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<i>Mayor Anthony Foxx</i>	<i>Mayor Pro-Tem Patrick Cannon</i>
<i>Michael D. Barnes</i>	<i>Jason Burgess</i>
<i>Nancy Carter</i>	<i>Warren Cooksey</i>
<i>Andy Dulin</i>	<i>David Howard</i>
<i>Patsy Kinsey</i>	<i>James E. Mitchell, Jr.</i>
<i>Edwin B. Peacock III</i>	<i>Warren Turner</i>

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## ***CITY COUNCIL ZONING AGENDA***

### ***Monday, June 21, 2010***

**5:00PM – Council/Manager Dinner**  
**Meeting Chamber Conference Room**

**6:00PM – Zoning Decisions**  
**Meeting Chamber**

### ***DINNER MEETING***

- ***Review of Agenda – Tammie Keplinger / Tom Drake***
- ***Changes to the Staff Analyses – Tammie Keplinger***

**ALL REZONING PETITIONS MAY BE VIEWED ON THE WEB AT**  
**[www.rezoning.org](http://www.rezoning.org)**

# **REZONING ACRONYMS**

## Zoning Districts

- **B-1** – neighborhood business district
- **B-2** – general business district
- **B-1SCD** – business shopping center district
- **BD** – distributive business district
- **BP** – business park district
- **CC** – commercial center district
- **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-EO** – transit oriented development – employment - optional
- **TOD-M** – transit oriented development – mixed use
- **TOD-MO** – transit oriented development – mixed use – optional
- **TOD-R** – transit oriented development – residential
- **TOD-RO** – transit oriented development – residential - optional
- **U-I** – urban industrial district
- **UMUD** – uptown mixed use district
- **UMUD-O** – uptown mixed use district - optional
- **UR-1** – urban residential
- **UR-2** – urban residential
- **UR-3** – urban residential
- **UR-C** – urban residential - commercial

## Overlay Districts

- **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
- **HW** – hazardous waste overlay
- **LNW** – Lake Norman watershed
- **LNWCA** – Lake Norman watershed – critical area
- **LNWPA** – Lake Norman watershed – protected area
- **LLWW** – Lower Lake Wylie watershed
- **LLWWCA** – Lower Lake Wylie watershed – critical area
- **LLWWPA** – Lower Lake Wylie watershed – protected area
- **MILW** – Mountain Island Lake watershed
- **MILWCA** – Mountain Island Lake watershed – critical area
- **MILWPA** – Mountain Island Lake watershed – protected area
- **MH** – manufactured home overlay
- **PED** – pedestrian overlay district
- **PED-O** – pedestrian overlay district – optional
- **TS** – transit supportive overlay district

