

Mayor Daniel Clodfelter Mayor Pro-Tem Michael D. Barnes

<i>Al Austin</i>	<i>John Autry</i>
<i>Ed Driggs</i>	<i>Claire Fallon</i>
<i>David Howard</i>	<i>Patsy Kinsey</i>
<i>Vi Alexander Lyles</i>	<i>LaWana Mayfield</i>
<i>Greg Phipps</i>	<i>Kenny Smith</i>

CITY COUNCIL ZONING AGENDA
Monday, November 17, 2014

- 5:00PM – Council/Manager Dinner
Meeting Chamber Conference Room
- 6:00PM – Zoning Meeting
Meeting Chamber

ALL REZONING PETITIONS MAY BE VIEWED ON THE WEB AT
www.rezoning.org

DINNER MEETING AGENDA
Monday, November 17, 2014

1. Agenda Review – Tammie Keplinger

DEFERRAL / WITHDRAWAL REQUESTS

Item #	Petition #	Petitioner/Description	Update
4	2014-021	Charlotte-Mecklenburg Planning Department for a Text Amendment related to mobile farmer's markets	Decision - Defer to December
5	2014-031	Wilkison Partners, LLC - southeast corner at the intersection of Youngblood Road and Shelburne Farms Drive	Decision - Defer to January Protest sufficient
6	2014-043	Mark Patterson - west side of Prosperity Church Road between Prosperity Point Lane and Pinewood Lane	Decision - Defer to December Protest sufficient
10	2014-071	Charlotte-Mecklenburg Planning Department & Police Department for a Text Amendment related to animal fostering and rescue groups	Decision – Defer to January
19	2014-092	Pavilion Development Company - northeast corner at the intersection of Nations Ford Road and Tyvola Road	Decision - Defer to December Protest insufficient
26	2014-049	SBBH, LLC - South side of Morrison Boulevard between South Park Drive and Sharon Road	Hearing – Defer to March Protest TBD

MISCELLANIOUS REQUESTS AND INFORMATION

Item #	Petition #	Petitioner/Description	Update
2	2013-094	Halvorsen Development – Prosperity Church Road at Ridge Road	Decision - Protest Petition sufficient
3	2014-003	George M. Macon - southeast corner at the intersection of Ardrey Kell Road and Marvin Road	Decision - Protest Petition insufficient
14	2014-084	7th Street Progression Partners, LLC – East 7 th Street at Clement Avenue	Decision - Protest Petition sufficient
15	2014-085	New Carolina Income Properties, LLC – East Tremont Avenue and Euclid Avenue	Decision - Protest Petition sufficient
36	2014-109	Midtown Area Partners II, LLC - northeast corner of Baxter Street and South Kings Drive	Hearing - Protest Petition TBD

2. Follow-Up Report – Tammie Keplinger

3. Rezoning Cases of Special Interest – Tammie Keplinger

4. Area Plan Status and Text Amendment Update – Ed McKinney

ACRONYMS

Zoning District Acronyms

- **B-1** – neighborhood business district
- **B-2** – general business district
- **B-1SCD** – business shopping center district (old district)
- **BD** – distributive business district
- **BP** – business park district
- **CC** – commercial center district
- **HW** – hazardous waste
- **I-1** – light industrial district
- **I-2** – general industrial district
- **INST** – institutional district
- **MUDD** – mixed use development district
- **MX-1** – mixed use district
- **MX-2** – mixed use district
- **MX-3** – mixed use district
- **NS** – neighborhood services district
- **O-1** – office district
- **O-2** – office district
- **O-3** – office district
- **R-3** – single-family residential – up to 3 dwelling units per acre (dua)
- **R-4** – single-family residential – up to 4 dua
- **R-5** – single-family residential – up to 5 dua
- **R-6** – single-family residential – up to 6 dua
- **R-8** – single-family residential – up to 8 dua
- **R-8MF** – multi-family residential – up to 8 dua
- **R-12MF** – multi-family residential – up to 12 dua
- **R-17MF** – multi-family residential – up to 17 dua
- **R-22MF** – multi-family residential – up to 22 dua
- **R-43MF** – multi-family residential – up to 43 dua
- **R-MH** – residential manufactured housing
- **RE-1** – research district
- **RE-2** – research district
- **RE-3** – research district
- **TOD** – transit oriented development
- **TOD-E** – transit oriented development – employment
- **TOD-M** – transit oriented development – mixed use
- **TOD-R** – transit oriented development – residential
- **U-I** – urban industrial district
- **UMUD** – uptown mixed use district
- **UR-1** – urban residential
- **UR-2** – urban residential
- **UR-3** – urban residential
- **UR-C** – urban residential – commercial

Zoning Overlay District Acronyms

- **CR/LWW** – Catawba River / Lake Wylie watershed
- **CR/LWWCA** – Catawba River / Lake Wylie watershed – critical area
- **CR/LWWPA** – Catawba River / Lake Wylie watershed – protected area
- **HD-O** – historic district overlay
- **LNW** – Lake Norman watershed overlay
- **LNWCA** – Lake Norman watershed –overlay, critical area
- **LNWPA** – Lake Norman watershed – overlay, protected area
- **LLWW** – Lower Lake Wylie watershed overlay
- **LLWWCA** – Lower Lake Wylie watershed – overlay, critical area
- **LLWWPA** – Lower Lake Wylie watershed– overlay, protected area
- **MILW** – Mountain Island Lake watershed overlay
- **MILWCA** – Mountain Island Lake watershed – overlay, critical area
- **MILWPA** – Mountain Island Lake watershed – overlay, protected area
- **MH** - manufactured home overlay
- **PED** – pedestrian overlay district
- **TS** – transit supportive overlay district

Miscellaneous Zoning Acronyms

- **CD** – conditional district
- **INNOV** – innovative standards
- **SPA** – site plan amendment
- **O** – optional provisions

Miscellaneous Other Acronyms

- **CAG** – citizen advisory group
- **CDOT** – Charlotte Department of Transportation
- **FEMA** – Federal Emergency Management Agency
- **LED** – light emitting diode
- **NCDOT** – North Carolina Department of Transportation
- **PCCO** – Post Construction Control Ordinance

HISTORIC LANDMARKS

Decision

	<p>1. A Resolution of the City Council of the City of Charlotte calling for a Decision to be held by the City Council on the question of adopting an ordinance for the Historic Landmark known as the "James A. Blakeney House" to de-designate 7.829 acres of land in tax parcel 22922212, and de-designate 2.244 acres of land in tax parcel 22908334 as shown on the attached plans. The property associated with tax parcel 22922212 is located at 9215 Blakeney-Heath Road in Charlotte, North Carolina, and is owned by Meritage Homes of the Carolinas Inc. The property associated with tax parcel 22908334 is located at 9401 Blakeney-Heath Road in Charlotte, North Carolina, and is owned by Classica Homes LLC.</p> <p>Attachment 1</p>
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ZONING DECISIONS

