

<u>Mayor Anthony Foxx</u>	<u>Mayor Pro-Tem Patrick Cannon</u>
John Autry	Michael D. Barnes
Warren Cooksey	Andy Dulin
Claire Fallon	David Howard
Patsy Kinsey	LaWana Mayfield
James E. Mitchell, Jr.	Beth Pickering

CITY COUNCIL ZONING AGENDA

Monday, July 16, 2012

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

6:00PM – Zoning Meeting
Meeting Chamber

DINNER MEETING

- *Review of Agenda – Tammie Keplinger*
- *Area plan status & text amendment update – Debra Campbell*

ALL REZONING PETITIONS MAY BE VIEWED ON THE WEB AT
www.rezoning.org

<p><u>Zoning Districts</u></p> <ul style="list-style-type: none"> ● 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 	<p><u>Overlay Districts</u></p> <ul style="list-style-type: none"> ● 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 <p><u>Miscellaneous Acronyms</u></p> <ul style="list-style-type: none"> ● CD – conditional ● SPA – site plan amendment
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DECISIONS

<p>Withdrawal</p> <p>Protest Sufficient</p>	<p>1. <u>Petition No. 2012-040</u> by K & P Development, LLC for a change in zoning for approximately 0.65 acres located on the west side of Park South Drive between Fairview Road and Royal Crest Drive from R-3 to MUDD(CD).</p> <p>The petitioner is requesting a withdrawal of this petition.</p> <p>This petition is found to be inconsistent with the <i>South District Plan</i> and to not be reasonable and not to be in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend DENIAL of this petition based on the petitioner's request to withdraw the petition pending removal of the valid protest petition.</p> <p>Attachment 1</p>
	<p>2. <u>Petition No. 2012-043</u> by Seaboard Street Condominiums, LLC for a change in zoning for approximately 3.62 acres located on the north and south sides of NC Music Factory Boulevard near the intersection of Interstate 277 and North Graham Street from I-1, I-1(CD), and I-2 to MUDD(CD).</p> <p>This petition is found to be consistent with the <i>Charlotte Center City 2020 Vision Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Provided additional pedestrian connections, minimum five feet in width, from the building to the public sidewalk along NC Music Factory Boulevard. 2. Modified the "Minimum Parking Required" under the "Development Summary" to indicate one parking space per dwelling unit. 3. Indicated the boundary of the right-of-way to be dedicated along the future alignment of NC Music Factory Boulevard. 4. Added a sentence to the end of Note B under "Setback and Yards / Streetscape / Screening" that states the existing five-foot sidewalk along NC Music Factory Boulevard will remain until the street is realigned. 5. Removed the "Loading Space" identified on the site plan along NC Music Factory Boulevard. 6. Addressed Transportation comments. <p>Staff recommends approval of this petition.</p> <p>Attachment 2</p>
<p>Protest Sufficient</p>	<p>3. <u>Petition No. 2012-044</u> by The Duke Endowment for a change in zoning for approximately 1.76 acres located on the west side of East Morehead Street between Myrtle Avenue and Oriole Avenue from B-1 to MUDD-O.</p> <p>This petition is found to be consistent with the <i>Midtown Morehead Cherry Area Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Modified the maximum building heights for both Building A and Building B to be 62 feet to the top of the standing seam roof and a maximum of 47 feet to the top of the parapet of the buildings. These heights are measured from the average grade of the building wall along the streets from which these buildings front (i.e. Myrtle Avenue for Building A and Oriole Avenue for Building B). 2. Provided a building elevation of the roll-out trash and recycling enclosure along Myrtle Avenue and included a commitment for supplemental landscaping around the enclosure.

