

AGENDA
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
ZONING COMMITTEE WORK SESSION
Charlotte-Mecklenburg Government Center, RM 280
April 27, 2016
4:30 P.M.

<p>Staff Requesting Deferral to (May 25, 2016)</p>	<p>1. <u>Petition No. 2015-037</u> (Council District 3-Mayfield) by Dominick Ristaino for a change in zoning for approximately 0.46 acres located on the north side of West Boulevard between South Tryon Street and Wickford Place from R-5 (HD-O) (single family residential, historic district overlay) to O-1(CD) (HD-O) (office, historic district overlay).</p> <p><u>Attachment 33</u> (City Council July 20, 2015)</p> <p>Update: Staff anticipates the petitioner will be submitting an amended application and revised site plan.</p>
	<p>2. <u>Petition No. 2015-093</u> (Council District 1- Kinsey) by 1351 Woodlawn (Melrose), LLC for a change in zoning for Approximately 2.9 acres located on the south side of Drexel Place and north side of Woodlawn Road near the intersection of Park Road and Drexel Place and Park Road and Woodlawn Road from R-4 (single family residential) and UR-3(CD) (urban residential, conditional) to MUDD-O (mixed use development, conditional).</p> <p><u>Attachment 24</u> (City Council February 15, 2016)</p> <p>Staff recommends denial of this petition.</p> <p>The following issues have been addressed:</p> <ol style="list-style-type: none"> 1. The building height along Drexel Place has been lowered to 40 feet. 2. A note has been added that the petitioner agrees to install a pedestrian refuge island. 3. Note 5G under Streetscape, Landscaping and Open space has been removed. <p>The following issues have been added since the public hearing:</p> <ol style="list-style-type: none"> 1. A 46 foot building façade setback along Drexel Place 2. Only eight townhomes units will be allowed along Drexel Place. 3. Five story building will be allowed along the Woodlawn Road frontage. <p>The following issues are still outstanding:</p> <ol style="list-style-type: none"> 1. Remove the lots along Drexel Place from the petition. The mass and scale is inconsistent with the existing single family neighborhood along and across Drexel Place. 2. Modify note 5b under Streetscape, Landscaping, Open Space and Screening, note conflicts with cross-sections and proposed elevations. 3. Provide elevations of the proposed building along Woodlawn Avenue.
<p>Requesting Deferral to (May 25, 2016)</p>	<p>3. <u>Petition No. 2016-024</u> (Council District 6- Smith) by Greystar GP II, LLC for a change in zoning for approximately 6.01 acres located on the west side of Randolph Road between Sloane Square Way and Rutledge Avenue from R-3 (single family residential) and R-8MF (CD) (multi-family residential, conditional) to UR-2(CD) with 5-Year Vested Rights (urban residential, conditional).</p> <p><u>Attachment 28</u> (City Council April 18, 2016)</p>
<p>Requesting Deferral to (May 25, 2016)</p>	<p>4. <u>Petition No. 2016-015</u> (Council District 1 -Kinsey) by FCD-Development, LLC for a change in zoning for approximately 1.68 acres located on the northwest corner at the intersection of East 7th Street and North Caswell Road from NS (neighborhood services) to MUDD-O (mixed use development, optional) with 5-year vested rights.</p> <p><u>Attachment 29</u> (City Council April 18, 2016)</p>

5. [Petition No. 2016-029](#) (Council District 1 - Kinsey) by **White Point Paces Properties, LLC** for a change in zoning for approximately 11.85 acres located on the east and west side of North Brevard Street and generally surrounded by Parkwood Avenue, Belmont Avenue, East 16th Street, and North Brevard Street from R-8 (single family residential), R-22MF (multi-family residential), and I-2 (general industrial) to TOD-M (O) (transit oriented development-mixed use, optional) with 5-Year Vested Rights.

[Attachment 30](#) (*City Council April 18, 2016*)

Staff recommends approval of this petition.

Update: The following items have been addressed:

Transportation

1. Added Note 4(G) as follows: Prior to the issuance of the first certificate of occupancy for any structure located on the Site, Petitioner shall pay the sum sixty-five thousand dollars (\$65,000.00) to the City to be used by the City to install a temporary traffic signal at the intersection of Parkwood Avenue and Belmont Avenue. This payment shall be Petitioner's only obligation with respect to any transportation improvements other than the streetscape improvements described below.
2. Revised the site plan to depict and provide a 20-foot wide Permanent Sidewalk Utility Easement (SUE) for a proposed northeast/southwest multi-use path connecting North Brevard Street to 16th Street. The multi-use path will be constructed with a 12-foot wide asphalt surface and include landscaping.
3. Amended Note 5(F) as follows: Petitioner acknowledges that the City may, at its sole cost and expense, realign East 16th Street in the future through a portion of Development Area C as generally depicted on the Rezoning Plan. The exact alignment and location of realigned East 16th Street within Development Area C shall be determined by CDOT. Petitioner shall reserve the required right of way within Development Area C for the realignment of East 16th Street, and Petitioner shall dedicate and convey the same to the City upon the request of the City. Notwithstanding the foregoing, in no event shall Petitioner be required to dedicate and convey the right of way within Development Area C for the realignment of East 16th Street prior to the issuance of a building permit for Development Area A. Until such time that the right of way for realigned East 16th Street is dedicated and conveyed to the City, Petitioner may utilize that portion of Development Area C to be dedicated and conveyed to the City for surface parking.
4. Revised the site plan to dedicate 38.5 feet of right-of-way in fee simple from the streets' existing centerline, and relocated existing curb lines as determined in the construction permitting process to implement these transportation improvements before the site's first certificate of occupancy is issued (see CLDS U-05C, revision 13).
5. Added Note 5(H) as follows: Upon the request of the City but in no event prior to the issuance of the first building permit for Development Area A, Petitioner shall dedicate and convey to the City (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to Parkwood Avenue for right of way and easements required for the City's Parkwood NECI project, which right of way and easements are more particularly depicted on the City's concept plan. Petitioner acknowledges that the exact locations of the right of way and easements shall be determined by the City at a later date. Petitioner and the City will work cooperatively to effect the development of the Site and the City's Parkwood NECI project, and the City confirms that the dedication of the right of way and easements for the City's Parkwood NECI project will not adversely impact or prohibit the preservation and re-use of the Mill Building and/or the development contemplated on the Site under this Rezoning Plan.
6. Located proposed site access point#5 10 feet from the northern property line of Lot K within Development Area A.

Site and Building Design

7. Removed deck shown encroaching into Rail Road right-of-way per NCRR's recent input prohibiting encroachment.
8. Staff has rescinded the request to add the following Note in Section 4 as the parking lots are deemed temporary: "if and only if the Rail Road revokes it's parking agreement that Development Area B could be used for temporary parking per the TOD-M zoning ordinance."
9. Identified existing structures to remain. Note 4a indicates that the Mill building shall be preserved except for those portions required to be demolished by the NC State Historic

Preservation Office.

10. Staff has rescinded this request to Amend Optional Provisions to specify the time frame for removal of temporary parking lots located on Development Area C as the parking lot is not considered temporary. Amended Notes D and E under Optional Provisions to specify the maximum percentage of the total lot width that may be covered by structures as 35%.
11. Added Note 7(H) under Streetscape/Landscape/Open Space to apply to the right-of-way area to be abandoned on Parkwood Avenue and 16th Street as follows: In the event that East 16th Street is realigned through Development Area C and the right-of-way for the former location of East 16th Street that is located between Development Area A and the realigned portion of East 16th Street is abandoned and incorporated into Development Area A (the abandoned East 16th Street right-of-way), the entry plaza/motor court located on the east side of the Mill Building shall be extended by petitioner into the abandoned East 16th Street right-of-way.
12. Added Note 2(P) under Optional Provisions as follows: The existing building located on Development Area B1 shall not be required to meet the minimum setback requirements of Section 9.1208(1)(a) of the ordinance, provided, however, that the existing building must be setback a minimum of 20 feet from the back of the future curb along North Brevard Street. Amended Note 2(Q) under Optional Provisions to specify that the existing building located on Development Area B2 shall not be required to meet the minimum setback requirements of Section 9.1208(1)(a) of the ordinance, provided, however, that the existing building must be setback a minimum of seven feet from the back of the existing curb along Belmont Avenue.
13. Amended Note 2(T) under Optional Provisions to retain the request for a waiver from the 10-foot buffer along the western boundary line of Development Area B2 and added the following: However, a 10-foot buffer along the western boundary line of Development Area B2 shall be provided when Development Area B2 shall be provided when Development Area B2 is redeveloped if a buffer is required under the ordinance at the time of redevelopment.
14. Amended Note 2(F) under Optional Provisions to estimate that the required number of parking spaces on Development Area A, in the absence of this optional provision, would be 300 parking spaces.
15. Amended Note 6(A)(5) to add the following "Transition between the building and the sidewalk may be grade change, landscaping, a porch or stoop. The type of transition will be determined by the petitioner during the permitting and urban review phase."
16. Amended Note 2M under Optional Provisions to only request an exemption of additions to the Mill building and any new buildings constructed on Development Area A from Sections 9.1209(1)(g), (i) and (j) of the ordinance instead of all of the design standards.

