
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).
STAFF RECOMMENDATION	Staff recommends approval of this petition. The petition is consistent with adopted policies.
PETITIONER	Charlotte-Mecklenburg Planning Commission
AGENT/REPRESENTATIVE	Charlotte-Mecklenburg Planning Department
COMMUNITY MEETING	Meeting is not required.

PLANNING STAFF REVIEW

- **Background**
 - Petition 2009-038 approved changes to the Subdivision Ordinance that reduced the proposed minimum right-of-way for 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*.
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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.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** There is no site plan associated with this text amendment.
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OUTSTANDING ISSUES

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

- Application
- 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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