

AGENDA
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
ZONING COMMITTEE WORK SESSION
Charlotte-Mecklenburg Government Center, Rm 267
October 7, 2013
10:00 A.M.

<p>Sonja Sanders</p>	<p>1. <u>Petition No. 2013-052</u> (Council District 4 - Barnes) by Arden Group for a change in zoning for approximately 39.06 acres located on the southeast corner at the intersection of Interstate 85 and University City Boulevard across from IKEA Boulevard from CC to B-2(CD).</p> <p>Staff does not recommend approval of this petition as currently proposed. Although significant progress has been made since the public hearing, there are substantive issues that need additional work by the petitioner and staff. The petition is consistent with the University City Area Plan, as amended by the previous rezoning.</p> <p>Attachment 23</p> <p>NOTE: The petitioner continues to work with staff to address remaining outstanding issues. Staff has requested a deferral to the October 30, 2013 Zoning Committee meeting.</p> <p>Update: The following issues have been addressed:</p> <p>Ikea Boulevard & Site Connectivity</p> <ol style="list-style-type: none"> 1. Eliminated all vehicle display areas between Ikea Boulevard and the property line (within Duke Power easement). 2. Added a new note under Note 5 that the streetscape edge along Ikea Boulevard for Development Areas C and D shall contain an enhanced streetscape within the 20-foot setback that will be landscaped with a variety of evergreen and deciduous shrubs, ornamental grasses and seasonal color. No less than 30 shrubs and 3 small maturing trees per 100 linear feet will be provided. Additionally, a low accent wall will be provided at the Private Street entrance from Ikea Boulevard, which will be a minimum of 30 inches in height and will be made of masonry. 3. Amended Note 5(g) to state "An easement will be granted and a sidewalk connection will be constructed at the end of Stetson Drive, which will connect to the corner of Ikea Boulevard and City Boulevard. This connection must be made prior to issuance of the final building permit/certificate of occupancy." <p>Pedestrian/Multi-modal Connectivity</p> <ol style="list-style-type: none"> 4. <i>Staff rescinded the following request due to topographical challenges. Provide an open space easement along the existing stream and storm water management areas to connect from City Boulevard through the site and to the Duke Power easement.</i> <p>Building Placement and Architectural Design</p> <ol style="list-style-type: none"> 5. Provided an architectural palette, which is not intended to be an elevation that is binding as to the specific design of any structure but that is intended to demonstrate an example of a building façade that meets the criteria set forth in the architectural standards. 6. <i>Staff rescinded the request to delete reference to EIFS.</i>
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<p>2013-052 continued</p>	<ol style="list-style-type: none"> 7. Amended Note 2(d) to state that for Areas A, C & D, accessory customer parking, accessory inventory parking areas, freestanding structures for accessory uses, and plaza and outdoor activity may be located within the building envelopes provided that a principal structure is also located within the building envelope. For Area B, the building envelope standards and conditions only apply should a building be located within this development area. Development Area B may contain only inventory parking without a building envelope or frontage. 8. Amended Note 2(e) to state that “building frontages have been defined below and are generally depicted within Development Areas A, C & D on the Technical Data Sheet. The buildings constructed within these development areas must adhere to the following building frontage standards: <ol style="list-style-type: none"> a. building elevations shall extend along the entire building frontage as shown on the Technical Data Sheet. The Planning Director may approve an alternate configuration that meets the intent of the plan shown; b. will include the main entrance to the building; c. building frontages will be located to front along public and private streets with no vehicle parking between the building frontage and the street. Vehicular display will be permitted between the building frontages and streets, with the exception of Development Area A; d. building frontages shall have fenestrations of 60 percent of the linear dimension of the building façade. The fenestration referenced will be an opening in the exterior building wall with windows and doors with glazing, allowing light and views between the interior and exterior and not screened from view. Glazing of windows and doors shall be transparent under all lighting conditions. Fenestrations shall extend from the sill or from a base of contrasting material, to at least the height of the door head. The following fenestration alternatives may account for up to 40 percent of this requirement as follows: <ol style="list-style-type: none"> (a) greenscreen systems or planter walls; (b) wall mounted or recessed display cases, (c) translucent, fritted, patterned or colored glazing. 9. Added a note on the Architectural Palette Sheet that clarifies what is being committed to and what is not. 10. Amended Note 4(a) to delete Prefinished Aluminum Composite Metal Panels as a proposed building material. 11. Deleted “signage” from Note 4(c). 12. Amended Note 4(c)(1)(i) as follows: “The external vertical elevations (exclusive of windows, doors and overhead entry doors) of buildings shall be constructed with a minimum of 70 percent masonry materials (brick, stone, simulated/synthetic stone). In addition, a minimum of three elevations of each such building will be articulated and a wainscot of masonry materials listed above having a minimum of three feet will be incorporated within each elevation. Metal entry elements may be incorporated within building facades to accommodate tenant brand images. 13. Deleted Note 4(c)(1)(ii) 14. Amended Note 4(c)(1) to reference building frontages. 15. Provided examples of “service area” referenced in Note 4(c) as dumpster, refuse and loading areas.