Requested Technical Revisions

17. Added Note 11A to anticipate future developer agreements as follows: Petitioner and the City may, at their option, enter into Development Agreements subsequent to the approval of this rezoning petition that relate to matters such as storm water improvements and such development agreements may refine and/or alter the parties' respective obligations, with respect to streetscape improvements and other matters.
18. Amended Section 7, (Note 7(D)(1)-3) under Streetscape/Landscaping/Open Space, to address streetscape requirements for Brevard Street, Belmont Avenue and East 16th Street as follows:
 - a. East 16th Street
 1. Petitioner shall install an eight-foot wide planting strip from the back of the existing curb and an 8 foot wide sidewalk along Development Area A's frontage on East 16th Street.
 2. Petitioner shall install an eight-foot wide planting strip from the back of the existing curb and an 8 foot wide sidewalk along Development Area C's frontage on East 16th Street. As provided above under Optional Provisions, the existing power poles located along Development Area C's frontage on East 16th Street may remain in place.
 - b. Parkwood Avenue
 1. In lieu of installing the required streetscape improvements along the Site's frontage on Parkwood Avenue (which frontage includes Development Area B2, Development Area A and Development Area C), Petitioner shall pay to the City an amount equal to the cost to install such streetscape improvements (the "Parkwood Streetscape Funds"). The City shall construct all required streetscape improvements along the Site's frontage on Parkwood Avenue in connection with the City's Parkwood NECI project, and the Parkwood Streetscape Funds shall be

applied to the City's cost to construct the Parkwood NECI project. Petitioner shall pay the Parkwood Streetscape Funds to the City upon the issuance of the first building permit for Development Area A. The payment of the Parkwood Streetscape Funds to the City shall satisfy Petitioner's obligations with respect to any and all streetscape improvements along the Site's frontage on Parkwood Avenue, and the issuance of building permits and certificates of occupancy shall not be withheld by the City in the event that the City has not completed such streetscape improvements prior to the issuance of any building permits or certificates of occupancy for the Site.

c. North Brevard Street

1. Excluding any portion of North Brevard Street that is abandoned by the City as described above, Petitioner shall complete the following along Development Area A's and Development Area B1's frontage on North Brevard Street prior to the issuance of the first certificate of occupancy for Development Area A:
 - (i) Dedicate and convey to the City (subject to a reservation for any necessary utility easements) those portions of Development Area A and Development Area B1 located immediately adjacent to North Brevard Street that are necessary to provide one-half of the right of way required for the local office/commercial wide street section as measured from the existing centerline of North Brevard Street and based upon a symmetrical widening.
 - (ii). Install new curb and gutter in the location required for the local office/commercial wide street section.
 - (iii). Install an eight-foot wide planting strip and a 12-foot wide multi-use path- The 12 foot wide multi-use path shall be in lieu of a sidewalk.

d. Belmont Avenue

1. Petitioner shall install a sidewalk against the back of the existing curb along Development Area B2's frontage on Belmont Avenue. The width of this sidewalk shall be 8 feet where feasible, however, the width may be less than 8 feet in certain areas. Petitioner shall not be required to install a planting strip. This shall be a temporary condition and upon the Redevelopment of Development Area B2, Petitioner shall complete the following along Development Area B2's frontage on Belmont Avenue- prior to the issuance of the first certificate of occupancy for a new structure on Development Area B2:
 - (i) Dedicate and convey to the City (subject to a reservation for any necessary utility easements) those portions of Development Area B2 located immediately adjacent to Belmont Avenue that are necessary to provide one-half of the right of way required for the local office/commercial wide street section as measured from the existing centerline of Belmont Avenue and based upon a symmetrical widening.
 - (ii) Install new curb and gutter in the location required for the local office/commercial wide street section.

19. Petitioner has obtained an off-site parking agreement with Norfolk Southern for the I-2 property.

20. Labeled the site to reflect Development Areas A, B1, B2 and C.

21. Amended Notes 2G under Optional Provisions and 4B under Development Limitations to specify the maximum height of the existing smokestacks on the Mill Building as 165 feet.

22. Amended Note 1G under General Provisions to define "redevelopment."

Advisory Comments

23. Charlotte Water has water system availability via the existing six-inch water mains located along Belmont Avenue and along North Brevard Street from the southwest to Belmont Avenue. Additionally, an existing eight-inch water main is located along East 16th Street, and a 12-inch water main is located along North Brevard Street and Parkwood Avenue. In addition, Charlotte Water has sewer system availability via the existing eight-inch gravity sewer mains located along East 16th Street, Belmont Avenue, Parkwood Avenue, and North Brevard Street, a 10-inch gravity sewer main located along North Brevard Street, and 12-inch gravity sewer mains located at the southwestern section of parcel 081-042-02 and through the northern and eastern section of parcel 081-062-15.

