

AGENDA
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
ZONING COMMITTEE WORK SESSION
Charlotte-Mecklenburg Government Center, Rm. 280
May 28, 2014
4:30 P.M.

Please click this link: [May 2014 map](#) to see a map showing the location of all rezoning cases on this agenda.

<p>Sandra Montgomery</p>	<p>1. Petition No. 2013-026 by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to: 1) add new definitions for building length and façade modulation; 2) clarify that there is no maximum density for residential dwellings in the pedestrian overlay (PED) district; 3) modify the parking requirements for multi-family units located in the Midtown, Morehead, Cherry pedestrian overlay district and the East Boulevard pedestrian overlay district; and 4) add new supplemental design standards for the Midtown, Morehead, Cherry pedestrian overlay district and the East Boulevard pedestrian overlay district.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 16</p> <p>Update: There are no outstanding issues with this petition.</p>
<p>John Kinley</p>	<p>2. Petition No. 2013-102 (Council District 1 – Kinsey) by Wajahat & Ferah Syed for a change in zoning for approximately 0.40 acres located on the south side of North Davidson Street between East 33rd Street and East 35th Street from R-5 (single family residential) and MUDD-O (mixed use development, optional) to TOD-MO (transit oriented development, mixed-use optional) & MUDD-O SPA (mixed use development, optional, site plan amendment).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 3</p> <p>The following issues were previously addressed:</p> <p>Area A:</p> <ol style="list-style-type: none"> 1. Labeled the possible future expansion area on the plan. 2. Added the words "Area A" under the Petition # in the title block. 3. Removed the two labels stating "14-foot setback not feasible...." 4. Amended Note 6 under General Notes to read: "Possible expansion on the side and behind the existing building will meet setback and yard requirements." 5. Addressed the following CDOT issues: <ol style="list-style-type: none"> a. Removed proposed parallel parking cutout on 34th street to allow the use of the existing curbline for on-street parking. <p>Area B:</p> <ol style="list-style-type: none"> 1. Added the words "Area B" under the Petition # in the title block. 2. Changed the label for the planting strip from three feet to four feet. 3. Amended Note 6 under General Notes to read: "Possible expansion behind the existing building will meet setback and yard requirements." 4. Amended the word "TOD" in Note 5 under General Notes to "TOD-M."

<p>2013-102 continued</p>	<p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Revised site plans for Area A and Area B so that all elements are to scale. <p>Area A:</p> <ol style="list-style-type: none"> 1. Revised the plan so that all parking, including handicap, is the rear of the building which satisfies our request for the following note. "Provided there is not enough space between the house and the west property line for the accessible parking and accessible ramp, all parking shall be located on the portion of the site with direct access to 34th Street. No access will be allowed on Davidson Street." 2. Specified that trash and recycling would be roll-out only. Moved the location of the trash and recycling area which demonstrates how trash collection will be handled. <p>Update: The following items have been added:</p> <ol style="list-style-type: none"> 1. Amended Note 6 to specify the total maximum square footage as 2,200 square feet for Area A and B. 2. Specified the location of the dumpster and parking for Area B 3. Specified new 26 foot wide curb cuts for both Area A and B. 4. A label that the old driveway on Area A will be closed.
<p>Claire Lyte-Graham</p> <p>Deferral (to June)</p> <p>Protest Sufficient</p>	<p>3. <u>Petition No. 2014-019</u> (Outside City Limits) by Charlotte-Mecklenburg Planning Department for a change in zoning for two parcels approximately 26.47 acres located on the west corner of the intersection at Mallard Creek Road and Salome Church Road from CC (commercial center) to R-4 (single family residential).</p> <p>Staff is requesting a one-month deferral of this petition to the June 25, 2014 meeting.</p> <p>Attachment 6</p> <p>Update: There are no outstanding issues with this petition.</p>
<p>Sandra Montgomery</p> <p>Deferral (to June)</p>	<p>4. <u>Petition No. 2014-021</u> by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to to: 1) add a new definition for mobile farmer's market; and 2) allow mobile farmer's markets in all zoning districts, either as a principal use or accessory use, with prescribed conditions.</p> <p>Staff is requesting a one-month deferral of this petition to the June 25, 2014 meeting.</p> <p>Attachment 7</p> <p>Update: There are no outstanding issues with this petition.</p>
<p>Sonja Sanders</p> <p>Deferral (to June)</p>	<p>5. <u>Petition No. 2014-029</u> (Council District 6 - Smith) by Kyle Short for a change in zoning for approximately 1.58 acres located on the south side of East Woodlawn Road between Old Woods Road and Fairbluff Place from R-4 (single family residential) to UR-2(CD) (urban residential, conditional).</p> <p>Petitioner is requesting a one-month deferral of this petition to the June 25, 2014 meeting.</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 12</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. Specified maximum building height as three stories. 2. Specify proposed uses as multi-family residential. 3. Provided and labeled guest parking.

