

**AGENDA**  
**CHARLOTTE-MECKLENBURG PLANNING COMMISSION**  
**ZONING COMMITTEE WORK SESSION**  
**Charlotte-Mecklenburg Government Center, RM 280**  
**February 25, 2015**  
**4:30 P.M.**

<p><b>Defer (to March 25, 2015)</b></p>	<p>1. <a href="#"><u>Petition No. 2014-019</u></a> (Outside City Limits) <b>by Charlotte-Mecklenburg Planning Department</b> for a change in zoning for two parcels approximately 26.47 acres located on the west corner of the intersection at Mallard Creek Road and Salome Church Road from CC, commercial center to R-4, single family residential.</p> <p><a href="#"><u>Attachment 23</u></a> (City Council Agenda February 17, 2014)</p>
<p><b>Defer (to March 25, 2015)</b></p>	<p>2. <a href="#"><u>Petition No. 2014-031</u></a> (outside city limits) by Wilkison Partners, LLC for a change in zoning for approximately 5.9 acres located on the southeast corner at the intersection of Youngblood Road and Shelburne Farms Drive from MX-3(LLWCA) (mixed use, Lower Lake Wylie critical area) to MX-3 SPA(LLWCA) (mixed use, site plan amendment, Lower Lake Wylie critical area).</p> <p><a href="#"><u>Attachment 19</u></a> (City Council Agenda September 15, 2014)</p>
	<p>3. <a href="#"><u>Petition No. 2014-068</u></a> (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 the petition.</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> <li>1. Darkened and labeled the building overhang on the site plan.</li> <li>2. Clarified the proposed land use per the phasing. The building to be constructed in Phase 1 is a government service facility and the building(s) to be constructed in Phase 2 will allow all uses permitted in the MUDD (mixed use development) district.</li> <li>3. Amended note 5. a. to identify design elements committed to be included in the building and specified that the provided building elevations provide the design intent and theme for the Phase 1 building only.</li> <li>4. Provided a note stating that Phase 2 building materials will be consistent with those provided in Phase 1 and the building design will meet the standards of the MUDD (mixed use development district)</li> </ol> <p>The following items have been added or modified since the public hearing:</p> <ol style="list-style-type: none"> <li>1. Added an additional driveway connection from the new public street to the parking lot and modified the internal parking and drive circulation accordingly.</li> <li>2. Removed the proposed driveway connection to the adjacent property to the north.</li> </ol> <p><a href="#"><u>Attachment 27</u></a> (City Council Agenda November 17, 2014)</p>
	<p>4. <a href="#"><u>Petition No. 2015-003</u></a> (Council District 3 – Mayfield) <b>by Charlotte-Mecklenburg Planning Department</b> for a change in zoning for approximately 2.17 acres located on the west side of South Boulevard across from Seneca Place from B-2 (general business) to TOD-M (transit oriented development - mixed-use).</p> <p>Staff recommends approval of this petition.</p> <p>Update: There are no outstanding issues with this petition.</p> <p><a href="#"><u>Attachment 14</u></a> (City Council Agenda February 18, 2015)</p>
	<p>5. <a href="#"><u>Petition No. 2015-004</u></a> (Council District 1 – Kinsey) by <b>Charlotte-Mecklenburg Planning Department</b> for a change in zoning for approximately 0.177 acres located on the east side of North Davidson Street between East 32nd Street and East 33rd Street from R-5 (single family residential) to</p>

	<p>TOD-MO (transit oriented development - mixed-use, optional).</p> <p>Staff recommends approval of this petition.</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> <li>1. Revised the plan to show the existing four-foot wide sidewalk and 1.5-foot wide planting strip along North Davidson Street to remain.</li> <li>2. Revised the site plan to show nine required parking spaces in the rear of the site to meet the minimum parking requirements for an eating/drinking/entertainment establishment.</li> <li>3. Specified the maximum building height of 50 feet under the development notes.</li> <li>4. Deleted the optional request 3 to allow the existing streetscape along North Davidson Street to remain as this it is covered through optional provision 2.