<p>2012-044 continued</p>	<ol style="list-style-type: none"> 3. Provided a detail of the driveway/drop-off area and the open space at the corner of Morehead Street and Myrtle Avenue. The area is designed to appear as a plaza with the incorporation of plantings, hardscape, and outdoor seating. Indicated that the driveway will be constructed with pavers and/or stamped asphalt. 4. Modified Note 4F to indicate if ventilation openings are provided on the western side of the structured parking facility that ornamental metal grillwork will be provided for screening. 5. Provided a note that prohibits construction vehicles serving the site from parking on Lexington Avenue. 6. Provided a note indicated that the petitioner will make a formal request to CDOT to prohibit on-street parking along the site's frontages on Myrtle Avenue and Oriole Avenue. This request shall be limited to the site sides of Myrtle Avenue and Oriole Avenue. 7. Provided a note indicating that the petitioner will hire at least one off-duty law enforcement officer to manage traffic for any event at the site. 8. Provided a note indicating a minimum of 130 parking spaces within the parking structure. <p>Staff recommends approval of this petition.</p> <p>Attachment 3</p>
<p>Deferral (to September)</p> <p>Protest Sufficient</p>	<p>4. <u>Petition No. 2012-048</u> by GCI Acquisitions, LLC for a change in zoning for approximately 16.20 acres located on the west side of Lancaster Highway between Springwell Street and Johnston Road from MX-2 to R-17MF(CD).</p> <p>The Zoning Committee voted 3-3 to recommend APPROVAL of this petition. This tie vote results in an automatic one-month DEFERRAL of the petition.</p> <p>The following modifications have been made to the site plan since the public hearing:</p> <ol style="list-style-type: none"> 1. Proposed back of curb along the property frontage on Lancaster Highway reflected as 37 feet from the existing center line. 2. Indicated sidewalk/utility easements from any sidewalk outside of the public right-of-way along any proposed public street. 3. Removed the marked crosswalk locations from the proposed internal intersections along Landing Place Lane. Note B under the heading of Transportation can remain. 4. Added a note stating that the proposed Landing Place Lane southbound intersection approach needs to be properly aligned with the existing Clems Branch northbound approach at Lancaster Highway so as to not affect operations of a future traffic signal. 5. Provided enough pavement width on the southbound Landing Place Lane to support three travel lanes. 6. Specified that if additional right-of-way and/or easements are required at the proposed intersection the acquisition of this property will be the petitioner's responsibility. 7. Amended the rezoning plan to reflect the design of a left-turn lane necessary to serve the traffic using the proposed public street driveway connections prior to submittal/approval of the public street connections. The left-turn lane is designed using NCDOT standards with a minimum 150 feet of storage. 8. Provided enough width along the public street (Landing Place Lane) connection to Lancaster Highway for three (3) travel lanes between Lancaster Highway and the site's first internal driveway connection to parking. Added a note that the intersection of Landing Place Lane and Lancaster Highway will be designed so that the eastbound intersection approach for Landing Place is aligned with the westbound approach of Clems Branch Drive so as to not affect operations of a future traffic signal. The Petitioner will be responsible for any of the modifications required to properly align existing Clems Branch Drive with the extension of Landing Place Lane. 9. Maximum number of multi-family units has been reduced from 252 to 248, with a resultant density of 15.3 dwelling units per acre. 10. Addition of a six bay garage.