<p>2014-029 continued</p>	<ol style="list-style-type: none"> 4. Show and label a 13-foot wide planting strip and six-foot wide sidewalk along Woodlawn Road per the Park Woodlawn Area Plan instead of the 18-foot wide planting strip and sidewalk of undetermined width currently shown on the site plan. Staff rescinds a portion of this request. The six-foot sidewalk has been labeled and the 18-foot wide planting strip as shown is sufficient. 5. Amended Development Summary to reflect a 14-foot setback. 6. Amended the sidewalk along the internal street to six feet. 7. Labeled and indicated the dimensions of the area between the private internal street and the sidewalk as a two-foot planting strip. 8. Provided a note that the curb along the internal private street will be standard curb (not roll curb). 9. Provided a six-foot planting strip between the sidewalk and the private street the full length of the area beside unit 1. 10. Indicated the maximum height of the retaining wall will be eight feet. 11. Labeled and dimension the proposed sidewalk along Woodlawn Road. 12. Revised General Provisions Note #1, last sentence as follows: "Where specified conditions on this plan differ from ordinance, standards, policies and approaches in existence at the time of formal engineering plan review submission, the conditional notes on this plan the more restrictive shall apply." 13. Eliminated the following sentence in General Provisions note #2: "The Site Plan is schematic in nature and represents a firm concept of development with regard to the arrangement of buildings, parking and circulation patterns." 14. Noted that the finished side of the proposed privacy fence will face the adjacent properties. 15. Provided elevations along Woodlawn Road. 16. Addressed Engineering and Property Management comments by providing a minimum 15-foot wide drainage easement clear of required buffers and structures. 17. Removed tree save area that was located in the right-of-way along E. Woodlawn Road. 18. Submitted plan to Fire Marshall for review as the fire access as shown may be an issue that would dramatically alter the site plan. Fire Department commented that additional information will be needed and possible tweaking may be warranted. 19. Specified parking area for Units 13 and 14, which are single family detached units with garages and a shared driveway. 20. Correctly labeled five foot side yard at rear of property as a 10 foot rear yard.
<p>2014-029 continued</p>	<p>The following issues are outstanding:</p> <ol style="list-style-type: none"> 1. Revise elevations to fit context of area. 2. Remove heading of permitted uses by-right and the districts listed underneath. 3. Specify buffer will be developed per Class C buffer standards. 4. Remove guest parking from location on proposed private street. 5. Correctly measure and label the 14-foot setback along E. Woodlawn Road, which should be measured from the back of the future curb. 6. Provide details on the stucco or masonry wall along the rear of the buildings backing up to Woodlawn Road. 7. Address CDOT comment by dedicating 50 feet of right-of-way measured from the existing centerline along the site's public street frontage on E. Woodlawn Road. 8. Label all tree save area to ensure compliance with the minimum 15 percent tree save requirement. 9. Provide rear elevations for units 6-12 and a typical side elevation for an end unit. 10. Identify the height of the proposed wall along E. Woodlawn Road frontage. This wall should not exceed 60 inches in height above grade and should feature openings, articulation, change of materials and/or height, or ornamentation, at least every 20 feet. 11. Amend Note 9 to specify a six-foot sidewalk as labeled on the site plan.

