

**AGENDA**  
**CHARLOTTE-MECKLENBURG PLANNING COMMISSION**  
**ZONING COMMITTEE WORK SESSION**  
**Charlotte-Mecklenburg Government Center, Rm 280**  
**July 25, 2012**  
**4:30 P.M.**

Please click this link: [July 2012 map](#) to see a map showing the location of all rezoning cases on this agenda.

<p><b>Sonja Sanders</b></p> <p><b>Protest Sufficiency TBD</b></p>	<p>1. <a href="#">Petition No. 2012-045</a> 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><b>Update: The following issues have been addressed:</b></p> <ol style="list-style-type: none"> <li>1. Amended Sheet RZ 1.0 to reflect a 30-foot setback on Morrison Boulevard.</li> <li>2. Amended Note 5a to state that the setback along Barclay Downs Drive will be measured from the back of curb and will transition from 65 feet along the northern portion of Barclay Downs Drive to a minimum of 30 feet closer to the intersection of Morrison Boulevard.</li> <li>3. Amended Sheet RZ 1.0. to reflect the setback along Barclay Downs Drive, which ranges from 30 feet to 65 feet measured from the back of curb.</li> <li>4. Amended Note 5a to indicate that portions of the setback area along Barclay Downs Drive where the existing trees cannot be saved will be replanted with new landscaping materials to create an attractive landscape treatment.</li> <li>5. Removed the call out for 40-foot building setback from Sheet RZ 2.0.</li> <li>6. Addressed CDOT comments by incorporating the transportation improvements mutually agreed upon with the Barclay Downs Home Owners Association. The petitioner's cost to implement the improvements will be capped at \$100,000. The improvements are as follows: <ol style="list-style-type: none"> <li>a. Construct curb extensions on the southern portion of the intersection of Barclay Downs Drive and Sayre/Scofield Road;</li> <li>b. Install standard painted cross-walks on the southern and western legs of the intersection of Barclay Downs Drive and Sayre/Scofield Road;</li> <li>c. Reconstruct the four existing speed humps long Barclays Downs Drive to City standards;</li> <li>d. Construct a sidewalk and planting strip with street trees (if the width of the planting strip will accommodate street trees) along the eastern edge of Barclay Downs Drive from the Site to the intersection of Barclay Downs Drive and Sayre/Scofield Road. The location and width of the sidewalk to be determined by the City based on available right-of-way, the location of existing trees and topography constraints (the property owner located on the SE quadrant of the intersection of Barclay Downs Drive and Sayre/Scofield Road will be consulted prior to the submittal of the proposed improvement plans to the City) to ensure a cost effective and suitable solution to the installation of these improvements, in light of challenges with the topography along portions of the edge and a desire to accommodate the input of corner property owner.</li> </ol> </li> </ol> <p>The improvement Cost assumes that the Improvements can be accommodated within the existing right-of-way of Barclay Downs Drive, and adjustments in the scope of the Improvements shall be made if this is not the case. As part of Urban Review for the Site by the City, the Petitioner will</p>
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<p>2012-045 continued</p>	<p>submit to CDOT plans and cost estimates for the Improvements. If the actual cost of the proposed Improvements exceeds the Improvements Cost, CDOT will determine which of the proposed Improvements must be eliminated or modified to bring the cost of the Improvements within the Improvements Cost (CDOT as part of its due-diligence to determine how to modify the proposed improvements will consult with the Barclay Downs Homeowners Association President).</p> <p>CDOT will review and comment on the Improvements in a timely manner. Once the final scope of the Improvements are determined by CDOT, the Petitioner shall have 12 months to complete the installation of the Improvements (subject to force majeure).</p> <p>The following notes have been amended or added to the plan:</p> <ol style="list-style-type: none"> <li>1. Reduced the maximum number of multi-family dwelling units from 300 to 280.</li> <li>2. Amended Note 4C under the heading of "Architectural Standards" to state that the screening used along the rear of the parking garage (abutting the Barclay Downs Swim and Racquet Club) will be designed so as to allow only minimal light to emit from such facility.</li> <li>3. Amended Note 5E under the heading of "Streetscape, Buffers, Landscaping and Utility Structure Setbacks" to indicate that the 36-foot wide tree save area along the northern property line will be supplemented to the standards of a Class A buffer (a minimum of nine trees and 60 shrubs per 100 linear feet).</li> <li>4. Added new note under the heading or "Lighting" to state that lighting at grade along the common boundary with the Barclay Downs Swim and Racquet Club will be limited to patio lights and any necessary lighting as required by code.</li> </ol> <p>The following notes are outstanding:</p> <ol style="list-style-type: none"> <li>1. Amend Note 3C under the heading of "Access and Traffic/Pedestrian Safety Improvements" along Barclay Downs Drive as follows: The Petitioner has agreed to provide certain <u>off-site</u> traffic/pedestrian safety improvements along Barclay Downs Drive as further described below (the "Improvements").</li> <li>2. Amend Note 5E under the heading of "Streetscape, Buffers, Landscaping and Utility Structure Setbacks" to specify the requirements of a Class A buffer as a minimum of 10 trees and 60 shrubs per 100 linear feet.</li> <li>3. Amend Note 3A under the heading of "Permitted Uses &amp; Development Area Limitation" to indicate that the Site may be developed with up to 280 multi-family dwelling units.</li> </ol>
<p>Sonja Sanders</p> <p>Protest Sufficient</p>	<ol style="list-style-type: none"> <li>2. <a href="#">Petition No. 2012-048</a> 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).</li> </ol> <p>Staff recommends approval of this petition.</p> <p>Attachment 4</p> <p><b>Update:</b> There are no outstanding issues with this petition.</p>

