

**AGENDA**  
**CHARLOTTE-MECKLENBURG PLANNING COMMISSION**  
**ZONING COMMITTEE WORK SESSION**  
**Charlotte-Mecklenburg Government Center, Rm 280**  
**August 04, 2010**  
**4:30 P.M.**

<p><b>Tim Manes</b></p> <p><b>Protest Sufficient</b></p>	<p><b>1. Petition No. 2010-022 by Housing Authority of the City of Charlotte</b> 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.</p> <p>Staff recommends approval of this petition upon resolution of the outstanding issues.</p> <p>Attachment 15</p> <p><b>Update: The following outstanding issues have been addressed:</b></p> <ol style="list-style-type: none"> <li><b>1. The option on Parcel "A" to encroach into the 30-foot setback along Euclid Avenue has been removed.</b></li> <li><b>2. The front porch design and building materials commitments for Parcel "A" have been moved from "Optional Development Provisions" to "Unified Development Provisions".</b></li> <li><b>3. Commitments to provide a mixture of uses along all public roadways and too provide a 50 percent office component on Parcel "E" have been moved from "Optional Development Provisions" to "Unified Development Provisions".</b></li> <li><b>4. The commitment to provide elderly and low/moderate income housing on Parcel F has been moved from "Optional Development Provisions" to "Unified Development Provisions".</b></li> <li><b>5. The following design elements have been committed for Parcel "A":</b> <ol style="list-style-type: none"> <li><b>a. All doors serving ground floor units will have individual porches, and all porches will be connected to the street with sidewalks. Porches shall be designed contextually to the scale and style of the adjacent residential buildings.</b></li> <li><b>b. All units abutting Euclid Avenue will have setbacks in context with the established setbacks of adjacent residential buildings.</b></li> <li><b>c. Exterior siding material shall be fiber cement-type boards or planks, or better. No vinyl or masonite-type siding shall be used.</b></li> <li><b>d. Building roofs will be predominantly of pitched-design and will be covered with architectural-type roofing shingles.</b></li> </ol> </li> </ol> <p><b>The following issues are outstanding:</b></p> <ol style="list-style-type: none"> <li><b>1. The petitioner should note that a maximum 1/3 of Parcel "C" can be used for above ground detention.</b></li> <li><b>2. The petitioner should commit to a 50 percent office component on Parcel "E".</b></li> <li><b>3. The petitioner should show the new 40-foot setback and 15-foot undisturbed buffer along the property lines abutting single family zoning along Rensselaer and Euclid Avenues.</b></li> <li><b>4. Identify the pedestrian connection (currently shown as a hatched dashed line) from Euclid Avenue to Tract "C" as a hard surface. It appears the labeling is missing in the legend.</b></li> <li><b>5. CDOT requests that the following conditional notes for the proposed development be added to the site plan:</b> <ol style="list-style-type: none"> <li><b>a. The proposed site's land use densities and parking (space) demands generated by the development plan need to be depicted in a table corresponding to the Technical Transportation Memoranda submitted and approved by CDOT.</b></li> </ol> </li> </ol>
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	<p>b. If the project's vertical construction plans are to be phased, the corresponding street infrastructure phasing plan needs to be included as a conditional note.</p> <p>c. The petitioner needs to agree to fund associated traffic/pedestrian signal costs at South Boulevard and Bland Street. Signal modifications may be necessary to accommodate the fourth intersection approach into the development and all necessary pedestrian access/signalization costs.</p> <p>d. A note should be added to the conditional plan stating any proposed internal private streets will need to be located within an access easement <u>and restrict the private streets from being gated.</u></p> <p>The following notes have been added to the plan.</p> <ol style="list-style-type: none"> <li>1. Open space may include underground storm water management. In addition, a pedestrian walkway shall be incorporated into Parcel "C" with benches, lights, and trees to create a park like amenity for the project. There will be no chain link fencing or utilitarian elements as to detract from the visual amenity.</li> <li>2. To the extent possible with CDOT standards, recommendations, and guidelines, a traffic table will be utilized to slow traffic along the new Caldwell/Cleveland connector street at the Bland Street intersection. Any off-site traffic calming along Euclid, Rensselaer, or Cleveland sought by the neighborhood and installed/paid for by CDOT, will not be opposed by the petitioner or project.</li> <li>3. Where the project abuts single family zoning along Rensselaer and Euclid Avenues, the building setback will be 40 feet, with the first 15 feet being an undisturbed buffer. All trees shall be five inches or greater in caliper, where they can be protected from construction disruption will be identified, protected, and preserved within the entire 40 feet.</li> <li>4. All major trash receptacles and loading docks will be prohibited within 100 feet of the rear property line of the houses along Euclid and Rensselaer Avenues. Further, refuse collection trucks will be prohibited within this 100-foot distance. To the extent possible within the CDOT restrictions, large trucks, including moving vans, shall not use Rensselaer side access for circulation to the site.</li> <li>5. During the construction of all phases of the implementation of the plan, construction traffic will not use Rensselaer or Euclid Avenues to enter and exit the project.</li> <li>6. All private streets construction and maintenance responsibility will be the responsibility of the petitioner. Proposed internal private streets will be located within a public easement and will remain open to the public at all times.</li> <li>7. The petitioner will fund associated traffic/pedestrian signal costs at South Boulevard and Bland Streets. Signal modifications may be necessary to accommodate the fourth intersection approach into the development and all necessary pedestrian access/signalization costs.</li> <li>8. When the master plan for the site is totally built out, it will not exceed 1.2 million square feet of new leasable/sellable space.</li> <li>9. The petitioner has added a note to the site plan (note #9) that the petitioner will not object to any traffic calming devices installed and paid for by CDOT in the adjacent neighborhood. CDOT will not pay for any traffic calming devices. This note should be removed.</li> </ol>
Tom Drake	<p>2. <b>Petition No. 2010-032 by The Rock Worship Center</b> for a change in zoning of approximately 1.59 acres located at the intersection of Fordham Road and West Boulevard from R-4 to O-1(CD).</p> <p>Staff recommends approval of this petition upon resolution of the outstanding issues.</p> <p>Attachment 6</p> <p><b>Update: The following issues are outstanding:</b></p> <ol style="list-style-type: none"> <li>1. Remove the parking lot area that is within the required buffer or obtain a variance to allow it to remain prior to a decision by City Council.</li> </ol>

