

Mayor Anthony Foxx

Michael D. Barnes

Nancy Carter

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Patsy Kinsey

Edwin B. Peacock III

Mayor Pro Tem Susan Burgess

Patrick Cannon

Warren Cooksey

David Howard

James E. Mitchell, Jr.

Warren Turner

CITY COUNCIL ZONING AGENDA

Monday, May 17, 2010

5:00PM – Council/Manager Dinner
Meeting Chamber Conference Room

6:00PM – Zoning Decisions
Meeting Chamber

DINNER MEETING

- ***Review of Agenda – Tammie Keplinger / Tom Drake***

ALL REZONING PETITIONS MAY BE VIEWED ON THE WEB AT
www.rezoning.org

REZONING ACRONYMS

Zoning Districts

- **B-1** – neighborhood business district
- **B-2** – general business district
- **B-1SCD** – business shopping center district
- **BD** – distributive business district
- **BP** – business park district
- **CC** – commercial center district
- **I-1** – light industrial district
- **I-2** – general industrial district
- **INST** – institutional district
- **MUDD** – mixed use development district
- **MX-1** – mixed use district
- **MX-2** – mixed use district
- **MX-3** – mixed use district
- **NS** – neighborhood services district
- **O-1** – office district
- **O-2** – office district
- **O-3** – office district
- **R-3** – single-family residential – up to 3 dwelling units per acre (dua)
- **R-4** – single-family residential – up to 4 dua
- **R-5** – single-family residential – up to 5 dua
- **R-6** – single-family residential – up to 6 dua
- **R-8** – single-family residential – up to 8 dua
- **R-8MF** – multi-family residential – up to 8 dua
- **R-12MF** – multi-family residential – up to 12 dua
- **R-17MF** – multi-family residential – up to 17 dua
- **R-22MF** – multi-family residential – up to 22 dua
- **R-43MF** – multi-family residential – up to 43 dua
- **R-MH** – residential manufactured housing
- **RE-1** – research district
- **RE-2** – research district
- **RE-3** – research district
- **TOD** – transit oriented development
- **TOD-E** – transit oriented development – employment
- **TOD-EO** – transit oriented development – employment - optional
- **TOD-M** – transit oriented development – mixed use
- **TOD-MO** – transit oriented development – mixed use – optional
- **TOD-R** – transit oriented development – residential
- **TOD-RO** – transit oriented development – residential - optional
- **U-I** – urban industrial district
- **UMUD** – uptown mixed use district
- **UMUD-O** – uptown mixed use district - optional
- **UR-1** – urban residential
- **UR-2** – urban residential
- **UR-3** – urban residential
- **UR-C** – urban residential - commercial

Overlay Districts

- **CR/LWW** – Catawba River / Lake Wylie watershed
- **CR/LWWCA** – Catawba River / Lake Wylie watershed – critical area
- **CR/LWWPA** – Catawba River / Lake Wylie watershed – protected area
- **HD-O** – historic district overlay
- **HW** – hazardous waste overlay
- **LNW** – Lake Norman watershed
- **LNWCA** – Lake Norman watershed – critical area
- **LNWPA** – Lake Norman watershed – protected area
- **LLWW** – Lower Lake Wylie watershed
- **LLWWCA** – Lower Lake Wylie watershed – critical area
- **LLWWPA** – Lower Lake Wylie watershed– protected area
- **MILW** – Mountain Island Lake watershed
- **MILWCA** – Mountain Island Lake watershed – critical area
- **MILWPA** – Mountain Island Lake watershed – protected area
- **MH-** – manufactured home overlay
- **PED** – pedestrian overlay district
- **PED-O** – pedestrian overlay district – optional
- **TS** – transit supportive overlay district

