

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

<p>Sandy Montgomery</p> <p>Deferral (to April)</p>	<ol style="list-style-type: none"> 1. Petition No. 2010-045 by Charlotte-Mecklenburg Planning Commission 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>Staff recommends a deferral of this petition to the April 27, 2011 Zoning Committee meeting.</p> <p>Attachment 2</p>
<p>Sonja Sanders</p> <p>Protests Sufficient</p>	<ol style="list-style-type: none"> 2. 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>Staff is recommending approval of this petition upon resolution of the outstanding issue.</p> <p>Attachment 5</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. A note has been added stating internal sidewalks and pedestrian connections will be provided as generally depicted. 2. The note under "Setbacks, Side Yards and Rear Yards" has been amended to state that the setback will not be reduced beyond the 40 foot setback shown. 3. A note has been added stating construction and installation of the outdoor plaza area with hardscape, planter, and seating will be completed prior to the issuance of a certificate of occupancy for the Restaurant building. 4. A note has been added stating that the architecture, pedestrian connectivity and parking areas relating to Building Envelope 2 (if the existing building located within Building Envelope 2 is replaced with a new building), Building Envelope 3, and building Envelope 4 must be reviewed and approved by the Charlotte-Mecklenburg Planning Department prior to the issuance of a building permit for the building(s) to be constructed within Building Envelope 2, Building Envelope 3, and Building Envelope 4 to ensure compliance with the spirit and intent of the architectural and design standards for the corresponding building envelopes. <p>The following new information has been provided:</p> <ol style="list-style-type: none"> 1. A note describing the storefront elevations of existing building conditions for Building A (wood or cedar siding painted to match the color of the storefront elevations of existing Building A). <p>Based upon review of the revised site plan, the following new issue has been added:</p> <ol style="list-style-type: none"> 1. Amend the driveway on Sharon Road West to delete the optional right-turn in/out.

<p>Solomon Fortune</p> <p>Deferral (to April)</p>	<p>3. Petition No. 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 a deferral of this petition to the April 27, 2011 Zoning Committee meeting.</p> <p>Attachment 7</p>
<p>Sonja Sanders</p>	<p>4. 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 13</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Proposed uses have been specified as office, hotel, and a bank. 2. The maximum square footage for the proposed hotel has been specified as 85,000 square feet. 3. An office elevation with a note that the hotel will be similar in architectural style has been added. 4. Building materials and maximum building heights have been noted on the site plan. Materials will consist of brick, glass, aluminum, stucco type finishes and the maximum building heights will not exceed 4-stories or 62 feet. 5. Planting and landscaping details have been provided on the site plan. 6. CDOT issues have been addressed as follows: <ol style="list-style-type: none"> a. Provided an 8-foot planting strip and 6-foot sidewalk on the west side of Ballancroft Parkway. b. Provided a 6-foot sidewalk connection from the bank to Providence Road West. c. Provided pedestrian improvements across 521 as requested by CDOT. d. Committed to providing proper alignment of Ballancroft Parkway (a proposed public street) with the existing driveway on the opposite side of Providence Road West. e. Provided commitment to work with CDOT regarding the design of Ballancroft Parkway. 7. Note #1 has been modified to state if there is a conflict between the conditional notes and ordinance standards, the more restrictive will apply. 8. A note has been added that no detention is allowed within the setback or required yards. 9. The following notes have been removed as they are minimum ordinance standards: Notes 7, 10, 11, and 12. 10. Building and parking envelopes have not been shown. This was an elective request intended to provide flexibility. <p>The following issues remain outstanding:</p> <ol style="list-style-type: none"> 1. Reduce total square footage to 100,000 square feet. 2. Relocate buildings to have a greater presence along Ballancroft Parkway, which will improve pedestrian accessibility from abutting properties and the on-street parking that will serve the use. 3. Provide the proper headings for conditional notes. <p>The following items have been added to the site plan:</p> <ol style="list-style-type: none"> 1. A note providing an option to an additional 30,000 square feet of office if a hotel is not constructed. The overall maximum square footage would be 210,000 square feet if a hotel is provided and 155,000 square feet without a hotel. (CDOT will recalculate the traffic generation and provide these numbers prior to the ZC meeting).

