

**AGENDA**  
**CHARLOTTE-MECKLENBURG PLANNING COMMISSION**  
**ZONING COMMITTEE WORK SESSION**  
**Charlotte-Mecklenburg Government Center, Rm 280**  
**March 2, 2011**  
**4:30 P.M.**

<p><b>Tammie Keplinger</b></p> <p><b>Deferral (6-month)</b></p>	<p><b>1. Petition No. 2008-032 by Myers Park Home Owners Association</b> for a change in zoning of approximately 38.79 acres located on both sides of Selwyn Avenue and Roswell Avenue from Lorene Avenue, north to Bucknell Avenue from R-22MF to R-8MF.</p> <p>Petitioner is requesting a six-month deferral of this petition to the September 28, 2011 Zoning Committee meeting to allow time for completion of the HIRD text amendment.</p> <p>Attachment 1 (from the December 20, 2010 Council Agenda)</p> <p><b>Update: There are no outstanding issues with this conventional petition.</b></p>
<p><b>Sandy Montgomery</b></p> <p><b>Deferral (1-month)</b></p>	<p><b>2. Petition No. 2010-045 by Charlotte-Mecklenburg Planning Commission</b> for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to modify and clarify the regulations for pedestrian oriented information pillars and information pillar signs.</p> <p>Staff is requesting a one-month deferral of this petition to the March 30, 2011 Zoning Committee Meeting. An additional deferral is anticipated next month.</p> <p>Attachment 1</p> <p><b>Update: There are no outstanding issues with this petition.</b></p>
<p><b>Shad Spencer</b></p>	<p><b>3. Petition No. 2010-067 by Mecklenburg County Park &amp; Recreation Department</b> 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 recommends approval of this petition.</p> <p>Attachment 3</p> <p><b>Update: There are no outstanding issues with this petition. However, the following items have been added to the site plan:</b></p> <ol style="list-style-type: none"> <li><b>Note 7 has been modified to state "Lighting may be installed in the future if security concerns or significant requests by greenway users make the lighting of the parking lot advisable". The modification to this note also reduced the maximum height of the potential lighting from 30 feet to 25 feet and indicates it will be shielded or capped.</b></li> <li><b>An additional note has been provided which states "The petitioner will collaborate with the Charlotte Department of Transportation in future planning efforts concerning any traffic calming or pedestrian improvements between Rea Road and Elm Lane".</b></li> </ol>