<p><b>Sonja Sanders</b></p>	<p>3. <a href="#"><u>Petition No. 2012-049</u></a> by <b>Faison-Hollow, LLC</b>, 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.</p> <p>Attachment 18</p> <p><b>Update: The following issues have been addressed:</b></p> <ol style="list-style-type: none"> <li>1. Amended "Site Development Data" on Sheet RZ-1 and RZ-2 to indicate that podium type buildings are limited to three stories and 48 feet in the front and four stories and 60 feet along the rear of the building (three residential stories over one level of parking) for "Podium" type buildings.</li> <li>2. Amended Note 5B under the heading of "Streetscape, Buffers and Landscaping" to indicate that planting strip width may vary but will be a minimum of eight feet in width unless the Planning Department, in conjunction with City Engineering, determines that a narrower planting strip should be allowed to save existing trees.</li> <li>3. Staff replaced the request to amend Note 7A under the heading of "Open Space/Tree Save Areas" to indicate that greenway trails are not permitted in delineated tree save areas with a request to add the following: "Tree save areas may include Mecklenburg County Park and Recreation Greenways. The greenway trail placement within tree save areas must be coordinated with the city so that the affected tree save area required is maintained."</li> <li>4. Amended Note 7C under the heading of "Open Space/Tree Save Areas" to specify that approximately 2.80 acres will be conveyed to Mecklenburg County Park and Recreation.</li> <li>5. Note 8A under the heading of "Signage" remains as written. Staff understands it is a commitment to the neighborhood.</li> <li>6. Amended Note 10(V)(a) under the heading of "Other" to specify that solid waste and recycling pick-up will be provided by a private hauler.</li> <li>7. Notes 2F and 10V(f) are acceptable as written. Though staff has concerns regarding enforceability it is understand they are listed as commitments to the neighborhood.</li> <li>8. Deleted Notes 4D, 5G and 6D, which are minimum ordinance requirements.</li> <li>9. Addressed Park and Recreation comments by specifying location of easements.</li> <li>10. Addressed Transportation comments by (1) adding a note committing to provide a raised landscape median (approximately 8' x 50' and planted with ground cover only, no trees), which will include a pedestrian refuge island and any required accessible ramps needed to be constructed to allow pedestrians to cross Carmel Road, as depicted on the rezoning plan; and (2) adding a note committing to construct in the NW quadrant of the intersection of Carmel Road and Quail Hollow Road a raised concrete pedestrian refuge right-turn island with associated accessible ramps. The petitioner will also reconstruct the existing accessible ramp on the NW quadrant of the intersection to align with the proposed pedestrian refuge island.</li> </ol>
<p><b>Shad Spencer</b></p>	<p>4. <a href="#"><u>Petition No. 2012-059</u></a> by <b>SBG Properties, Inc.</b> 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>Staff recommends approval of this petition.</p> <p>Attachment 11</p> <p><b>Update: There are no outstanding issues with this petition.</b></p> <p><b>The following item has been added to the site plan since the June 27, 2012 Zoning Committee meeting.</b></p>