	<ol style="list-style-type: none"> <li>2. Add a note to the site plan that the site will comply with the PCCO and that all plan elements and modifications, shown on the rezoning site plan, must be specifically permitted and approved by the City of Charlotte.</li> <li>3. Modify several proposed tree locations since they are on steep slopes or are too close to curbs for mature growth. Three additional internal trees are needed to meet Tree Ordinance requirements.</li> <li>4. Provide a detail for the solid fence being used to reduce the buffer.</li> <li>5. Add a crosswalk across Fordham Road from the parking lot to the church.</li> <li>6. Correct the number of provided parking spaces on the site plan to reflect 104 which are actually shown.</li> <li>7. Amend proposed zoning to reflect O-1(CD).</li> <li>8. Show zoning on abutting lots.</li> <li>9. Amend the Site Data table to delete reference to maximum building height, as the only proposed use is a parking lot.</li> <li>10. Show and label the required eight-foot planting strip and six-foot sidewalk along the frontage on Fordham Road.</li> <li>11. Limit lighting to a maximum of 15-feet in height and commit to use of full cut off fixtures.</li> <li>12. Revise the number of internal trees shown from four to seven.</li> <li>13. Remove the driveway to West Boulevard.</li> </ol>
<b>Solomon Fortune</b>  (Defer one-month)	<p>3. <b>Petition No. 2010-034 by RED Partners</b> for a change in zoning of approximately 0.36 acres located along the east side of North Davidson Street between Charles Avenue and East 32<sup>nd</sup> Street from R-5 to UR-2(CD).</p> <p>Staff recommends denial of this petition in its current form.</p> <p>The petitioner has requested a one-month deferral of this petition.</p> <p>Attachment 11</p> <p><b>Update: The following issues are outstanding:</b></p> <ol style="list-style-type: none"> <li>1. Revise note #7 to limit the allowed uses to six residential units and accessory uses.</li> <li>2. Show dumpster location.</li> <li>3. Add a note that large expanses of wall exceeding 20-feet in length will be avoided through the introduction of articulated facades, using various materials such as brick and other masonry products, stone, different colors of paint, glass windows, water table, and/or soldier course.</li> <li>4. Indicate the maximum number of stories in addition to the 50-foot height restriction.</li> <li>5. Commit and provide specifications for buffer or landscaped area to be provided adjacent to the properties zoned R-5.</li> <li>6. Remove the notes #2, 6, 8, and 12 from the site plan.</li> <li>7. Provide a fence or wall for screening as required when less than five feet is provided from the property line to the driveway.</li> </ol>
<b>Michael Cataldo</b>	<p>4. <b>Petition No. 2010-039 by Charlotte-Mecklenburg Planning Commission</b> for a change in zoning of approximately 0.056 acres located on the northeast corner of West Bland Street and Winnifred Street from I-2 to TOD-M.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 16</p> <p><b>Update: There are no outstanding issues with this petition.</b></p>