11. Added a new Note 3.B. under the heading of "Access", which states that the Petitioner will contribute to CDOT or NCDOT up to half the cost but not to exceed \$50,000 for the installation of a traffic signal at the intersection of Landing Place Lane and Lancaster Highway when the signal is warranted and the funds are requested by CDOT or NCDOT. This commitment to provide funds toward the future signalization of the intersection of Landing Place Lane and Lancaster Highway is valid for a period of 10 years from the date of approval of this petition.
12. Added a new Note 3.C. under the heading of "Access", which states that prior to the issuance of a building permit for the site the petitioner will commission a Signal Warrant Analysis for the intersection of Landing Place Lane and Lancaster Highway. The petitioner will work with CDOT on the preparation of the Signal Warrant Analysis and will submit the result of the analysis to CDOT for review and for its use.
13. Added a Note 3.D. under the heading of "Access" that as a part of the extension of Landing Place Lane and Lancaster Highway the petitioner will install a choker lane within Landing Place Lane. The final location and design of the choker lane will be determined by CDOT and the Planning Department during the subdivision review process.
14. Added a note under the heading of "Architectural Standards" that the petitioner will provide as part of the developments' club house amenity package an indoor basketball half-court.
15. Added a note under the heading of "Architectural Standards" that the petitioner will construct three buildings that will include garages as generally depicted on the site plan. In addition, the petitioner will construct three detached garage structures throughout the site as generally depicted, the location of which may be modified.
16. Amended Note 5.G. under the heading of "Streetscape, Buffers and Landscaping" to specify that 14 trees and 20 evergreen shrubs per 100 linear feet will be planted within the 50-foot buffer and 35 percent of the new trees will be evergreen. At a minimum, the combination of existing vegetation, the new vegetation to be planted and the proposed fence when taken together must meet or exceed the requirements of a Class B buffer.
17. Added a note 5.H. under the heading of "Streetscape, Buffers and Landscaping" that a six-foot tall solid wooden fence will be installed within the 50-foot buffer. The fence will be located at the edge of the undisturbed portion of the buffer.
18. Amended Note 3.B. under the heading of "Access" to read as follows: "The petitioner will contribute to CDOT a lump sum amount not to exceed \$50,000 for the installation of a traffic signal at the intersection of Landing Place Lane and Lancaster Highway. The \$50,000 shall be received by CDOT prior to the issuance of the first building's certificate of occupancy and deposited in a CDOT account specifically for this use. Should a traffic signal at this location not be installed three years after the last building's certificate of occupancy is issued, the \$50,000 shall be returned to the petitioner. A Developer/CDOT Traffic Signal Agreement documenting these conditions shall be executed before the first building's certificate of occupancy is issued."
19. Amended Note 3.C. under the heading of "Access" to read as follows: "Six months prior to the issuance of a building permit for the Site the Petitioner will commission a Signal Warrant Analysis for the intersection of Landing Place Lane and Lancaster Highway. The Petitioner will work with CDOT/NCDOT on the preparation of the Signal Warrant Analysis and will submit the result of the Signal Warrant Analysis to CDOT/NCDOT for review and for its use."
20. Amended Note 3.E. under the heading of "Access" as follows: "The intersection of Landing Place Lane and Lancaster Highway will be designed so that the eastbound intersection approach for Landing Place Lane is aligned with the westbound approach of Clems Branch Drive so as to not affect operations of a future traffic signal. Both the Landing Place Lane and Clems Branch Drive approaches shall have three travel lanes (i.e. one receiving lane, a left-turn lane and a thru/right turn lane). The Petitioner will be responsible for any of the roadway geometric modifications requirements to properly align and signalized existing Lancaster Hwy/Clems Branch Drive with the extension of Landing Place Lane. The final Lancaster Hwy/Landing Place/Clems Branch Drive intersection geometric will be determined by CDOT/NCDOT during the subdivision review process. The Petitioner shall be responsible to acquire any additional right-of-way and/or public easements needed to properly align the intersection, accommodate truck/school bus turning movements, and to provide efficient traffic signal operations at this intersection."

<p>2012-048 continued</p>	<p>21. Amended Note 3.G. under the heading of "Access" as follows: "The Petitioner will construct a 150 feet northbound left turn lane with an appropriate taper length on Lancaster Hwy. to the extension Landing Place Lane per NCDOT and CDOT standards, pavement widening, milling/overlaying may be required."</p> <p>22. Amended Note 5.J. under the heading of "Access" to state the Petitioner will dedicate in fee-simple to the City of Charlotte 50 feet of right-of-way from the center line of Lancaster Highway. This right-of-way dedication will occur at the time the right-of-way for Landing Place Lane is recorded.</p> <p>23. Amended Note 5.K. under the heading of "Access" as follows: "The placements and configurations of vehicular access points are subject to any minor modifications, as approved by CDOT, required to accommodate final site and construction plans and designs and to any adjustments required for approval by the CDOT/NCDOT. This includes adjustments required for approval by CDOT in accordance with published standards."</p> <p>24. Amended Note 3.E. under the heading of "Access" to state that the intersection of Landing Place Lane and Lancaster Highway will be designed so that the intersection approach for Landing Place is aligned with the approach of Clems Branch Drive so as to not affect operations of a future traffic signal. The petitioner will be responsible for any of the required modifications.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 4</p>
	<p>5. <u>Petition No. 2012-050</u> by Charlotte-Mecklenburg Planning Department for the establishment of the Pedestrian Overlay District for approximately 374 acres located on the southwest side of I-277 beginning at Caldwell Street following south along Morehead Street then continuing north along North Kings Drive to East 3rd Street ending at Queens Road (underlying zoning will not change).</p> <p>This petition is found to be consistent with the <i>Midtown Morehead Cherry Area Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend APPROVAL of this petition.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 5</p>
	<p>6. <u>Petition No. 2012-051</u> by Charlotte-Mecklenburg Planning Department for a change in zoning for approximately 2.3 acres located on the north side of South Torrence Street between Luther Street and East 3rd Street from R-22MF to R-8.</p> <p>This petition is found to be consistent with the <i>Midtown Morehead Cherry Area Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend APPROVAL of this petition.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 6</p>
	<p>7. <u>Petition No. 2012-052</u> by EVP Properties, LLC for a change in zoning for approximately 2.24 acres located on the west side of Kenley Lane near the intersection of Griffith Road and Westpark Drive from I-2 to I-1.</p> <p>This petition is found to be consistent with the <i>Tyvola & Archdale Transit Station Area Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend APPROVAL of this petition.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 7</p>