</li> <li>5. Revised the proposed use and Note 5 under General Notes on the site plan to reflect all uses permitted in the TOD-M (transit oriented development – mixed-use) district.</li> <li>6. Changed Note 2 under General Notes to say, “Existing building will remain and retain the existing mill house character with a porch along North Davidson Street, clear glass windows on all street fronting facades and entry door facing North Davidson Street”.</li> <li>7. Amended Note 3 under General Notes limiting the height of detached, freestanding lighting to 15 feet.</li> <li>8. Delete Note 6. under General Notes. The staff agreed to amend the note at the request of the neighborhood association to say “Dumpster service to pick up during normal business hours.”</li> <li>9. Changed the label for the fence from “privece” to “privacy.”</li> <li>10. Organized conditional notes under the appropriate categories.</li> </ol> <p><b><u>Attachment 15</u></b> (City Council Agenda February 18, 2015)</p>
	<p>6. <b><u>Petition No. 2015-007</u></b> (Council District 7 – Driggs) <b>by Village at Robinson Farm, LLC</b> for a change in zoning for approximately 5.69 acres located on the southwest corner at the intersection of Rea Road and Williams Pond Lane from NS (neighborhood services) to NS SPA (neighborhood services, site plan amendment).</p> <p>Staff recommends approval of this petition.</p> <p>Update: There are no outstanding issues with this petition.</p> <p><b><u>Attachment 16</u></b> (City Council Agenda February 18, 2015)</p>
	<p>7. <b><u>Petition No. 2015-011</u></b> (Council District 2- Austin) <b>by Phyllis Hough</b> for a change in zoning for approximately 0.505 acres located on the east side of Valleydale Road across from Mellwood Drive from R-4 (LWPA) (single family residential, Lake Wylie Protected Area) to INST(CD) (LWPA) (institutional, conditional, Lake Wylie Protected Area).</p> <p>Staff does not recommend approval of this petition.</p> <p>Update: The following issues have been addressed:</p> <ol style="list-style-type: none"> <li>1. Corrected Note 2A under Permitted Uses to accurately reflect the proposed building square footage and number of children, to be consistent with the information provided in the Development Data Table.</li> <li>2. Amended information regarding Amount of Open Space under Development Data Table to read “Per Ordinance.”</li> <li>3. Removed Architectural Standards Note 4A that read “The site will comply with All Architectural standards set forth in the Ordinance” from the site plan.</li> <li>4. Added Architectural Standards language that states there will be no expanse of blank walls greater than 20 feet.</li> <li>5. Added Architectural Standards note that states proposed building will be residential in character.</li> <li>6. Amended Existing and Proposed Zoning information under Development Data Table to note LWPA, not LWWPA.</li> </ol>

	<p>7. Labeled on site plan zoning of abutting properties.</p> <p>8. Labeled width of Valleydale Road and Mellwood Drive.</p> <p>9. Added a note that the required buffers will not be reduced 25% with a wall or a fence.</p> <p>10. Labeled height of proposed chain link fence (with plastic coating) to surround playground.</p> <p>11. Corrected misspellings on the site plan.</p> <p>Update: The following issue remains outstanding:</p> <p>1. The rezoning request is inconsistent with the <i>Northwest District Plan</i>, which recommends single family residential up to four dwelling units per acre.</p> <p><b><u>Attachment 18</u></b> (City Council Agenda February 18, 2015)</p>
	<p>8. <b><u>Petition No. 2015-015</u></b> (Council District 4–Phipps) <b>by J.R. Davis, LLC</b> for a change in zoning for approximately 18.03 acres located on the north side of Berkeley Place Drive between Pinnacle Drive and Revenna Lane from BD(CD) (distributive business, conditional) and CC (commercial center) to CC (commercial center) and BD(CD) (distributive business, conditional).</p> <p>Staff recommends approval of this petition upon resolution of the outstanding issue.</p> <p>The following issues have been addressed.</p> <p>1. Removed the note under streetscapes and landscaping as self-storage facilities are exempt from the sidewalk connection requirements.