

Mayor Patrick L. McCrory   Mayor Pro Tem Susan Burgess  
Michael D. Barnes   Nancy Carter  
Warren Cooksey   Andy Dulin  
Anthony Foxx   Patsy Kinsey  
John W. Lassiter   James E. Mitchell, Jr.  
Edwin B. Peacock III   Warren Turner

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## ***CITY COUNCIL ZONING AGENDA*** ***Monday, November 16, 2009***

**5:00PM – Zoning Decisions**  
**Meeting Chamber**

**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

## DECISIONS

<p><b>Deferral (two-month to January 19, 2010)</b></p>	<p>1. <b>Petition No. 2009-039 (Decision) by Charlotte Area Transit System</b> for a change in zoning of approximately 3.65 acres located southeast of North Alexander Street from O-2 to B-2(CD).</p> <p>The petitioner is requesting a two-month deferral of this petition.</p> <p>The Zoning Committee voted unanimously to <b>DEFER</b> this petition to their December meeting.</p> <p>Attachment 1</p>
	<p>2. <b>Petition No. 2009-069 (decision) by Temple Beth El, Inc.</b> for a change in zoning of approximately 8.50 acres located on the east side of Providence Road across from East Barden from R-1 and R-3 to INST(CD) and R-3.</p> <p>This petition is found to be consistent with the <i>South District Plan</i> and 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 petitioner added building square footage information to the site plan.</li> <li>2. The petitioner corrected the conflict in the Parking Analysis table regarding the existing, proposed, and total on-site parking spaces.</li> <li>3. The petitioner labeled all walkways on the site plan.</li> <li>4. The petitioner modified Note #11 to state that site lighting shall be shielded with full cut-off fixtures.</li> <li>5. The petitioner added language to Note #9 stating the parking agreement shall conform to Section 12.203 of the City of Charlotte Zoning Ordinance.</li> </ol> <p>Staff agrees with the recommendation of the Zoning Committee.</p> <p>Attachment 2</p>
	<p>3. <b>Petition No. 2009-072 (decision) by Domenic Polzella, David &amp; Leigh Polzella</b> for a change in zoning of approximately 1.68 acres located on the east side of Bob Beatty Road near Reames Road from R-4 to B-2(CD) and O-1(CD).</p> <p>This petition is found to be consistent with the <i>Northlake Area Plan</i> and 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 petitioner clarified the language contained in Note #9 to state that all existing buildings will remain unchanged and comply with the maximum building 40 foot height.</li> <li>2. The petitioner amended Development Note #7 to identify Rezoning Petition 1991-09(c).</li> <li>3. The petitioner amended Development Note #10 and added language to say "full cut-off fixtures".</li> <li>4. All references to the Charlotte-Mecklenburg Historic Landmarks Commission have been correctly noted.</li> <li>5. The required five-foot sidewalk from the proposed uses to the abutting right-of-way is a minimum ordinance requirement that will be addressed at the development process rather than on the site plan.</li> <li>6. The petitioner obtained a variance (Case #2009-041), scheduled on October 27, 2009 from the Zoning Board of Adjustment for the garage encroachment into the rear yard.</li> <li>7. The petitioner addressed comments provided by the Charlotte Historic District</li> </ol>

	<p>8. Commission and the Charlotte-Mecklenburg Historic Landmarks Commission by providing notes on the site plan regarding review and approval of any proposed site improvements or alterations to the interior of the historic house; siting the parking in such a way as to be the least impacting on the overall site; and that a variance has been granted for the garage encroachment into the rear yard.</p> <p>9. The petitioner has addressed CDOT comments regarding conveyance of right-of-way for future improvements to Bob Beatty Road as part of the North Corridor Commuter Rail Project, and the removal of Conditional Note #12 relating to road improvements.</p> <p>Staff agrees with the recommendation of the Zoning Committee.</p> <p>Attachment 3</p>
	<p>4. <b>Petition No. 2009-073 (decision) by Jeanne Fontana</b> for a change in zoning of approximately 2.5 acres located on the northeast corner at the intersection of North Wendover Road and Ellington Street from R-22MF to NS.</p> <p>This petition is found to be inconsistent with the <i>Central District Plan</i> 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 recommendations:</p> <ol style="list-style-type: none"> <li>1. A note has been added that all outdoor freestanding lighting will have full cut-off fixtures.</li> <li>2. The zoning of the adjoining properties has been noted on the site plan.</li> <li>3. The FAR and the maximum FAR is 2.0 have been noted on the site plan.</li> <li>4. The maximum building height has been noted as 60-feet.</li> <li>5. The right-of-way for North Wendover Road has been noted on the site plan as 100 feet.</li> <li>6. The sidewalk has been located behind a 12-foot planting strip to allow for the construction of a future bicycle lane on North Wendover Road.</li> </ol> <p>Staff agrees with the recommendation of the Zoning Committee.</p> <p>Attachment 4</p>