

AGENDA
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
ZONING COMMITTEE WORK SESSION
Charlotte-Mecklenburg Government Center, Rm 280
April 24, 2013
4:30 P.M.

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

Shad Spencer	<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.</p> <p>Attachment 2</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none">1. Modified the "Lighting" note on Sheet Z-1.0 to indicate freestanding lighting will be limited to 25 feet in height.2. Indicated and labeled 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. Delineated and provided 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. Indicated an eight-foot planting strip and six-foot sidewalk along Langston Drive.5. Indicated the minimum five-foot wide internal sidewalk network connecting out to Grand Palisades Parkway, York Road, and Langston Drive.6. Provided 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. Removed 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. Relocated the note regarding zoning buffers under "Environmental Features" to under the "Streetscape and Landscaping" heading.9. Addressed CDOT comments by providing for an extension of Langston Drive to Grand Palisades Parkway.
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<p>Claire Lyte-Graham</p>	<p>2. <u>Petition No. 2013-014</u> (Council District 7 – Cooksey) by Lisa Hoover-Khojasteh and Mak Khojasteh for a change in zoning for approximately 1.26 acres located on the north side of Ballantyne Commons Parkway across from Williams Pond Lane from R-3 to O-1(CD).</p> <p>Staff recommends 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. The petitioner has amended Streetscape and Landscape Note B to specify the required Class C buffer and the option to reduce it by 25% if a wall or fence is provided. 2. The petitioner has labeled the required Class C buffer along all affected property lines on the site plan. 3. The petitioner has removed reference to utilization of gravel to widen the existing driveway. 4. All references to a “Potential Future Connection Ref. Rezoning Petition #2008-139”, including Transportation Note E and associated depiction have been removed from the site plan. 5. The petitioner has addressed the Transportation comment by removing Type II Commercial language from site plan. 6. Petitioner has removed labeling on site plan associated with Transportation comment.
<p>Solomon Fortune</p> <p>Protests Sufficient</p>	<p>3. <u>Petition No. 2013-015</u> (Council District 6 – Dulin) by Park South of Union, LLC for a change in zoning for approximately 4.99 acres located on the west side of Park South Drive between Archdale Drive and Teversham Lane from R-3 to UR-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. The area for detention has been labeled as a possible detention area. 2. Label the potential tree save area as a ‘landscape buffer and tree save area’. 3. A note has been added listing the tree save area as 30 feet and no less than 15 feet in areas. This area has been added to the site plan. 4. The private street cross-section has been removed from the site plan. 5. The request for the eight-foot planting strip and six foot sidewalk on the opposite side of the street has been removed by Staff. 6. The proposed curb and gutter along Park South Drive has been show on the site plan. <p>The following note has been added to the site plan:</p> <ol style="list-style-type: none"> 1. Accessory uses may be located in the space between the primary building envelope and the potential tree save and tree planting area.
<p>Sandra Montgomery</p> <p>(Deferral to June)</p>	<p>4. <u>Petition No. 2013-026</u> by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to clarify density requirements in the Pedestrian Overlay District.</p> <p>Staff recommends a two-month deferral of this petition to the June 26, 2013 meeting.</p> <p>Attachment 8</p> <p>Update: There are no outstanding issues with this petition.</p>