24. Development of the site shall comply with the requirements of the City of Charlotte Tree Ordinance.

25. Staff rescinded the request to provide a time frame for redevelopment of Development Areas A, B and C as the petitioner indicates there is not a time frame at this point in the process.

The following items have been added or modified since the public hearing:

1. Amended Note 2B under Optional Provisions to specify "until such time that Development Area B2 is redeveloped."
2. Amended Note 2G under Optional Provisions as follows: The maximum height of the Mill building located on Development Area A, and any additions thereto, shall be 50 feet as measured from the average grade at the base of the Mill building, excluding the existing smokestack on Development Area A.
3. Amended Note 2N under Optional Provisions to state that the existing buildings located on Development Areas B1 and B2 shall not be required to meet the urban design standards set out in Sections 9.1209(1), (2), (3) and (4) of the ordinance.
4. Added Note 2R as under Optional Provisions follows: Upon the redevelopment of Area B1 the minimum setback on Development Area B1 from North Brevard Street shall not be required to meet the standards of Section 9.1208(1)(a)(1) of the Ordinance, and the minimum setback from North Brevard Street shall be 20 feet from the back of the future curb along North Brevard Street.
5. Added Note 2S under Optional Provisions as follows: Upon the Redevelopment of Development Area B2, the minimum setback on Development Area B2 from Belmont Avenue shall not be required to meet the standards of Section 9.1208(1)(a)(1) of the Ordinance, and the minimum setback from Belmont Avenue shall be 16 feet from the back of the future curb along Belmont Avenue.
6. Added Note 2V under Optional Provisions as follows: The existing power poles located along Development Area C's frontage on East 16th Street may remain in place.
7. Added Note 2W under Optional Provisions as follows: In addition to all signs permitted under the Ordinance, the following signage shall be permitted on the Site:
 - (1) Walls signs may be installed on each wall of a building located on the Site, and the maximum sign surface area of all wall signs on one single wall of a building shall be 120 square feet.
 - (2) Ground mounted or monument signs with a maximum sign surface area of 32 square feet per side.
 - (3) A development sign over a covered awning may be installed on the eastern side of the Mill Building facing East 16th Street. The maximum sign surface area of this sign shall be 24 square feet.
 - (4) A development sign may be installed on two sides of the existing smokestack located on Development Area A. These signs shall be comprised of painted or raised vertical letters and the maximum sign surface area of each such sign shall be 160 square feet. A light box may be installed at the top of the smokestack at the option of Petitioner.
 - (5) The foregoing signs and any other signs allowed under the ordinance may be internally or externally illuminated.
8. Amended Note 3(B) under Permitted Uses to delete reference to temporary surface parking lots. Provided the following language: The surface parking of vehicles shall be permitted on the site. The surface parking lots located on Development Areas B1 and B2 are considered to be accessory uses to the Mill Building as well as to the existing buildings located on Development Areas B1 and B2. The surface parking lot located on Development Area C is less than one acre in size.
9. Amended Note 4(A) under Development Limitations to add the following: Any additions to the Mill Building must be located within the building and parking envelope set out on Sheet RZ-1.0 of the rezoning plan.
10. Amended Note 4(C) under Development Limitations as follows: In addition to any expansion or addition to the Mill Building, a new freestanding building may be constructed on Development Area A in the location generally depicted on the rezoning plan.
11. Amended Note 4(D) under Development Limitations as follows: The existing building located on Development Area B1 may remain in place and be devoted to uses permitted under this rezoning plan.
12. Added Note 4(E) under Development Limitations as follows: The existing building located on Development Area B2 may remain in place and be devoted to uses permitted under this rezoning plan.
13. Amended Note 4(F) under Development Limitations as follows: Subject to Sections F, R and U under Optional Provisions, in the event that Development Area B1 is Redeveloped, the Redevelopment of Development Area B1 shall be in accordance with the requirements of the