Tim Manes	<p><b>5. Petition No. 2010-041 by Charlotte-Mecklenburg Planning Commission</b> for a change in zoning of two parcels with an approximate total of 0.31 acres: one located at the intersection of South Tryon Street and Camden Road and the second located along Camden Road between South Tryon Street and Park Avenue from I-2 to TOD-M.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 17</p> <p><b>Update: There are no outstanding issues with this petition.</b></p>
Claire Lyte-Graham	<p><b>6. Petition No. 2010-042 by David R. Krug Associates, Inc.</b> for a change in zoning of approximately 18.20 acres located off Monroe Road and generally bounded by Shade Valley Road, Cateret Street, and Chippendale Road from I-2, R-17MF and R-5 to NS with five year vested rights.</p> <p>Staff recommends approval of this petition upon resolution of the outstanding issues.</p> <p>Attachment 12</p> <p><b>Update: The following outstanding issues have been addressed:</b></p> <ol style="list-style-type: none"> <li>1. References to the <i>Independence Boulevard Plan</i> and the <i>Charlotte Distressed Business District</i> have been removed from the site plan.</li> <li>2. Development Note 4 (Permitted Uses) has been re-worded to provide clarity regarding permitted uses per the NS District, as well as uses proposed within each tract.</li> <li>3. Development notes have been revised to comply with standard format for site plan notes.</li> <li>4. Notes identifying minimum ordinance requirements have been removed.</li> <li>5. The word "parcel" has been replaced with "tract" or "component" so as not to be confused with tax parcels.</li> <li>6. All notes related to possible amendments to the site plan have been combined, and language added to reference Section 6.207 of the zoning ordinance.</li> <li>7. The reference to the City of Charlotte submitting an abandonment request for Chippendale Road right-of-way has been removed.</li> <li>8. Development Note 7B has been amended to reference the USDG options within the Charlotte Land Development Standards Manual.</li> <li>9. Development Note 7C regarding unified streetscape treatment has been removed.</li> <li>10. Notes with standards less restrictive than the minimum ordinance standards for the NS district have been removed.</li> <li>11. All notes related to lighting have been moved to one section (Development Note 12).</li> <li>12. Development Note 8B has been amended to state that existing trees or groups of trees will be saved wherever possible.</li> <li>13. Monroe Road has been excluded from Development Note 5D.</li> <li>14. The second sentence in Development Note 6A has been removed and the note revised to read: "The first floor of all buildings except those within tract A and C along Chippendale Road will be designed and/or used for uses..."</li> <li>15. The reference to commercial tenant signage has been removed from the type of building materials.</li> <li>16. The wording "For all other buildings" has been removed from Development Note 6D.</li> <li>17. Development Note 6B has been modified to state that tenants shall not be required to have a pedestrian entrance along Monroe Road or Chippendale Road.</li> <li>18. Move and combine note V.1.9 with IV.4 (Access Points).</li> <li>19. Notes pertaining to fences and right-of-way encroachments have been removed.</li> <li>20. The note regarding a solid waste management plan has been removed.</li> <li>21. Address the following CDOT issues: <ol style="list-style-type: none"> <li>a. Remove Note 5C from the revised plan.</li> <li>b. Remove Note 7D from revised site plan.</li> </ol> </li> </ol>

