

AGENDA
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
ZONING COMMITTEE WORK SESSION
Charlotte-Mecklenburg Government Center, CH14
May 27, 2009
4:30 P.M.

<p>Tammie Keplinger</p> <p>Protest Sufficient</p>	<p>01. Petition No. 2009-007 by Heydon Hall, LLC for a change in zoning of approximately 14.07 acres located near the southwest corner of Quail Hollow Country Club and east of Heydon Hall Circle from R-3 and MX-1 to MX-1 and MX-1SPA.</p> <p>Staff recommends approval of this petition. This petition is consistent with the <i>South District Plan</i> and reasonable and in the public interest.</p> <p>Attachment 13</p> <p>Update: The following outstanding issues have been addressed:</p> <ol style="list-style-type: none"> 1. A note has been added to state that "Tract 2B will remain as common open space." 2. Tract 2B has been labeled as "common open space" and Tract 1 "common open space" acreage has been listed. 3. Note #2 has been added to state that "All lots will meet the requirements of the Charlotte Zoning standards for R-3 Cluster with SWIM incentives. No lots shall be less than 8000 square feet." 4. A note has been added to state that "It is the intent to abandon the portion of right-of-way platted as a public street. Failure to abandon the right-of-way will require that it be constructed to public street standards." 5. A note has been added indicating that a Solid Waste Management Plan will be submitted to Mecklenburg County Solid Waste prior to initiating land clearing, demolition, and/or construction activities. <p>The following outstanding issues have been addressed <u>as noted</u>:</p> <ol style="list-style-type: none"> 6. Amend Note #4 on the site plan to indicate that eight lots are proposed on Tract 2A. Note #4 has been amended to state that "no more than 24 lots will be created on the portion of the site that is labeled as Tract 2A on the site plan, exclusive of any parcel that is created as part of the conveyance of land to Mecklenburg County for future greenway purposes and not more than 5 lots will be created on Tract 1." 7. Show layout of all lots on the site plan. The lot layout for Tract 2A will be submitted to staff for approval at the time of subdivision review. 8. Indicate that the SWIM buffer will be dedicated prior to the issuance of any building permits. A note has been added to state that "prior to issuance of any building permits on Tract 2A the SWIM buffer will be dedicated to Parks and Recreation." 9. Show tree save area and any large tree specimens being preserved. This issue will be addressed during the subdivision review. 10. LUESA states that no fill may be placed within the Community and/or FEMA Special Flood Hazard Area. This issue will be addressed during the subdivision review. <p>The following note has been <u>added</u>:</p> <ol style="list-style-type: none"> 11. A note has been added to state that "Developer reserves the option of requesting innovative site plan approval for setbacks and yards per Charlotte Zoning Ordinance Section 11.208."
<p>Tammie</p>	<p>02. Petition No. 2009-030 by the Charlotte-Mecklenburg Planning Commission for a</p>

	<p>Green logo and the sign will not be used for product advertisement. Exposed structural supports shall not extend more than 12 inches above the parapet with the sign face not to exceed five feet in height. The sign panel shall be in keeping with and complement the architecture of the building on which it is placed. If a unique three-dimensional sign is utilized, the Planning Director or designee will have the flexibility to alter the sign dimensions beyond the minimums. The signage square footage will count towards the allowable wall mounted sign allowance. The sign can be used in conjunction with the required screening of roof top mechanical equipment. The Planning Director will review and approve the final sign design, material, and consistency with building architecture prior to the issuance of sign permits.</p> <ol style="list-style-type: none"> 4. All options proposed for parcels "K" or "L" should be contingent upon a single tenant building over 30,000 square feet being constructed. Phasing of transportation improvements are presently being worked out and should be addressed at the public hearing. 5. The developer should commit to construction of the extensions of Dexter and Westen Streets to Hartford Avenue. These extensions should be phased to occur with the development of the TOD-R zoned parcels.
Tammie Keplinger	<p>05. Petition No. 2009-037 by Dixie River Land Company for a change in zoning of Part A: approximately 8.3 acres located north of Dixie River Road near I-485 from MX-1(LLWPA) and CC(LLWPA) to R-17MF(CD)(LLWPA) and also Part B: approximately 5.0 acres along Steele Creek Road near Trojan Drive from R-3(LLWPA) to CC(LLWPA).</p> <p>Staff recommends approval of this petition.</p> <p>Parcel A of the petition is <u>inconsistent</u> with the <i>Dixie Berryhill Strategic Plan</i> and the <i>General Development Policies (GDP)</i> <u>but</u> reasonable and in the public interest.</p> <p>Parcel B is <u>consistent</u> with the <i>Dixie Berryhill Strategic Plan</i> and reasonable and in the public interest.</p> <p>Attachment 16</p> <p>Update: The following outstanding issues have been addressed:</p> <ol style="list-style-type: none"> 1. The pedestrian access to County Park north of multi-family development on Parcel A will be provided via a crosswalk connection to the sidewalk on the adjoining school property. 2. The petitioner has added a note stating that they will seek an administrative approval to Petition 2006-078 to reduce the allowable square footage and number of outparcels to reflect development to occur on Parcel B. 3. The following note has been added for the commercial center: "Being Part of the Berewick Unified Development, Parcel B will comply with a maximum of five outparcels accommodating auto-oriented uses such as gas stations, restaurants, pharmacies, and will count towards the overall five outparcels approved on petition 2006-078. Of the five, three may be independent uses". 4. A note has been added specifying recycling service per Section 12.403 of the Zoning Ordinance will be provided. 5. The request for a five-foot sidewalk along the private road along Parcel A has been eliminated as the petitioner has agreed to provide a crosswalk to the sidewalk on