<p>Protest Petition Sufficient</p>	<p>2. <u>Petition No. 2013-094</u> (Council District 4 – Phipps) by Halvorsen Development for a change in zoning for approximately 33.85 acres located on the west side of Prosperity Church Road across from Ridge Road from CC (commercial center) and R-3 (single family residential) to CC (commercial center) and CC SPA (commercial center site plan amendment), with five-year vested rights.</p> <p>The Zoning Committee found this petition to be consistent with the <i>Prosperity Church Road Villages Plan</i> and the draft <i>Prosperity Hucks Area Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> the proposed development decreases the number of residential units while allowing a slight increase in nonresidential development; and provides an activity center with a mix of uses. <p>Therefore, this petition is found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> The Prosperity Church Road Villages Plan recommends a pedestrian-oriented mixed use activity center with residential, office, retail and/or institutional uses; and The draft Prosperity Hucks Area Plan identifies this area as a pedestrian-oriented mixed use Activity Center intended to create highly integrated and walkable places, with a mix of uses to include retail/service, office, institutional and residential; and The petition proposes a mix of retail and residential uses consistent with the current and draft plans. <p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> Staff rescinded the request to provide a phasing plan that ties the certificates of occupancy for the large box retail to the street-front retail, and the certificate of occupancy for the multi-family units to the large box retail as the existing note is sufficient (Note 2H under Permitted Uses/Development Area Limitation/Transfer and Conversion Rights/and Certain Building Edge Treatment). Removed all proposed signs, as they will be permitted separately. Amended Note 5(O) to state the following: "Petitioner reserves the right to reduce the CC district setback from 35 feet to 14 feet as allowed by the ordinance." Staff rescinded the request to amend Note 2B to state "Development Areas A, C, D, F, and H may be developed with up to 100,000 square feet of gross floor area of uses permitted by right and under prescribed conditions, office, retail, restaurant eating, drinking and entertainment establishments, and personal service uses, together with accessory uses as allowed in the CC zoning district" due to the addition of prohibited uses. Amended development notes to change "restaurants" to "eating, drinking, and
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<p>2013-094 Contd.</p>	<p>entertainment establishments."</p> <ol style="list-style-type: none"> 6. Amended Note 5H to read "Charlotte-Mecklenburg Planning Department." 7. Amended Note 5I to remove the unnecessary "s" from Development Areas A. 8. Provided a set of typical elevation drawings for each residential building type (multi-family, townhomes, and carriage units over garages) and the clubhouse building. 9. Amended Note 2E as follows: "...vehicular parking and maneuvering may not be located between the proposed building edge(s) and the street where the building edge(s) is indicated." 10. Amended Note 5C as follows: "At least one building within Development C will include a prominent architectural feature oriented toward the intersection of Ridge Road and Benfield Road. An entrance to the building will be provided from either Ridge Road, Benfield Road or at the corner of the building to complement the prominent architectural feature." 11. Added a note under Architectural Standards as follows: "Any permitted drive-through feature located in Development Area A and Development Area C will be incorporated into the building's design using the same architectural style, detailing, and materials palette as the primary building it serves." 12. Modified Note 5D to state "Retail buildings B and C shall have their primary exterior facades oriented toward proposed Public Street #1. The facades of these buildings facing proposed Public Street #1 must contain a total area of transparency of 60 percent or more of the wall area of the ground floor, measured between two to ten feet above the adjacent grade. The transparency area shall be composed of clear glass windows and doors, which may not be screened by films, decals or opaque materials, glazing finishes, or window treatments for the purpose of screening service area, merchandise, or secondary operational functions to the primary business. Each individual business within Retail Buildings B and C shall have an operable door facing proposed Public Street #1 and this door shall be treated equally as a public entrance of the business." 13. Amended Note 5G and building elevations to specify that Buildings #1, #2 and the townhome buildings within Development Area E will be designed so that the units on the ground floor facing Ridge Road and Public Street #1 will have: <ol style="list-style-type: none"> a. an entrance from each unit to the abutting street; and b. Vertical shaped windows with a height greater than their width. 14. Added Note 5R as follows: "The orientation of the building constructed in Development Area H may be adjusted to match the realignment of Prosperity Church Road. The new orientation must be submitted to the Planning Department staff for approval." 15. Added Note 6F stipulating that parking areas between Cardinal Point Road and Ridge Road may not occupy more than 35 percent of the total street frontage along each side of proposed Public Street #1 (on-street parking will not be calculated into this percentage). 16. Amended Note 8A to specify that the community green space shall contain a minimum area of 20,000 square feet of surface area. 17. Amended Note 11B to specify that the information on how much square footage has been constructed will be provided with each permitting submittal for any of the buildings located within Development Areas C, D, F, and H. 18. Deleted reference and label for "New Prosperity Church Road" and retained label as "Benfield Road." 19. Reflected on-street parking along the frontage on Prosperity Church Road. 20. Revised notes to provide a consistent reference to Proposed Public Street #1. 21. Specified that the community green space will be completed prior to the issuance of a final certificate of occupancy for any tenant located within Retail Building A, B, or C. 22. Amended Note 8C to delete the following verbiage: "The community green space will be located within the right-of-way of Public Street #1. The petitioner will enter into an agreement with the City of Charlotte to maintain the improved open space area once it has been constructed." 23. Staff rescinded the request to remove the last paragraph under Note 2B. 24. Amended note 2G to read as follows: "Prior to the issuance of a final certificate of occupancy for the building labeled "Major #1" on Sheet RZ-2, the three buildings labeled "Retail A, B and C" on sheet RZ-2 must have received a certificate of completion."
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<p>2013-094 Contd.</p>	<ol style="list-style-type: none"> 25. Staff rescinded the request to submit an administrative approval to reduce the development rights for the portion of the property that was included in rezoning 2001-070 but not included in this rezoning request. 26. Amended Note 4(lb) as follows: "Petitioner will install pedestrian refuge islands along the site's frontage on Ridge Road. The pedestrian refuge islands will include landscaping if the median in Ridge Road is of sufficient width." 27. The minimum driveway throat lengths have been modified to be 50 feet behind the stop line for minor street connections. Major street connections have 100 to 120-foot driveway throat lengths. 28. Amended Note 10B to delete the word "site." 29. Amended Note 2D to replace "restaurant" with "eating, drinking and entertainment establishment." 30. Added a note that the petitioner will be responsible for any traffic signal modification costs and necessary signal equipment easements on Ridge Road at Prosperity Church Road and Benfield Road when the subject site's final construction plan is approved by the City. Traffic signal modification costs and easements will be determined during the construction plan review process. 31. Amended Note 4(la) to add the following: "The petitioner shall complete the following improvements along the site's frontage along Ridge Road: <ol style="list-style-type: none"> a. curb and gutter; and b. 31 feet of base course and surface course for additional improvements (the configuration of the on-street parking and pedestrian refuge islands to be determined in conjunction with CDOT during the Land Development approval process)." 32. Amended Note 2E to include the following as prohibited uses: Civic/social service and fraternal facilities, equipment rental and leasing, funeral homes/embalming, gas stations with our without convenience stores, government buildings, hotels and motels, gunsmiths, nurseries/greenhouses, outdoor recreation, religious institutions, repair or servicing of any article the sale of which is permitted in the district except that shoe repair and tailoring will be allowed, telephone booths, vocational schools, adult care centers, child care centers, donation drop-off facility, public utility structures, and land clearing and inert landfills on-site. 33. Added Note 5B as follows: "The residential buildings constructed within Development Area E will be constructed with at least 35 percent of the exterior of each building, exclusive of windows, doors and roofs, with brick, stone, precast stone or precast concrete." 34. Added new note 3B per staff's request as follows: "The determination of public/private street designation and the location of the proposed right-of-way if a public street, for Public/Private Street # 1 adjacent to the Community Green Space may be made during the subdivision review and approval process for this Street/right of way." <p>Staff recommends approval of this petition.</p> <p>Attachment 2</p>
<p>Protest Petition Insufficient</p>	<ol style="list-style-type: none"> 3. <u>Petition No. 2014-003</u> (Council District 7 - Driggs) by George M. Macon for a change in zoning for approximately 4.65 acres located on the southeast corner at the intersection of Ardrey Kell Road and Marvin Road from R-3 (single family residential) and MX-2 (mixed use) to O-1(CD) (office, conditional). <p>The Zoning Committee found this petition to be inconsistent with the <i>South District Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The Plan recommends single family residential uses for the site. <p>However, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The size of the site, orientation towards thoroughfares and isolation from adjoining parcels make developing stand-alone single family homes difficult; and • The proposed office use serves as a transition from the commercial uses.

<p>2014-003 Contd.</p>	<p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Note D3 has been modified to read, "No parking will be allowed between the building and the public streets." 2. Staff has rescinded the request to modify and relocate proposed dumpster location to the rear of the site near the proposed tree save area. 3. The proposed uses have been modified to include "clinics, financial institutions, medical, dental and optical laboratories, child care centers, barber and beauty shops, and studios. Restaurants have been modified to "Eating, Drinking, and Entertainment Establishments (Type 1)." 4. Building elevations for the proposed office buildings and childcare center have been provided. 5. The proposed three building footprints have been shown within the building envelope. 6. Note H.2 has been modified to indicate that the dumpster location shown on the plan has been agreed upon with the Southampton Home Owners Association. If there is any modification of the dumpster location, the petitioner will submit and provide to staff a letter from the Southampton HOA agreeing to the changes. 7. Development Conditions have been amended to include the MX-2 district under proposed zoning and the accompanying parcel number. 8. The Class "C" buffer has been show on the plan and the alternative buffer request has been submitted to the City of Charlotte Zoning Administrator. 9. Sidewalk connections from the proposed buildings to Marvin Road along both sides of the proposed driveway have been shown on the plan. 10. Clarified that street trees will be provided along Marvin Road and Ardrey Kell Road. <p>Staff recommends approval of this petition.</p> <p>Attachment 3</p>
<p>Deferral (to December)</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:</p> <ol style="list-style-type: none"> a. Create a new definition for mobile farmer's market; b. Allow mobile farmer's markets in all zoning districts; and c. Create new prescribed conditions for mobile farmer's markets. <p>Staff recommends a one-month deferral of this text amendment to the December 1, 2014 Zoning Committee meeting.</p> <p>Attachment 4</p>
<p>Deferral (to January)</p> <p>Protest Petition Sufficient</p>	<p>5. <u>Petition No. 2014-031</u> (outside city limits) by Wilkison Partners, LLC for a change in zoning for approximately 6.23 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>The petitioner has requested a two-month deferral to the January 5, 2014 Zoning Committee Meeting.</p> <p>Attachment 5</p>
<p>Deferral (to December)</p> <p>Protest Petition Sufficient</p>	<p>6. <u>Petition No. 2014-043</u> (Council District 4 - Phipps) by Mark Patterson for a change in zoning for approximately 2.71 acres located on the west side of Prosperity Church Road between Prosperity Point Lane and Pinewood Lane from R-3 (single family residential) to INST(CD) (institutional, conditional).</p> <p>The petitioner has requested a one-month deferral to the December 1, 2014 Zoning Committee Meeting.</p> <p>Attachment 6</p>

7. [Petition No. 2014-051](#) (outside city limits) by **Eastgroup Properties, LP** for a change in zoning for approximately 20.3 acres generally located on the west side of Gable Road between Shopton Road and Interstate 485 from R-3 (single family residential), I-2 (general industrial), and I-2(CD) (general industrial, conditional) to I-2(CD) (general industrial, conditional) and I-2(CD) SPA (general industrial, conditional, site plan amendment).

This petition is found to be consistent with the *Steele Creek Area Plan*, based on information from the staff analysis and the public hearing, and because:

- The proposal is a second phase of an industrial park; and
- The property is within close proximity to I-485, the airport, and the intermodal yard.

Therefore, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- The proposed use is compatible with the surrounding industrial uses; and
- All outstanding issues have been addressed.