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<p>2013-052 continued</p>	<p>Other</p> <ol style="list-style-type: none"> 16. Amended Note 5(f) to state that the Southeast and Southwest corners of City Boulevard and Ikea Boulevard intersection will be designed to create a sense of entry that complements the monumentation for Belgate across City Boulevard. The existing monumentation will remain but may be added to provided that it will comply with the ordinance. 17. Revised Notes 5a and 5b to state the petitioner will preserve the 50-foot natural buffer and the 50-foot landscape buffer as stipulated in Petition 2008-59 relating to the buffer areas along Interstate 85. 18. Amended Site Development Data and development notes to list automotive sales and repair excluding tractor-trucks and accompanying trailer units allowed within the B-2 District as the principal use. Listed other uses as accessory uses. 19. Specified that the proposed use on Development Area B may contain only inventory parking without a building envelope or frontage. 20. Deleted the word gross from "gross floor area" in the Site Development Data. 21. Clarified maximum building height as 40 feet. 22. Clarified the site allows a maximum of five building envelopes within which principal and accessory uses will be located. 23. Referenced proposed zoning as B-2(CD) throughout development notes. 24. Deleted Note 1(c) due to redundancy. 25. Amended Site Development Data and development notes to list <i>automotive sales and repair excluding tractor-trucks and accompanying trailer units allowed within the B-2 District</i> as the principal use. 26. Deleted Note 2(a) as it is redundant. 27. Amended Note 2(b) under Permitted Uses & Development Areas as follows: Prior to approval by the City Council of 2013-052, the Petitioner and the owner of the property covered by Petition 2008-059 will file an administrative amendment for Petition 2008-059 that will adjust the development rights as follows: (i) Reduce the development rights pertaining to retail and restaurant uses to 388,000 square feet for Parcels B1, B2, B3, B4 and B5. The maximum gross floor area for retail, restaurant and office uses (excluding hotels) shall be adjusted to 438,000 square feet. 28. Amended Note 2(c) to remove "automated freestanding car wash facility(ies) and body shops may be constructed on the site" and included them in the list of permitted accessory uses. 29. Deleted Note 2(g), the list of prohibited uses. 30. Deleted Note 3(d). 31. Amended Note 3(d) to note the street classification will be an "office wide". 32. Amended Note 4(d) to add "walls greater than 10 feet in height will be broken up with landscaped step backs to soften their visual impact". 33. Deleted Note 5(e) under the heading of Streetscape, Landscaping, Buffers and Common Plaza and replaced with the following: Areas C and D shall contain an enhanced streetscape within the 20 foot setback. Landscaping will include a variety of evergreen and deciduous shrubs, ornamental grasses and seasonal color. No less than 30 shrubs and 3 small maturing trees per 100 linear feet will be provided. Additionally a low accent wall will be provided at the Private Street entrance from Ikea Boulevard which will be a minimum of 30 inches in height and will be masonry. 34. Deleted the following: A linear park will be provided (mostly within the utility easement along the south side of Ikea Boulevard) from the corner of City Boulevard and Ikea Boulevard to MacFarlane Boulevard as shown on the Technical Data Sheet. The park and the common plaza are will contain a combination of the following pedestrian amenities;
