

AGENDA
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
ZONING COMMITTEE WORK SESSION
Charlotte-Mecklenburg Government Center, Rm 280
September 29, 2010
4:30 P.M.

Linda Beverly	<p>1. Innovative Request for Rezoning Petition 2005-024 for MI Homes, who is requesting the following innovative approval for Back Creek Farms near the intersection of W. T. Harris Boulevard and Rocky River Road.</p> <ul style="list-style-type: none"> Reduction of the required neighborhood swim club parking requirement from one space per 100 square feet of surface water to one space per 200 square feet of surface water. <p>The proposed neighborhood swim club has been relocated from the entrance of the development to a more centrally located site internal to the neighborhood. The new location will facilitate easier and safer access to the swim club for residents who choose to walk to the club instead of driving. The internal residential street network adjacent to the new swim club location also provides more connectivity and on-street parking opportunities than the original location near the busier entrance intersection.</p> <p>Staff recommends approval of this innovative request.</p>
Tom Drake	<p>2. Petition No. 2010-032 by The Rock Worship Center for a change in zoning of approximately 1.59 acres located at the intersection of Fordham Road and West Boulevard from R-4 to UR-C(CD).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 8</p> <p>Update: There are no outstanding issues with this petition.</p>
Solomon Fortune	<p>3. Petition No. 2010-034 by RED Partners for a change in zoning of approximately 0.36 acres located along the east side of North Davidson Street between Charles Avenue and East 32nd Street from R-5 to UR-2(CD).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 2</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> Note #5 has been revised to limit the allowed uses to six residential units and accessory uses including customary home occupations. A note has been added that roll out sanitation cans will be provided for each unit. A note has been added 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. The maximum building height will be 50-feet. The site plan shows landscaped area adjacent to the properties zoned R-5. The petitioner has removed the notes #2, 6, and 8 from the site plan. The petitioner has committed to provide a fence or wall for screening as required when less than five feet is provided from the property line to the driveway.
Sonja	<p>4. Petition No. 2010-040 by Grady Parker, Jr. for a change in zoning of approximately 1.52</p>

Sanders	<p>acres located along Wilson Lane and West Sugar Creek Road near Interstate 85 from O-2 and B-1 to B-2(CD).</p> <p>Staff recommends that a City Council decision be deferred until the recommendations from the SRO citizen advisory group process are presented to City Council's Housing and Neighborhood Development Committee.</p> <p>Attachment 9</p> <p>NOTE: The property owner has rescinded consent for a conditional rezoning request. This petition cannot proceed as proposed. Staff is requesting an indefinite deferral until the petitioner determines how to proceed.</p> <p>Update: The following issues are outstanding:</p> <ol style="list-style-type: none"> 1. Add note that existing building will remain. 2. Amend existing zoning to reflect O-2 and B-1. 3. Delete Notes 14, 15, 16, 17 and 18 as these are minimum development requirements and will be addressed during the permitting process. 4. Amend the parking tabulation under Development Data to specify the minimum required and maximum proposed.
Claire Lyte-Graham	<p>5. Petition No. 2010-046 by JNC Properties, LLC 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 7</p> <p>Update: There are no outstanding issues with this petition.</p>
Tom Drake	<p>6. Petition No. 2010-047 by Trevi Partners, LLC 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 UR-C(CD) with five year vested rights.</p> <p>Staff recommends approval of this petition upon resolution of the outstanding issue.</p> <p>Attachment 10</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Applicable flood boundaries and water quality buffers (SWIM and PCCO) have been added to the site plan. 2. A minimum 60-foot wide public greenway access has been added from the edge of the SWIM buffer along the creek on the southwest side of the site from Access Road "E" to the property line of the Charlotte Mecklenburg Utilities wastewater treatment plant. 3. Access Road "E" has been identified on sheets RZ-2.0 and RZ-4.0. 4. The fourth paragraph of Note 3.A. has changed "Tract A" to "Tract 2". 5. Note 1.D. has been amended to specify that 5-year vesting is being requested. 6. The internal connection to Tract 4 has been added to sheet RZ-2.0. <p>The following issue is outstanding:</p> <ol style="list-style-type: none"> 1. In requesting that the uses in various Tracts be labeled, staff has become aware that the proposed hotel has been relocated. Staff is now evaluating the impact of that relocation.
Solomon	<p>7. Petition No. 2010-048 by William Cashion, Jr. and William Wise for a change in zoning</p>