The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition with the following modifications:

1. Amended Site Development Data to delete "this site may be developed with 1,400,000 square feet of gross floor area." Noted maximum square footage as 310,000 square feet.
2. Deleted Note C under Architectural Standards.
3. Limited maximum building height to 40 feet.
4. Staff has rescinded the request to address Engineering and Property Management comments as the affected portions of the site have been removed from the rezoning.
5. Amended Note C under General Provisions to state that the administrative amendment will be submitted prior to a decision being made on Petition 2014-51.
6. Amended site plan to remove references to reduction of required buffers with a fence. Site plan correctly reflects a Class "A" buffer along the site's frontage on Gable Road and I-485. Notes specify existing portions that will remain; a 50-foot portion that will remain wooded and undisturbed; and, portions that will be reduced to 37.5 feet in width with a berm.
7. Amended site development data to reflect a reduction in acreage from 43.26 acres to 20.316 acres.
8. Amended Note B under General Provisions to eliminate tax parcels no longer included in the rezoning.
9. Amended Note C under General Provisions to specify that a 7.03-acre portion of the existing I-2(CD) zoned area is included in the I-2(CD) site plan amendment.
10. Amended Note D under General Provisions to clarify that the development proposed under the site plan for this rezoning petition and rezoning plan will be a portion of Phase 1 and Phase 2 of Steele Creek Commerce Park.
11. Amended Note A under Architectural Standards to correctly specify that Sheet RZ-3 reflects a schematic architectural rendering of the rear elevation of the building facing Gable Road identified as Building 6.
12. Correctly labeled building elevations on Sheet RZ-3.
13. Added Note B under Architectural Standards to specify that a front elevation for Building 7 is included with the site plan.
14. Added Note C under Architectural Standards regarding elevations for Building 6 to provide an alternative elevation for Gable Road, which will be provided in the event that vehicular parking and circulation (excluding truck parking and/or circulation) is located between Building 6 and Gable Road.
15. Amended Note D under Streetscape/ Landscaping/Buffers to specify that the undisturbed 50-foot Class "A" buffer may be eliminated or reduced if an adjacent land use is changed to a land use or zoning that eliminates or reduces the buffer requirement.
16. Amended Note B under Streetscape/Landscaping/Buffers to delete "walls and fence."

Staff recommends approval of this petition.

[Attachment 7](#)

8. [Petition No. 2014-055](#) (Council District 1- Kinsey) by **Andrew Klenk** for a change in zoning for approximately 0.23 acres located on the east side of North Davidson Street between East 33rd Street and East 34th Street from R-5 (single family residential) to MUDD-O (mixed use development, optional).

The Zoning Committee found this petition to be consistent with the *Blue Line Extension 36th Street Station Area Plan*, based on information from the staff analysis and the public hearing, and because:

- The proposed use is suitable for the area; and
- It provides for the reuse of an existing building.

Therefore, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- The property is located within a ¼ mile walk of the 36th Street transit station; and
- There have been several rezonings in the area to MUDD (mixed use development) and TOD-M (transit oriented development - mixed-use) in order to accommodate retail, office, and mixed use developments.

The Zoning Committee voted 6-0 recommend **APPROVAL** of this petition with the following modifications:

1. The petitioner has modified Permitted Uses Note C to state that outdoor eating/activity areas will not be in use after 11:00 p.m.
2. The petitioner has amended the Optional Provision pertaining to streetscape by requesting a minimum four-foot wide planting strip to match the existing planting strip, and a minimum five-foot wide sidewalk along North Davidson Street frontage, with any sidewalk outside the right-of-way placed within a sidewalk easement.
3. Information under Development Site Data has been modified to specify the existing building square footage (approximately 1,580 square feet) and proposed building square footage (4,400 square feet, including the courtyard area).
4. The width of the planting strip (four feet) is now labeled on the site plan.
5. Development Data Table Note I has been modified to identify three spaces for on-street parking.
6. The site plan has been corrected to acknowledge that abutting Parcel Number 08307113 is now zoned TOD-MO (transit oriented development - mixed-use, optional).
7. The petitioner will provide a copy of the draft parking lease agreement prior to City Council decision on the rezoning request. The lease agreement must be recorded with the Register of Deeds upon submittal of plans through the plan review process.
8. Notes on the site plan have been amended to replace "restaurant" with "eating, drinking, and entertainment establishment."
9. Removed Note A under General Provisions as it is covered by Note B.
10. Added language stating that any additions to the existing structure will be similar in character to the existing residential structure.
11. Renamed "shade garden" to "entry garden" to provide clarity that Note D (formerly Note C) under Architectural Standards is referring to the "shade garden" shown on the site plan and noting that it is not enclosed or covered.
12. Noted on site plan that the material of the trash area enclosure will be a minimum six-foot high wood fence that will complement the character of the building.
13. Noted on site plan that the surface material of the path for roll-out dumpsters will be concrete or pavers.
14. The petitioner has added language to state that at least two long-term bike parking spaces will be provided either under a roof or in bike lockers.
15. A note has been added on the site plan stipulating that trash/recycling will be removed on a daily basis or be stored in a refrigerated enclosure to reduce odors. The note also states that waste pickup service will be limited to normal business hours (8 a.m. through 6 p.m.).

Staff recommends approval of this petition.

[Attachment 8](#)

9. [Petition No. 2014-064](#) (Council District 1 - Kinsey) by **Marsh Properties, LLC** for a change in zoning for approximately 59.4 acres generally located on the east side of South Boulevard on both sides of Poindexter Drive and Elmhurst Road from B-1 (neighborhood business), B-2 (general business), O-2 (office), R-17MF (multi-family residential) and R-8 (single family residential) to MUDD-O (mixed use development, optional) and UR-2(CD) (urban residential, conditional) with five-year vested rights.

This petition is found to be consistent with the *New Bern Transit Station Area Plan*, based on information from the staff analysis and the public hearing, and because:

- The proposed development provides elements of a mixed transit supportive development; and
- The proposed density is consistent with the Plan's recommendations.

Therefore, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- A portion of the site is located within ½ mile of the New Bern Street transit station; and
- Usable park/open space is provided; and
- The petition provides a mixture of housing types; and
- Existing mature trees are to be preserved; and
- The petition provides site design guidelines and meets the *General Development Policies*.

The Zoning Committee voted 6-0 recommend **APPROVAL** of this petition with the following modifications:

1. CDOT clarified that the Subdivision Ordinance would require street D to be public. Subdivision staff has confirmed that the street can be private provided it is built to public street standards with a public access easement. The petitioner provided a note stating that the private street would be constructed to public street standards and a public access easement would be provided.
2. Provided a public street extension of Iverson Way from Poindexter Drive to the edge of the conservation easement. The remaining unopened right-of-way will not be abandoned but the petitioner will not be required to improve it.
3. Provided development phasing in the Development Standards to better match infrastructure mitigation to the construction of the proposed entitlements.
4. CDOT rescinded the request to design the proposed southbound right-turn lane on South Boulevard and Remount to be channelized with a raised concrete median to provide better pedestrian accessibility and refuge. The intersection capacity is being improved by extending the existing southbound left-turn storage instead adding a right-turn lane.
5. Increased the storage for the "back to back" left-turn lanes on South Boulevard between Poindexter Drive and Ideal Way by reconstructing the monolithic median to compress the bay taper length in Phase I. The petitioner will extend the existing storage on the southbound left-turn lane from 80 feet to 150 feet.
6. Provided a dedicated left-turn lane with a minimum 100 feet of storage on South Boulevard at Elmhurst Road in Phase I.
7. Provided a minimum six-foot wide pedestrian refuge island on the southbound side of the South Boulevard/Elmhurst Road intersection in Phase I.
8. Committed to constructing the "Potential New Public Street" located in the rear of Development Area B during Phase II as a public street.
9. Provided a pedestrian refuge island and crossing midblock between Poindexter Drive and Elmhurst Road. The final location will be determined during permitting.
10. Cross referenced the proposed street cross sections shown on RZ-3.0 with the site plan (RZ-1.1).
11. Provided more detail on the site plan so that CDOT can better understand the individual access scenarios for each development area, and the overall internal vehicular and pedestrian circulation route.
12. The petitioner held a meeting with CMS staff on October 23rd, 2014 to discuss the student yield calculations. The petitioner shared with CMS staff that the unit count had been reduced to 980. The petitioner also explained that based on their research they feel the total number of students the redevelopment of the site

**2014-064
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- would generate would be closer to 75 students and not 780 predicted by CMS. The petitioner indicated that a yield ratio of .03 to .13 students would be more accurate based on similar developments in CMS Planning Area Three. CMS staff indicated they would review the information and consider creating a revised memo that at a minimum took into account the reduced allowed units. A revised memo from CMS has not been received by Planning Department to date.
13. Altered the language of Note 6. f. on sheet RZ-2.0 and Note d. iii. on sheets 3.2, 3.3 and 3.4 to reflect that City Urban Forestry staff will determine the health and condition of City trees and will also determine whether City trees can be removed. A City tree is defined as being wholly or partly within the City right-of-way.
 14. Clarified all language of Note 6. f. on sheet RZ-2.0 and Note d. iii. on sheets 3.2, 3.3 and 3.4 to differentiate between City trees and private trees.
 15. Revised Note 6. f. on sheet RZ-2.0 and Note d. iii. on sheets 3.2, 3.3 and 3.4 to remove the 50% reference to street trees. The notes now read that a minimum of 50% of all trees along each block face located on private property and within 15 feet of the right-of-way of existing public streets will be preserved
 16. Amended Note 7. c., to explain that parts of the easement may be used for tree save if available as a tree save option and conditions of easement area meet minimum tree save standards.
 17. Completed Note 4. I. to provide Transportation improvement details.
 18. Changed all references to restaurants to Eating, Drinking, and Entertainment Establishments (EDEE).
 19. Staff rescinded the request to remove the language in Note 1.c. and replace with the following: "Minor modifications to the plans are allowed per Section 6.207 of the Zoning Ordinance."
 20. Amended Note 2.f. to limit the number of rotating signs to two wall signs and one detached sign.
 21. Removed RZ-6.1.
 22. Staff rescinded the request to modify Note 5.i. on RZ-2.0 and Note d.i. on RZ 3.2, 3.3. and 3.4 which restricts parking and maneuvering between the buildings and public streets to include development areas C and D because the MUDD (mixed use development) standards do not allow this for areas C and D.
 23. Specified that the minimum two acres of open space is in addition to the open space required in each development area.
 24. Labeled the adjacent zoning of neighboring parcels on RZ-2.11.2
 25. Amended Note 3. d. that says "Any additional residential units constructed within development Area B as a result of converting allowed non-residential square footage into residential units will not be counted toward the 1,050 residential dwelling unit limit" to include areas A, C and D.
 26. Changed the word "homes" to "zoning" in Note 6.i.
 27. Provided a statement of Overall Design Intent.
 28. Revised the Poindexter Drive elevation with a combination of landscaping and architectural features to break up blank walls.
 29. Replaced Note 2.I. with two notes allowing specific windows of the building located at the corner of Poindexter Drive and South Boulevard to be covered 100% with non-product, non-tenant specific or tenant identifying graphics., Other windows on the building shall be clear glass.
 30. Eliminated the optional provision to allow detached signs for each building in Development Areas A and B.
 31. Staff rescinded the request to eliminate the optional provision to allow detached signs for each use within Development Areas C and D because MUDD (mixed use development) allows detached signs.
 32. Clarified that the optional request for signs is to allow an increased sign area in C and D from 20 square feet to 25 square feet.
 33. Staff rescinded the request to reduce the size of a wall mounted neighborhood identification sign to 32 square feet.
 34. Removed Note 10.b regarding "sign flex."
 35. Amended Note 1.d. to indicate a total of 12 principle buildings allowed in the MUDD zoning.
 36. Amended Note 2.o. to only allow doors to not be recessed when the sidewalk is 12 feet wide or greater.
 37. Described phasing in Note 4.b.
 38. Staff rescinded the request to specify building materials for structured parking