<p>Shad Spencer</p> <p>Protest Invalid</p>	<p>5. <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>Below is what occurred at the last Zoning Committee Meeting on March 27, 2013.</p> <p>This petition is found to be consistent with the <i>South End Transit Station Area Plan</i> and the <i>Dilworth Land Use and Streetscape 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. 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. <p>Staff recommends approval of this petition.</p> <p>Attachment 9</p> <p>Update: The following changes occurred after the Zoning Committee meeting on March 27, 2013 and therefore the City Council voted to send this petition back to the Committee for reconsideration.</p> <ol style="list-style-type: none"> 1. Reduced the height of the side of the building along Euclid Avenue from three to two floors. 2. Expanded the rear corner of the building on the northeastern side of the site by relocating the three units that were previously on the third floor along Euclid Avenue. 3. Reduced the number of surface parking spaces from 57 to 55 to accommodate the building expansion. 4. Indicated additional evergreen planting/screening along a portion of the northeastern property line abutting single family. 5. Reduced the number of units from 54 to 52.
<p>Claire Lyte-Graham</p>	<p>6. <u>Petition No. 2013-033</u> (Council District 4 – Barnes) by Charlotte-Mecklenburg Planning Department for a change in zoning for approximately 2.44 acres located on the west side of North Tryon Street at the intersection of J.W. Clay Boulevard and North Tryon Street from B-1(CD) to TOD-M.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 23</p> <p>Update: There are no outstanding issues with this petition.</p>
<p>Shad Spencer</p>	<p>7. <u>Petition No. 2013-035</u> (Council District 3 – Mayfield) by Summit Avenue Freedom Drive, LLC for a change in zoning for approximately 0.49 acres located on the southwest corner at the intersection of West Morehead Street, Freedom Drive, and Walnut Avenue from B-1(PED) to B-1(PED-O).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 19</p>

<p>2013-035 continued</p>	<p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Modified the parking requirement under "Development Data" to indicate per the Charlotte Zoning Ordinance except one space per 200 square feet for restaurant uses as per the optional provision. 2. Added the follow optional provision: "Allow parking and maneuvering between the building/use and the setback along West Morehead Street". 3. Modified optional provision "B" as follows: "Modify the <u>minimum</u> parking ratio to 1 parking space per 200 S.F. <u>for restaurant uses</u>". 4. Eliminated the optional provision to allow parking and maneuvering to encroach into the 22-foot setback along West Morehead Street; therefore, eliminating the issue regarding providing a measurement of the encroachment. 5. Under optional provision "D", clarified that the existing pole sign includes a four sided and two sided component, clarified what portions of the sign are to remain, and indicated the sign panels are allow to be changed.
<p>Solomon Fortune</p>	<p>8. Petition No. 2013-037 (Council District 1 – Kinsey) by Wendwood Parcel for a change in zoning for approximately 3.70 acres located between Randolph Road and Wendwood Lane near the intersection of Randolph Road, North Wendover Road and South Wendover Road from R-3 and UR-2(CD) to UR-2(CD) and UR-2(CD) SPA.</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. "Townhome style" has been removed from the Site Development Data and Note 2a. 2. The proposed usable common open space for the residents has been shown on the plan. 3. A note has been added listing the materials and design of the proposed structures fronting along Wendwood Lane. 4. The Private Street and Private Alley cross sections have been removed from the plan. 5. The proposed driveways have been shown and labeled that they will be either a minimum of 20 feet long or no greater than a maximum of seven feet from the garage to the proposed alley. 6. The 400-foot sub lot requirement for the proposed townhomes have been labeled and shown on the plan. 7. Petition number 2013-037 has been added on the site plan. 8. Storm Water Services comments have been addressed. <p>The following comments have been added after the Public hearing.</p> <ol style="list-style-type: none"> 1. Non-residential uses in the UR-2 are not allowed. 2. A six-foot sidewalk and a planting strip in accordance with the tree ordinance will be placed along Wendwood Lane. 3. Added language stating 65% of the building material will be masonry product. 4. The side of the units facing Sterling Magnolia apartments will be a masonry material. 5. No circulation or parking except for possible fire access will be allowed between the subject property and Sterling Magnolia apartments. 6. Exterior flood lights will not be allowed on the units adjacent to Sterling Magnolia apartments.

<p>Sandra Montgomery</p>	<p>9. <u>Petition No. 2013-038</u> by Charlotte Area Transit System for a Text Amendment to the City of Charlotte Zoning Ordinance to modify the information and advertising pillar sign regulations by removing information and advertising pillar signs on rapid transit platforms.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 24</p> <p>Update: There are no outstanding issues with this petition.</p>
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