

AGENDA
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
ZONING COMMITTEE WORK SESSION
Charlotte-Mecklenburg Government Center, Rm 280
March 27, 2013
4:30 P.M.

Please click this link: [March 2013 map](#) to see a map showing the location of all rezoning cases on this agenda.

Shad Spencer Deferral (to April)	<p>1. Petition No. 2013-004 (Outside City Limits) by River Rock Properties, LLC for a change in zoning for Approximately 2.63 acres located on the south side of York Road and at the intersection of Grand Palisades Parkway, Langston Drive, and York Road from R-3(LLWCA) and MX-3(LLWCA) to O-1(CD)(LLWCA).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 16</p> <p>Update: The following issues remain outstanding:</p> <ol style="list-style-type: none">1. Modify the "Lighting" note on Sheet Z-1.0 to indicate freestanding lighting will be limited to 25 feet in height.2. Indicate and label on Sheet Z-2.0 the existing curb lines along Grand Palisades Parkway to where they connect to the curb line delineated along York Road.3. Delineate and provide the widths of the existing planting strip and sidewalk along Grand Palisades Parkway up to where the sidewalk connects to the proposed six-foot sidewalk and eight-foot planting strip identified along York Road on Sheet Z-2.0.4. Indicate an eight-foot planting strip and six-foot sidewalk along Langston Drive.5. Indicate the minimum five-foot wide internal sidewalk network connecting out to Grand Palisades Parkway, York Road, and Langston Drive.6. Provide an "Architectural Standards" note on Sheet Z-1.0 that indicates the first floor of the building elevations facing York Road will be designed to encourage and complement pedestrian scale activity by providing windows and/or doors and other architecturally articulated facades that prevent expanses of solid walls that exceed 20 feet in length.7. Remove the note under "Architectural Standards" that states that the "development will be governed by the district regulations of the zoning ordinance for the O-1 district."8. Relocate the note regarding zoning buffers under "Environmental Features" to under the "Streetscape and Landscaping" heading.9. Address CDOT comments.
-----------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>Solomon Fortune</p>	<p>2. <u>Petition No. 2013-012</u> (Council District 4 - Barnes) by Kinsale Properties, LLC for a change in zoning for approximately 1.48 acres located on the east side of Statesville Road near the intersection of Interstate 85 and Statesville Road between Boxmeer Drive and Burch Drive from B-2 to I-2(CD).</p> <p>Staff recommends 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. An amended rezoning application has been submitted updating the requested zoning district to I-2(CD). 2. The square footage for the proposed future expansion areas has been listed on the site plan. 3. The "at will" language has been removed from the landscaping note on the conditional site plan. 4. A note has been added stating trees and shrubs will be planted for the screening of the outdoor storage area. 5. A note stating accessory drive-thru windows will not be permitted has been added to the site plan. 6. Conditional notes have been placed in the correct format. 7. Charlotte Department of Transportation's comments have been addressed and added to the site plan. 8. Possible areas for outdoor storage have been labeled on the site plan.
<p>Sonja Sanders</p>	<p>3. <u>Petition No. 2013-020</u> (Council District 1 - Kinsey) by Durban Development, LLC for a change in zoning for approximately 1.04 acres located on the south side of Milton Road between Barrington Drive and North Sharon Amity Road from B-1SCD to NS.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 12</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Notes amended to follow the note standards for conditional rezoning site plans. 2. Provide consistency between building square footage and maximum allowed square footage; reflect maximum building square footage as 10,000 square feet. 3. Amend Note 6 to limit maximum height of detached lighting to 25 feet. 4. Add a note that the 14-foot buffer may not be reduced by a fence or wall. 5. The first paragraph under 4. Architectural Standards should be removed and replaced with a note that states that any changes to the site plan will be as per Section 6.207. 6. Remove the notes 5, 7, and 8 and mark "N/A" as they are required by the ordinance. 7. Remove the "Exterior Finish Schedule" and other Exterior notes from RZ-2 of the site plan or the development will be held to these standards with only minor changes allowed through the administrative approval process. <p>Update: The following notes have been amended or added to the plan:</p> <ol style="list-style-type: none"> 1. Building elevations have been revised to reflect a corner entry building consisting of brick, architectural concrete block and/or stucco. 2. Color renderings of proposed building provided.