	<p>8. <u>Petition No. 2012-053</u> by Joy Greear for a MUDD-O site plan amendment, for approximately 0.90 acres located on the west corner of the intersection of East 4th Street, South Caswell Road, Randolph Road, and North Caswell Road.</p> <p>This petition is found to be consistent with the <i>Elizabeth Area Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend APPROVAL of this petition.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 8</p>
	<p>9. <u>Petition No. 2012-054</u> by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to 1) clarify how requirements for screening and streetscape improvements in the Pedestrian Overlay District are determined when there is a change of use from one-non-residential use to another non-residential use, with no expansion, and 2) clarify the applicability of the PED urban design standards along the street frontage of structured parking facilities.</p> <p>This petition is found to be consistent with adopted policies and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend APPROVAL of this petition.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 9</p>
	<p>10. <u>Petition No. 2012-056</u> by Selwyn Property Group Investments, LLC for a change in zoning for approximately 1.13 acres located on the southwest corner at the intersection of Park Road and Drexel Place from MUDD(CD) to MUDD-O Five Year Vested Rights.</p> <p>This petition is found to be consistent with the <i>Central District Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Reduced the width of the one-way entrance driveway on Park Road to 16 feet and maintained the 16-foot dimension to the proposed parking lot. Modified orientation of the Park Road driveway to discourage motorists exiting the site from the Park Road driveway. 2. Identified the tree on Park Road that is protected by the City's Tree Ordinance. <p>Staff recommends approval of this petition.</p> <p>Attachment 10</p>
Deferral (to September)	<p>11. <u>Petition No. 2012-059</u> by SBG Properties, Inc. for a change in zoning for approximately 5.46 acres located on the east side of Steele Creek Road at the intersection of Dixie River Road and Steele Creek Road from R-3 to NS.</p> <p>The Zoning Committee voted 3-2 to recommend APPROVAL of this petition with the below modifications. However, a majority of four votes is necessary in order for a vote to pass; therefore, the petition is automatically DEFERRED to the July 25, 2012 Zoning Committee meeting.</p> <ol style="list-style-type: none"> 1. Reduced the overall development to a maximum of 30,000 square feet. 2. Indicated no drive-through windows will be allowed on Lots B and C. 3. Provided a "Parking Ratio" heading within the site data table. 4. Modified the second sentence of the parking ratio to read: "However, Lot D shall provide one space per 100 square feet if developed as a restaurant".