	<p>the adjoining school property.</p> <ol style="list-style-type: none"> 6. The request for a 50-foot buffer on the western edge of Parcel A has been eliminated as it is not required by the ordinance. 7. Note 13 has been amended to reference dumpsters and recycling areas. 8. Access points for Parcel B have been adjusted and corrected, as per CDOT's request. 9. A note has been added agreeing to dedicate and convey 50 feet of right of way from the centerline along Dixie River Road along Tract A before the issuance of certificates of occupancy for any building on the site. 10. The petitioner has committed to provide a Solid Waste Management Plan prior to initiating land clearing, demolition, and/or construction. <p>The following note has been <u>added</u>:</p> <ol style="list-style-type: none"> 11. The petitioner will comply with the PCCO and natural areas and open space that have been planned for the overall Berewick community will be taken into consideration.
Tammie Keplinger	<p>06. Petition No. 2009-043 by The Housing Authority of the City of Charlotte for a change in zoning of approximately 40.66 acres located at the intersection of West Boulevard and Brooksvale Street from R-22MF to MUDD-O.</p> <p>Staff recommends approval of this petition upon the resolution of the outstanding issues. This petition is consistent with <i>Central District Plan and the General Development Policies</i> and reasonable and in the public interest.</p> <p>Attachment 17</p> <p>Update: The following outstanding issues have been addressed:</p> <ol style="list-style-type: none"> 1. The maximum number of children for the proposed childcare center has been limited to 225. 2. Note K1 has been amended to refer to optional provision P1d. 3. The areas reserved to fulfill Stormwater Post Construction BMPs have been labeled as "possible locations". 4. The hardscape open space area in Block 11 will be a minimum of 10-feet in width. 5. The request to specify the number of parking spaces to be provided in Block 11 has been removed. 6. A note has been added that roof pitches will be varied. 7. A note has been added that building frontages will be oriented to face toward the public streets. 8. A note has been added that no outdoor play will be permitted after sundown at the child development center. 9. The proposed apartment management office has been listed on Sheet RZ-1 and is limited to a maximum of 2,600 square feet. 10. The square footage for the child development center is listed on Sheets RZ-1 and RZ-2 as a maximum of 20,000 square feet. 11. Note M3 has been added stating that petitioner understands that MCPR will maintain the greenway trail and at least 5 feet on either side of the trail. 12. Note B3-c has been amended to state that the petitioner reserves the right to alter the block dwelling unit maximum (as listed for each block on sheet RZ-1), provided the total number of dwelling units for the entire development does not exceed 460 total units and the petitioner secures the written approval of the Planning Director of Charlotte-Mecklenburg Planning. <p>The following outstanding issues have been addressed <u>as noted</u>:</p>

	<p>13. Provide childcare parking at a rate of one parking space per employee and one space per 10 children or request an option to provide parking at one space per 600 square feet of building area. The petitioner is requesting an optional to allow parking at one space per 600 square feet.</p> <p>14. Install an eight-foot planting strip and six-foot sidewalk along West Boulevard. The petitioner is providing an 8-foot planting strip and 8-foot sidewalk along West Boulevard, except at intersection with Billy Graham Parkway, where a 6-8 foot sidewalk and a 4-foot or no planting strip is proposed. Optional request P1-g has been added to allow a reduction of the sidewalk width to 6 feet and to reduce the planting strip to a minimum of 4 feet or discontinue the planting strip and construct the sidewalk to the back of curb in the right-of-way area just west of Billy Graham Parkway. This reduction will allow adequate room for the left turn lane at West Boulevard and Billy Graham to be constructed.</p> <p>15. Add note that commits to a mixture of multi-family housing types. Added note that design elements will include a variety of building offsets, breaks in the roof lines and a variety of building materials to create a variation in architectural appearance.</p> <p>16. Specify the proposed maximum height of shrubs used for screening noted in Note P1-e. An optional request will be needed if the proposed shrub height is less than two feet, as required per the ordinance. Option P1-e has been deleted. Note D4 has been amended to state that all screening of off-street parking areas abutting the greenway easement will be a minimum of two feet high but shall remain of such height so that visibility to greenway trail areas from adjacent areas will remain unimpeded.</p> <p>17. Amend Note P1-d to state that should the requested sign not be provided, signage will be provided as permitted in the MUDD district per the zoning ordinance. The petitioner added a note that Option P1-d is only applicable if Ruckus House Learning Centers becomes the operator of the child development center. Note K1 states that signage will be permitted in accordance with applicable zoning standards.</p> <p>18. Construct the 10-foot wide greenway trail from its connection to Brooksvale Street to its connection to the park property, including the midblock crossings. Note M1 states that the petitioner will construct a greenway trail facility as indicated on the site plan, to MCPR standards. The site plan does not include the midblock crossings.</p> <p>The following outstanding issue is under review:</p> <p>19. Address CDOT comments.</p>
<p>Tammie Keplinger</p>	<p>07. Petition No. 2009-044 by The Housing Authority of the City of Charlotte for a change in zoning of approximately 5.54 acres located on the south side of Baxter Street near the intersection of South McDowell Street and Baxter Street from B-2 to MUDD.</p> <p>Staff recommends approval of this petition. This petition is <u>inconsistent</u> with the Central District Plan <u>but</u> reasonable and in the public interest.</p> <p>Staff supports this request because the site is:</p> <ol style="list-style-type: none"> 1) partially developed with a mid-rise building; 2) located in the central city just outside of the I-277 freeway loop; 3) across the street from a major mixed-use development; 4) next to a greenway and associated park; and 5) Although this is not a conditional rezoning the petitioner has verbally agreed to work with Planning and CDOT to continue the extension of a new path that was approved on petition 2008-116 to provide access to the adjacent park. <p>There are no outstanding issues associated with this petition.</p>