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<p>2013-052 continued</p>	<div data-bbox="600 157 1518 331"> <ul style="list-style-type: none"> a. Seating areas b. Pedestrian walkway/minimum 10' multi-use trail c. Land forms (mounds and stabilized slopes) d. Enhanced landscape areas (within the parameters of the Duke Energy guidelines for utility easements) e. Specialty hardscape </div> <div data-bbox="451 331 1518 970"> <ul style="list-style-type: none"> 35. Deleted old note 5(g)(ii) regarding the "pedestrian walkway/minimum 10-foot multi-use trail. 36. Amended Note 5(g) to indicate that the easement will be granted and sidewalk connection constructed at the end of Stetson Drive which will connect to the corner of Ikea Boulevard and City Boulevard. 37. Amended Note 3(e)(1) to add the following: "Provide dedication of right-of-way up to 77 feet as shown on U-05A of the Charlotte Land Development Standards Manual prior to issuance of a final certificate of occupancy or at the time CATS constructs the connection to Ikea Boulevard, whichever occurs first." 38. Amended Note 3(e)(2) to include following language: "Provide public street dedication of up to 77 feet of right-of-way as shown on U-05A (office commercial wide street classification) of the of the Charlotte Land Development Standards Manual prior to the issuance of the first certificate of occupancy." 39. Added a Note (e)(3) under Transportation as follows: The petitioner shall reserve right-of-way adjacent to Area "C" equal to 28.5 feet measured from the centerline of the existing easement to allow for the future extension of MacFarlane Lane prior to the issuance of the CO for Area "C." The petitioner agrees to dedicate the right-of-way at such time development occurs on tax parcel 047-21-05. All setbacks for Area "C" shall be measured and established from the future curbline of MacFarlane. </div> <div data-bbox="332 1024 824 1056"> <p>The following issues are outstanding:</p> </div> <div data-bbox="451 1083 1518 1579"> <ul style="list-style-type: none"> 1. A note should be added that "if the 50-foot natural buffer will be used to meet the 15 percent tree save requirement for the City of Charlotte's Tree Ordinance, then removal of any living trees will require a separate permit from Urban Forestry". 2. Specify the maximum square footage for Development Area A in the "Site Development Data". 3. A note should be added to note 2(e)(i) that allows the "Planning Director or his/her designee to approve an alternative configuration..." 4. Amend note 5(g) to indicate that the sidewalk connection will be completed prior to the issuance of the certificate of occupancy. 5. Limit signs to monument style not to exceed seven (7) feet in height. 6. Remove the following from note 2(d)(e): The following fenestration alternatives may account for up to 40 percent of this requirement as follows: <ul style="list-style-type: none"> (a) greenscreen systems or planter walls; (b) wall mounted or recessed display cases, (c) translucent, fritted, patterned or colored glazing. </div> <div data-bbox="332 1606 1432 1638"> <p>The following issues are new based on the revised site plan and should be resolved:</p> </div> <div data-bbox="430 1654 1518 1864"> <ul style="list-style-type: none"> 1. Add a note 3(f) under Transportation Improvement as follows: MacFarlane Boulevard shall be built and extended to connect to the east-west private street and/or the east-west private street shall be aligned to connect to the existing portion of MacFarlane Boulevard. 2. Under note 4(a) label and annotate the "conceptual elevation" drawing noting all materials illustrated, and provide photographic examples of "palette" of allowable building materials. Modify the notes as follows: </div>
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2013-052
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- a. An Architectural Palette is provided with this rezoning petition in order to define the project's architectural character. The exterior elevations of all buildings constructed on the site will be constructed using this architectural palette. The Architectural Palette includes a defined list of allowable and restricted building materials, photographic examples of allowable materials, and a conceptual elevation. The conceptual elevation is intended only to illustrate one example of a building façade that meets the criteria set forth in the Architectural Standards and is not a specific or binding architectural design.