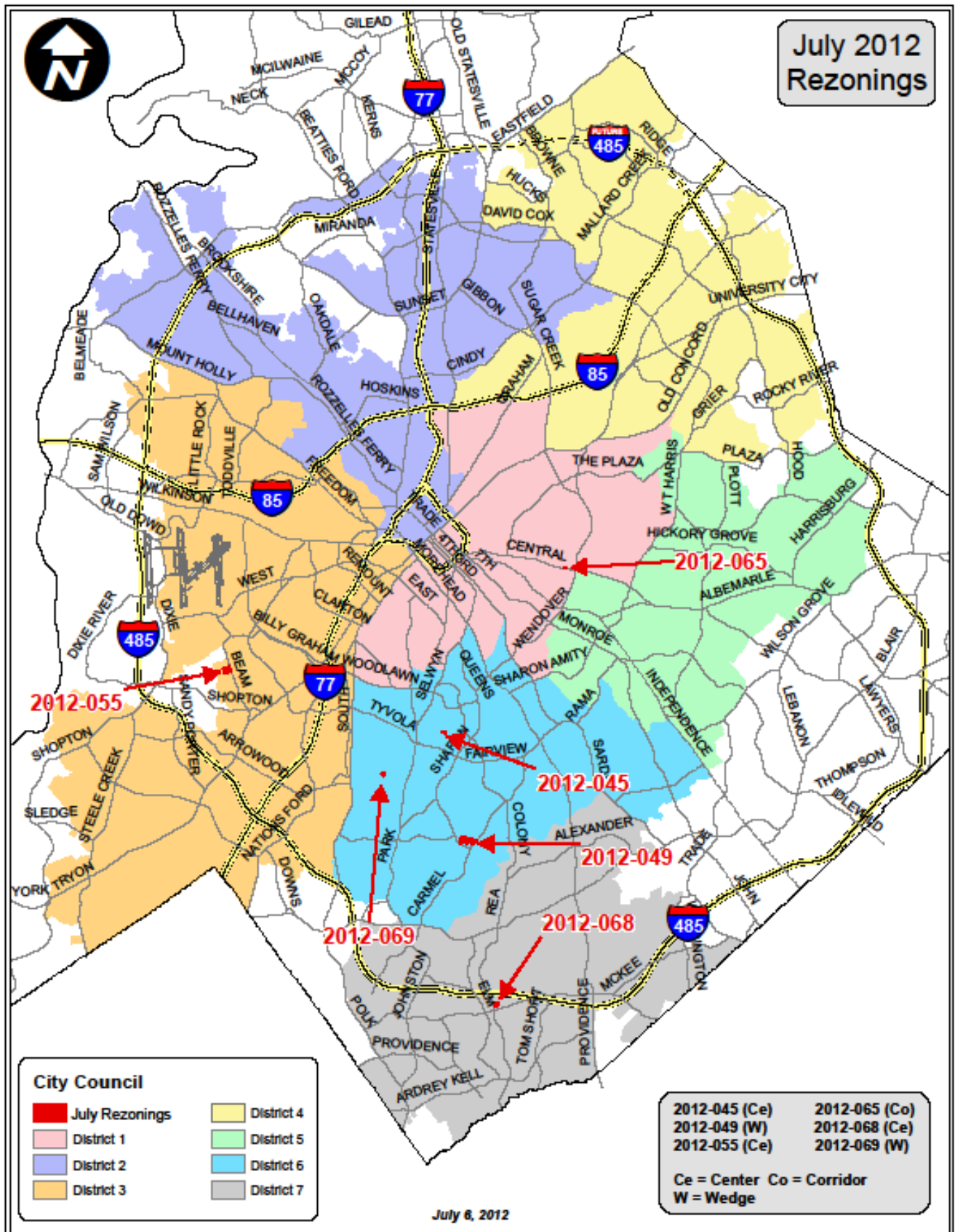
5. Provided two open space areas along the north side of Dixie River Road. One is an active open space area located between Lots A and B behind the sidewalk along Dixie River Road. The second is an outdoor seating area located between the building on Lot A and Dixie River Road. The active open space areas shall include landscaping, hardscape, and outdoor seating.
6. Indicated the pedestrian crossings within the parking/maneuvering areas will be delineated by using stamped asphalt and/or pavers. Provided a raised pedestrian connection from the active open space along Dixie River Road to the building on Lot A.
7. Indicated a minimum eight-foot wide planting strip will be provided along Steele Creek Road on Lot A rather than a six-foot wide planting strip.
8. Indicated the existing planting strip and a sidewalk may remain along Steele Creek Road on Lot D.
9. Eliminated the word "sketch" in the first paragraph under "Transportation".
10. Added the following note to the second paragraph under "Transportation": "Subdivision approval for Dixie River Road is required prior to building permits being issued".
11. Added the following note to the first paragraph under "Architectural Standards": "All buildings shall be designed so that the first floor along both Dixie River Road and Steele Creek Road will not have blank walls that exceed 20 continuous feet in length. Doors, windows, and/or a combination of design elements shall be used on the building façade to animate and enliven the streetscape".
12. Modified the second paragraph under "Architectural Standards" to read: "Buildings located within Lots A and D shall not be required to provide pitched roofs and shall follow the general guidelines of the elevations submitted with this rezoning".
13. Modified the third paragraph under "Architectural Standards" to read: "Buildings located within Lots B and C may shall be subject to providing designed to be residential in character and have pitched roofs, but is not necessarily required".
14. Provided a note under "Parking" to read: "No parking will be allowed between the building and Dixie River Road for Lot A. However, maneuvering within an access drive is permitted".
15. Provided a note under "Parking" to read: "No parking and/or maneuvering shall be allowed between the building and Dixie River Road for Lot B. Any parking to the sides of the principal building for Lot B will be located a minimum of 30 feet behind the sidewalk with an outdoor seating/open space area located between the parking and the street.
16. Provided a note under "Parking" to read: "No parking and/or maneuvering shall be allowed between the building and Dixie River Road for Lot C. Parking and driveways may be located to the sides of the principal building along the street frontage but may not exceed 50 percent of the lot width.
17. Provided a note under "Parking" to read: "No parking will be allowed between Dixie River Road or Steele Creek Road and the principal building for Lot D. However, maneuvering for a drive-through is allowed between the building and streets".
18. Added the following note in the second paragraph under "Streetscape and Landscaping" on Sheet 3 and under Note #12 on Sheet 4: "The wall shall be a minimum of three feet behind the sidewalk".
19. Provided elevations of the canopy over the gas pumps associated with Lot A to indicate brick columns that match the brick used in the construction of the building.
20. Addressed all CDOT issues.
21. Added "Neighborhood food and beverage service" as a use permitted on Lots B and C.
22. Eliminated residential uses from the permitted uses.
23. Added outdoor seating area on Lots B and C.
24. Provided a note indicating the landscape wall may be eliminated directly in front of the buildings located on Dixie River Road for Lots B and C.