<p>2014-064 Contd.</p>	<p>facilities because the MUDD (mixed use development) standards address this issue.</p> <p>39. Provided the following General Design Guidelines:</p> <ul style="list-style-type: none"> a) The Site will include a series of publicly accessible open spaces and plazas as focal points. These focal points will include some combination of landscaping, monumentation, water feature, seating areas and/or art work features. b) Streetscape treatment will be a unifying element through the use of complimentary landscaping and hardscaping materials throughout the Site. c) Specialty pavers, stained and patterned concrete/paving or other similar means will be used to call attention to amenity areas, gathering spaces, plazas and as a method of way finding. d) Windows and doors shall be provided for at least 40% of the total facade area along public streets with each floor calculated independently. The maximum contiguous area without windows or doors on any floor shall not exceed 10 feet in height or 20 feet in length in the UR-2 (urban residential) areas. e) Ground floor elevations shall be treated with a combination of fenestration, clear glass, prominent entrances, porches, stoops, change in materials, building step backs, art work and landscaping in the UR-2 (urban residential) areas. Blank walls cannot be addressed with landscape elements only in the UR-2 (urban residential) areas. f) The petitioner addressed the request for development areas C-I to include a mix of building massing and building heights by indicating in the statement of overall design intent that a variety of residential building styles, types, and materials would be uses throughout the site. g) Facades over 75 feet in length shall incorporate wall projections or recesses a minimum of five feet in depth. The combined length of said recesses and projections shall constitute at least 20% of the total facade length in the UR-2 (urban residential) areas. h) End fronting facades shall be articulated and designed to create additional visual interest by varying architectural details, building materials, the roof line, and building offsets in the UR-2 (urban residential) areas. i) Facades shall provide visual divisions between the first and second stories through architectural means such as courses, awnings, or a change in primary façade materials or colors in the UR-2 (urban residential) areas. j) Facades above the first story shall incorporate windows, arches, balconies, or other architectural details in the UR-2 (urban residential) areas. <p>40. Provided a note stating, "Buildings constructed within Development Area G, that are located within 150 feet of the northeastern property boundary of Development Area G (the common property line with the four lots fronting on Poindexter Drive between Lawndale Road and Elmhurst Road (500, 510, 516 and 520 Poindexter Drive) the 'Northeastern Property Boundary') may not have balconies or decks above the first floor that are oriented toward the "Northeastern Property Boundary."</p> <p>41. Provided multi-family design guidelines.</p> <p>42. Decreased the maximum building height in Parcel J from 50 feet and 40 feet within 100 feet of the adjacent single family residential to 40 feet for the entire development parcel.</p> <p>Staff recommends approval of this petition</p> <p>Attachment 9</p>
<p>Deferral (to January)</p>	<p>10. Petition No. 2014-071 by Charlotte-Mecklenburg Planning Department and Charlotte-Mecklenburg Police Department for a Text Amendment to the City of Charlotte Zoning Ordinance to:</p> <ul style="list-style-type: none"> a. Add new definitions for "animal care and control division", "animal care and control fosterer", "animal rescue group" and "animal rescue group fosterer"; b. Modify the definitions for "commercial kennel" and "private kennel"; c. Modify the prohibited customary home occupation list; and d. Modify the prescribed conditions for private kennels. <p>Staff recommends a two month-deferral of this text amendment to the January 5, 2015 Zoning Committee meeting.</p> <p>Attachment 10</p>

	<p>11. <u>Petition No. 2014-073</u> (Council District 6 - Smith) by Brazwells Premium Pub for a Text Amendment to the City of Charlotte Zoning Ordinance to allow outdoor dining in the setback or yards in a variety of zoning districts as an accessory use when associated with an eating, drinking and entertainment establishment, with prescribed conditions.</p> <p>The Zoning Committee found this text amendment to be consistent with the <i>Centers, Corridors and Wedges Growth Framework</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • It broadens the choices for entertainment. <p>Therefore, this petition is reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • Outdoor dining encourages a more pedestrian-oriented form of development. <p>The Zoning Committee voted 6-0 recommend APPROVAL of this petition.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 11</p>
	<p>12. <u>Petition No. 2014-080</u> (Council District 1 - Kinsey) by Campus Works/Mallie Colavita for a change in zoning for approximately 0.50 acres located on the east side of Hawthorne Lane at the intersection of Hawthorne Lane and Seaboard Coast Line Railroad from I-2 (general industrial) to B-2(PED) (general business, pedestrian overlay).</p> <p>The Zoning Committee found this petition to be inconsistent with the <i>Belmont Revitalization Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • Industrial land uses are recommended for this site. <p>However, the Zoning Committee found this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The property is separated from the existing industrial land uses by the railroad tracks; and • The requested district is consistent with the zoning and development pattern of the abutting property to the south. <p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 12</p>
	<p>13. <u>Petition No. 2014-081</u> (Outside City Limits) by Provident Land Services for a change in zoning for approximately 391 acres generally located on the east and west side of Amos Smith Road, south of Old Dowd Road and south of the Southern Railroad in this area from MX-2(INNOV)(LWCA) (mixed use, innovative, Lake Wylie Critical Area), MX-2(INNOV)(LLWCA) (mixed use, innovative, Lower Lake Wylie Critical Area), and NS(LLWCA) (neighborhood services, Lower Lake Wylie Critical Area) TO MX-2(INNOV)(LWCA) SPA (mixed use, innovative, Lake Wylie Critical Area, site plan amendment), MX-2 (INNOV)(LLWCA) SPA (mixed use, innovative, Lower Lake Wylie Critical Area, site plan amendment), and NS(LLWCA) SPA (neighborhood services, Lower Lake Wylie Critical Area, site plan amendment).</p> <p>The Zoning Committee found this petition to be consistent with the <i>Dixie Berryhill Strategic Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The proposed use is suitable for the area; and • The Plan recommends a mix of uses including residential and retail. <p>Therefore, the Zoning Committee found this petition to be reasonable and in the public</p>

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interest based on the information from the staff analysis and the public hearing, and because:

- It eliminates the office/school component; and
- The request allows minor changes to the site plan approved by petition 2005-014.

The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition with the following modifications:

1. The number of residential units for the overall site has been provided. The site will be allowed to have 658 dwelling units.
2. A detail of the typical lot has been provided.
3. A note has been added that commits to 6/12 roof pitches.
4. Added a note which requires foundations to be masonry under "Architectural restrictions."
5. A note has been added for Parcel K specifying the spacing of the proposed pedestrian lighting.
6. Proposed open space areas have been show on the plan for the overall site.
7. In lieu of eliminating the note regarding mass grading, the petitioner has agreed to the following:
 - a. To increase the minimum lot width as follows:
 - i. Parcel D minimum lot width will be increased from 65 feet to 70 feet;
 - ii. Parcel G-1 minimum lot width will be increased from 80 feet to 90 feet;
 - iii. Parcel G-2 minimum lot width will be increased from 65 feet to 80 feet;
 - b. To amend note 9.d as follows: Within Parcels G-1, G-2, D and H, grading and clearing will be limited and regulated by the City of Charlotte and Mecklenburg County Enhanced Erosion Control Policy for Sites located in critical watershed areas, with the additional enhancement that the amount of uncovered area at any one time shall be limited to no more than 12 acres, unless approved by City/County Engineer. Enhanced Erosion Control Policy requirements such as but not limited to the following will be utilized as specified in the Enhanced Erosion Control Policy: (i) surface water draw down devices (risers or skimmers); (ii) Polyacrylamides (PAM) to reduce turbidity; (iii) double silt fences; (iv) the amount of uncovered area at any one time shall be limited to no more than 12 acres (as enhanced by the Petitioner), unless approved by City/County Engineer; and (v) other measures as specified by the Enhanced Erosion Control Policy requirements.
8. A note has been added that "play areas and amenity areas will be provided once 480 homes have been permitted."
9. A note has been added: "For Parcels G-1 and H, each individual lot with private lake frontage will have a 100-foot undisturbed buffer and the deeds to purchasers of these lots will contain restrictions which require that this buffer remain undisturbed in accordance with the Ordinance's watershed regulations. This 100-foot buffer will be increased in width to 150 feet in those areas where slopes adjacent to the lake are greater than 50 percent."
10. Clarified that the open space in Development Area A is private open space for the overall development.
11. A wetlands letter for the subject property has been submitted.
12. A note has been modified to state that one member from the Catawba Community Association will serve in an advisory capacity to the Architectural Review Board of the Vineyards at Lake Wylie.
13. Modified the new note for the possible emergency at grade crossing across the Norfolk Southern line by removing the following condition: "If the right to provide the emergency at grade crossing is not granted to the Petitioner before the 481st lot is platted the Petitioner will no longer be obligated to construct the emergency at grade crossing."

