

Mayor Anthony Foxx
Michael D. Barnes
Nancy Carter
Andy Dulin
Patsy Kinsey
Edwin B. Peacock III

Mayor Pro-Tem Patrick Cannon
Jason Burgess
Warren Cooksey
David Howard
James E. Mitchell, Jr.
Warren Turner

CITY COUNCIL ZONING AGENDA

Tuesday, January 18, 2011

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

6:00PM – Zoning Meeting
Meeting Chamber

DINNER MEETING

Review of Agenda – Tammie Keplinger

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

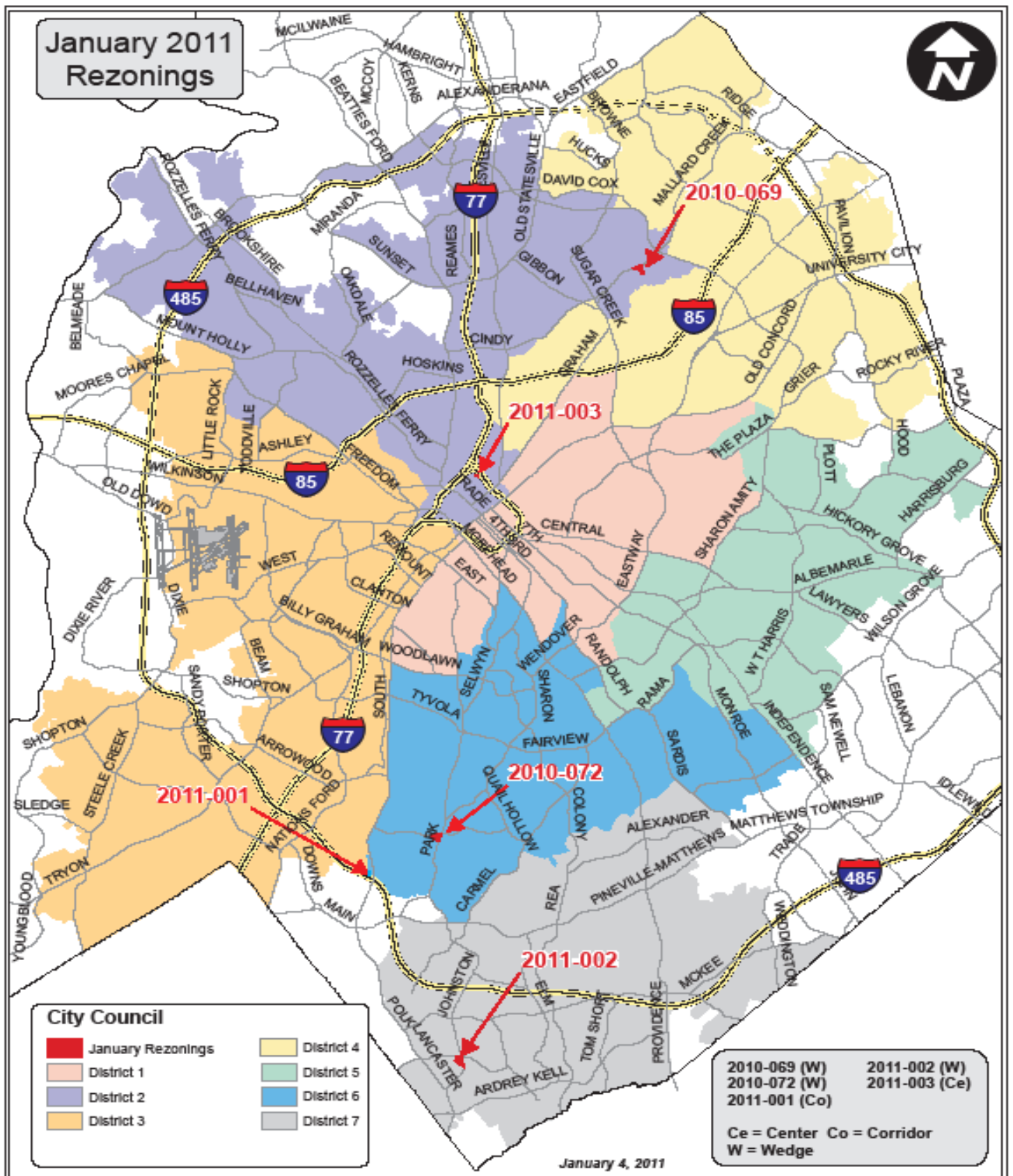
Miscellaneous Acronyms

CD – conditional
SPA – site plan amendment

DECISIONS

Deferral (1-month to February) Protest Sufficient	<p>1. Petition No. 2010-051 by Habitat for Humanity of Charlotte, Inc. for a change in zoning of approximately 3.629 acres located on the west side of Bingham Drive near North Tryon Street from I-2 to UR-2(CD).</p> <p>Staff is requesting a one-month deferral of this petition to allow the Zoning Committee to make a recommendation.</p> <p>Attachment 1</p>
Deferral (1-month to February)	<p>2. Petition No. 2010-067 by Mecklenburg County Park & Recreation Department for a change in zoning of approximately 1.64 acres located on the south side of Bevington Place between Elm Lane and Rea Road from R-15(CD) to NS.</p> <p>Staff is requesting a one-month deferral of this petition to allow the Zoning Committee to make a recommendation.</p> <p>Attachment 2</p>
Deferral (1-week to January 24th) Protests Sufficient	<p>3. Petition No. 2010-068 by Lightway Properties, LLC, for a change in zoning of approximately 6.50 acres located on the north side of Ballantyne Commons Parkway between Annalexa Lane and Providence Promenade Drive North from UR-2(CD) and R-3 to O-1(CD) and O-1.</p> <p>Staff is requesting a deferral of this petition to the January 24, 2011 Council Business Meeting.</p> <p>Attachment 3</p>
Deferral (1-month to February)	<p>4. Petition No. 2010-075 by Woodie Enterprises, Inc for a change in zoning of approximately 0.474 acres located on the east side of Carmel Road near the intersection of Carmel Road and Pineville-Matthews Road (HWY 51) from B-1(CD) and O-1 to B-1(CD) SPA and B-1(CD).</p> <p>Staff is requesting a one-month deferral of this petition to allow the Zoning Committee to make a recommendation.</p> <p>Attachment 4</p>
Deferral (1-month to February)	<p>5. Petition No. 2010-076 by Anders Platt for a change in zoning of approximately 3.4 acres located at the northeast corner of the intersection of West Boulevard and Dr. Carver Road from R-22MF and I-1 to INST(CD).</p> <p>Staff is requesting a one-month deferral of this petition to allow the Zoning Committee to make a recommendation.</p> <p>Attachment 5</p>

Deferral (1-month to February)	<p>6. Petition No. 2010-078 by Charlotte-Mecklenburg Planning Commission for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to add a new definition for heating, ventilation and air conditioning (HVAC) and revise the regulations.</p> <p>Staff is requesting a one-month deferral of this petition to allow the Zoning Committee to make a recommendation.</p> <p>Attachment 6</p>