## Miscellaneous Acronyms

- **CD** – conditional
- **SPA** – site plan amendment

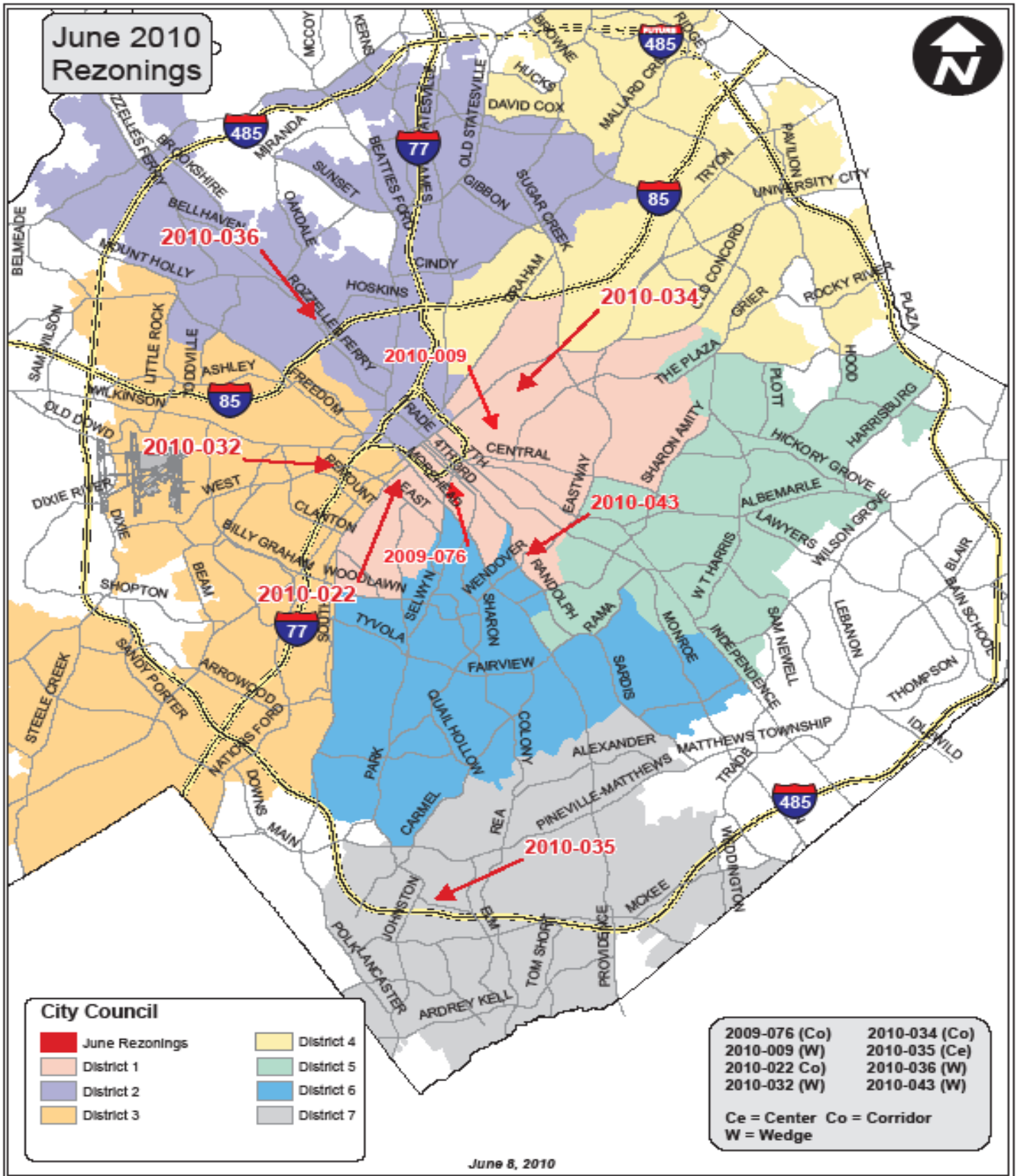
## **HISTORIC LANDMARKS**

	<p><b>1.</b> Public hearing to consider Historic Landmark designation of the property known as the <b>“Thrift Depot of the Piedmont and Northern Railroad Company”</b> (listed under Tax Parcel Number 05502102 including the exterior of the depot building and one acre of land shown on “Exhibit A” and listed under Tax Parcel Number 05502102 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of May 1, 2010). The property is owned by CSX Corporation, Inc., and is located at 8030 Old Mt. Holly Road, Charlotte, North Carolina.</p> <p>Attachment 1</p>
	<p><b>2.</b> Public hearing to consider Historic Landmark designation of the property known as the <b>“W.P.A. Douglas Airport Hanger”</b> (listed under Tax Parcel Number 11522102a and including the interior and the exterior of the 1937 hanger building listed under Tax Parcel Number 11522102a in the Mecklenburg County Tax Office, Charlotte, North Carolina as of May 1, 2010). The property is owned by City of Charlotte, and is located at 4108 Minuteman Way, North Carolina.</p> <p>Attachment 2</p>

## **DECISIONS**

<p><b>Deferral (indefinite)</b></p>	<p><b>3. Petition No. 2009-075 by Dona Patterson</b> for a change in zoning of approximately 0.64 acres located on the east side of West Sugar Creek Road between North Tryon Street and Penny Way from R-12MF to O-1.</p> <p>The petitioner is requesting an indefinite deferral of this decision.</p> <p>This petition is found to be inconsistent with the <i>Northeast District Plan</i> and not reasonable and in the public interest, by a 4-1 vote of the Zoning Committee. The Committee voted unanimously to recommend <b>DENIAL</b> of this petition.</p> <p>Staff recommends <b>DENIAL</b> of this petition.</p> <p>Attachment 3</p>
	<p><b>4. Petition No. 2010-030 by Prosperity Shopping Plaza, LLC</b> for a NS site plan amendment of approximately 1.11 acres located at the northeast corner of Prosperity Church Road and Johnston-Oehler Road.</p> <p>This petition is found to be:</p> <ul style="list-style-type: none"> <li>• consistent with the <i>Prosperity Church Road Villages Plan</i> land use recommendations, and,</li> <li>• inconsistent with the Plan’s design guidelines</li> </ul> <p>But reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. The required 35 parking spaces are shown on the site plan.</li> <li>2. The site plan shows the closing of the driveway along Johnston-Oehler Road as per CDOT’s request. It further notes that if a traffic circle is constructed, the driveway may be re-opened as a right-in, right-out driveway.</li> </ol>

