

REQUEST	Text amendment to Chapter 20 of the City Code, "Subdivisions", Section 20-22.
SUMMARY OF PETITION	The petition proposes to revise the right-of-way requirements for identified sections of U.S. 74 (Independence Boulevard).
PETITIONER AGENT/REPRESENTATIVE	Charlotte-Mecklenburg Planning Commission Charlotte-Mecklenburg Planning Department
COMMUNITY MEETING	Meeting is not required.
STATEMENT OF CONSISTENCY	This petition is found to be consistent with adopted policies and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Dodson seconded by Commissioner Walker).

ZONING COMMITTEE ACTION	The Zoning Committee voted unanimously to recommend APPROVAL of this petition.
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VOTE	Motion/Second: Lipton/Walker Yeas: Dodson, Fallon, Firestone, Lipton, Phipps, Rosenburgh and Walker Nays: None Absent: None Recused: None
ZONING COMMITTEE DISCUSSION	Staff summarized the purpose of the text amendment and reviewed the required right-of-way modifications made to various portions of U.S. 74 (Independence Boulevard). There were no questions.
STAFF OPINION	Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Background**
 - Petition 2009-038 approved changes to the Subdivision Ordinance that reduced the transitional setback for portions of U.S. 74.
 - The North Carolina Department of Transportation's (NCDOT) right-of-way acquisition and construction for the segment of U.S. 74 from I-277 to Albemarle Road is complete.
 - NCDOT's right-of-way acquisition for the segment of U. S. 74 from Albemarle Road to Sharon Forest Drive (Transportation Improvement Project U-209B) is underway.
- **Proposed Request Details**
 - The text amendment contains the following provisions:
 - Reduces the required right-of-way for the section of U.S. 74 between I-277 and Albemarle Road to the existing right-of-way. No additional right-of-way will be required in conjunction with new development.

- Retains the 250-foot minimum right-of-way requirement along U.S. 74 between Albemarle Road and W.T. Harris Boulevard and the 280-foot minimum right-of-way requirement between W.T. Harris Boulevard and Sharon Forest Drive, until NCDOT completes the right-of-way acquisition portion of the construction project (Transportation Improvement Project U-209B). Once the right-of-way acquisition is complete, the required right-of-way will be the existing right-of-way width.
 - Retains the 280-foot minimum right-of-way requirement along U.S. 74 between Sharon Forest Drive and the City limits until NCDOT completes the right-of-way acquisition portion of the construction project (Transportation Improvement Project U-2509). Once the right-of-way acquisition is complete, the required right-of-way will be the existing right-of-way width.
 - **Public Plans and Policies**
 - The proposed text amendment is consistent with adopted policies and the recommendations in the draft *Independence Boulevard Area Plan*.
 - **Staff Recommendation (Updated)**
 - Staff recommends approval of this text amendment.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Charlotte Department of Transportation:** No comments received.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Not applicable.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** Not applicable.
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OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

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