</p> <p>Update: The following items have been added or modified since the public hearing:</p> <p>1. Amended the note under Architectural Standards to describe building materials, blank walls exceeding 20 feet in length will be screened from adjoining properties or avoided through articulation.</p> <p>2. Added a note under Architectural Standards that reserves the right to alter the arrangement of buildings on the site which may reduce the number of buildings but in no circumstances shall the front building be replaced with a smaller building. Such rearrangements will be administratively reviewed by the planning staff.</p> <p>3. Added a building elevation</p> <p>Update: The following items are outstanding:</p> <p>1. Provide the following note under the heading Environmental Features: "The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance."</p> <p>2. Change the word "approve" to "review" on the note related to future administrative approvals.</p> <p><b><u>Attachment 20</u></b> (City Council Agenda February 18, 2015)</p>
	<p>9. <b><u>Petition No. 2015-016</u></b> (Council District 7 – Driggs) <b>by Touchstone Village, LLC</b> for a change in zoning for approximately 10.24 acres located on the northwest corner at the intersection of Bevington Place and Carswell Lane from B-1(CD) (neighborhood business, conditional) to NS (neighborhood services).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>The following issues have been addressed.</p> <p>1. Amended Note G under Transportation to reference the office building.</p> <p>2. Provided proof of a mutual overlapping parking easement for the Touchstone development that includes all of the property and uses. Site plan indicates the existing child care center facility and 21 associated parking spaces, which are not included in the rezoning petition.</p> <p>3. Amended Notes F and G under Transportation to clarify that construction traffic will be required to arrive from and depart directly to NC 51 via Carswell Lane or Baybrook Lane.</p>

	<p>Update: The following items have been added or modified since the public hearing:</p> <ol style="list-style-type: none"> <li>1. Amended note under Purpose as follows: To redevelop a portion of an obsolete neighborhood shopping center to accommodate a corporate office building and to provide for a portion of the existing retail on the site to redevelop and remain.</li> <li>2. Added the following note under Architectural Standards: As part of the redevelopment of the retail portion of the site outdoor patios will only be permitted on the north side of the building facing the parking area. The existing patio on the rear of the building will be allowed to remain but will not be allowed to be re-established once the existing tenant vacates the space, for which the patio as constructed. Thereafter, any patio that is constructed will not be allowed to have amplified sound, any live musical, or other live performances.</li> <li>3. Added the following note under Environmental Features: As part of the redevelopment of the site, the petitioner may be required to conduct remedial maintenance or to reconstruct portions of the storm water facilities on the site including the detention basin. If trees and screening materials installed as part of the original development of the site to screen the storm water facilities are removed, they will be replaced with a combination of evergreen trees and shrubs to restore the screening of the site at double the rate prescribed by the ordinance. This planting will be constructed on the south side of the site adjacent to Bevington Place to address the homes to the south of the site.</li> </ol> <p>Update: The following items are outstanding:</p> <ol style="list-style-type: none"> <li>1. Amend Note C to state "Conversion of existing Carswell Lane driveway to a full-movement access point will be subject to review and approval by CDOT during the construction permitting phase."</li> <li>2. Establish a pedestrian connection within the parking lot between the proposed sidewalk on the north side of the proposed three-story office building and the existing sidewalk on the north side of the child care facility.</li> <li>3. Add the following note under Environmental Features: The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance. The location, size and type of storm water management systems depicted on the rezoning plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water requirements and natural site discharge points.</li> </ol> <p><b><u>Attachment 21</u></b> (City Council Agenda February 18, 2015)</p>