Staff recommends approval of this petition.

Attachment 13

<p>Protest Petition Sufficient</p>	<p>14. <u>Petition No. 2014-084</u> (Council District 1 - Kinsey) by 7TH Street Progression Partners, LLC for a change in zoning for approximately 1.5 acres located on the north side of East 7th Street between Clement Avenue and Pecan Avenue from B-1 (neighborhood business) to MUDD-O (mixed use development, optional).</p> <p>The Zoning Committee found this petition be consistent with the <i>Elizabeth Area Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The single use multi-family development is a well-suited land use for the area. <p>Therefore, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing , and because:</p> <ul style="list-style-type: none"> • The site is located in a primarily single family residential neighborhood but on a street with a mix of uses that includes entertainment, retail, office and multi-family residential; and • The site plan is designed to be compatible with the abutting single family residential through limitations on density, height, location of buildings and screening. <p>The Zoning Committee voted 5-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Reference to courtyard walls has been removed from Optional Provision B (Optional Provision A on revised site plan). The modified note now specifies how far decorative paving, steps, and stoops are proposed to encroach into the setback, as well as the maximum amount of the setback area impacted by the encroachment (up to three feet into the 21-foot zoning setback). 2. Petitioner has moved Option C to Option B, removed the reference to dining and providing new language that proposes an outdoor amenity area containing landscaping, hardscape, seating elements, an outdoor water drinking fountain and possibly tables to be located on the 13-foot wide portion of the sidewalk along the Site's frontage on East 7th Street. The new language further states that the improvements will not obstruct the sidewalk such that an eight-foot wide clear sidewalk zone will be maintained. 3. Removed Architectural Standards Note D as the zoning standards allow balconies to project up to two feet with a minimum clearance of ten feet from grade. 4. Removed references to adopted area plans on Sheet RZ-1.0 of the site plan. 5. Confirmed type of residential product proposed as multi-family under Development Information on Sheet RZ-2.0. 6. Moved the proposed buffer and screening materials out of the abutting alleyway and onto the rezoning site. 7. Addressed Urban Forestry's comments by adding Environmental Features Note D that states tree preservation will be coordinated during land development with City Engineering and Urban Forestry. 8. Under Lighting Note B, maximum height of freestanding lighting is now noted as 25 feet. 9. Note C from the "General Provisions" has been removed from the site plan. 10. The number of proposed units has been reduced from 95 to 91. 11. Reference to Deed Restriction Setback has been removed from Sheets RZ-2.0 and RZ-2.3. 12. Sheet RZ-2.0 has been revised to show planting area in front of eight-foot screen wall along portions of property lines. 13. Sheet RZ-2.0 has been revised to show proposed bicycle parking locations. 14. Sheet RZ-2.0 has been revised to show proposed seat height freestanding walls, potential drinking fountain locations, and potential tree in grate. 15. Sheet RZ-2.0 has been revised to show a new planting area to be extended along a portion of the driveway accessing East 7th Street. 16. Sheet RZ-2.0 has been revised to show a 25-foot deed restriction setback along East 7th Street. 17. Sheet RZ-2.1 has been modified to note opaque screen wall (final height to be determined), include the 21-foot Zoning Setback and 25-foot Deed Restriction Setback, and reference development notes for installation, maintenance, and removal responsibilities with respect to proposed landscaping materials. 18. Sheet RZ-2.1 has been modified to identify "3 story portion of building with maximum 40 feet as measured from average final grade" on "Fourth Level Schematic
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- Architecture" detail.
19. Sheet RZ-2.1 has been modified to identify "4 story portion of building with maximum 52 feet as measured from average final grade" on "Fourth Level Schematic Architecture" detail.
 20. Sheet RZ-2.20 has been modified to note locations of proposed building materials on all elevations.
 21. A note has been added to Sheet RZ2.2 that states certain designated windows will have translucent glass in window units (50%).
 22. New Sheet RZ-2.3 labeled "Schematic Required Planting Plan" identifies proposed plantings to screen new building from adjacent residential development.
 23. New General Provisions Note C provides language regarding the zoning setback along 7th Street, and permissible encroachments up to 3 feet into the zoning setback. No portion of the building to be constructed on the site may encroach into the zoning setback.
 24. The Optional Provisions being requested have been renumbered and the wording of some have been modified as follows:
 - a. Optional Provision B is now Optional Provision A and the language regarding building entrances and entry features has been revised to remove "courtyards and "courtyard walls", and add that "patios and upper level balconies and architectural features may encroach up to 3 feet into the Zoning Setback."
 - b. Optional Provision C for the width of the sidewalk is now Optional Provision B.
 - c. Optional Provision D regarding outdoor tables, chairs and dining is now Optional Provision C. Language has been modified with the removal of reference to "dining." Language now proposes "an outdoor amenity area containing landscaping, hardscape, seating elements, an outdoor water drinking fountain, and possibly tables to be located on the 13-foot wide portion of the sidewalk to be installed along the Site's frontage on East 7th Street. The new language further states that these improvements will not obstruct the sidewalk such that an 8-foot wide clear sidewalk zone will be maintained.
 - d. Optional Provision E pertaining to on-street parking and reduction in the width of the planting strip is now Optional Provision D.
 - e. New Optional Provision E provides language proposing that a free standing seat wall may be constructed on the 13-foot wide portion of the sidewalk located along the Site's frontage on East 7th Street within the Zoning Setback.
 25. The Permitted Uses development note has been amended to reflect a decrease in the number of units from 95 to 91.
 26. Transportation Note B has been modified to state a minimum of one parking space per bedroom will be provided on the site.
 27. Transportation Note C has been modified to note that the location of the bicycle parking is depicted on the Rezoning Plan.
 28. Architectural Standards Note B has been modified to reference the 4-story components of the building and the site adjacent to the relevant portion of the building.
 29. Petitioner has added new Architectural Standards notes regarding the following:
 - a. Front corner of the building adjacent to the driveway into the site may be a chamfered corner, or the corner of the building may be at a 90 degree angle at the option of the Petitioner.
 - b. Permitted exterior building materials are designated and labelled on architectural renderings provided. Permitted exterior buildings will include brick, stone and similar architectural masonry products, stucco and hardi-panel (cementitious siding) or a combination thereof.
 - c. Brick to be installed on the exterior of the building will be full-body cavity wall masonry. Use of thin brick or exposed non-architectural CMU masonry will not be allowed.
 - d. Vinyl will not be a permitted exterior cladding material, provided, however, that vinyl may be utilized on the soffits of the building and vinyl windows may be installed on the building.
 - e. EIFS (synthetic stucco), aluminum siding, corrugated metal and CMU block (concrete block) will not be permitted exterior materials for the building to be constructed on the site.
 - f. Translucent windows must be utilized on the third and fourth floors of the portions of the rear elevation of the building that are more particularly designated on the schematic architectural rendering of the rear elevation of the

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- building, with clear windows being allowed on all other portions of the proposed building.
- g. Installation of balconies limited to only those portions of the rear elevation of the building that are more particularly designated on the schematic architectural rendering of the rear elevation of the building. Balconies may be installed on any portions of the side and front elevations of the building to be constructed on the Site.
 - h. In the event a waiver of the Deed Restriction Setback is obtained, each ground floor dwelling unit facing East 7th Street will have steps and a stoop or patio located at the front entrance into the dwelling unit from East 7th Street, and the entry to the stoop or patio from East 7th Street will not be gated or locked. Each such stoop or patio will have a minimum size of 75 square feet.
30. Modified notes under Setback and Yards/Streetscape and Landscaping/Screening as follow:
- a. Note A has been modified to state that subject to the Optional Provisions, development of the Site will comply with the 21-foot Zoning Setback and the side yard rear requirements of the MUDD zoning district.
 - b. New Note D proposes installation and maintenance of an 8-foot tall brick screen along the rear property line of the Site adjacent to the alley, and along portions of the Site's western property line.
 - c. New Note E provides language regarding the installation of a gate in the 8-foot tall brick screen wall.
 - d. New Note F identifies the conceptual landscaping plan as provided on Sheet RZ-2.3, providing information regarding locations, types, quantities, and minimum height at the time of installation of the trees and shrubs.
 - e. New Note G includes language regarding placement of landscape materials within the alley and approval by Duke Energy. The note states that in the event Duke Energy or the City of Charlotte prohibits the installation of trees, shrubs and landscape materials in the 25-foot alley, the petitioner will not be required to install any trees, shrubs, and landscape materials within the 25-foot alley. Note further states that petitioner will remove any landscape materials it installs in the 25-foot alley in the event that any property owner with a right to use the 25-foot alley for vehicular and pedestrian access seeks to enforce such right and requires the removal of the materials.
 - f. New Note H states petitioner will maintain, at their cost and expense, the perimeter landscaped areas (including landscaping in the alley).
 - g. New Note I provides language stating that prior to issuance of a certificate of occupancy, the petitioner will install irrigation for the perimeter landscaping for the Site pursuant to the conceptual perimeter plan. Irrigation will not be required to be installed within the alley located to the rear of the Site.
 - h. New Note J proposes an outdoor amenity area consisting of landscaping, hardscape, seating elements, an outdoor water drinking fountain, and possibly tables to be located on the 13-foot wide portion of the sidewalk to be installed along the Site's frontage.
31. Provided new language under Urban Open Space heading that states Urban Open Space will be located on the site as shown on the site plan. The Urban Open Space will be a passive area with no programed space, and no outdoor amenities, such as a grill, may be installed within the Urban Open Space.
32. Modified Lighting Note A to state that all freestanding lighting fixtures installed on the Site (excluding street lights, lower, decorative lighting that may be installed along the driveways, sidewalks and parking areas and landscaping lights) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
33. Added Lighting Note D that states that the lighting to be installed on the Site to illuminate the parking lot located to the rear of the building shall be soft light in the warm spectrum.
34. Added new heading titled "Construction Activities" with following notes:
- a. Note A states that construction activities may only be conducted on the Site from 7 a.m. to 6 p.m., and that construction activities conducted entirely within the enclosed building may occur at any time.
 - b. Note B states the contractor(s) will keep the construction site in a clean and orderly condition and will promptly clean the adjacent roads and sidewalks as needed or as otherwise required by applicable regulations.