	<p>c. Modify Note 7B by deleting "...within the Charlotte Land Development Standards Manual" and replacing with "...and associated details" at the end of the sentence.</p> <p>d. Remove Note 13.</p> <p>e. From Page Z-1 remove note along Chippendale Road indicating that the realignment and signalized intersection will be by the City of Charlotte.</p> <p>f. After note 5A Add:</p> <ol style="list-style-type: none"> <li>1) A left turn with a minimum of 150 feet of storage will also be provided for Richland Avenue.</li> <li>2) A left turn will be provided for proposed Private Street "a" with a minimum of 100 feet of required storage.</li> </ol> <p>g. The intersection of the newly aligned Chippendale and Monroe Road is required to be signalized prior to the first certificate of occupancy. All cost associated with the signal including interconnection is the responsibility of the petitioner.</p> <p>h. There is a typo in Note 5B – "Is used" should be "issued".</p>
Sandy Montgomery	<p>7. <b>Petition No. 2010-044 by Charlotte-Mecklenburg Planning Commission</b> for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to modify the regulations related to household pet services and the zoning districts in which they are permitted.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 18</p> <p><b>Update: There are no outstanding issues with this petition.</b></p>
Claire Lyte-Graham	<p>8. <b>Petition No. 2010-046 by JNC Properties, LLC</b> for a change in zoning of approximately 1.01 acres located at the west corner of the intersection of Scott Avenue and East Boulevard from NS to B-1(PED-O).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 13</p> <p><b>Update: There are no outstanding issues with this petition.</b></p>
Tom Drake  Deferral (1-month)	<p>9. <b>Petition No. 2010-047 by Trevi Partners, LLC</b> for a change in zoning of approximately 68.90 acres located on the south side of US Highway 29 across from the intersection of Caprington Avenue and US Highway 29 from CC to CC(SPA) and INST(CD) with five year vested rights.</p> <p>Staff recommends approval of this petition upon resolution of the outstanding issues.</p> <p>The petitioner has requested a one-month deferral of this petition.</p> <p>Attachment 14</p> <p><b>Update: The following issues are outstanding:</b></p> <ol style="list-style-type: none"> <li>1. Include the petition number under 1. Development Summary – Trevi Village Rezoning Petition"</li> <li>2. Delete "overlays" in notes 1.C and 1.D.</li> <li>3. Amend the proposed zoning in note 1.D to indicate CC and Inst (CD).</li> <li>4. Define "assisted living (flex units)" noted under 1.E.</li> <li>5. Delete note 1.G as residential density is not calculated for independent living facilities. Note 1.F indicating the number of beds is sufficient.</li> <li>6. Delete the note in section 1.H that allows additional square footage on the site. Any such note should refer to section 6.207 (administrative approvals). Note 2 should also refer to 6.207.</li> <li>7. Delete the third paragraph under 2. General Provisions as it is already stated in the</li> </ol>

	<p>first paragraph.</p> <ol style="list-style-type: none"> <li>8. Delete the fourth and fifth paragraphs under 2. General Provisions as a reference to Section 6.207 will cover these issues.</li> <li>9. Amend Note K under Development Summary to reflect parking requirement of 1 space per 3 beds for dependent units and 1.5 spaces per unit for independent units.</li> <li>10. Delete Note 3 as the permitted uses are covered under 1. Development Summary.</li> <li>11. Delete that portion of Note 4.A that eliminates the need to provide right-of-way to abutting property lines. Potential road extensions require such right-of-way.</li> <li>12. Delete the first paragraph in note 4.B as is it covered by the previous reference to Section 6.207.</li> <li>13. Clarify in Note 4.B the reference to “the new driveway” to use one of the named access roads used elsewhere on the site plan.</li> <li>14. Delete Note 4.D that seeks to allow on-street parking to be counted to satisfy off-street parking requirements. The institutional district does not provide this ability.</li> <li>15. Modify Note 4.E to provide CATS approval for the location of the bus stop.</li> <li>16. Clarify Note 4.E, which refers to “access E”, since that access road is not identified on the site plan.</li> <li>17. Remove Note 4.H., which merely notes that US 29 is a thoroughfare.</li> <li>18. Carry forward the current rezoning commitment (Petition 2006-045 note 7.F) to fund 50 percent of a connection over the creek for the proposed “access D”, which is a future public street connection to the south and east. That commitment needs to be added to the site plan notes.</li> <li>19. Remove Note 5.A as this is a minimum ordinance standard.</li> <li>20. Move the first paragraph of 5.B related to large expanses of walls along buildings to 5.A.</li> <li>21. Add a detail of the fence proposed in Note 5.B and show location.</li> <li>22. Satisfy the requests of Mecklenburg County Parks &amp; Recreation for greenway dedication/easements per the on-line memo.</li> <li>23. Address CDOT comments identified in the on-line memo and Traffic Impact Study.</li> </ol>
Tammie Keplinger	<p><b>10. Zoning Committee Worksession Holiday Schedules</b> – Review the dates for the November and December Zoning Committee Worksessions currently scheduled. (Calendars attached)</p>

November 2010

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	<b>15 City Council Zoning Meeting</b>	16	17	18	19	20
21	22	23	<b>24 November ZC Worksession 4:30</b>	<b>25 Thanksgiving Closed</b>	<b>26 Thanksgiving Closed</b>	27
28	29	30				

## December 2010

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	<b>20 City Council Zoning Meeting</b>	21	22	23	<b>24 Christmas Closed</b>	25
26	<b>27 Christmas Closed</b>	28	<b>29 December ZC Worksession 4:30</b>	30	<b>31 New Year's Closed</b>	

**TENTATIVE SCHEDULE NOT YET APPROVED BY COUNCIL**  
January 2011

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1 NY'S DAY
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17 MLK Day Closed	18 City Council Zoning Meeting	19	20	21	22
23	24	25	26 January ZC Worksession 4:30	27	28	29
30	31					