Deferral (1-month to February)	<p>7. Petition No. 2010-079 by Charlotte-Mecklenburg Planning Commission for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to add a new use, definition, and prescribed conditions for an eco-industrial facility.</p> <p>Staff is requesting a one-month deferral of this petition to allow the Zoning Committee to make a recommendation.</p> <p>Attachment 7</p>



HEARINGS

	<p>8. Petition No. 2010-069 by Patrick N. Dillon for a change in zoning of approximately 13.98 acres located on the east side of the intersection of Mallard Creek Road and Penninger Circle and located across from Mason Drive from R-3 to INST (CD).</p> <p>Staff is recommending approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 8</p>
Protests Sufficient	<p>9. Petition No. 2010-072 by Quail Corners Associates, LLC for a CC site plan amendment for approximately 14.40 acres located at the southwest corner of the intersection of Park Road and Sharon Road West.</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 9</p>
	<p>10. Petition No. 2011-001 by Automotive Management Services, Inc. for a change in zoning of approximately 0.451 acres located along the west side of South Boulevard and bounded by Interstate 485 on the south and the Southern Railway on the west from B-1 to B-2(CD).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 10</p>
	<p>11. Petition No. 2011-002 by 521 Partners, LLC for an O-1 (CD) site plan amendment for approximately 12.54 acres located on the southwest corner at the intersection of Providence Road West and Johnston Road.</p> <p>Staff does not recommend approval of this petition as currently proposed.</p> <p>Attachment 11</p>
	<p>12. Petition No. 2011-003 by Music Factory Condominiums, LLC for a MUDD-O site plan amendment for approximately 1.77 acres located along the east side of Hamilton Street between Seaboard Street and West Brookshire Freeway.</p> <p>Staff does not recommend approval of this petition as currently proposed.</p> <p>Attachment 12</p>
	<p>13. Petition 2010-080 by Charlotte Mecklenburg Planning Commission for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to replace the regulations for "Outdoor Seasonal Fresh Produce Sales" with a new definition and regulations for "Fresh Produce Markets".</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 13</p>
	<p>14. Petition 2011-004 by Charlotte Mecklenburg Planning Commission for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to comply with NC Statutes and Session Law 2009-178 regarding new requirements for third party rezoning petitions.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 14</p>

	<p>15. Petition 2011-005 by Charlotte Mecklenburg Planning Commission for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to comply with NC Fair Housing Act and Session Law 2009-533 to prevent discrimination against affordable housing.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 15</p>
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