	<p>10. <b><u>Petition No. 2015-018</u></b> (Council District 1 – Kinsey) <b>by Laurel Street Residential, LLC</b> for a change in zoning for approximately 1.87 acres located on the west side of Baxter Street across from Avant Street from R-6 (single family residential) to UR-2(CD) (urban residential, conditional).</p> <p>Staff recommends approval of this petition.</p> <p>The following issues have been addressed:</p> <ol style="list-style-type: none"> <li>1. The petitioner is working with Charlotte Department of transportation to submit for the right-of-way abandonment.</li> <li>2. A ten foot buffer and proposed fence has been labelled adjacent to parcels 125-245-04 and 125-245-03.</li> </ol> <p>The following note has been added since the public hearing:</p> <ol style="list-style-type: none"> <li>1. A fence along property 125-245-03 will be installed by the petitioner or property owner.</li> </ol> <p><b><u>Attachment 22</u></b> (City Council Agenda February 18, 2015)</p>
	<p>11. <b><u>Petition No. 2015-021</u></b> (Council District 2 – Austin) <b>by CitiSculpt</b> for a change in zoning for approximately 1.38 acres located on the south side of West Morehead Street between South Summit Street and Interstate 77 from BD(CD) (PED-O) (distributive business, conditional, pedestrian overlay,</p>

	<p>optional) to O-1(PED) (office, pedestrian overlay).</p> <p>Staff recommends approval of this petition.</p> <p>Update: There are no outstanding issues with this petition.</p> <p><a href="#">Attachment 23</a> (City Council Agenda February 18, 2015)</p>
Defer (to March 25, 2015)	<p>12. <a href="#">Petition No. 2015-027</a> (Council District 1- Kinsey) <b>by Charlotte Housing Authority</b> for a change in zoning for approximately 3.031 acres located on the southeast corner at the intersection of Cherry Street and East 1st Street from R-22MF (multi-family residential) to UR-C(CD) (urban residential-commercial, conditional).</p> <p><a href="#">Attachment 1</a> (City Council Agenda February 23, 2015)</p>
	<p>13. <a href="#">Petition No. 2015-028</a> (Council District 1- Kinsey) <b>by Charlotte Housing Authority</b> for a change in zoning for approximately 1.035 acres located on the southeast corner at the intersection of Baldwin Avenue and Luther Street from R-8(single-family residential) to R-22MF(CD) (multi-family residential, conditional).</p> <p><b>Note: Information on this petition will be provided at the work session.</b></p> <p><a href="#">Attachment 2</a> (City Council Agenda February 23, 2015)</p>
	<p>14. <a href="#">Petition No. 2015-029</a> (Council District 1- Kinsey) <b>by Charlotte Housing Authority</b> for a change in zoning for approximately 0.43 acres located on the southeast corner at the intersection of Lillington Avenue and Amherst Place from R-8 (single-family residential) to R-22MF(CD) (multi-family residential, conditional).</p> <p><b>Note: Information on this petition will be provided at the work session.</b></p> <p><a href="#">Attachment 3</a> (City Council Agenda February 23, 2015)</p>
	<p>15. <a href="#">Petition No. 2015-030</a> (Council District 1- Kinsey) <b>by Charlotte Housing Authority</b> for a change in zoning for approximately 0.562 acres located on the west side of Luther Street between Baldwin Avenue and Eli Street from R-8 (single family residential) to R-22MF(CD) (multi-family residential, conditional).</p> <p><b>Note: Information on this petition will be provided at the work session.</b></p> <p><a href="#">Attachment 4</a> (City Council Agenda February 23, 2015)</p>
	<p>16. <a href="#">Petition No. 2015-032</a> (Council District 1- Kinsey) <b>by Charlotte Housing Authority</b> for a change in zoning for approximately 0.305 acres located on the north side of Baxter Street between Queens Road and Eli Street from R-12MF (multi-family residential) to R-8(CD) (single-family residential, conditional).</p> <p><b>Note: Information on this petition will be provided at the work session.</b></p> <p><a href="#">Attachment 5</a> (City Council Agenda February 23, 2015)</p>