<p><b>Tammie Keplinger</b></p>	<p><b>4. Petition No. 2010-069 by Patrick N. Dillon</b> 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 recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 4</p> <p><b>Staff will provide an update prior to the meeting on March 2, 2011.</b></p> <p><b>Update: The following issues are still outstanding:</b></p> <ol style="list-style-type: none"> <li><b>1. Modify the site plan to reflect compliance with the Tree Ordinance since this may affect the number of parking spaces shown on the site plan.</b></li> <li><b>2. Establish a minimum age restriction for the independent living units in the development.</b></li> <li><b>3. Correct the site plan annotation that the setback on Penninger Circle is measured from the existing right-of-way.</b></li> <li><b>4. Show potential recycling centers.</b></li> <li><b>5. Specify class of buffer.</b></li> <li><b>6. Include detail of fence.</b></li> </ol> <p><b>The following notes have been added to the site plan:</b></p> <ol style="list-style-type: none"> <li><b>1. The colored elevation will be attached, labeled "for illustrative purposes only".</b></li> <li><b>2. As indicated in the building elevations, exterior building materials shall be a mix of architectural masonry (brick, stone, etc.) and cement fiber board trim, siding and paneling.</b></li> <li><b>3. The architectural masonry shall be no less than 30% of the building facades.</b></li> <li><b>4. Stucco may be an alternative to the cement fiberboard however synthetic stucco will not be used.</b></li> <li><b>5. The building elevations shall be articulated with the façade being periodically forward and/or recessed as depicted in the illustrative elevation.</b></li> <li><b>6. The buildings will consist of four sided architecture with no expanses of blank walls more than 40-feet.</b></li> <li><b>7. Windows will be of similar quality, appropriate in size to the interior room use.</b></li> <li><b>8. Exterior detailing may have vinyl elements such as porch columns and railings, soffits and windows.</b></li> <li><b>9. Asphalt shingle roofs shall have a minimum pitch of 6:12 and roof shall have periodic decorative vents and/or dormers, etc to break up the roof line. Metal roofing material or other similar material to be approved by planning staff will be used on entrance roofs (where the cupola and chimney are located).</b></li> <li><b>10. Trim work and general millwork as depicted on the illustrative elevation will include but not be limited to: cupola, decorative gable vents, raised seem metal roofing, fenestration, windows and mullions/mullets, clerestory, lintels, horizontal banding, porches, railings, columns and capitals, and ornamentation.</b></li> <li><b>11. Lighting should be limited to 25-feet in height.</b></li> <li><b>12. The following note should be added to the detention areas: "Potential location for storm water management facility. Actual location of such facilities shall be determined through the site plan review and permitting process".</b></li> <li><b>13. The class "C" buffer will be maintained next to the existing multi-family. As a class "B" buffer is not possible due to a proposed detention location, additional buffer plantings to meet the planting requirements of the class "B" buffer will be installed.</b></li> </ol>
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<p><b>Sonja Sanders</b></p> <p><b>Deferral (1-month)</b></p> <p><b>Protests Sufficient</b></p>	<p><b>5. Petition No. 2010-072 by Quail Corners Associates, LLC</b> 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>Petitioner is requesting a one-month deferral of this petition to the March 30, 2011 Zoning Committee Meeting.</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 5</p> <p><b>Update: The following issues are still outstanding:</b></p> <ol style="list-style-type: none"> <li><b>1. Provide minimum five-foot walkways from external sidewalks to each building/facility.</b></li> <li><b>2. Amend note under Setbacks, Side Yards and Rear Yards to state that the setback will not be reduced beyond the 40 foot setback shown.</b></li> <li><b>3. Note that new outdoor plaza area with hardscape, planter, and seating located between Buildings A and B is required and will be provided at the same time as exterior building renovations to buildings A and B.</b></li> <li><b>4. Add note that the Planning Director must review and approve final plans for all outparcels, with particular attention paid to the relationship between Building 4, Building B and the surrounding parking areas.</b></li> </ol>
<p><b>Sandy Montgomery</b></p> <p><b>Deferral (1-month)</b></p>	<p><b>6. Petition No. 2010-079 by Charlotte-Mecklenburg Planning Commission</b> 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 the March 30, 2011 Zoning Committee Meeting to respond to citizens' concerns.</p> <p>Attachment 9</p> <p><b>Update: There are no outstanding issues with this petition.</b></p>
<p><b>Solomon Fortune</b></p> <p><b>Deferral (1-month)</b></p>	<p><b>7. Petition 2010-080 by Charlotte Mecklenburg Planning Commission</b> 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 is requesting a one-month deferral of this petition to the March 30, 2011 Zoning Committee Meeting. An additional deferral is anticipated next month.</p> <p>Attachment 10</p> <p><b>Update: There are no outstanding issues with this petition.</b></p>
<p><b>Claire Lyte-Graham</b></p>	<p><b>8. Petition No. 2011-006 by Dore Academy</b> for a change in zoning of approximately 6.078 acres located on the south side of Parkway Plaza Boulevard near Courtney Commons Lane from I-1(CD) to O-1.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 15</p> <p><b>Update: There are no outstanding issues with this conventional petition.</b></p>
<p><b>Shad Spencer</b></p>	<p><b>9. Petition No. 2011-007 by Medical Facilities of North Carolina, Inc.</b> for an INST(CD) site plan amendment for approximately 9.05 acres located on the east side of Toddville Road between Freedom Drive and Lewhaven Drive.</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>

<p><b>Claire Lyte-Graham</b></p>	<p><b>10. Petition No. 2011-010 by Hendrick Automotive Group</b> for a B-2(CD) site plan amendment for approximately 8.08 acres located on the west side of East Independence Boulevard across from East W. T. Harris Boulevard.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 19</p> <p><b>Update: The following issue has been addressed:</b></p> <p><b>1. The double row of Leyland Cypress or Eastern Red Cedar is shown on the site plan (as per Rezoning Petition 1997-087), and language has been added to clarify that in the event the existing ball field is abandoned, that area will be landscaped to meet the required 75' Class B buffer requirement.</b></p>
<p><b>Sandy Montgomery</b></p>	<p><b>11. Petition 2011-013 by Charlotte Mecklenburg Planning Commission</b> for the adoption of a text amendment to the City of Charlotte Subdivision Ordinance to eliminate the transitional setback along identified sections of US Hwy. 74 upon completion of NCDOT Right-of-Way Acquisition Program.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 20</p> <p><b>Update: There are no outstanding issues with this petition.</b></p>
<p><b>Sandy Montgomery</b></p>	<p><b>12. Petition 2011-014 by Charlotte Mecklenburg Planning Commission</b> for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to eliminate the transitional setback along identified sections of US Hwy. 74 upon completion of NCDOT Right-of-Way Acquisition Program.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 21</p> <p><b>Update: There are no outstanding issues with this petition.</b></p>