2012-059 continued	<p>1. Indicated both a permanent and temporary construction easement along the Steele Creek Road frontage of Lot D for the construction of a future right turn lane including an eight-foot planting strip and six-foot sidewalk.</p>
Solomon Fortune	<p>5. <a href="#"><u>Petition No. 2012-068</u></a> 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.</p> <p>Attachment 21</p> <p><b>Update: The following issues have been addressed:</b></p> <ol style="list-style-type: none"> <li>1. Possible tree save areas have been identified on the site.</li> <li>2. A note has been added that any trees removed to install the retaining wall on the eastern portion of the site will be replaced.</li> <li>3. A note has been added that the proposed parking on the eastern portion of the site will be screened with trees and shrubs to screen parking from the adjacent multi-family development and public street.</li> <li>4. 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.</li> <li>5. The proposed building materials have been labeled on the site plan.</li> <li>6. A note has been added that the "signage" shown on the site plan is not included in the approval of the rezoning site plan and that all signs will comply with the ordinance standards.</li> <li>7. Possible locations of storm water detention areas have been show on the site plan.</li> <li>8. The existing and proposed sidewalks and planting strips along all public streets have been identified on the site plan.</li> <li>9. A note has been added that no drive thru service windows will be allowed on the subject parcel.</li> </ol>
Shad Spencer	<p>6. <a href="#"><u>Petition No. 2012-069</u></a> 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.</p> <p>Attachment 22</p> <p><b>Update: The following issues have been addressed:</b></p> <ol style="list-style-type: none"> <li>1. Modified the "Development Data" heading on Sheet 1 to read "Overall Development Data for Park South Station".</li> <li>2. Modified the "2012-069 Rezoning" heading on Sheet 1 to read "2012-069 Rezoning Area Development Data".</li> <li>3. Corrected the number of units proposed under "Development Data".</li> <li>4. Indicated on Sheet 1 that the tax parcels included in the rezoning are "portions of 173-061-01, portions of 173-331-13, 173-331-95 and 173-331-98".</li> <li>5. Indicated Rezoning Areas 1 &amp; 2 will include a buffer treatment along the rear portion of the reverse frontage lots that include a minimum five-foot high wall/fence and supplemental plantings. Provided a detail of the wall/fence.</li> <li>6. Eliminated the designation of Kensington Station Parkway as being a one-way street.</li> <li>7. Provided recessed parallel on-street parking along Kensington Station Parkway.</li> <li>8. Indicated the existing angled parking along Rockefeller Lane is to remain.</li> </ol>

2012-069 continued	<p>9. Indicated the existing parking lot off Central Pacific Avenue is to remain.</p> <p>10. Indicated that the single family lots will comply with five-foot side yards.</p>
Shad Spencer	<p>7. <b>Innovative Request for Rezoning <a href="#">Petition No. 2012-069</a></b> – Joe Murphy with J&amp;B Development and Management, Inc. is requesting approval of innovative provisions for the portion of the Park South Station development associated with Rezoning Petition 2012-069, contingent upon City Council approving the associated rezoning petition.</p> <p>Staff recommends approval of the innovative provisions.</p> <p>The following items are the requested innovative provisions:</p> <ol style="list-style-type: none"> <li>1. Private streets constructed per the cross sections shown on Sheet #2.</li> <li>2. Setback for single family homes to be 20 feet from the back of curb. The current standard is 32 feet from the back of curb of a public street. Driveways to have a minimum length of 20 feet from the back of curb or back of sidewalk, whichever is greater.</li> <li>3. Rear yard for single family lots to be 20 feet instead of 30 feet.</li> <li>4. Minimum area for single family lots to be 3,500 square feet instead of 4,500 square feet.</li> <li>5. Allow single family lots to front private streets.</li> <li>6. Eliminate internal buffers between various residential types within the unified Park South Station development.</li> </ol>
	<p>8. <b>Election</b> for Zoning Committee Vice-Chairperson.</p>