Fortune	<p>of approximately 5.00 acres located along the south side of Shopton Road near the intersection of Lebanon Drive and Shopton Road from R-3 to INST(CD).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 11</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Petitioner has added a note stating that large expanses of wall exceeding 20-feet in length will be avoided through the introduction of articulated facades, using two or more various materials such as brick and other masonry products, stone, different colors of paint, glass windows, water table, and/or soldier course. 2. The petitioner has modified the side yard to show the required 20-foot yard. 3. The petitioner has modified the rear yard to show the required 20-foot yard. 4. The petitioner has added a note stating that all free-standing lighting features will be fully shielded with full cut-off fixtures.
Sandy Montgomery	<p>8. Petition No. 2010-052 by Charlotte-Mecklenburg Planning Commission for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to modify the regulations and criteria for landmark signs and add new regulations for historic sign designation.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 17</p> <p>Update: There are no outstanding issues with this petition.</p>
Shad Spencer	<p>9. Petition No. 2010-053 by The Bissell Companies, Inc. for a change in zoning of approximately 2.27 acres located along the east side of Sharon Road between Morrison Boulevard and Coltsgate Road from O-2 to MUDD-O.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 12</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. CDOT issues have been addressed by modifying the wording of the conditional notes regarding an access easement from Sharon Road to the site's southeastern property line. 2. The petitioner has clarified that the optional provision is to allow accessory drive-through windows for branch banks and they would not be allowed for restaurants. 3. The list of permitted uses has been modified so they better align with those defined in the Zoning Ordinance by eliminating the terms "professional business" and "personal services". 4. Note 5.c. has been modified by changing the word "may" to "shall". 5. The word "principle" has been replaced with "principal" in Notes: 3.b., 5.b., and 5.f. 6. Urban Forestry has removed their request to preserve the existing 46" oak tree along Sharon Road.
Shad Spencer	<p>10. Petition No. 2010-054 by The Bissell Companies, Inc. for a change in zoning of</p>

	<p>approximately 2.96 acres located along the east side of Sharon Road between Morrison Boulevard and Coltsgate Road extending to abut Coltsgate Road from O-1(CD) to MUDD-O.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 13</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. A concrete waiting pad has been provided at the existing bus stop located along Sharon Road in front of this subject site. 2. The word “principle” has been replaced with “principal” in the site data table and Notes 3.a.and 3.c. 3. The list of permitted uses has been modified so they better align with those defined in the Zoning Ordinance by eliminating the terms “professional business” and “personal services”.
Solomon Fortune	<p>11. Petition No. 2010-055 by Charter Properties, Inc. for an R-12MF(CD)(SPA) (site plan amendment) of approximately 43.41 acres located along the east side of Reames Road across from Secretariat Drive and Prestbury Boulevard.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 14</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Note 9 under Cell Tower Development Standards has been amended to read “A wooden fence, vegetation and shrubs will be used for screening and making the tower area inaccessible to the public.” 2. The petitioner has provided a detail of the wooden fence (height and material).
Tom Drake	<p>12. Petition No. 2010-058 by Cardinal Real Estate Partners for a change in zoning of approximately 15.59 acres located at the intersection of Forest Point Boulevard and Forest Point Circle near Arrowood Road from B-D(CD) to O-1.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 15</p> <p>Update: There are no outstanding issues with this petition.</p>
Sandy Montgomery	<p>13. Petition No. 2010-060 by Charlotte-Mecklenburg Planning Commission for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to update a cross-reference to the Tree Ordinance, related to the tree survey requirement.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 18</p> <p>Update: There are no outstanding issues with this petition.</p>

<p>Sonja Sanders</p>	<p>14. Petition No. 2010-061 by South36R, LLC and City of Charlotte for a change in zoning of approximately 57.91 acres located at the intersection of Pine Oaks Drive and Beam Road and bounded on the north by Westoak Drive from O-1 and O-15(CD) to I-1(CD).</p> <p>Staff recommends approval of this petition upon resolution of the outstanding issues.</p> <p>Attachment 16</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Note 2M has been added to address potential ways to provide flexibility to modify the required buffer, if needed, to extend West Oak Drive to the east. 2. A note has been added that a public turn-around will be provided if a private street connects to the terminus of West Oak Drive. 3. A note has been added that Post Construction Controls for the site will include requirements per the pre-rezoned existing zoning condition. Specifically state that provisions for one year volume and a natural area/tree save will be maintained for the rezoned site. <p>Based upon the revised site plan submitted Friday September 24, 2010, the following new issues are outstanding:</p> <ol style="list-style-type: none"> 1. The last sentence of Note 2J should be deleted. 2. Note 4F should be modified to indicate that an access agreement must be executed if a private street connection is provided. In addition, "at time development occurs along the referenced property line" should be deleted. 3. Note 4H should be deleted.
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