	<p>TOD-M zoning district. The number of buildings allowed on Development Area B1 shall be governed by the Ordinance, provided that all buildings are located within the Building and Parking Envelope set out on Sheet RZ-1.0 of the Rezoning Plan.</p> <p>14. Added Note 4(G) under Development Limitations as follows: Subject to Sections F, S and U under Optional Provisions, in the event that Development Area B2 is Redeveloped, the Redevelopment of Development Area B2 shall be in accordance with the requirements of the TOD-M zoning district. The number of buildings allowed on Development Area B2 shall be governed by the Ordinance, provided that all buildings are located within the Building and Parking Envelope set out on Sheet RZ-1.0 of the Rezoning Plan.</p> <p>15. Added Note 4(H) under Development Limitations as follows: Subject to Sections F and U under Optional Provisions, in the event that Development Area C is Redeveloped, the Redevelopment of Development Area C shall be in accordance with the requirements of the TOD-M zoning district. The number of buildings allowed on Development Area C shall be governed by the Ordinance, provided that all buildings are located within the Building and Parking Envelope set out on Sheet RZ-1.0 of the Rezoning Plan.</p> <p>16. Amended Note 5(D) under Transportation as follows: Petitioner shall submit a petition to the City of Charlotte the "City" requesting the abandonment of that portion of North Brevard Street that is generally depicted on the rezoning plan.</p> <p>17. Amended Note 6(A)(5) under Architectural and Design Standards to add the following: The transition between the building and the sidewalk may include without limitation, grade change, landscaping, outdoor dining or seating, a plaza, a porch and/or a stoop. The type of transition shall be determined by petitioner during the permitting and urban review phase.</p> <p>18. Amended Note 7(C) under Streetscape/Landscaping/Open Space as follows: The transition between the building and the sidewalk may include, without limitation, grade change, landscaping, outdoor dining or seating, a plaza, a porch and/or a stoop. The type of transition shall be determined by Petitioner during the permitting and urban review phase.</p> <p>19. Added Note 9(A) under Signage as follows: Subject to the optional provisions set out above, all signs installed on the site shall comply with the requirements of the ordinance.</p> <p>20. Added Note 11(A) under Development Agreements as follows: Petitioner and the City may, at their option, enter into Development Agreements subsequent to the approval of this Rezoning Petition that relate to matters such as storm water improvements, and such Development Agreements may refine and/or alter the parties' respective obligations with respect to streetscape improvements and other matters.</p> <p>The following items are outstanding:</p> <ol style="list-style-type: none"> 1. Add note that petitioner will be responsible for the "top" pavement surface treatment associated with the Storm Water project, including two 11-foot wide travel lanes, a wider 13-foot multi-use path (due to the culvert's head wall), a taller bicycle railing on the multi-use path side, and other needed elements. 2. Provide a time frame for redevelopment of Development Areas A, B and C.
	<p>6. <u>Petition No. 2016-045</u> (Council District 1- Kinsey) by Pamlico Investments, Inc. for a change in zoning for approximately 1.37 acres located on the southwest corner at the intersection of East 10th Street and Seigle Avenue from B-1 (neighborhood business) and R-22MF (multi-family residential) to MUDD-O (mixed use development, optional).</p> <p><u>Attachment 31</u> (City Council April 18, 2016)</p> <p>Staff recommends denial of the petition.</p> <p>The following items have been addressed:</p> <p>Land Use</p> <ol style="list-style-type: none"> 1. Limited maximum building height to three stories and 45 feet along Seigle Avenue, excluding rooftop activities, and four stories and 60 feet along Stevens Street. <ol style="list-style-type: none"> a. Eliminated the optional provision to allow signs to be installed above the third floor and up to 50 feet above ground. This could result in highly visible signs from the neighborhood or from Independence Boulevard. 2. Labeled the elevations and clearly depicted what will be constructed, including the portion of the building that will be along Stevens Street and Independence Boulevard. 3. Provided adequate area to accommodate the full width of the Cross Charlotte Trail that will run parallel to Independence Boulevard. In addition, provided building and pedestrian activity along the trail.

Transportation

4. Eliminated the request to abandon Stevens Street right-of-way as it is planned to be used by the Cross Charlotte Trail in the future.

Environment

5. Provided a pedestrian connection from tax parcels 080-152-08, 09 and 10 to the Little Sugar Creek Greenway/Cross Charlotte Trail Corridor as called for in the 2014 Greenway Master Plan.

