

Mayor Daniel Clodfelter Mayor Pro-Tem Michael D. Barnes
Al Austin John Autry
Ed Driggs Claire Fallon
David Howard Patsy Kinsey
Vi Alexander Lyles LaWana Mayfield
Greg Phipps Kenny Smith

CITY COUNCIL ZONING AGENDA ***Monday, April 20, 2015***

- 5:00PM Council/Manager Dinner
 Meeting Chamber Conference Room
- 6:00PM Zoning Meeting
 Meeting Chamber

ALL REZONING PETITIONS MAY BE VIEWED ON THE WEB AT
www.rezoning.org

ACRONYMS

Zoning District Acronyms

- **B-1** – neighborhood business
- **B-2** – general business
- **B-1SCD** – business shopping center (old district)
- **BD** – distributive business
- **BP** – business park
- **CC** – commercial center
- **HW** – hazardous waste
- **I-1** – light industrial
- **I-2** – general industrial
- **INST** – institutional
- **MUDD** – mixed use development
- **MX-1** – mixed use
- **MX-2** – mixed use
- **MX-3** – mixed use
- **NS** – neighborhood services
- **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-15PUD** – residential, planned unit development
- **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
- **RE-2** – research
- **RE-3** – research
- **TOD** – transit oriented development
- **TOD-E** – transit oriented development – employment
- **TOD-M** – transit oriented development – mixed use
- **TOD-R** – transit oriented development – residential
- **U-I** – urban industrial
- **UMUD** – uptown mixed use
- **UR-1** – urban residential
- **UR-2** – urban residential
- **UR-3** – urban residential
- **UR-C** – urban residential – commercial

Zoning Overlay District Acronyms

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

Miscellaneous Zoning Acronyms

- **CD** – conditional
- **INNOV** – innovative standards
- **SPA** – site plan amendment
- **O** – optional provisions

Miscellaneous Other Acronyms

- **CAG** – citizen advisory group
- **CDOT** – Charlotte Department of Transportation
- **FEMA** – Federal Emergency Management Agency
- **LED** – light emitting diode
- **NCDOT** – North Carolina Department of Transportation
- **PCCO** – Post Construction Control Ordinance

ZONING DECISIONS

<p>Defer (to July)</p> <p>Protest (Sufficient)</p>	<p>1. Petition No. 2014-019 (Outside City Limits) by Charlotte-Mecklenburg Planning Department for a change in zoning for approximately 26.47 acres located on the west corner of the intersection at Mallard Creek Road and Salome Church Road from CC (commercial center) to R-4 (single family residential).</p> <p>The Zoning Committee voted 6-0 to DEFER this petition to their June 24, 2015 meeting.</p> <p>Attachment 1</p>
<p>Request for New Public Hearing (May)</p>	<p>2. Petition No. 2014-021 by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to: 1) create a new definition for mobile produce market; 2) allow mobile produce markets in all zoning districts; and 3) create new prescribed conditions for mobile produce markets.</p> <p>The Zoning Committee voted 6-0 to send this petition back to City Council for a NEW PUBLIC HEARING, since there have been significant changes to the text amendment.</p> <p>Attachment 2</p>
<p>Defer (to June)</p> <p>Protest (Sufficient)</p>	<p>3. Petition No. 2014-031 (Outside city limits) by Wilkison Partners, LLC for a change in zoning for approximately 6.23 acres located on the southeast corner at the intersection of Youngblood Road and Shelburne Farms Drive from MX-3(LLWCA) (mixed use, Lower Lake Wylie critical area) to MX-3 SPA(LLWCA) (mixed use, site plan amendment, Lower Lake Wylie critical area).</p> <p>The Zoning Committee voted 6-0 to DEFER this petition until their May 27, 2015 meeting.</p> <p>Attachment 3</p>
	<p>4. Petition No. 2014-103 (Council District 7 – Driggs) by Weekley Homes, LP for a change in zoning for approximately 5.5 acres located on the north side of Endhaven Lane between North Community House Road and Misty Ridge Lane from R-3 (single family residential) to UR-2(CD) (urban residential, conditional).</p> <p>The Zoning Committee found this petition to be consistent with the <i>South District Plan and General Development Policies</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The <i>South District Plan</i> recommends residential land uses for the site; and • The proposed density is consistent with the recommendations of the <i>General Development Policies</i>. <p>Therefore, this petition is found to be reasonable and in the public interest based on information from the staff analysis and the public hearing, and because it:</p> <ul style="list-style-type: none"> • Provides a variety of housing types (attached and detached); and • Provides a transition from the single family residential uses to the institutional use; and • Is consistent with the <i>South District Plan</i> and the <i>General Development Policies</i>. <p>The Zoning Committee voted 5-1 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. A note has been added that 400 feet of private open space will be provided for each single family attached dwelling unit. 2. The lighting note has been modified to include single family attached and detached structures. 3. Staff has rescinded the request for fence and buffer details. <p>Staff recommends approval of this petition.</p> <p>Attachment 4</p>