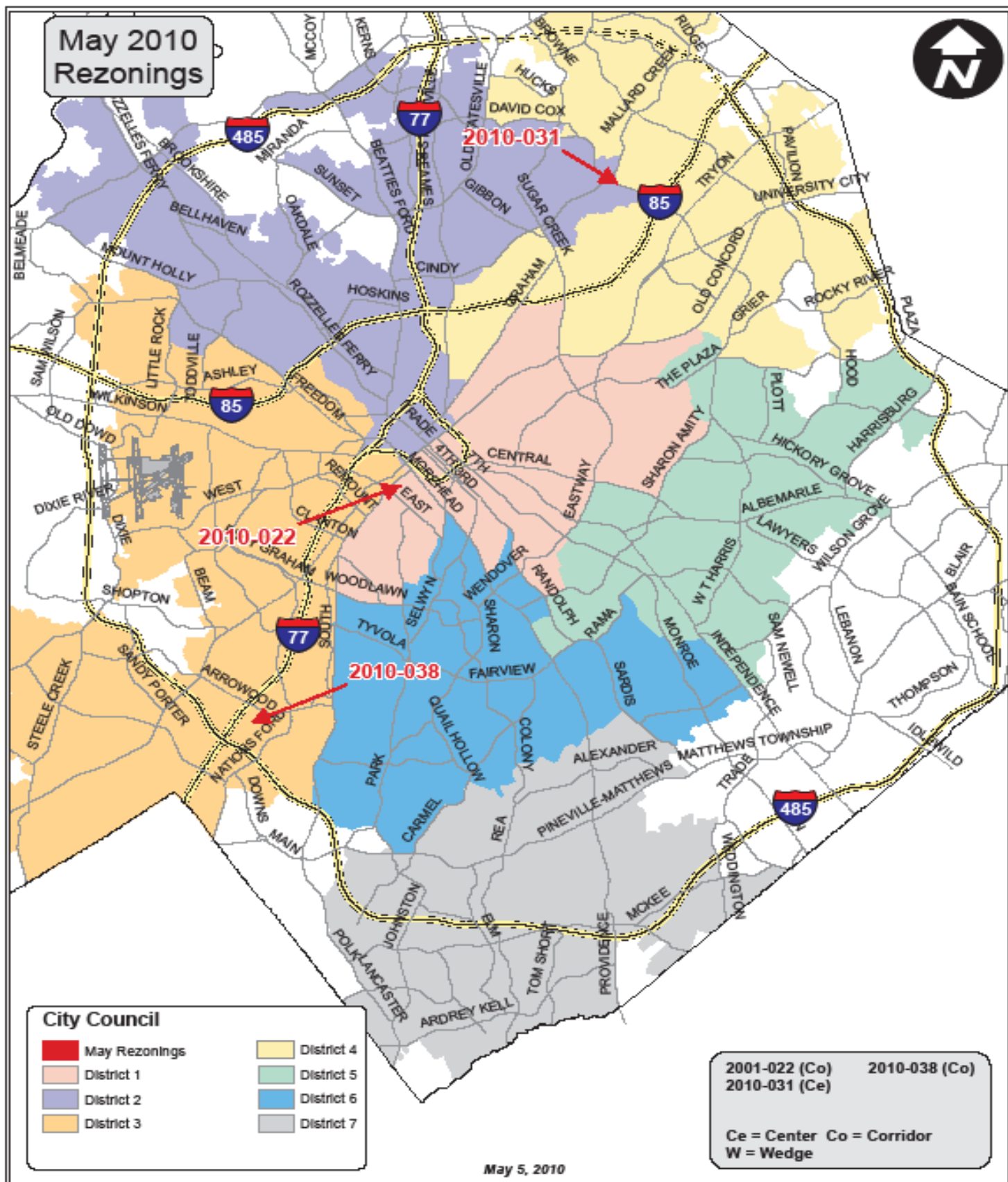
Miscellaneous Acronyms

- **CD** – conditional
- **SPA** – site plan amendment

DECISIONS

Protests Sufficient	1. Petition No. 2001-099 by Wilmore Neighborhood Association for the establishment of the Wilmore Historic District Overlay, the underlying zoning will remain unchanged, of approximately 168.12 acres located east of Interstate 77 bounded by Dunkrik Drive, West Tremont Avenue, South Tryon Street, and West Summit Avenue. This petition is found to be consistent with the <i>Central District Plan</i> and reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend APPROVAL of this petition. Staff recommends APPROVAL of this petition. Attachment 9
	2. Petition No. 2010-023 by RED Partners for a NS and UR-2(CD) site plan amendment for approximately 9.06 acres located on the west corner of Ardrey Kell Road and Marvin Road. This petition is found to be consistent with the <i>South District Plan</i> and reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend APPROVAL of this petition with the following modifications: 1. The petitioner has limited the amount of medical office use to a maximum of 7,000 square feet. 2. The petitioner has clarified that medical and office parking standards will be used. 3. Petitioner has amended note 17 to state that buildings in Envelope 1 will be oriented toward Cedar Walk Lane or the existing wet pond and sidewalk connections will be provided to Cedar Walk Lane. 4. The petitioner has amended note #18 to state that the buildings in Building Envelopes 2 and 3 will be oriented toward Cedar Walk Lane or Juniper Trace Drive and individual sidewalk connections will be provided to the street. 5. Note #19 has been amended to state that Building Envelope 4 can have up to five buildings and Building Envelope 5 can have up to four buildings and that all buildings will front Evergreen Terrace Drive or Cedar Walk Lane and individual sidewalks will be provided to the streets. 6. Note 20 has been amended to state that units in Building Envelope A will front Longstone Lane and individual sidewalk connections will be provided to the street. 7. The petitioner has added a note requiring sidewalks from townhomes and live/work unit entrances to the street sidewalk system. 8. All "plat" sheets have been deleted and only sheets RZ-1 and RZ-2 have been retained. 9. Building Envelope 2, 3 and 5 have been amended to include that "landscaping shall effectively screen the rear elevations of all units from Ardrey Kell Road". 10. The existing zoning on Sheet RZ-1 is NS along Longstone Lane. 11. The petition has indicated that the existing dumpster and recycling locations on the site will be shared with all tenants on the site. 12. Note 16 has been amended to state that each building envelope may have up to two buildings. Staff recommends APPROVAL of this petition as modified. Attachment 2