	<p>3. The site plan shows a fourteen-foot setback with six-foot sidewalk along Johnston-Oehler Road and Prosperity Church Road. Planting strips will be in accordance with the Charlotte Tree Ordinance.</p> <p>4. A note has been added to the site plan that the petitioner will retain the services of a certified arborist to develop a site-specific tree save plan and make every effort to save the existing trees.</p> <p>Staff recommends <b>APPROVAL</b> of this petition as modified.</p> <p>Attachment 4</p>
	<p>5. <b>Petition No. 2010-031 by The Carolina Group</b> for a MUDD-O site plan amendment of approximately 0.49 acres located along West W.T. Harris Boulevard between Medical Plaza Drive and Technology Drive.</p> <p>This petition is found to be inconsistent with the <i>Northeast District Plan</i>, and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition.</p> <p>Staff recommends <b>APPROVAL</b> of this petition.</p> <p>Attachment 5</p>
	<p>6. <b>Petition No. 2010-033 by Charlotte-Mecklenburg Planning Commission</b> for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to add new regulations making parking decks constructed as an accessory use to an institutional use exempt from the floor area ratio (FAR) standards, when located in the single family and multi-family zoning districts, provided certain requirements are met and to reorganize Section 12.212 for clarity.</p> <p>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. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition.</p> <p>Staff recommends <b>APPROVAL</b> of this text amendment.</p> <p>Attachment 6</p>



## HEARINGS

	<p><b>7. Petition No. 2009-076 by The Asian (Korean) Herald</b> for a change in zoning of approximately 0.64 acres locate on the west side of Cherry Street between Baxter Street and Luther Street from R-8 to O-2(CD).</p> <p>Staff does not recommend approval of this petition.</p> <p>Attachment 7</p>
	<p><b>8. Petition No. 2010-009 by St. Paul Missionary Baptist Church, Inc.</b> for a change in zoning of approximately 9.06 acres located within Harrill Street, East 16<sup>th</sup> Street, Pegram Street and East 18<sup>th</sup> Street from R-5 and O-2(CD) to MUDD-O and UR-C(CD).</p> <p>Staff recommends approval of this petition upon resolution of the outstanding issues.</p> <p>Attachment 8</p>
	<p><b>9. Petition No. 2010-032 by The Rock Worship Center</b> for a change in zoning of approximately 1.59 acres located at the intersection of Fordham Road and West Boulevard from R-4 to O-1(CD).</p> <p>Staff recommends approval of this petition upon resolution of the outstanding issues.</p> <p>Attachment 9</p>
<p><b>Deferral (one-month)</b></p>	<p><b>10. Petition No. 2010-034 by RED Partners</b> for a change in zoning of approximately 0.36 acres located along the east side of North Davidson Street between Charles Avenue and East 32<sup>nd</sup> Street from R-5 to UR-2(CD).</p> <p>Petitioner is requesting a one-month deferral of this petition to allow time to communicate further with the neighborhood association.</p> <p>Staff recommends approval of this petition upon resolution of the outstanding issues.</p> <p>Attachment 10</p>
	<p><b>11. Petition No. 2010-035 by Lichtin Corporation</b> for a CC site plan amendment of approximately 37.3 acres located at the intersection of Johnston Road and Toringdon Way, surrounded on the south side by Interstate 485.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 11</p>
	<p><b>12. Petition No. 2010-036 by Grier Funeral Service, Inc.</b> for a change in zoning of approximately 1.60 acres located at the north corner of Rozzelles Ferry Road and John McCarroll Avenue from R-22MF and O-2(CD) to O-2(CD) and O-2(CD) site plan amendment.</p> <p>Staff recommends approval of this petition upon resolution of the outstanding issues.</p> <p>Attachment 12</p>

	<p><b>13. Petition No. 2010-037 by Boxman Studios, LLC</b> for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to expand the type of structures acceptable for use under the Mobile Food Vending Services definition, and to add additional standards for their use.</p> <p>Staff does not recommend approval of this petition.</p> <p>Attachment 13</p>
	<p><b>14. Petition No. 2010-043 by Valley Development, Inc.</b> for a UR-2(CD) site plan amendment of approximately 4.27 acres located along Wendwood Lane off Randolph Road.</p> <p>Staff recommends approval of this petition upon resolution of the outstanding issues.</p> <p>Attachment 14</p>
<p><b>Protest Sufficient</b></p>	<p><b>15. Petition No. 2010-022 by Charlotte Housing Authority</b> for a change in zoning of approximately 16.70 acres located south of the intersection of South Boulevard and South Caldwell Street and bounded by Templeton Avenue and Euclid Avenue from TOD-M(CD) and R-22MF to TOD-MO and TOD-RO.</p> <p>Staff recommends approval of this petition upon resolution of the outstanding issues.</p> <p>Attachment 15</p>