<p>2014-084 Contd.</p>	<p>35. Added new heading "Trash and Recycling Removal" with language that states in the event that a private trash service is utilized to empty trash and recycling containers located on the Site, such containers may be emptied only between the hours of 7 a.m. and 6 p.m.</p> <p>36. Removed all references to deed restrictions and waivers on all sheets of the site plan.</p> <p>37. Removed "deed restriction setback" on all applicable sheets of the site plan.</p> <p>38. Corrected details on Sheet RZ-2.1 to reflect the proposed screen wall is out of the alley.</p> <p>39. Clouded all new notes and revised notes.</p> <p>40. Provided details of the proposed seat wall.</p> <p>Staff agrees with the recommendation of the Zoning Committee.</p> <p>Attachment 14</p>
<p>Protest Petition Sufficient</p>	<p>15. <u>Petition No. 2014-085</u> (Council District 1 – Kinsey) by New Carolina Income Properties, LLC for a change in zoning for approximately 0.75 acres located on the northeast corner at the intersection of East Tremont Avenue and Euclid Avenue from UR-2(CD) HD (urban residential, conditional, historic overlay) to TOD-RO HD (transit oriented development - residential, optional, historic overlay).</p> <p>The Zoning Committee found this petition to be consistent with the <i>Dilworth Land Use and Streetscape Plan</i>, based on information from the staff analysis and the public hearing and because:</p> <ul style="list-style-type: none"> • The proposed development provides a multi-family residential use at a density of 16 units per acre. <p>Therefore, the Zoning Committee found this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • A portion of the site is located with ½ mile of the East/West Boulevard transit station; and • The proposed density is less than what is called for by the updated plan, but meets the minimum density requirement for TOD (transit oriented development); and • The proposed use is consistent and compatible with the surrounding land use types. <p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. The petitioner revised the plan to show the five-foot side yard adjacent to the TOD-RO (transit oriented development – residential, optional) zoned parcel to the northwest and the 20-foot rear yard adjacent to the R-22MF (multi-family residential) zoned parcel to the northeast. 2. Clarified under "Optional Provisions" Note a. as follows: "Buffer requirements of 6 trees and 20 shrubs per 100' will be maintained with the addition of a 6' high privacy fence rather than a masonry wall." 3. Extended the five-foot wide buffer along the entire boundary with the adjacent R-22MF (multi-family residential) property. Included a note stating that: "The buffer area within the proposed tree save will be supplemented with additional plantings as necessary to meet the requirements of the Zoning Ordinance." 4. Deleted "Fire Protection" sections on the site plan. 5. Labeled open space and provided a note specifying improvements/amenities. 6. Under "Parks Greenways and Open Space" deleted Notes a., b., and c. 7. Under "Environmental Features" deleted Note c. 8. Under "Transportation" deleted Notes b., d., and e. 9. Under "Permitted Uses" deleted Note c. 10. Under "Development Data Table" deleted Note h <p>Staff recommends approval of this petition.</p> <p>Attachment 15</p>

	<p>16. <u>Petition No. 2014-089</u> (Council District 2 – Austin) by Hopper Communities for a change in zoning for approximately 2.69 acres located on the north side of West 4th Street between Grandin Road and South Summit Avenue from R-8MF(HD) (multi-family residential, historic overlay) and R-22MF(HD)(PED) (multi-family residential, historic overlay, pedestrian overlay) to UR-2(CD)(HD) (urban residential, historic overlay) and UR-2(CD)(HD)(PED) (urban residential, historic overlay, pedestrian overlay).</p> <p>The Zoning Committee found this petition to be consistent with the <i>West End Land Use and Pedscape Plan</i> and the <i>Central District Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The proposed development provides a multi-family residential use at a density of 17.89 units per acre. <p>Therefore, the Zoning Committee found this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The site is located entirely within the Wesley Heights Historic District; and • A portion of the site is located within the pedestrian Overlay District; and • The proposed use is consistent and compatible with the surrounding land use types; and • The petition protects the character of the neighborhood by preserving existing large, mature street trees. <p>The Zoning Committee voted 5-1 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Revised the existing zoning in the Rezoning Summary to include (HD) for the historic district overlay. 2. Corrected the unit count in the Rezoning Summary and the Permitted Uses Notes 1. and 2. 3. Amended the proposed density and floor area ratio in the Rezoning Summary to reflect the revised unit count. 4. Amended the site plan to show dimensions for the width of the tree save/screening area. 5. Provided a conditional note describing the tree save/screening area with a proposed percentage for the area. 6. Clarified where changes to the sidewalks and planting strips are proposed on the site plan. Provided labels showing and a note describing the existing sidewalk and planting strip widths versus the proposed widths along each public street. Clearly identified on the site plan where the provisions in Note 4. under Streetscape and Landscaping are permitted. 7. Amended Note 1. under Architectural Standards to replace “and/or hardi-plank/fiber cement board” with “and wood or other material approved by the Historic District Commission.” 8. Eliminated the following from Note 2. under Architectural Standards, “however, vinyl may be used on the soffits and trim, including window and door trim and vinyl windows may be installed.” 9. Amended Note 8. under Architectural Standards to say, “A minimum of two windows or other architectural details shall...” 10. Staff rescinded the request to provide building elevations. 11. Amended Note 4. under Streetscape and Landscaping to only apply to West 4th Street and Summit Avenue. <p>Staff recommends approval of this petition.</p> <p><u>Attachment 16</u></p>
	<p>17. <u>Petition No. 2014-090</u> (Outside the City Limits) by HSREI, LLC for a change in zoning for approximately 17.66 acres located on the east side of Morehead Road at the intersection of Stowe Lane and Morehead Road from R-3 (single family residential) and I-1(CD) (light industrial, conditional) to I-1(CD) (light industrial, conditional) and I-1(CD) SPA (light industrial, conditional, site plan amendment), with five-year vested rights.</p>

<p>2014-090 Contd.</p>	<p>The Zoning Committee found this petition to be consistent with the <i>Northeast Area Plan</i>, with the exception of the portion of the site zoned R-3 (single family residential), based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • Rezoning the entire site will allow for a more cohesive site plan and organization of space for the expansion of the Hendricks Motorsports complex. <p>Therefore, the Zoning Committee found this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The proposal will continue to provide a substantial buffer along property lines abutting acreage that is zoned and/or in use for residential purposes; and • The use and its expansion will continue to provide a valuable regional community resource with respect to employment and recreational opportunities. <p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications.</p> <ol style="list-style-type: none"> 1. The language under heading Permitted Uses has been clarified to state “other related <u>accessory</u> uses and parking.” 2. A note has been added to the site plan as follows: “If the determination is made prior to the vote of the City Council on this Petition that the City of Charlotte has the legal authority and has properly adopted an ordinance pursuant to that authority for a tree ordinance that would be applicable in the City’s Extraterritorial Jurisdiction, then the Petitioner will comply with that ordinance when the site development occurs.” 3. The petitioner added a Community Gathering Space on the property at the corner of Morehead Road and Stowe Lane. Language has been added to state, “This space will include landscaping and seating so that members of the community may have a space to gather or visit in the area where they have lived and/or owned property.” <p>Staff recommends approval of this petition.</p> <p>Attachment 17</p>
	<p>18. Petition No. 2014-091 (Council District 3 - Mayfield) by Time Warner Cable for a change in zoning for approximately 85.3 acres located on the north side of West Arrowood Road between Woodknoll Drive and Red Oak Boulevard from B-1(CD) (neighborhood business, conditional) and O-1(CD) (office, conditional) to O-1(CD) (office, conditional) and O-1(CD) SPA (office, conditional, site plan amendment).</p> <p>The Zoning Committee found this petition to be consistent with the <i>Southwest District Plan</i>, based on information from the staff analysis and the public hearing and because:</p> <ul style="list-style-type: none"> • The area plan acknowledges the existing land use as amended by rezoning petition 1993-009, and recommends continued suburban employment land uses. <p>Therefore, the Zoning Committee found this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing; and because:</p> <ul style="list-style-type: none"> • The proposal confines expansion of the existing facility within the southern portion of the site and closer to West Arrowood Road; and • The proposal maintains previously approved substantial buffers along property lines abutting acreage that is zoned and/or in use for residential purposes; and • The proposal supports environmental policies and recreational opportunities through development notes committing to air quality initiatives; establishment of a proposed satellite dish farm within a proposed parking structure; and provision of an access easement for the future Sugar Creek Greenway. <p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Added language in Environmental Features Note e that acknowledges the proposed development must comply with tree save requirements.