Shad Spencer	<p>4. <u>Petition No. 2013-022</u> (Council District 2 - Mitchell) by Mission Properties, LLC for a change in zoning for approximately 0.82 acres located on the west side of South Summit Avenue near the intersection of West Morehead Street and South Summit Avenue from R-5 to UR-2(CD).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 14</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Modified the "Number of Residential Units" to read: "Up to 35 Multi-Family Units Apartments (as allowed by parking)". 2. Indicated "Residential Density" as "43 dwelling units per acre". 3. Deleted Note 1g "Square footage of Non-Residential Uses". 4. Modified "Maximum Building Height" to indicate a limit of three stories and 50 feet in addition to the UR-2 height requirements. 5. Indicated outdoor amenities will be provided for the residents. 6. Modified Note 4a as follows: "Multi-Family Residential & Uses Accessory to Residential, Street Level Retail & Parking". 7. Rewrote Note 5d as follows: "Parking Location: Parking will be provide on-site to the side and rear of the proposed building and on-street along South Summit Avenue as permitted by CDOT". 8. Modified Note 12a to indicate freestanding lighting will be limited to 20' in height and all lighting shall utilize full cut-off type lighting fixtures. 9. Deleted sheet Z103. 10. Addressed the Transportation comment by removing the pavement marking for on-street parking along South Summit Avenue from the site plan. <p>The Community Meeting Report from the second meeting held for petition 2013-022 on March 20, 2013 is on the website.</p>
Shad Spencer	<p>5. <u>Petition No. 2013-025</u> (Council District 1 - Kinsey) by Charlotte-Mecklenburg Planning Department for a change in zoning for approximately 20.69 acres located on the south side of Old Concord Road at the intersection of North Tryon Street and Old Concord Road from B-2 and I-2 to TOD-M.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 27</p> <p>Update: There are no outstanding issues with this petition.</p>
Sandra Montgomery	<p>6. <u>Petition No. 2013-026</u> by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to clarify the maximum residential density requirements in the Pedestrian Overlay District.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 28</p> <p>Update: There are no outstanding issues with this petition.</p>

Shad Spencer	<p>7. <u>Petition No. 2013-027</u> (Council District 1 - Kinsey) by Gateway Communities for a UR-2(CD)(HD-O) site plan amendment, for approximately 1.1 acres located at the north corner of the intersection of East Tremont Avenue and Euclid Avenue.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 20</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Indicated "Rezoning Petition Number 2013-027" within the title block. 2. Modified the "Existing Zoning" as "UR-2(CD) HD-O (Dilworth)". 3. Modified the "Proposed Zoning" as "UR-2(CD) SPA HD-O (Dilworth)". 4. Modified the proposed on-street parking along Euclid Avenue so that it starts a minimum of 20 feet from the radius of the proposed Type II modified driveway.
Claire Lyte-Graham	<p>8. <u>Petition No. 2013-028</u> (Council District 1 - Kinsey) by The Ronald McDonald House of Charlotte for a change in zoning for approximately 0.50 acres located on the north side of East Morehead Street between Queens Road and Bromley Road from R-12MF to O-2(CD).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 21</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. The petitioner has amended the Development Data Table to separate the existing and proposed uses and noted the existing use is now vacant. 2. The <i>floor area ratio</i> information in the Development Data Table has been amended to state N/A. 3. Under Permitted Uses, the petitioner has removed the last sentence "Temporary out door uses related to the functions of the Ronald McDonald House." 4. Item B has been removed from Permitted Uses. 5. The parking lot has been reconfigured so as not to encroach into the required 5-foot side yard. 6. The petitioner has added information to the site plan to clarify the parking lot will be asphalt. 7. The proposed pedestrian walkway connecting the parking lot to the rear of the Ronald McDonald House and its width is now labeled on the site plan. 8. The existing 5-foot sidewalk along East Morehead Street is now identified on the site plan. 9. A 5-foot walkway connecting the parking lot to the sidewalk along East Morehead Street has been added to the site plan. 10. The petitioner has delineated the 16-foot class "C" buffer along the entire property line to the southeast. 11. The petitioner has added a note that states this project is a "planned development" including the Ronald McDonald House and accessory parking. 12. The E&PM and SWS comments regarding determination of applicability of storm water detention requirements will be addressed at the permit stage.

