

AGENDA
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
ZONING COMMITTEE WORK SESSION
Charlotte-Mecklenburg Government Center, Rm 280
May 29, 2013
4:30 P.M.

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

<p>Shad Spencer</p>	<p>1. Petition No. 2013-018 (Council District 2 – Mitchell) by Ralph Wood for a change in zoning for approximately 4.99 acres located northeast of the intersection at Mount Holly Road and Interstate 485 along the east side of Gum Branch Road from R-3(LWPA) to MUDD-O(LWPA).</p> <p>Staff does not recommend approval of this petition.</p> <p>Attachment 12</p> <p>Update: The following issue has been addressed:</p> <ol style="list-style-type: none"> 1. Addressed Neighborhood and Business Services, Code Enforcement Division's comment by modifying the tractor trailer parking identified on the site plan as being for short-term parking only and customer parking.
<p>Claire Lyte-Graham</p> <p>Deferral (to June)</p>	<p>2. Petition No. 2013-040 (Council District 1 – Kinsey) by James P. Ngo & Yen M. Ngo for a change in zoning for approximately 0.71 acres located on the west side of West Sugar Creek Road across from Munsee Street from R-4 to O-1(CD).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 14</p> <p>The petitioner did not submit a revised site plan. Therefore, this petition should be deferred to the next Zoning Committee meeting on June 26, 2013.</p> <p>Update: The following issues remain outstanding:</p> <ol style="list-style-type: none"> 1. Under <i>Building Data</i> note existing building area (1,025 square feet) and possible future addition (256 square feet). 2. Show and label a 30-foot front setback as required per Section 12.102(1) of the zoning ordinance. Show and label 10-foot side yards. Amend Development Data to reflect the correct front setback and side yard requirements. 3. Remove third bullet under General Provisions and place under new heading Permitted Uses. 4. Delete the following sentence from the third bullet paragraph under General Provisions that states: <i>"The petitioner's intent for this rezoning is to allow for this property to be used for small, professional service firms or neighborhood medical offices."</i> 5. Add a note under General Provisions allowing the existing structure to be used as a single family house in the event it is not used for office purposes.

2013-040 continued	<ol style="list-style-type: none"> 6. Remove the phrase "wherever practical" from the end of the first sentence (1st bullet) under Transportation. 7. Note the existing gravel drive will be removed and planted. 8. Provide a five-foot wide sidewalk connecting the building to the sidewalk along West Sugar Creek Road. 9. Provide an eight-foot planting strip and a six-foot sidewalk along West Sugar Creek Road. 10. Delineate curb and gutter along West Sugar Creek Road. 11. Show location of trees to be saved. 12. Clarify note under Signage to include that signage on site will be a ground mounted type sign. Delete remainder of the note. 13. Amend note under the heading of Lighting to state detached lighting on site will not exceed 20 feet in height instead of eight feet. Remove language "no wall pak" lighting will be used on existing building. 14. Delete bulleted information under "Other" as these are required as per the ordinance. In addition, 10-foot buffer reference is incorrect. 15. Address CATS and CDOT comments. 16. Add note that expansion and exterior revisions to the current structure will be residential in character and scale. 17. Show general location of future addition and ensure that the required parking can be met on the site. The location of the existing structure and proposed parking area limit the possible areas of expansion. 18. Tattoo parlors should be removed from the list of uses that are not permitted as they are not allowed in the O-1 district. 19. Add a note that the buffers will not be reduced. 20. All notes should follow the note standards for conditional rezoning site plans.
Shad Spencer	<p>3. Petition No. 2013-041 (Council District 3 – Mayfield) by MSC Development, LLC for a change in zoning for approximately 1.02 acres located on the southern corner at the intersection of Griffith Street and South Tryon Street from I-2 to I-2(TS-O).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 15</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Modified Note 1.i. by eliminating the specific square footage assigned to each use. 2. Eliminated Note 1.I. and replaced note with: "Parking Ratio: As required by the Ordinance". 3. Modified Note 4.a. as follows: "The majority of the proposed building will be indoor storage. <u>A minimum 3,300 square feet of the ground floor of the building may contain any use shall be developed to contain other non-residential uses</u> allowed within the I-2 TS district. <u>Retail and/or office space associated with the indoor storage facility may count towards this minimum requirement.</u>" 4. Modified the building elevations on Sheet RZ1.1 so that the first floor building facades facing the public streets do not contain expanses of blank walls exceeding 20 feet in length. 5. Provided schematic three dimensional building elevations to better illustrate the massing of the building and the recessed areas along the street facades. 6. Eliminated the "Wall Motif Optional" identified on the Tryon Street Elevation. The illustration was a graphic that identified the indoor storage facility and was considered signage.