<p>2014-091 Contd.</p>	<ol style="list-style-type: none"> 2. Labeled the width of the sidewalk and planting strip along West Arrowood Road to show 9 feet and 18 feet (east of Crescent Executive Drive, and 5 feet and 4 feet (existing conditions west of Crescent Executive Drive). 3. All buffers (including widths) are properly labeled (and as previously approved) on the site plan. 4. Amended Site Summary on Sheet RZ1.0 to note site area is 85.3 acres. 5. Removed Signage Note 8c regarding moving, rotating, or flashing signs from the site plan. 6. Amended Architectural Standards Note 4a to specify building materials will include but not be limited to the following: aluminum panels and soffits; painted aluminum fins and mullions; low E-Vision glass with ceramic frit; spandrel glass in various colors; and, stone panels in aluminum sub-frame. 7. Addressed CDOT and LUESA comments with the following: <u>CDOT</u> <ol style="list-style-type: none"> a. Languages describing proposed transportation improvements have been added to Sheet RZ-3.0 in lieu of a Transportation Plan. b. Petitioner will provide a 10-foot multi-use shared path and an 18-foot planting strip from Crescent Executive Drive to the westernmost property line. c. Re-worded conditional note i under the Access and Transportation section of the Development Standards to specifically include the proposed infrastructure phasing referenced in the last sentence of note i. d. Extended westbound dual left-turn lane storage on Arrowood Road at the intersection of Arrowood Road and South Tryon Street from 220 feet to approximately 345 feet each (within existing median). e. As per CDOT's request, the petitioner will not restripe the existing through lanes on the northern and southern approaches of the Arrowood/Crescent Drive signalized intersection to through-right lanes. Current pavement markings will remain in place. f. As per CDOT's request, the petitioner will not restripe the northernmost outside lane from gore striping to a dedicated right turn-lane on Arrowood Road at Altacrest Place along with the proposed restriping of the adjacent lane from a through-right lane to a through lane. The current pavement markings will remain in place. g. The petitioner will extend the existing dual right-turn lanes to a combined 1,500 feet or construct a third right-turn lane on southbound I-77 off-ramp onto Arrowood Road with a combined total storage of approximately 1,500 feet, whichever option is agreed to by both NCDOT and CDOT. h. The petitioner will extend the eastbound dual left-turn lane storage on Arrowood Road at the intersection of Arrowood Road and Crescent Executive Drive to 310 feet and 430 feet (within the existing median). <u>LUESA</u> <ol style="list-style-type: none"> a. A note has been added under Environmental Features stating that the project will comply with Mecklenburg County Air Quality Requirements. In addition, a note has been added under Architectural Standards that states: "New parking decks constructed as part of the project will be designed to complement the owner's existing parking initiatives including preferred parking for "clean commuters" (carpool and vanpool spaces) as well as potential consideration for hybrid and electrical vehicle spaces. <p>Staff recommends approval of this petition.</p> <p>Attachment 18</p>
<p>Deferral (to December)</p> <p>Protest Petition Insufficient</p>	<p>19. Petition No. 2014-092 (Council District 3 - Mayfield) by Pavilion Development Company for a change in zoning for approximately 1.79 acres located on the northeast corner at the intersection of Nations Ford Road and Tyvola Road from CC (commercial center) to CC SPA (commercial center, site plan amendment).</p> <p>The petitioner has requested a one-month deferral to the December 1, 2014 Zoning Committee meeting.</p> <p>Attachment 19</p>

	<p>20. <u>Petition No. 2014-093</u> (Council District 6 - Smith) by Merrifield Patrick Vermillion, LLC for a change in zoning for approximately 3.15 acres located on the northeast corner at the intersection of Providence Road, Sardis Road, and Fairview Road from O-15(CD) (office, conditional) to MUDD-O (mixed use development, optional).</p> <p>The Zoning Committee found this petition to be consistent with the <i>South District Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The petition is compatible with adjoining land uses. <p>Therefore, the Zoning Committee found this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing and because:</p> <ul style="list-style-type: none"> • The proposal allows the redevelopment of an existing commercial site; • It provides for a CATS park and ride facility; and • The uses are compatible with adjoining uses. <p>The Zoning Committee voted 5-1 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Showed proposed dumpster and recycling location. 2. Provided detail of proposed five-foot masonry that will be used to screen along public streets, and indicated that a portion of the wall may be in a retaining condition. Provided that the wall will match exiting walls, and provided pictures of the existing walls along Sardis Road and Providence Road. 3. Changed "restaurant" to "eating, drinking, and entertainment establishment." 4. Deleted Note 2(d). 5. Correctly numbered items under Note 2 and Note 4. 6. Deleted Note 12. 7. Amended Note 10 to state, "signage as allowed by the Ordinance will be provided." 8. Addressed CATS comments by adding the following verbiage to the note under Old Sardis Road Right-of-Way/CATS Park-and-Ride Facility: <ul style="list-style-type: none"> (a) In order to accommodate the abandonment, it would be necessary for the petitioner to provide an alternate CATS park-and-ride facility within permanent easement to replace the one currently located within the Old Sardis Road Right-of-way. (b) It is understood that no development activity can take place within the Old Sardis Road right-of-way unless and until that, area is abandoned by the City of Charlotte, and a replacement park-and-ride facility is established for CATS. <p>Staff recommends approval of this petition.</p> <p>Attachment 20</p>
	<p>21. <u>Petition No. 2014-096</u> (Council District 7 - Driggs) by Lenox Development Group, LLC for a change in zoning for approximately 6.09 acres located on the north side of Ardrey Kell Road and between Blakeney Heath Road and Community House Road across from Carson Whitley Avenue from R-3 (single family residential) to NS (neighborhood services).</p> <p>The Zoning Committee found this petition to be inconsistent with the <i>South District Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The <i>South District Plan</i> recommends residential land uses at up to three dwelling units per acre; and • The <i>General Development Policies</i> support residential densities up to eight dwelling units per acre for this site. <p>However, the Zoning Committee found this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The proposed retail uses have not be objected to by the neighborhood; and

- It connects well to the existing retail development along Ardrey Kell Road.

The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition with the following modifications:

1. Provided a cross-section and elevations for the proposed six-foot wooden fence to be located in a portion of the 44-foot Class "B" buffer.
2. Committed to a minimum office square footage of 25 percent.
3. Eliminated reductions to buffers abutting residential zoning and/or use.
4. Updated the site plan to reflect the approved variance for a 100-foot PCCO (Post Construction Controls Ordinance) buffer (approved October 16, 2014) and eliminated the architectural site plan page reflecting a 200-foot PCCO buffer.
5. Amended Note 2b under Permitted uses and Development Area Limitations to add the following as prohibited uses: animal crematorium, bus and train terminals, civic/social/fraternal facilities, equipment rental and leasing firms including retail sale of products grown on premises, fences and fence material sales within an enclosed building, funeral homes and embalming, gunsmiths, active adult retirement communities, adult care centers, adult care homes, bed and breakfasts, beneficial fill sites, boarding houses, car washes, cemeteries, child care center in a residence/family childcare homes, rooming houses, construction and demolition landfills, dormitories, dwellings mixed use, jails and prisons, land clearing and inert debris landfills offsite, nursing homes/rest homes/homes for the aged, off-street parking as a principal use, open space recreational uses, orphanages/children's homes and similar nonprofit institutions providing domiciliary care for children, outdoor fresh produce stands, single room occupancy residences, eating/drinking/entertainment establishments Type 1 and 2 with more than 5,000 square feet of gross floor area, drive-in windows as an accessory to the principal use, helistops, land clearing and inert landfill onsite, outdoor storage of any materials/stocks/equipment, and satellite dish farm in conjunction with a telecommunications and data storage facility/radio station/television station.
6. Replaced "restaurants" with "eating, drinking, entertainment establishments Type 1 and Type 2."
7. Amended Note 2b under Access and Transportation to state that a left-turn lane and right-turn lane along Ardrey Kell Road will be installed along Ardrey Kell Road to serve the site subject to CDOT and NCDOT requirements.
8. Amended Note 5a under Streetscape, Buffers, Yards, and Landscaping to specify the portion of the site's frontage along Ardrey Kell road where the existing sidewalk and planting strip will be preserved.
9. Amended Note 5b under Streetscape, Buffers, Yards and Landscaping to specify three different treatments along portions of the 44-foot Class "B" buffer, which include the addition of a six-foot wooden fence, existing berm and new vegetation, and existing vegetation supplemented with trees.

