

AGENDA
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
ZONING COMMITTEE WORK SESSION
Charlotte-Mecklenburg Government Center, Room 267
April 29, 2009
4:30 P.M.

<p>Tom Drake</p>	<p>01. 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 modify Bed & Breakfast requirements and the zoning districts in which they are permitted.</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 17</p> <p>There are no outstanding issues associated with this petition.</p>
<p>Tom Drake</p> <p>Protest Sufficient</p>	<p>02. Petition No. 2009-022 by Grubb Properties, Inc. for a change in zoning of approximately 7.95 acres located on the north side of Sharon Road between Morrocroft Lane and Colony Road from MUDD-O to MUDD-O SPA.</p> <p>Staff recommends approval of this petition upon the resolution of the outstanding issues. This petition is consistent with the <i>SouthPark Small Area Plan</i> and reasonable and in the public interest.</p> <p>Attachment 15</p> <p>Update: The following outstanding issues have been addressed:</p> <ol style="list-style-type: none"> 1. Satisfied staff by providing a parking ratio of one space per 250 square feet for the non-residential portion of the site. 2. Added elevations/renderings at the public hearing. 3. Satisfied the request for a Solid Waste Management Plan.
<p>Tom Drake</p> <p>Protest Sufficient</p>	<p>03. Petition No. 2009-025 by McCarley Developers, LLC for a change in zoning of approximately 13.81 acres located on the west side of Lancaster Highway near the corner of Ardrey Kell Road and Lancaster Highway from MX-2(Innovative) to INST(CD).</p> <p>NOTE: Staff recommends a one-month deferral of this petition.</p> <p>Staff cannot support this petition as currently submitted since the petition does not meet minimum ordinance standards and several outstanding site plan issues also remain. City policy requires the petitioner either to show compliance on the site plan and reserve the right to request a future variance or obtain a variance in advance of the petition. This petitioner has done neither. In addition, some streets have been changed from public to private and a new section pertaining to Variances and Waivers has been added after the public hearing. These may be considered substantial changes, which may require a new public hearing.</p> <p>Attachment 16</p> <p>Update: The following outstanding issues have been addressed:</p> <p>The Petitioner has worked with staff and a majority of the outstanding site plan issues have either been satisfied or resolved by modification to the request.</p>

	<p>Update: The following outstanding issues have not been addressed:</p> <ol style="list-style-type: none"> 1. Show and retain the public street connection of Bridgemount Avenue to Lancaster Highway via Elizabeth Madison Court. <i>(Plan shows termination of the existing 50-foot right-of-way known as Bridgemount Avenue with a cul-de-sac on property owned by McCarley Developers. The remainder of the right-of-way is proposed as a private street that ties into a private street, formerly labeled as Elizabeth Madison Court).</i> 2. Include Bridgemount Avenue as a site access under Development Standards. 3. Add note that street trees will be provided at 40 foot on center on private streets. 4. Show and label a 50-foot Class "C" buffer along proposed private street frontage abutting residential zoning and/or land use. 5. Provide a 40-foot landscaped setback between the surface parking along the current Elizabeth Madison Court to buffer it from the proposed townhomes across the street to the west. 6. Eliminate the driveway west of the intersection of Alice McGinn Drive and Elizabeth Madison Court, which is too close to the intersection. 7. Gated Entrances – As requested by CDOT, add note that all gates will be recessed internal to the site to ensure that no vehicular maneuvering or waiting can occur in the right-of-way on public streets that serve the development. 8. Provide building elevations. <p>New issues created by revised site plan:</p> <ol style="list-style-type: none"> 1. Private streets cannot be granted via the rezoning process. The site plan needs to reflect the existing public streets. Should this project be constructed to private street standards, the proposed site plan will not meet minimum ordinance standards. All internal streets are proposed to be private, which triggers a 50-foot Class C buffer along the frontage of several private streets. 2. Added references to variances, which state that they will be requested concurrent with City Council approval. Need to delete existing verbiage under Variances, Waivers and Modifications and revise to state that administrative amendments may be made to the plan per Section 6.207 of the Zoning Ordinance. In addition, it should be further amended to state that variances must be acquired prior to a decision on the petition. Staff requests that the decision be delayed until variances have been obtained. (Next available variance hearing is June 30, 2009) 3. Show Bridgemount Avenue as currently constructed and add a note that a variance from the Subdivision Ordinance must be approved and the City Council must vote to abandon existing public right-of-way. 4. Parking- Show parking calculations, including the permissible reduction. 5. Clarify the reference to parking along Highway 521. 6. Permitted Uses- Delete the portion of the note that proposes to apply age restrictions to all occupants of remaining areas of the property governed by the McCarley HOA and joint CCR's. The previous petition (2006-013) would need to be amended through a site plan amendment in order to apply this age restriction. 7. Permitted Uses- Add note that all units will be independent living units.
Tom Drake	<p>04. Petition No. 2009-027 by the Charlotte-Mecklenburg Planning Commission for a change in zoning of approximately 0.53 acres located on the northwest corner of South Mint Street and West Summit Avenue from I-1 to TOD-M.</p> <p>Staff recommends approval of this petition. This petition is consistent with the <i>South End Transit Station Area Plan</i> and reasonable and in the public interest.</p> <p>Attachment 18</p> <p>There are no outstanding issues associated with this petition.</p>