Staff recommends approval of this petition.

Attachment 11

	<p>12. <u>Petition No. 2012-060</u> by Lincoln Harris for a UMUD-O site plan amendment, for approximately 2.60 acres located on the east corner at the intersection of South Tryon Street and East Trade Street.</p> <p>This petition is found to be consistent with the <i>Charlotte Center City 2020 Vision Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. "Rezoning Summary" information has been revised to note Proposed Zoning is UMUD-<u>SPA</u>. 2. The petitioner has listed existing optional provisions under rezoning petition 2007-107 pertaining to Overhead Pedestrian Bridge Encroachments, Water Garden Encroachments and Founders Hall and Façade Encroachments. 3. Added the word "<u>Proposed</u>" to Heading C "Optional Provisions". 4. Included the following language to Heading C: "...with Development A as generally depicted on the Rezoning Plan and Building Elevations <u>and Sign Area Plan</u>." 5. Relettered Note H(c) to Note C5(b) and modified language to read that: "A business in Founders Hall would be allowed signage <u>a business identification sign</u> per street on Tryon, Trade and College Streets. A business in the Corporate Center would be allowed signage <u>a business identification sign</u> per street on Tryon, Trade and College Streets". 6. Revised language in Note C5(d) to state that signage area shall be 10 percent of the building wall area associated with the signage location, that signage is currently limited to 200 square feet per building frontage and will be limited to up to 500 square feet. 7. Relettered "Amendments to Rezoning Plan: UMUD Review" to "E". Note (a) under this heading references Section "D". 8. Relettered "Binding Effect of the Rezoning Documents and Definitions" should be relettered to "F". 9. On Sheet RZ1.0, added notes and details identifying building face encroachment into setback allowed by rezoning petition 2007-107. Revised site plan now shows support columns for pedestrian bridge along College Street. 10. Added Note C5(e) to state no signs will adversely impact the health and vitality of street trees. 11. The agent has indicated that it is unknown at this time what the proposed signage will look like. 12. Added Note D entitled "Other Development Alternatives under UMUD without Optional Variations" and associated language, as was listed and provided on rezoning petition 2007-107 site plan. <p>Staff recommends approval of this petition.</p> <p>Attachment 12</p>
	<p>13. <u>Petition No. 2012-061</u> by Gateway West-FCA, LLC for a MUDD-O site plan amendment, for approximately 2.80 acres located on the north side of West 4th Street Extension at the intersection of Johnson and Wales Way and West 4th Street Extension.</p> <p>This petition is found to be consistent with the <i>Charlotte Center City 2020 Vision Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend APPROVAL of this petition.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 13</p>