Claire Lyte-Graham	<p>4. <u>Petition No. 2013-042</u> (Council District 3 – Mayfield) by Paul Kardous for a change in zoning for approximately 1.42 acres located on the east side of South Mint Street between West Bland Street and Lincoln Street from TOD-MO to I-1 TS.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 16</p> <p>Update: There are no outstanding issues with this petition.</p>
Solomon Fortune	<p>5. <u>Petition No. 2013-043</u> (Council District 1 – Kinsey) by Novant Health, Inc. for a MUDD-O site plan amendment, for approximately 6.4 acres located at the intersection of Queens Road and East 4th Street and generally bounded by Queens Road, East 4th Street, East 3rd Street, and South Caswell Road.</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 approved documentation and site plan from petition 2012-053 has been included in the site plan amendment request. 2. The requested language below has been updated on the site plan: <ol style="list-style-type: none"> a. The portion of the property that fronts along East Third Street where the deck is proposed to be constructed as indicated on the Site Plan may be used for surface parking until the parking deck is constructed. The surface parking lot will be allowed to be constructed between the existing parking deck and existing medical tower and Queens Road as an optional provision. b. A note has been added and labeled that the existing trees along Third and Fourth Streets will be saved for the Phase I surface parking use.
Sonja Sanders	<p>6. <u>Petition No. 2013-044</u> (Council District 6 – Dulin) by Wendy Field, WFG Associates, LLC for a change in zoning for approximately 4.26 acres located on the east side of Providence Road between South Wendover Road and Providence Drive from R-3 to R-8MF(CD).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 18</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Amended Note 3 under Architectural Standards to include that elevations oriented to or visible from public or private streets shall be articulated at the pedestrian level with windows, doors, elements of architecture or include landscaping treatment to address blank walls on all elevations oriented to or visible from public or private streets. 2. Amended Note 1 under Architectural Standards to state that vinyl as a building material may only be used on windows and soffits. 3. Amended Note 2 under Architectural Standards to state that at least 30 percent of the exterior of each building, exclusive of windows, doors and roofs, will be constructed of masonry products. 4. Added Note 8 under Streetscape and Landscaping specifying that the Class C buffer along Lot 10 on Providence Drive will be reduced with a fence pressure treated wood privacy fence similar to fence proposed by Lot 10 owners and stained to match. Fence will begin at the setback of Providence Drive and be installed approximately 15 feet from the property line and terminate approximately 40 feet from the rear lot line of Lot 10 as illustrated on the schematic site plan and coordinated with owner of Lot 10.

<p>2013-044 continued</p>	<p>Update: The following items have been amended or added:</p> <ol style="list-style-type: none"> 1. Added on-street parallel parking on Providence Drive. 2. Amended Note 3 under the heading of Transportation to state that the petitioner may improve the project frontage along Providence Drive to meet the standards for a local residential wide street to include on-street parallel parking as illustrated on the schematic site plan. 3. Added notes 9, 10, 11 and 12 under Streetscape and Landscaping to state the following: <ol style="list-style-type: none"> a. Petitioner will install street trees along Providence Drive between the sidewalk and back of curb. b. Street trees along the Providence Drive streetscape will include a mix of Willow Oak trees, Maple trees, and/or other varieties native to the Providence Drive neighborhood. c. Street trees will have a minimum caliper of 3 inch DBH. d. The proposed buffer areas will include a mixture of preserved trees and proposed trees and shrubs. Proposed landscape material will be selected from varieties native to the neighborhood including, but not limited to, Chindo, Viburnum, Cherry Laurel, Green Giant Arborvitae Hollies, Magnolias, Willow Oaks, Maples, etc. Buffer along Lot 10 on Providence Drive will primarily utilize Green Giant Arborvitae and will not include Magnolias. 4. Amended interior courtyard perspective on Sheet RZ0.01 to reflect a larger area. <p>Update: The following item is outstanding:</p> <ol style="list-style-type: none"> 1. Setback along Providence Drive must be measured from the farthest location of the back of curb. Label the resultant setback dimension and add a note that setback may be reduced per Section 9.303(19)(f).
<p>Solomon Fortune</p>	<p>7. Petition No. 2013-046 (Council District 4 – Barnes) by BECO South for a change in zoning for approximately 18.22 acres located near the southwest corner of the intersection of West W.T. Harris Drive and Interstate 85 and generally bounded by IBM Drive from RE-2 to RE-3.</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. Note B from Architectural Standards has been removed from the site plan. 2. The proposed square footages for the permitted uses and parking structure have been updated. 3. A note has been added listing the number of structures and buildings that can be built. 4. Family childcare homes and childcare centers in a residence have been removed from the list of prohibited uses as they are not allowed in the RE-3 district if there are no residential uses. 5. A note for public access easements for all private streets has been added to the site plan. 6. Transportation's issue has been addressed.

<p>Sandra Montgomery</p>	<p>8. <u>Petition No. 2012-049</u> by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to modify the maximum size of wall signs in the PED, TOD and TS zoning districts if a ground mounted or monument sign is are not utilized.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 22</p> <p>Update: There are no outstanding issues with this petition.</p>
<p>Bridget Dixon</p>	<p>9. <u>Petition No. 2013-050</u> by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to add breweries as a use allowed under prescribed conditions in the MUDD, UMUD, TOD-E and TOD-M zoning districts and in the PED and TS Overlay zoning districts, with prescribed conditions.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 23</p> <p>Update: There are no outstanding issues with this petition.</p>