1. Allowable exterior building materials:
 - i. Brick
 - ii. Stone, simulated/synthetic stone
 - iii. Precast concrete
 - iv. Stucco
 - v. EIFS – Exterior Insulated Finishing System
 - vi. Tile Cladding Systems (i.e. Porcelain, Ceramic, Granite, etc.)
 2. Prohibited exterior building materials:
 - i. Vinyl Siding
 - ii. Cementitious Fiberboard
 - iii. Pre-engineered metal building materials
 - iv. Aluminum Horizontal Siding
3. Note 4(c)1 should be relocated and become note 2(e)v.
 4. Note 4(d) should be moved to Section 5.
 5. Ikea Boulevard Extension: Provide additional detail on the length of the proposed accent wall, spacing and location of street trees, and screening of parking lots.
 6. Common Plaza: Provide additional detail on the typical design, landscape, and use of vehicle display area.
 7. Landscape Area: Provide additional detail on the typical design, landscape and use of identified landscape areas on the technical data sheet. Identify additional undefined areas on technical data sheet.
 8. Provide proposed design treatment of the area located between the parking lot and the detention area/pond.

Shad Spencer	<p>2. Petition No. 2013-060 (Council District 3 – Mayfield) by LandNet, LLC for a change in zoning for approximately 3.56 acres located on the southeast corner at the intersection of South Tryon Street and Steelescrot Parkway from R-3 to NS.</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. Provided an additional pedestrian path along the access drive connecting South Tryon Street to Old Steele Creek Road. 2. The issue regarding placing a screen wall between the parking envelop and Steelescrot Parkway has been eliminated due to the redesign of the site which minimized the need for the wall. 3. The issue regarding the labeling of the screen wall for the drive-through areas has been eliminated. 4. The number of uses with accessory drive through facilities has been limited to two or one such use and one convenience store. 5. Indicated a minimum open space requirement of 15 percent of the site. 6. Eliminated Note 1.d. on Sheet RZ-2 except for the second and third sentences. Relocate those two sentences to the end of Note 1.a. Also, added to that note a reference to the additional screening requirements of the drive through lanes indicated in Note 5.e. 7. Modified Note 2.a. on Sheet RZ-2 to eliminate automobile repair, residential, equipment rental and leasing, locksmith/gunsmiths, nurseries/greenhouses, and pet services (outdoor) as permitted uses. 8. Modified Note 4.a. on Sheet RZ-2 to read: "...Each <u>exterior building wall</u> façade, exclusive of doors and windows, will be constructed with a minimum of 50% brick, brick veneer, stone, cementitious board (such as HardiPlank), and /or simulated stone. The masonry material <u>and color</u> chosen shall be consistent throughout the development..." 9. Modified the last sentence of Note 5.e. on Sheet RZ-2 to read: "<u>The screen wall will be a minimum of three feet in height and if a low wall is constructed, it will be constructed using materials consistent with the materials used on the buildings within the development. The screen wall will be located within a minimum five-foot wide planting strip behind the required public sidewalk and be placed a minimum three feet from the sidewalk</u>". 10. Addressed Transportation comments. 11. Modified Note 4.b. to read: "The design of the building <u>walls</u> that fronts on Steelescrot Parkway <u>and the building wall that is parallel to the interior access drive of the building at the corner of the access drive and Steelescrot Parkway</u> will include elements such as but not be limited to building entrances, non-reflective and/or clear vision glass along at least one third of the building façade <u>to provide views into the interior activities of the building that lies parallel to the interior access</u>, outdoor dining area, a patio, outdoor seating area(s), gardens, or other features that are intended to enhance the relationship between the building and the pedestrian environment. 12. Eliminated the note under "Environmental Features" referencing any future General Assembly actions. 13. Provided a minimum five-foot wide sidewalk and eight-foot planting strip along the internal access drives. 14. Addressed Transportation comments.
