a solid waste management plan to LUESA.</p> |

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| | <p>07. Petition No. 2009-017 by YUM! Brands, Inc. for a change in zoning of approximately 1.24 acres located on the northwest corner of Providence Road and Arboretum Shopping Center Drive from B-1SCD to B-1(CD).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues. This petition is consistent with <i>the South District Plan</i> and is reasonable and in the public interest.</p> <p>Attachment 20</p> <p>Update: The following issues have been addressed:</p> <p>The building setback, buffer and covenant setbacks have been correctly labeled.</p> <p>The area staff asked the petitioner to label as the patio is actually where the sidewalks joins and is not a patio.</p> <p>There is existing screening for the parking from Providence Road and of the drive-thru from internal driveways.</p> |
| | <p>08. Petition No. 2009-018 by Rick Seifert for a change in zoning of approximately 0.89 acres located on the north side of Monroe Road between McAlway Road and Commonwealth Avenue from B-1 to B-2.</p> <p>Staff recommends approval of this petition. This petition is consistent with the <i>East District Plan</i> and is reasonable and in the public interest.</p> <p>Attachment 21</p> <p>Update: This is a conventional petition with no associated site plan.</p> |
| | <p>09. Petition No. 2009-019 by Carolinas Health Care System for a change in zoning of approximately 16.30 acres located on the south side of South Tryon Street between Steele Creek Road and Wright's Ferry Road from O-2(CD) to O-2(CD)SPA.</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues. The petition is consistent with the <i>Lower Steele Creek Mixed-Use Development Center Special Project Plan</i> and is reasonable and in the public interest.</p> <p>Attachment 22</p> <p>Update: The following issues have been addressed:</p> <p>As the request is for a helipad a Solid Waste Management Plan as requested by LUESA is not needed.</p> <p>A note referencing Rezoning Petition 2009-019 has been added to the plan.</p> <p>Note F2 to states that lighting will be fully shielded so that lighting is downwardly directed.</p> <p>The following issues have not been addressed:</p> <p>Specify zoning on abutting properties.</p> <p>Remove Notes 1, 4, and 6 from site plan as requested by Storm Water Services.</p> |

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| Withdrawal | <p>10. Petition No. 2009-020 by Beltway Properties, LLC for a change in zoning of approximately 95.59 acres located at the intersection of Beltway Boulevard and Reeves Ridge Road from I-1(CD)(LWPA) to I-1(CD)SPA(LWPA).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues. This petition is consistent with the <i>Northwest District Plan</i> and is reasonable and in the public interest.</p> <p>Attachment 23</p> <p>Update: The petitioner is requesting withdrawal of this petition.</p> |
| Follow-up on Pet. No. 2009-010 | <p>11. Petition No. 2009-010 by The Charlotte-Mecklenburg Planning Commission for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to allow the Zoning Board of Adjustment to hear variances to the standards for bed and breakfast establishments and to clear up inconsistencies in the regulations.</p> <p>At the February 2, 2008 Zoning Committee meeting the Zoning Committee unanimously found this petition to be consistent with adopted policies and reasonable and in the public interest. The Committee voted unanimously to recommend APPROVAL of this petition.</p> <p>Staff agrees with the recommendation of the Zoning Committee.</p> <p>Attachment 08</p> <p>Update: A follow up report for the Zoning Committee meeting is attached. A question was raised about the appropriateness of expanding the zoning districts in which bed and breakfast establishments were permitted to include the UR-2 and UR-3 zoning districts. Staff is in agreement that the text amendment could be modified to allow this use in these districts; however, a new public hearing would need to be held.</p> |