Sandra Montgomery	<p>9. <u>Petition No. 2013-029</u> by Design Resource Group for a Text Amendment to the City of Charlotte Zoning Ordinance to modify the development requirements in the PED, MUDD and UMUD districts to allow balconies to encroach two feet into the minimum setback.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 22</p> <p>Update: There are no outstanding issues with this petition.</p>
Sonja Sanders	<p>10. <u>Petition No. 2013-030</u> (Council District 7 - Cooksey) by Piper Station Apartments, LLC for a change in zoning for approximately 7.11 acres located on the north side of Ballantyne Commons Parkway between Rea Road and Brittany Oaks Drive from B-D(CD) and O-1(CD) to R-17MF(CD).</p> <p>Staff recommends approval of the petition.</p> <p>Attachment 23</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Address Transportation comments. (Transportation Department has rescinded the request to provide an additional sidewalk connection to Ballantyne Commons Parkway due to topographical challenges and the negative impact on existing trees and vegetation). 2. Addressed Engineering and Property Management comments by removing Notes "a" and "b" from the heading of Environmental Features and placing under the heading of Streetscape and Landscaping.
Solomon Fortune	<p>11. <u>Petition No. 2013-031</u> (Council District 1 - Kinsey) by The Housing Partnership for a change in zoning for approximately 6.05 acres located on the north side of Samuel Street between Newland Road and Statesville Avenue near the intersection of Interstate 77 and Atando Avenue from R-22MF to UR-2(CD).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 24</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. All references and notes related to optional requests and list N/A under the "Optional Provisions" have been removed from the site plan. 2. The proposed development areas have been labeled to comply per the ordinance. 3. A note under Architectural Features has been added stating that the building will be broken up by different material types, windows, and painted to avoid large expanses of blank walls. 4. Tree save areas have been identified and a note provided stating intent to comply with Urban Forestry. 5. A note has been added stating that greenway dedication will take place prior to the first Certificate of Occupancy for any building. 6. The dimension of the area for dedication to Mecklenburg County Park and Recreation is now shown and labeled. 7. Mecklenburg County Park and Recreation comments have been addressed. 8. Urban Forestry's comments have been addressed. 9. Transportation's comments have been addressed.

<p>Solomon Fortune</p>	<p>12. <u>Petition No. 2013-032</u> (Council District 2 - Mitchell) by The Housing Partnership for a change in zoning for approximately 2.05 acres located on the south corner at the intersection of Double Oaks Road and Newland Road near Statesville Avenue from R-22MF and UR-2(CD) to UR-2(CD) and UR-2(CD) SPA.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 25</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. An amended application has been submitted to reflect the existing zoning of R-22MF and UR-2(CD) and the proposed zoning to UR-2(CD) and UR-2(CD) Site Plan amendment. 2. A note has been added under the heading of Architectural Standards that states "the building will be broken up by different material types, windows, and paint to avoid large expanses of blank walls." 3. A note has been added that a potential connection is required for Tranquil Oaks Drive. 4. Transportation's comments have been addressed. 5. The reference to the privately maintained eight-foot sidewalk along Double Oaks Drive has been removed from the site plan. 6. Urban Forestry's comments have been addressed. 7. The uses for the 4,000 square-foot community area are now listed on the site plan. 8. The note under 1e has been modified to read "residential", and reference to senior multi-family apartments has been removed.
-------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------