	3. Petition No. 2010-025 by Charlotte-Mecklenburg Planning Commission for the adoption of a text amendment to Section 12.102 of the City of Charlotte Zoning Ordinance to clarify the yard requirements for corner lots, when the rear lot line is shared in common with the side lot line of an abutting lot. This petition is found to be consistent with the adopted policies and reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend APPROVAL of this petition. Staff recommends APPROVAL of this text amendment. Attachment 3
	4. Petition No. 2010-027 by The Carolina Group Partner, LLC for a change in zoning of approximately 3.92 acres bounded by Scott Avenue, East Boulevard, and Floral Avenue from B-1(PED) to B-1(PED-O). This petition is found to be: • consistent with the <i>East Boulevard Land Use and Pedscape Plan</i> land use recommendations; and, • inconsistent with the design guidelines in the plan But reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend APPROVAL of this petition. Staff recommends APPROVAL of this petition. Attachment 4
	5. Petition No. 2010-028 by Mecklenburg County Park & Recreation Department for a NS, MX-2, and O-1(CD) site plan amendment of approximately 80.87 acres located off Cindy Lane and bounded by Interstate 77, Missionary Avenue, and Beatties Ford Road. This petition is found to be consistent with the <i>Northwest District Plan</i> and reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend APPROVAL of this petition with the following modifications: 1. The petitioner has removed all references to Parcel 1 in the lighting, signings, and design standards headings located in the development standards area. 2. The petitioner has labeled proposed zoning O-1(CD). 3. Storm Water Services issue has been eliminated as the change in the height of the lighting will not affect detention. 4. The petitioner addressed CDOT's comment by amending the design standards to add an 8-foot minimum planting strip and 5-foot minimum sidewalks to comply with best practices for pedestrian access within subdivisions. Staff recommends APPROVAL of this petition as modified. Attachment 5
Deferral (one-month)	6. Petition No. 2010-030 by Prosperity Shopping Plaza, LLC for a NS site plan amendment of approximately 1.11 acres located at the northeast corner of Prosperity Church Road and Johnston Oehler Road. The Zoning Committee voted unanimously to recommend a one-month DEFERRAL of this petition. Attachment 6



HEARINGS

	7. Petition No. 2010-031 by The Carolina Group for a MUDD-O site plan amendment of approximately 0.49 acres located along West W.T. Harris Boulevard between Medical Plaza Drive and Technology Drive. Staff recommends approval of this petition. Attachment 7
Decision Requested	8. Petition No. 2010-038 by Faison – Arrowood Partners Limited Partnership for a change in zoning of approximately 10.41 acres located on Forest Point Boulevard near West Arrowood Road from B-D(CD) to I-1. Petitioner has requested and City Council has agreed to a decision the night of the public hearing. Staff recommends approval of this petition. Attachment 10
Deferral (one-month) Protest Sufficient	9. Petition No. 2010-022 by Charlotte Housing Authority for a change in zoning of approximately 16.70 acres located south of the intersection of South Boulevard and South Caldwell Street and bounded by Templeton Avenue and Euclid Avenue from TOD-M(CD) and R-22MF to TOD-MO and TOD-RO. Petitioner is requesting a one-month deferral of this petition. Staff does not recommend approval of this petition as currently proposed. Attachment 11
	10. Petition No. 2010-033 by Charlotte-Mecklenburg Planning Commission for the adoption of a text amendment to add new regulations making parking decks constructed as an accessory use to an institutional use exempt from the floor area ratio (FAR) standards, when located in the single family and multi-family zoning districts, provided certain requirements are met and to reorganize Section 12.212 for clarity. Staff recommends approval of this petition. Attachment 12