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Shad Spencer	<p>3. <u>Petition No. 2013-065</u> (Council District 1 – Maddalon) by Weekley Homes LP for a change in zoning for approximately 1.24 acres located on the south side of Iverson Way between South Boulevard and Lyndhurst Avenue from R-5, B-2 and O-2 to UR-2(CD).</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. Provided elevations for the buildings along Iverson Way and clarified that the front façade of those buildings face Iverson Way. 2. The issue regarding an additional “Architectural Standards” note has been eliminated due to building elevations being provided. 3. The issue regarding the list of building materials allowed has been removed due to the elimination of the note requiring a minimum 30 percent of masonry products on the building exteriors. 4. Modified the setback identified on Sheet RZ-1 as “20-foot setback from the back of existing or proposed curb”. 5. Modified the yard requirements illustrated on the Technical Data Sheet and the Conceptual Site Plan to indicate “5-foot side yard/10-foot rear yard”. 6. Deleted the following wording from the first sentence of note “b” under “General Provisions” on Sheet RZ-1: “..., such as those that regulate streets, sidewalks, trees, bicycle parking, and site development,...”. 7. Deleted the note on the upper right corner of Sheet RZ-2 which indicates the Conceptual Site Plan reflects a possible arrangement of uses and they may be modified so long as the maximum building envelope and intensity limitation are not violated. 8. Addressed Transportation’s comment. 9. Rewrote the note under “Streetscape and Landscaping” on Sheet RZ-1 to commit to certain buffer standards along the property line next to the existing single family home within the R-5 zoning district. These include a buffer planted to a class C buffer standard along the first 100 linear feet of the buffer and the remain length of the buffer would include additional planting and a privacy fence. 10. Modified Sheet RZ-2 to illustrate the minimum six-foot public pedestrian access trail to be constructed by the petitioner to the property line with parcel 121-074-09. It is intended that the trail will be extended across the abutting property in the future to connect to Atherton Street. 11. Deleted the second sentence of note “b” under “General Provisions” on Sheet RZ-1. 12. Modify the “Lighting” note on Sheet RZ-1 to read: “All lighting on the site will utilize full cut-off luminaries and freestanding lighting will be limited to 20 feet in total height, but architectural lighting will be permitted.”
Sonja Sanders	<p>4. <u>Petition No. 2013-066</u> (Council District 6 - Dulin) by Weekley Homes LP for a change in zoning for approximately 5.22 acres located on the north side of Sharon View Road near the intersection of Sharon View Road and Mountainbrook Road from R-3 to UR-2(CD).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 26</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Provided building elevations. 2. Deleted reference under Transportation to parking areas indicated on the concept plan.

<p>2013-066 continued</p>	<ol style="list-style-type: none"> 3. Provide a pedestrian connection from the site to the abutting Phillips Place development located north of the site. If such a connection is prohibited by topographical constraints, staff requests that a pedestrian path be established that can be expanded when adjacent parcels are developed. Staff has rescinded this request. Such a connection would best be provided from abutting parcel 18314118 upon redevelopment. 4. Clarified the maximum height of pedestrian lighting as 12 feet. 5. Guest parking shown and labeled. 6. Transportation comments have been addressed. 7. Storm Water comments have been addressed. 8. Staff has rescinded the following requests: <ol style="list-style-type: none"> a. Provide a common open space that is centrally located and accessible by all residents. b. Amend note under heading of Streetscape and Landscaping to specify a commitment to provide an entrance feature and clarify how the feature will be incorporated into the development. c. Provide a cross-section of the proposed entrance. d. Show and label the water quality facility referenced under the heading of Streetscape and Landscaping. e. Modify the proposed internal public street cul-de-sac to a T-intersection design. <p>The following items were added to the site plan after the public hearing:</p> <ol style="list-style-type: none"> 1. Specified location of proposed entrance and landscape feature. 2. Labeled the proposed internal public street as a local residential medium street classification.