	<p>14. <u>Petition No. 2012-062</u> by Carolina Sporting Arms Company, Inc. for a Text Amendment to the City of Charlotte Zoning Ordinance to allow "Indoor Training and Shooting Facility as an allowed use with prescribed conditions in the B-2, I-1 and I-2 zoning districts.</p> <p>This petition is found to be consistent with adopted policies and to be reasonable and in the public interest, by a 4-1 vote of the Zoning Committee. The Committee voted 4-1 to recommend APPROVAL of this petition.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 14</p>
	<p>15. <u>Petition No. 2012-063</u> by Francis Obeng for a change in zoning for approximately 0.54 acres located on the south side of Monroe Road between Ross Moore Avenue and Summey Avenue from B-1(CD) to O-2(CD).</p> <p>This petition is found to be consistent with the <i>Independence Boulevard Area Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Recalculated open space to exclude off-street parking areas. 2. Amended notes under the heading of Transportation to rectify that surface parking will be provided to the rear of the site and the new bike rack will be provided in the front. 3. Amended note under the heading of Signage to delete the last sentence regarding number and location of proposed signage. <p>Staff recommends approval of this petition.</p> <p>Attachment 15</p>
	<p>16. <u>Petition No. 2012-067A</u> by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to:</p> <ul style="list-style-type: none"> • add a new use, "accessory dwelling units" (ADU's) as an accessory use to a single-family detached dwelling, with new prescribed conditions in the R-3, R-4, R-5, R-6, R-8, R8-MF, R-12MF, R-17MF, R-22MF, R43-MF, UR-1, UR-2, UR-3, UR-C, MX-1, MX-2, MX-3, O-1, O-2, O-3, B-1, and B-2 zoning districts, without tenant restrictions; and • delete two uses titled, "elderly and disabled housing" and "guest houses and servants quarters" along with their prescribed conditions and regulations. <p>This petition is found to be consistent with the City Council approved action plan for incentive based inclusionary housing policies and to be reasonable and in the public interest, by a 5-1 vote of the Zoning Committee. The Committee voted 5-1 to recommend APPROVAL of this petition.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 16</p>
Deferral (to September)	<p>17. <u>Petition No. 2012-067B</u> by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to:</p> <ul style="list-style-type: none"> • allow duplex dwellings on R-3, R-4, R-5, and R-6 zoned lots with prescribed conditions; and • modify the prescribed conditions for duplex units located in the R-3, R-4, R-5, and R-6 zoning districts. <p>The Zoning Committee voted unanimously to DEFER this petition to the October 3, 2012 Zoning Committee meeting.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 17</p>



HEARINGS

Protest Sufficiency TBD	<p>18. <u>Petition No. 2012-045</u> by Woodfield Acquisitions, LLC for a change in zoning for approximately 3.20 acres located on the northeast corner of Barclay Downs Drive and Morrison Boulevard across from Carnegie Boulevard from O-2(CD) to MUDD-O.</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 17</p>
	<p>19. <u>Petition No. 2012-049</u> by Faison-Hollow, LLC, for a change in zoning for approximately 34.0 acres located on the west side of Carmel Road between Quail Hollow Road and Bridgewood Lane from MX-2(INNOV) to R-12MF(CD).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 18</p>
	<p>20. <u>Petition No. 2012-055</u> by Charlotte Portfolio of Three, LLC for a change in zoning for approximately 12.93 acres located along Beam Road between Cross Beam Drive and Associates Lane from BD(CD) to I-2(CD).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 19</p>
Deferral (to September)	<p>21. <u>Petition No. 2012-065</u> by City of Charlotte for a change in zoning for approximately 4.02 acres located on the north side of Central Avenue between Merry Oaks Road and Saint Andrews Home Place from R-4 and R-22MF to NS.</p> <p>The petitioner is requesting a one-month deferral of this petition to the September 24, 2012 City Council meeting.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 20</p>
	<p>22. <u>Petition No. 2012-068</u> by Sterling Fox Group, LLC for a change in zoning for approximately 1.72 acres located on the northeast corner at the intersection of Ballantyne Commons Parkway and Rea Road from B-1SCD to NS.</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 21</p>
	<p>23. <u>Petition No. 2012-069</u> by Joe Murphy for a MX-2 site plan amendment, for approximately 7.08 acres generally located along Rockefeller Lane, Kensington Station Parkway, Katy Flyer Avenue, and Mount Clare Lane.</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 22</p>
	<p>24. Closed Session</p> <p>Action: Adopt a motion pursuant to NCGS 143-318.11(a)(5) to go into closed session to establish, or to instruct staff or negotiating agents concerning the position to be taken by or on behalf of the City Council in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.</p>