<p>Solomon Fortune</p> <p>Deferral (to June)</p> <p>Protest Sufficient</p>	<p>6. <u>Petition No. 2014-031</u> (Outside City Limits) by Wilkison Partners, LLC for a change in zoning for approximately 5.9 acres located on the southeast corner at the intersection of Youngblood Road and Shelburne Farms Drive from MX-3(LLWCA) (mixed use, Lower Lake Wylie Critical Area) to MX-3 SPA(LLWCA) (mixed use, site plan amendment, Lower Lake Wylie Critical Area).</p> <p>Petitioner is requesting a one-month deferral of this petition to the June 26, 2014 meeting.</p> <p>Staff does not support this petition in its current form.</p> <p>Attachment 10</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. The innovative standards that are changes from minimum zoning ordinance standards have been listed on the site plan. 2. A cross-section has been shown that an eight-foot planting strip and six-foot sidewalk will be provided on both sides of the street for all private streets. <p>Update: The follow issues remain outstanding:</p> <ol style="list-style-type: none"> 1. Provide a public street stub to the eastern edge of the property to comply with the Subdivision Ordinance. 2. Change the first private street cross section to a public street cross section. 3. Show the number of off-street guest parking spaces which will be provided. 4. Provide a note and show that the off-street guest parking area will be screened with five-foot tall shrubs on all three sides. 5. Label the elevations and add a note identifying the proposed building materials. 6. Provide a detail of the proposed ornamental fence. 7. Modify the note under streetscape and landscaping to read, "The petitioner reserves the right to install an entrance feature at the driveway connection to Shelburne Farms Drive subject to approval by North Carolina and Charlotte Departments of Transportation." 8. Submit an administrative request for Petition 2001-016C and reduce the number of "village residential" units by 29 units prior to the City Council decision. 9. Label and note the proposed percentage of tree save area for the areas shown on the site plan.
<p>Solomon Fortune</p>	<p>7. <u>Petition No. 2014-033</u> (Council District 7 - Driggs) by Colony at Piper Glen for a change in zoning for approximately 1.72 acres located on the east side of Rea Road between Piper Station Drive and Ballantyne Commons Parkway from NS (neighborhood services) to NS SPA (neighborhood services, site plan amendment).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 13</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. A building material legend for the proposed elevations has been provided on the site plan. 2. Signage has been removed from the site plan. Signage will be allowed per the NS standards. 3. Elevations of the building and parking deck have been provided. 4. A note has been added that the parking structure has been limited to two floors. 5. Transportation department comments in regards to the truck turnaround have been addressed through an easement. 6. A note has been added that the lighting for the Parking structure will comply with Charlotte-Mecklenburg Police Departments IESNA standards.

John Kinley	<p>8. <u>Petition No. 2014-034</u> (Council District 7 - Driggs) by Mason Kazel for a change in zoning for approximately 0.61 acres located on the east side of Seigle Avenue between East 10th Street and Otts Street across from Green Trail Lane from I-2 (general industrial) to MUDD(CD) (mixed use development, conditional).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 14</p> <p>Update: There are no outstanding issues with this petition.</p>
Claire Lyte-Graham	<p>9. <u>Petition No. 2014-036</u> (Council District 7 - Driggs) by City of Charlotte for a change in zoning for approximately 5.18 acres located on the north side of West Blvd. and generally surrounded by Old Steele Creek Road, Elmin Street, Walter Street and West Boulevard from O-1(CD), (office, conditional) and R-5 (single family residential) to NS (neighborhood services).</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 height of the black aluminum security fence proposed around the secured parking area and open space/landscape area is 8 feet. 2. The petitioner has moved the proposed security fence to enclose the portion of the site near Elmin Street. This acreage will be open space/landscape area for use by the employees. The security fence along Elmin Street will be screened by additional landscaping via a 14-foot wide landscape strip. 3. A note has been added that states parking/maneuvering will not be allowed between the building and the street. 4. The proposed parking area on West Boulevard is located behind the required 14-foot setback as required. Staff recommends that the parking area be situated so as to be consistent with the proposed building line (of the main structure). Staff is rescinding this request as the parking area meets the minimum requirement and the petitioner has 5. Trees are now shown in the islands around the perimeter of the parking area and in the islands in order to meet the requirement that each parking space be within 40 feet of a tree. 6. The sidewalk along Elmin Street now labeled and dimensioned on the site plan. <p>Update: The following items have been added since the public hearing:</p> <ol style="list-style-type: none"> 1. The size of the primary building has increased from 16,000 square feet to 17,500 square feet. 2. The security fence now surrounds the portion of the site along Elmin Street. This portion of the site is now identified as open space/landscaping area on the site plan. A (14-foot wide) landscaped area will be provided between the fence and the new sidewalk along Elmin Street. 3. A sidewalk with pedestrian security access gates is proposed to connect the rear of the proposed building to the new sidewalk along Elmin Street.
Sandra Montgomery	<p>10. <u>Petition No. 2014-037</u> by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to 1) clarify the screening and buffer requirements for lots abutting recreational facilities, and 2) add a footnote describing how the separation distance is measured.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 18</p> <p>Update: There are no outstanding issues with this petition.</p>