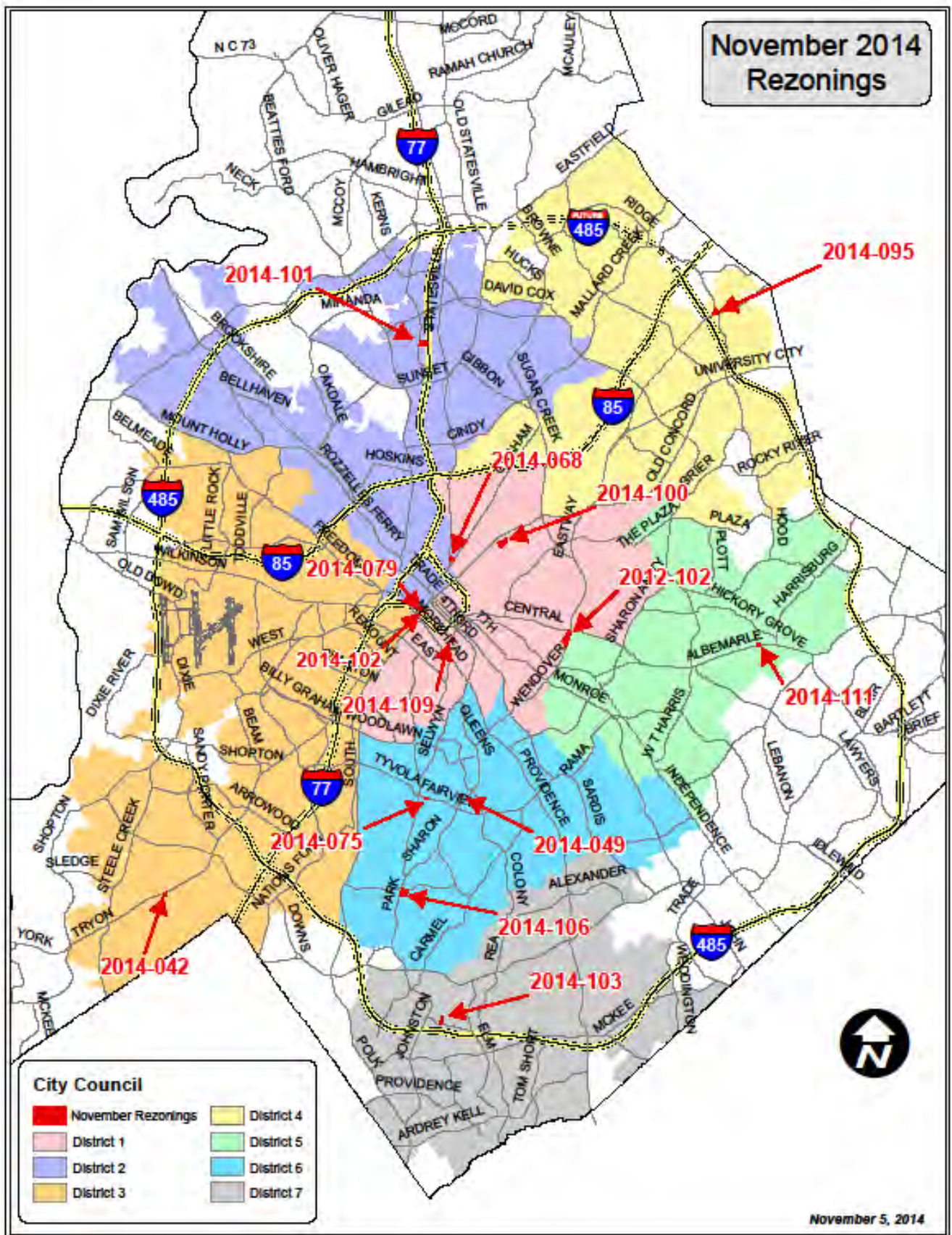
The following issues are outstanding:

1. Limit permitted uses to "personal services" as listed in Note 2(a), and/or office uses.
2. Reduce overall square footage from 30,000 to 20,000 square feet.
3. Add note committing building design to be residential in character.

Staff disagrees with the recommendation of the Zoning Committee because the proposed retail use is inconsistent with the recommended land use set forth in the adopted area plan. However, the site qualifies for an increase in residential density of up to eight dwelling units per acre, which is compatible with the existing townhomes across Ardrey Kell Road. In addition, because the site is adjacent to residential uses outside of a retail center location, a small office development sensitive in form to its residential surroundings could be supported.

Attachment 21

	<p>22. <u>Petition No. 2014-098</u> by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to clarify the height limitations.</p> <p>The Zoning Committee found this petition to be consistent with the <i>Centers, Corridors and Wedges Growth Framework</i>, based on information from the staff analysis and the public hearing, and because it:</p> <ul style="list-style-type: none"> • Creates a vibrant economy; and • Preserves and enhances existing neighborhoods; and • Provides clarifications to the existing regulations. <p>Therefore, the Zoning Committee found this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The petition clarifies the height limitations located in various parts of the Zoning Ordinance. <p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 22</p>
	<p>23. <u>Petition No. 2014-099</u> by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to allow parking lot reconfiguration in the UMUD (Uptown Mixed Use) under limited circumstances.</p> <p>The Zoning Committee found this petition to be consistent with the <i>Centers, Corridors and Wedges Growth Framework</i>, based on information from the staff analysis and the public hearing, and because it:</p> <ul style="list-style-type: none"> • Creates a vibrant economy. <p>Therefore, the Zoning Committee found this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • Parking lot reconfiguration that doesn't increase the size or number of parking spaces by more than five percent and that meets ordinance requirements and benefits property owners should be allowed. <p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 23</p>



ZONING HEARINGS

	<p>24. <u>Petition No. 2012-102</u> (Council District 4 – Phipps) by Eastway Holdings for a change in zoning for approximately 26.32 acres located on the southwest corner at the intersection of Eastway Drive and Central Avenue from B-1SCD (business shopping center to B-1SCD SPA (business shopping center site plan amendment).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 24</p>
	<p>25. <u>Petition No. 2014-042</u> (Council District 3 - Mayfield) by Moss Road Development Partners, LLC for a change in zoning for approximately 2.81 acres located on the southwest corner at the intersection of South Tryon Street and Moss Road from NS (neighborhood services) to NS SPA (neighborhood services, site plan amendment).</p> <p>Staff does not support this petition in its current form.</p> <p>Attachment 25</p>
<p>Deferral (to March)</p> <p>Protest Petition TBD</p>	<p>26. <u>Petition No. 2014-049</u> (Council District 6 - Smith) by SBBH, LLC for a change in zoning for approximately 1.53 acres located on the south side of Morrison Boulevard between South Park Drive and Sharon Road from CC (commercial center) to MUDD-O (mixed use development, optional).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 26</p>
	<p>27. <u>Petition No. 2014-068</u> (Council District 2- Austin) by City of Charlotte for a change in zoning for approximately 5.59 acres generally bounded by Statesville Avenue, Dalton Avenue, North Graham Street and Armour Drive from I-2 (general industrial) to MUDD-O (mixed use development, optional).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 27</p>
	<p>28. <u>Petition No. 2014-075</u> (Council District 6 - Smith) by Crossroads Realty Group, LLC for a change in zoning for approximately 2.6 acres located on the southwest corner of Fairview Road and Closeburn Road between Park Road and Park South Drive from R-3 (single-family residential) to UR-2(CD) (urban residential, conditional).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 28</p>
	<p>29. <u>Petition No. 2014-79</u> (Council District 2 – Kinsey) by Crescent Communities, LLC for a change in zoning for approximately 3.0 acres located on the southwest corner at the intersection of South Tryon Street and East Stonewall Street from UMUD (uptown mixed use) to UMUD-O (uptown mixed use, optional).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 29</p>
	<p>30. <u>Petition No. 2014-095</u> (Council District 4 - Phipps) by QuikTrip Corporation for a change in zoning for approximately 5.08 acres located on the north side of North Tryon Street between West Pavilion Boulevard and Salome Church Road from R-3 (single-family residential) and NS (neighborhood services) to B-1(CD) (neighborhood business, conditional).</p> <p>Staff recommends denial of this petition.</p>

	<p>Attachment 30</p>
	<p>31. <u>Petition No. 2014-100</u> (Council District 1 – Kinsey) by Charlotte-Mecklenburg Planning Department for a change in zoning for approximately 15.50 acres located on the southeast corner at the intersection of West 30th Street and Chick Godley Road from UR-3(CD) (urban residential, conditional) to TOD-M (transit oriented development – mixed use).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 31</p>
	<p>32. <u>Petition No. 2014-101</u> (Council District 2 - Austin) by LGI Homes NC, LLC for a change in zoning for approximately 14.30 acres located on the east side of Reames Road between Bella Vista Court and Lawnmeadow Drive from UR-1(CD) (urban residential, conditional) to R-5 (single-family residential).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 32</p>
	<p>33. <u>Petition No. 2014-102</u> (Council District 1 – Kinsey) by Charlotte-Mecklenburg Planning Department to establish zoning for approximately 0.59 acres located on the west side of East Stonewall Street between South College Street and South Caldwell Street from no current zoning to UMUD (uptown mixed use).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 33</p>
	<p>34. <u>Petition No. 2014-103</u> (Council District 7 – Driggs) by Weekley Homes, LP for a change in zoning for approximately 5.5 acres located on the north side of Endhaven Lane between North Community House Road and Misty Ridge Lane from R-3 (single-family residential) to UR-2(CD) (urban residential, conditional).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 34</p>
	<p>35. <u>Petition No. 2014-106</u> (Council District 6 - Smith) by Quail Hollow Village, c/o Harris Land Company for a change in zoning for approximately 19.13 acres located at the southeast corner of the intersection between Park Road and Gleneagles Road from CC (commercial center district) to CC SPA (commercial center site plan amendment).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 35</p>
<p>Protest Petition TBD</p>	<p>36. <u>Petition No. 2014-109</u> (Council District 1 - Kinsey) by Midtown Area Partners II, LLC for a change in zoning for approximately 1.99 acres located on the northeast corner of the intersection of Baxter Street and South Kings Drive and the south side of Luther Street between Cecil Street and Cherry Street from R-8 (single-family residential), UR-C(CD)(PED) (urban residential – commercial, conditional, pedestrian overlay), and B-1(PED) (neighborhood business, pedestrian overlay) to MUDD-O (mixed use development, optional) and MUDD-O(PED) (mixed use development, optional pedestrian overlay).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 36</p>

	<p>37. <u>Petition No. 2014-111</u> (Council District 3 - Mayfield) by Cambridge Properties, Inc. for a change in zoning for approximately 3.31 acres located on the north side of Albemarle Road between Hollirose Drive and Circumferential Road from R-3 (single-family residential) and B-1(CD) (neighborhood business, conditional) to B-1(CD) (neighborhood business, conditional) and B-1(CD) SPA(neighborhood business, conditional site plan amendment).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 37</p>
	<p>38. <u>Petition No. 2014-001 SUB</u> (Council District 6 - Smith) by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Subdivision Ordinance to 1) modify the definition of planned development; 2) clarify existing regulations and update references, formatting and tables; 3) relocate regulations into the proper section; 4) correct the dimension of the right-of-way requirements for local residential wide streets; 5) remove the requirement for delivery of final plats to the Planning Department and remove references to the County and Board of Commissioners; 6) clarify street spacing requirements; 7) clarify the standards for required streets when lots or building sites are part of a multi-family development; 8) update the notice and hearing requirements for variances and appeals; the standards for granting a variance; and the standards for making decisions; and 9) update the appeal regulations.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 38</p>