The following items have been added or modified since the public hearing:

1. Reduced maximum square footage from 150,000 square feet to 117,000 square feet. Also limited the square footage devoted to non-self-storage uses to no less than 8,000 square feet of gross floor area and no more than 10,000 square feet of gross floor area, excluding rooftop activities.
2. Added Optional Request as follows: For purposes of the development limitations set forth in these development standards, the following items will not be counted as part of the allowed gross floor area (as defined by the ordinance) for the site: surface parking, all loading dock areas (open or enclosed), and outdoor dining areas whether on the roof of the buildings) or at street level.
3. Added Optional Request as follows: Outdoor seating does not count towards parking calculations or maximum square footage of allowed uses.
4. Amended Note 3(a) under Optional Provisions as follows: Because Stevens Street will not be improved as a vehicular road but rather a pedestrian connection from the Cross Charlotte Trail to 10th Street, the percentage of the ground floor façade along Stevens Street being used for professional business and general offices, retail sales, eating/drinking/and entertainment establishments may be reduced to 0%.
5. Deleted Note 5(e) under Transportation, which read "Petitioner will improve pedestrian areas along East 10th Street in conjunction with development of the site per the ordinance and consistent with the Belmont Area Revitalization Plan."
6. Amended Note 5(d) under Transportation to add the following: Petitioner will improve 10th Street with on-street parallel parking spaces as generally depicted on the site plan and will improve Seigle Street with reverse angle parking spaces as generally depicted on the site plan.
7. Deleted Note 5(g) under Transportation as follows: Uses which do not have conflicting hours of operation may share parking as allowed by the ordinance.
8. Added Note 5(h) under Transportation as follows: Petitioner will provide an area within the site that can be used as a B-Cycle station in the future.
9. Added Note 5(i) under Transportation as follows: Petitioner will construct a pedestrian connection from the Cross Charlotte Trail along the Stevens Street right-of-way and across East 10th Street. Petitioner will provide an adequate area to accommodate the full width of the Cross Charlotte Trail that will run parallel to Independence Boulevard. Connections from the property to the Cross Charlotte Trail will be provided once points of egress from the improvements are established during project design.
10. Deleted Note 6(b): Except as otherwise provided in these development standards, the building will be constructed and operated in accordance with the restriction described in the ordinance.
11. Added Note 6(e) under Architectural Standards as follows: The buildings will include vertical breaks, belt courses, string courses, molding, ornamentation and/or change in material and pedestrian scale storefront bays every 30 feet to prevent monolithic buildings and maintain a rhythm consistent with surrounding buildings.
12. Added Note 6(f) under Architectural Standards as follows: The buildings must have a minimum of 70% transparency along the primary frontage where the retail/office establishments are located.
13. Added Note 6(g) under Architectural Standards as follows: maximum window sill height is three feet in front of the retail/office establishments.
14. Added Note 6(h) under Architectural Standards as follows: retail establishments should maintain one street facing entrance on each public or private street with doors unlocked during regular business hours.
15. Added Note 6(i) under Architectural Standards as follows: Height of the retail/office establishments shall be greater than upper floors.
16. Added Note 7(c) under Streetscape and Landscaping as follows: Parking area behind the building will be screened from the Cross Charlotte Trail by landscaping and a decorative security fence.

	<p>17. Added Note 7(d) under Streetscape and Landscaping as follows: Reverse angle parking shall be located along Seigle Avenue as shown on site plan.</p> <p>18. Deleted Note under Streetscape and Landscaping as follows: Streetscape improvements will be generally as depicted on the site plan and will comply with all MUDD standards.</p> <p>19. Deleted all notes under Parks, Greenway and Open Space.</p> <p>20. Deleted all notes under Signage.</p> <p>21. Deleted note under Phasing stating that the project will be developed in a single phase.</p> <p>22. Provided an eight-foot sidewalk along Stevens Street.</p> <p>23. Provided a decorative security fence and landscape screening to screen parking from Stevens Street.</p> <p>The following items are outstanding:</p> <ol style="list-style-type: none"> 1. The use is inconsistent with the plan recommendation for multi-family. 2. Meet all of the standards of the recently approved text amendment (Petition 2015-084) for enclosed storage including the following: <ol style="list-style-type: none"> a. Eliminate the optional provision for the façade along Stevens Street to allow 100% of the ground floor to have no active uses. This will result in a very uninviting environment for a street that is expected to be a neighborhood connection to the Cross Charlotte Trail. 3. Eliminate the reverse angle parking along Seigle Avenue and replace it with parallel on-street parking. <p>The following items are outstanding items requested after the public hearing:</p> <ol style="list-style-type: none"> 4. Provide an area for street trees along Stevens Street. 5. The eight-foot planting strip along East 10th Street and Seigle Avenue should be a paved amenity area with plantings. 6. Delete Note 2(c)(iii) under General Provisions. 7. Amend Note 4(f) under Permitted Uses to provide a definition and square footage for rooftop activities. 8. Replace Note 5(e) under Transportation as follows: "petitioner will improve pedestrian areas along East 10th Street in conjunction with the development of the site and consistent with the Belmont Area Revitalization Plan." Specify what the plan calls for beyond the ordinance. 9. Delete note on Sheet RZ-1 that reads "The rezoning plan is illustrative in nature and is intended to depict building, parking and circulation relationships."
<p>Requesting Deferral (to May 25, 2016)</p>	<p>7. <u>Petition No. 2016-049</u> Outside City Limits by Loves Travel Stop & Country Store for a change in zoning for approximately 10.22 acres located on the southeast corner at the intersection of Sam Wilson Road and West Pointe Drive from B-2 (LLWPA) (general business, Lower Lake Wylie Protected Area) and CC (LLWPA) (commercial center, Lower Lake Wylie Protected Area) to I-2(CD) (LLWPA) (general industrial, conditional, Lower Lake Wylie Protected Area).</p> <p><u>Attachment 32</u> (City Council April 18, 2016)</p>
	<p>8. <u>Petition No. 2016-039</u> (Council District 3-Mayfield) by MPV Properties, LLC for a change in zoning for approximately 3.48 acres located on the east side of South Tryon Street between Wright's Ferry Road and Grandiflora Drive from R-3 (single family residential) to O-1(CD) (office, conditional) with 5-Year Vested Rights.</p> <p><u>Attachment 33</u> (City Council April 18, 2016)</p> <p>Staff recommends approval of this petition.</p> <p>The following issues have been addressed:</p> <p>Land Use</p> <ol style="list-style-type: none"> 1. Amended the site plan Development Summary to indicate the proposed zoning is O-1(CD) with five-year vested rights. <p>Site and Building Design</p> <ol style="list-style-type: none"> 2. Petitioner has removed reference to "no wall pak" from the Lighting Note on Rezoning Sheet 1.0. Language has been modified to state intent to utilize architectural lighting such as sconces and other decorative fixtures on the exterior of buildings.