<p>Claire Lyte-Graham</p>	<ol style="list-style-type: none"> 5. <u>Petition No. 2013-067</u> (Outside City Limits) by Withrow Capital for a change in zoning for approximately 18.95 acres located on the west side of Northlake Centre Parkway near the intersection of Madison Square Place, Northlake Mall Drive and Northlake Centre Parkway from R-3 and BP to UR-3(CD). <p>Staff recommends approval of this petition.</p> <p>Attachment 27</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. The petitioner has removed the second paragraph under the "Purpose" statement (Sheet RZ-1.0), and worked with staff to develop notes that better reflect a multi-family project design appropriate for this center, and in the spirit of the adopted Plan. Notes have been revised to allow for commitments regarding building frontage, placement and orientation; location of parking in relation to buildings; architectural materials; and placement of the proposed clubhouse. 2. The setback on Northlake Centre Parkway has been changed to 24 feet as per the adopted Streetscape Plan. 3. Transportation Note (a) has been amended to reflect one public street connection and one private street connection to Northlake Centre Parkway. 4. The accompanying elevations have been removed and additional language provided committing to architectural features. 5. The Architectural Standards language has been amended to remove references to images of buildings. 6. Architectural Standards Note (a) has been amended to stipulate 30% masonry on all exteriors below the roofline. The words "and/or hardi-plank/fiber cement board" have been eliminated from this note.

2013-067
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7. The petitioner has removed the following language from General Provisions (b): "...such as those that regulate streets, sidewalks, trees, bicycle parking, and site development...These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan."
8. Both site plan sheets are now consistent with respect to the proposed Class C Buffer along abutting R-3 zoned properties. Both sheets label the Class C Buffer reduced 25% with fence.
9. Per the request of the Park and Recreation Department, the petitioner will dedicate and convey to Mecklenburg County the 100-foot SWIM buffer on the front portion of the site. The dedication will be accomplished prior to the issuance of the first Certificate of Occupancy for the site. *Planning staff is rescinding the request that the petitioner commit to providing a direct pedestrian connection between the development and the future trail due to uncertainty with respect to the design of the trail and the location of the creek.*
10. Misspellings have been corrected on both sheets.
11. There is a small area that is zoned R-3 (not part of this rezoning) and abut the proposed Public Street-Local Office Wide. Label this area on Sheets RZ-1.0 and RZ-2.0. *Staff is rescinding this request as the petitioner has confirmed this area in question is zoned BP.*
12. Addressed the following outstanding Storm Water Services, Park and Recreation, and Transportation comments:
 - a. Added language as requested by Storm Water Services under Environmental Features.
 - b. Park and Recreation comment addressed – see Item No. 9 above.
 - c. Addressed Transportation Comments:
 - i. Revised Transportation Note c. to provide a 150' left turn/storage lane with appropriate taper length.
 - ii. Addressed comment regarding proposed future Hucks Road street extension by deleting Transportation Note d., and adding the following language for clarity:
 - (a) Note 1: Public Street Extension – This street is designed and located to be extended into the adjacent parcel and connect to Northlake Parkway at the northernmost existing median break.
 - (b) Note 2: Future Huck Road Extension – The future Hucks Road Extension is intended to extend east of Northlake Parkway from the northernmost median break of Northlake Parkway. This intersection is a location for a potential traffic signal, to be determined based on future traffic analysis.
13. Based upon discussions with petitioner, the third sentence under Streetscape and Landscaping has been modified to read: "...an average of 70%of the total..."
14. The petitioner has numbered the development notes under Streetscape and Landscaping.

The following outstanding issue is a result of the revised site plan submitted on October 3, 2013:

1. Due to possible miscommunication on the part of staff, the petitioner incorrectly removed a previous note under Environmental Features pertaining to design, landscaping, and screening of the water quality facility. The petitioner has agreed to place this one sentence note back on the site plan.