<p>Shad Spencer</p> <p>Protest Sufficient</p>	<p>5. Petition No. 2011-009 by Crescent Resources, LLC for a MUDD-O site plan amendment for approximately 7.81 acres located on Carnegie Boulevard and west of the intersection of Assembly Street and Carnegie Boulevard.</p> <p>Staff is recommending approval of this petition upon resolution of the outstanding issues.</p> <p>Attachment 15</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> The fire access grass pave from the future street right-of-way on the site plan has been removed and replaced with the street cross section to illustrate the required public street extending south from Carnegie Boulevard and stubbing at the southern property line. A note has been added allowing the fire access grass pave within the future street right-of-way until the street is constructed. Note# 11.e. has been modified by eliminating the word "if" to clarify that a minimum six-foot trail will be constructed around the detention/water quality pond. "Optional" has been eliminated from the term "trail, optional" used to identify the trail on the site plan. A note has been provided stating residential units abutting the paver sidewalk that extends from Carnegie Boulevard to the pond open space area will have individual sidewalk connections where grades permit. The site plan has been revised to indicate the paver sidewalk extending from Carnegie Boulevard to the pond open space area will have a minimum width of six feet. The type, quantity, and size of the evergreen landscaping materials to be planted along the future public street where it abuts the parking deck of the existing Piedmont Town Center building ("existing building D") has been provided on the site plan. The width of the future public street right-of-way has been increased by shifting the eastern boundary of the right-of-way to the common property line with the Piedmont Town Center parcel located east of this subject site. Note# 4.a., second sentence, has been modified to read as follows: <i>This setback will be measured from the existing or future back of curb whichever is greater.</i> The building material for the retaining wall has been provided. The use of the various levels of each building component and indicate courtyards and open spaces has been labeled on the site plan. The architectural style is proposed as depicted on the attached rendering ("Exterior Perspective"). <p>The following issues remain outstanding:</p> <ol style="list-style-type: none"> Modify Note 8.b. to indicate the future public street illustrated on the rezoning plan will be constructed and offered for dedication to the City of Charlotte prior to the issuance of the certificate of occupancy. In lieu of constructing the street prior to the issuance of the certificate of occupancy, the petitioner will be allowed to provide one of the following two options (the option will be determined by CDOT, in consultation with the petitioner): <ol style="list-style-type: none"> Provide funding, based on the estimated construction cost of the required street located on the subject parcel, into a CIP project for the proposed road connection; or, Post a bond for the construction of the required street located on the subject property. In either case, the note shall indicate the petitioner will construct the four-approach intersection modification along Carnegie Boulevard. Eliminate the sentence within this note which states the right-of-way will be used by the City to construct the public street.
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<p>2011-009 continued</p>	<ol style="list-style-type: none"> 2. Provide more detail (a cross-section) regarding the landscape treatment around the detention/water quality pond area and how it will function as an amenity. 3. Indicate the approximate height of the various sections of the retaining wall and show spot elevations. 4. Add maximum number of stories. 5. The second sentence of Note 16 c under Architectural Controls should read: In addition, the building will utilize some or all of the following elements as indicated on the "exterior perspectives:..." <p>Update 03/29/11: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Note 8. has been modified to indicate the future public street illustrated on the rezoning plan will be constructed and offered for dedication to the City of Charlotte prior to the issuance of the certificate of occupancy. In lieu of constructing the street prior to the issuance of the certificate of occupancy, the petitioner will be allowed to provide one of the following two options: <ol style="list-style-type: none"> a. Provide funding, in the amount of \$190,000, into a CIP project for the portion of the proposed road connection located on the subject site; or, b. Post a bond for the construction of the required street located on the subject property. <p>In either case, the note indicates the petitioner will construct the intersection of Carnegie Boulevard and the proposed street as a roundabout, as illustrated on the rezoning plan.</p> 2. The fire access grass pave from the future street right-of-way on the site plan has been removed and replaced with the street cross section to illustrate the required public street extending south from Carnegie Boulevard and stubbing at the southern property line. A note has been added allowing the fire access grass pave within the future street right-of-way until the street is constructed. 3. Note# 11.e. has been modified by eliminating the word "if" to clarify that a minimum six-foot trail will be constructed around the detention/water quality pond. "Optional" has been eliminated from the term "trail, optional" used to identify the trail on the site plan. 4. Supplemental landscaping and benches have been added around the detention/water quality pond area to enhance the amenity area. 5. A note has been provided stating residential units abutting the paver sidewalk that extends from Carnegie Boulevard to the pond open space area will have individual sidewalk connections where grades permit. 6. The site plan has been revised to indicate the paver sidewalk extending from Carnegie Boulevard to the pond open space area will have a minimum width of six feet. 7. The type, quantity, and size of the evergreen landscaping materials to be planted along the future public street where it abuts the parking deck of the existing Piedmont Town Center building ("existing building D") has been provided on the site plan. 8. The width of the future public street right-of-way has been increased by shifting the eastern boundary of the right-of-way to the common property line with the Piedmont Town Center parcel located east of this subject site. 9. The maximum height was modified to indicate the development will not exceed nine stories. 10. Note# 4.a., second sentence, has been modified to read as follows: <i>This setback will be measured from the existing or future back of curb whichever is greater.</i> 11. The building material for the retaining walls has been provided along with a conceptual cross section of the site to illustrate the location of the retaining walls and the grades across the site. 12. The use of the various levels of each building component and indicate courtyards and open spaces has been labeled on the site plan. 13. Architectural notes have been added to the site plan to ensure that the architectural style is as depicted on the attached rendering ("Exterior Perspective").
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Shad Spencer	<p>6. Petition No. 2011-012 by Steve McGirt for a I-2(CD) site plan amendment for approximately 5.61 acres located along Center Park Drive near Beam Road.</p> <p>Staff is recommending approval of this petition.</p> <p>Attachment 16</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. The I-1(CD) and I-2(CD) reference under Note #1 has been removed from the site plan. 2. Wording from Note 1 regarding business distribution since this site plan amendment does not pertain to the business distribution portion of the original rezoning has been removed from the site plan. 3. Note #2.a. has been modified to read "Total land area covered by building(s) shall not exceed the stated amount for the I-2(CD) district as shown on the original 88-012c rezoning plan. 4. The reference to rezoning petition number within the title block has been corrected from 2011-12C to 2011-12. 5. The buffer related note, which states "The exterior 50' of the 100' Class A buffer shall remain undisturbed", has been relocated to a newly created heading under "Conditional Requirements" for "Buffers". 6. Notes #5a and #5c have been removed as they were not enforceable through zoning. 7. The statement in the "site plan amendment summary" has been modified to say that the "purpose of the zoning change: delete <u>conditional</u> buffer adjacent to parcel 143-211-02 which has been rezoned to B-2(CD)..." 8. The "NOTES" section has been deleted as it did not pertain to the rezoning. 9. The vicinity map has been modified to show only the property being rezoned. 10. A note has been added that states changes to the site plan will be in compliance with Section 6. 207 of the Zoning Ordinance.
Shad Spencer	<p>7. Petition No. 2011-015 by Long Animal Hospital for a MUDD-O site plan amendment for approximately 1.19 acres located on the eastern corner of the intersection of South Boulevard, Ideal Way and Remount Road.</p> <p>Staff is recommending approval of this petition.</p> <p>Attachment 17</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Note #1 has been modified to indicate that alterations to the site plan may be made in accordance with Section 6.207, not Section 6.206 (2). 2. The last sentence of Note 1 regarding minor and incidental changes has been removed from the site plan. 3. Notes that were general ordinance requirements or were not applicable have been removed from the site plan. 4. The site plan has been modified to reference the petition number.