	<p>3. Architectural Standards Note 4.e. has been modified to state that blank walls will not exceed 20 feet horizontally or 10 feet vertically. Transparent windows will be used on elevations visible from the public right-of-way for a minimum of 50% of the façade. Pedestrian entrances will feature prominent architectural elements, including, but not limited to canopies.</p> <p>Environment</p> <p>4. In response to the request to show possible locations for tree save areas and storm water facilities, the petitioner has indicated that it is preferable to not show tree save area or storm water facility locations, as storm water controls may be located underground. Petitioner has modified Environmental Features Notes 6.a. and 6.b. as they pertain to compliance with the City of Charlotte Tree Ordinance and City of Charlotte Post Construction Controls Ordinance, as follow:</p> <ul style="list-style-type: none"> a. The Site will comply with the City of Charlotte Tree Ordinance. Tree save area shall be provided on site, primarily along the northern boundary where trees and vegetation exist. The exact location of the tree save area(s) will be determined during the construction document review and permitting phase. b. The Site will comply with the City of Charlotte Post Construction Ordinance for storm water. Above ground Water Quality and Detention BMPs will be aesthetically appealing through the use of grass, landscaping, water features, rain gardens, or other like forms. The petitioner reserves the right to provide BMPs as above ground or underground facilities. If above ground, the BMP will be located in the northeast portion of the site.
	<p>9. <u>Petition No. 2016-040</u> (Council District 7-Driggs) by Providence Road Farms, LLC for a change in zoning for approximately 47.55 acres located on the east side of Providence Road between Providence Country Club Drive and Allison Woods Drive and across from Ardrey Kell Road from MUDD-O (mixed use development, optional) to MUDD-O SPA (mixed use development, optional site plan amendment).</p> <p><u>Attachment 34</u> (City Council April 18, 2016)</p> <p>Staff recommends approval of this petition.</p> <p>Update: No outstanding issues.</p>
	<p>10. <u>Petition No. 2016-044</u> (Council District 3 –Mayfield) by W. Holt Parham for a change in zoning for approximately 0.9 acres located on the northeast corner at the intersection of South Tryon Street and West Kingston Avenue from B-1 (neighborhood business) to TOD-MO (transit oriented development-mixed use, optional).</p> <p><u>Attachment 35</u> (City Council April 18, 2016)</p> <p>Staff recommends approval of this petition.</p> <p>The following outstanding issues have been addressed:</p> <ul style="list-style-type: none"> 1. The option request for deviation for the active street requirement has been removed. 2. The required streetscape on South Tryon Street and been labeled and shown on the plan. 3. An eight planting strip and eight foot amenity zoned has been shown on the plan. 4. 30 feet from the centerline of South Tryon Street has been shown on the plan. 5. New curb and gutter along South Tryon Street has been shown. <p>The following issue is outstanding:</p> <ul style="list-style-type: none"> 6. The petitioner should dedicate right of way (to be located at back of proposed sidewalk). This right of way should be dedicated to the City of Charlotte prior to the issuance of a certificate of occupancy.
	<p>11. <u>Petition No. 2016-055</u> (Council District 4-Phipps) by Real Estate Investment Fund, LLC for a change in zoning for approximately 2.52 acres located on the west side of Prosperity Church Road between Johnston Oehler Road and Interstate 485 from R-3 (single family residential) to MUDD-O (mixed used development, optional).</p>

Attachment 36 (City Council April 18, 2016)

Staff recommends approval of this petition upon resolution of the outstanding issue.