<p>Claire Lyte-Graham</p>	<p>8. Petition No. 2011-016 by Zula Express Inc. (formerly Kidane Haile) for a change in zoning of approximately 0.26 acres located on the west side of Margaret Wallace Road near the intersection of Margaret Wallace Road and Idlewild Road from B-1 to NS.</p> <p>Staff is recommending approval of this petition.</p> <p>Attachment 18</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Landscaping to screen the loading area from Margaret Wallace Road has been added on the site plan. 2. A different shading/hatching has been utilized to identify the driveway and to better distinguish it from the surrounding sidewalks. 3. The petitioner has removed notes relating to screening dumpsters and loading spaces and compliance with the PCCO, sign ordinance and outdoor lighting as they are general ordinance requirements. <p>The following note has been added to the site plan:</p> <ol style="list-style-type: none"> 1. No fuel pumps will be permitted.
<p>Sandy Montgomery</p>	<p>9. Petition 2011-019 by Charlotte-Mecklenburg Storm Water Services for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to reflect changes in the enforcement of buffers from Mecklenburg County Department of Environmental Protection to Charlotte-Mecklenburg Storm Water Services, and to update references to the <u>Charlotte Land Development Standards Manual</u> and <u>Charlotte-Mecklenburg BMP Design Manual</u>.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 19</p> <p>Update: There are no outstanding issues with this petition.</p>
<p>Sandy Montgomery</p>	<p>10. Update on the eco-industrial text amendment process (petition 10-79).</p>