The following issues have been addressed:

Transportation

1. The petitioner has amended site plan to widen Prosperity Crossing Road to a local collector street typical section requiring a minimum 51 feet of right-of-way; this street section allows recessed on-street parallel parking on both sides of the street. The future back of curb along the site's Prosperity Crossing Drive's frontage will be located 37 feet from the existing back of curb on the south side Prosperity Crossing Drive.
2. The petitioner shows 51 feet of total right-of-way as measured from Prosperity Crossing Road's exiting "southern" right-of-way line. The public sidewalk along the site's Prosperity Crossing Road frontage can be placed in a permanent Sidewalk Utility Easement or additional right-of-way. The petitioner has revised the site plan to depict and label future right-of-way and/or permanent Sidewalk Utility Easements along the site's Prosperity Crossing Road frontage.
3. The petitioner has revised the site plan to depict and label a permanent Sidewalk Utility Easement or additional right-of-way to include the entire 6-foot public sidewalk along the site's Docia Crossing Road frontage.

Site and Building Design

1. The petitioner has deleted the third optional request because it does not match the site plan drawing. The petitioner has provided a minimum 16 foot setback from back of curb in order to accommodate required street trees.

Requested Technical Revisions

1. The petitioner has removed the third paragraph under General Provisions heading that read "The technical data sheet..."
2. The petitioner has moved Architectural Standards/Streetscape and Landscaping Note 7j under Permitted Uses heading where language lists prohibited uses.
3. The petitioner has revised site plan to show paved surface next to on-street parking with trees in grates or planters.

The following items have been added since the public hearing:

1. Architectural Standards/Streetscape and Landscaping Note 7.c. regarding dumpster areas has been modified by adding language that states: "...gates or doors shall be opaque and shall lock in order to limit access during non-business hours."
2. Lighting Note 11.c. has been modified to read: "All decorative exterior, building-mounted lighting shall incorporate globe lanterns or other similar style that adequately illuminate pedestrian areas and reduce shadows along building frontages."
3. Parking Note 13.b. has been added that states: "Petitioner will provide a minimum of one (1) conveniently-located parking space reserved for "clean commuters" (which shall include carpool, vanpool, hybrid vehicles and electric vehicles), otherwise, parking will meet all ordinance standards."

The following item remains outstanding:

Transportation

1. The petitioner needs to revise the site plan to show how the existing curbline of Prosperity Crossing Road, west of Docia Crossing Road, will properly align with the new curbline proposed east of Docia Crossing Road.

12. **Petition No. 2016-058** (Council District 2-Austin) **by Collin Brown** for a change in zoning for approximately 0.81 acres located on the west side of South Church Street between Interstate 277 and West Stonewall Street from UMUD-O (uptown mixed use, optional) to UMUD (uptown mixed use).

Attachment 37 (City Council April 18, 2016)

Staff Recommends approval of this petition.

Update: No outstanding issues.

	<p>13. <u>Petition No. 2016-060</u> (Council District 3 –Mayfield) by Triple C Brewing Company, LLC for a change in zoning for approximately 1.5 acres located on the west side of Griffith Street between Poindexter Drive and Youngblood Street from I-2 (general industrial) to TOD-M (transit oriented development - mixed use).</p> <p><u>Attachment 38</u> (City Council April 18, 2016)</p> <p>Staff Recommends approval of this petition.</p> <p>Update: No outstanding issues.</p>
	<p>14. Innovative Request for Rezoning <u>Petition No. 2015-022</u>: Mark Kime is requesting approval of innovative provisions for the MX-1 residential portion of Rea Farms associated with petition 2015-022. The site is located on the north side of Ardrey Kell Road near the intersection of Providence Road and Ardrey Kell Road.</p> <p>The requested innovative provisions are as follows:</p> <ol style="list-style-type: none"> 1. To allow residential units to front on public open space provided they are publicly accessible from an alley and meet all City of Charlotte Fire Code Regulations. 2. Allow the maximum building coverage for detached dwellings to be 70 percent.