<p>Defer (to May)</p> <p>Protest (sufficient)</p>	<p>5. Petition No. 2014-110 (Council District 1 – Kinsey) by Unique Southern States, LLC for a change in zoning for approximately 4.54 acres located at the southeast corner of the intersection between The Plaza and Belvedere Avenue from R-5 (single-family residential), R-5(HD-O) (single-family residential, historic district overlay) and B-2(CD)(HD-O) (general business, conditional, historic district overlay) to MUDD-O (mixed use development, optional) and MUDD-O(HD-O) (mixed use development, optional, historic district overlay).</p> <p>The Zoning Committee voted 6-0 to DEFER this petition until their April 29, 2015 meeting.</p> <p>Attachment 5</p>
	<p>6. Petition No. 2014-113 (Council District 4 – Phipps) by Dona M. Patterson for a change in zoning for approximately 0.65 acres located on the east side of West Sugar Creek Road between Penny Way and North Tryon Street from R-12MF (multi-family residential) to O-1(CD) (office, conditional).</p> <p>The Zoning Board of Adjustment approved the variance associated with this rezoning on March 31, 2015.</p> <p>The Zoning Committee found this petition to be inconsistent with the <i>Northeast District Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The plan recommends multi-family uses for the site. <p>However, this petition is found to be reasonable and in the public interest based on information from the staff analysis and the public hearing, because:</p> <ul style="list-style-type: none"> • It allows the reuse of the existing residential structure for an office, retains the residential character of the structure, and serves as a transition between the cemetery and the residential land uses; <p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modification:</p> <ol style="list-style-type: none"> 1. Note 5 has been removed from the plan. 2. Note 1 has been removed from the plan. 3. The current use has been updated to reflect a single family home. 4. The five-foot sidewalk from the existing structure to the public sidewalk system has been shown. 5. The possible dumpster location has been shown. 6. The proposed driveway has been shown with one-way access. 7. A note has been added that the existing structure shall remain and any reference to a new structure has been removed. 8. A note has been added that attached and detached lighting will be downwardly directed. Detached lighting will be limited to a height of 15 feet. <p>Staff recommends approval of this petition.</p> <p>Attachment 6</p>
<p>Defer (to May)</p>	<p>7. Petition No. 2014-115 (Council District 3 – Mayfield) by Satwinder Singh for a change in zoning for approximately 1.13 acres located on the south side of Parker Drive between Remount Road and Berryhill Road from I-1 (light industrial) to I-2(CD) (general industrial, conditional).</p> <p>The Zoning Committee voted 5-1 to DEFER this petition to their April 29, 2015 work session.</p> <p>Attachment 7</p>

8. [Petition No. 2015-009](#) (Council District 1 - Kinsey) **by Crescent Communities, LLC** for a change in zoning for approximately 6.98 acres located on the west side of East 36th Street between Cullman Avenue and North Davidson Street from I-2 (general industrial) to TOD-M(O) (transit oriented development – mixed-use, optional).

The Zoning Committee found this petition to be consistent with the *Blue Line Extension Station Area Plan – 36th Street Station*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends transit supportive uses for the subject property.

Therefore, this petition is found to be reasonable and in the public interest based on information from the staff analysis and the public hearing, and because:

- An easement will be provided for the Cross Charlotte Trail; and
- The project will provide transit oriented development at the 36th Street Station on the Blue Line Extension; and
- The development will provide a vehicular connection to the west of the site; and
- The proposed development is consistent with the transit development policies.

The Zoning Committee voted 4-1 to recommend **APPROVAL** of this petition with the following modifications:

1. A ten-foot unobstructed path along one side of Private Drive A has been provided.
2. Eliminated the optional request for a drive-through window.
3. Removed all text after the first paragraph under Note 1.c.
4. A new Note 4.d. has been added committing to providing a connection to 35th Street if the Railroad Owner will allow the connection.
5. Note 4.d. has been deleted. A new Note 4.d. has been added to allow public access on Private Drive A.
6. Committed to making the ordinance required open space publicly accessible from East 36th Street or the 36th Street transit station.
7. A note has been added that 36th Street will have an eight-foot planting strip and eight-foot sidewalk.
8. Parking envelope has been provided and labeled on the site plan.
9. A pedestrian connection to the 36th Street Station has been provided.
10. A note has been added that attached and detached lighting will be downwardly directed, fully-shielded and full-cut off fixture.
11. A note has been added that access to 36th Street will be allowed per CDOT's review.
12. A note has been added that the petitioner will seek an access agreement with CATS and various regulatory bodies to provide access to 36th Street Station.
13. Provided a 15-foot easement for the Cross Charlotte Trail.
14. The Petitioner committed to providing an intent statement regarding the street wall treatment along E. 36th Street. The intent statement will emphasize the need to create an interesting pedestrian environment along E. 36th Street.
15. The Petitioner committed to clarifying that active uses will be provided along 50% of the length of the Pedestrian Access Way from the 36th Street Transit Station to 36th Street, not just on 50% of one side of the Access Way.
16. The Petitioner committed to clarifying that parking deck façade treatments along the transit corridor will be designed to be visually coordinated and complimentary to the other buildings constructed on the Site. Parking decks walls/facades located along the transit corridor may not be designed as solid walls (without an architectural/design detail on the façade).
17. The Petitioner committed to clarifying that along Private Drive A, at least 60% of the building frontage will be occupied with active uses.
18. The Petitioner committed to adding a design intent statement regarding building treatment along the transit corridor. The intent statement will emphasize the need for the building facades located along the rail corridor to be designed with finishes and materials similar to the other building facades constructed on the Site.
19. The Petitioner committed to clarifying that vehicular access from Private Drive A is allowed and the number and location of vehicular access points will be determined during the design review process by the Petitioner.
20. The Petitioner committed to clarifying that the Pedestrian Access Way may be part of an internal vehicular access drive.

	<p>21. The Petitioner committed to changing reference to internal private drive to Private Drive A throughout the site plan.</p> <p>Staff recommends approval of this petition</p> <p>Attachment 8</p>
<p>Protest (sufficient)</p>	<p>9. Petition No. 2015-013 (Council District 1 - Kinsey) by Meeting Street Homes and Communities for a change in zoning for approximately 0.42 acres located on the west side of Kenilworth Avenue between Buchanan Street and East Boulevard from R-22MF (multi-family residential) and B-1 (neighborhood business) to MUDD(CD) (mixed use development, conditional).</p> <p>The Zoning Committee found this petition to be consistent with the <i>Dilworth Land Use & Streetscape Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The plan recommends residential uses up to 22 dwelling units per acre for the subject site. <p>Therefore, this petition is found to be reasonable and in the public interest based on information from the staff analysis and the public hearing, and because the proposed development:</p> <ul style="list-style-type: none"> • Addresses the street frontage by providing a door, windows and a courtyard on the elevation facing the public street and has not located parking between the building and the street; and • Provides a 28-foot setback from the existing back of curb, which provides a transition from the non-residential building to the west and the single family homes to the east; and • Provides sidewalk connections from the units to the public sidewalk, two accessible ramps on Kenilworth Avenue at Fillmore Street, and a waiting pad for the existing bus stop. <p>The Zoning Committee voted 4-1 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Deleted Note A under Storm Water as requested in order to address the following issue, "Clarify Note A under Storm Water, which reads: 'Storm water runoff for this development will meet ordinance requirements for the PCCO.' The parcel size will exempt the proposed development from all PCCO requirements per Section 18-105(b) of the Ordinance. If the Petitioner intends to voluntarily comply with the Post-Construction Stormwater Ordinance (PCCO), the Storm Water note should be revised to specify the particular provisions of the PCCO targeted for voluntary compliance. If the Petitioner does not intend to voluntarily comply with any portion of the PCCO, then the current Storm Water note should be deleted from the plan to avoid any confusion during permitting." 2. Provided an elevation that ensures that the Kenilworth Avenue elevation is designed to resemble the main entrance of the building. 3. Amended Note B under Architectural Standards and Materials to say "five-foot minimum width sidewalk" rather than four-foot. 4. Provided four-sided building elevations. 5. Amended the label on the site plan regarding the existing driveway closures to replace the word "repaved" with "replaced." 6. Showed and labeled visitor parking spaces. 7. Deleted the label specifying the developer will construct accessible ramps, as this information is specified in conditional Note D under Transportation. <p>Staff recommends approval of this petition.</p> <p>Attachment 9</p>

10. [Petition No. 2015-017](#) (Council District 1 – Kinsey) **by Mark A. Brummond** for a change in zoning for approximately 0.63 acres located on the northwest corner at the intersection of Hamorton Place and Landis Avenue from B-2(CD) (general business, conditional) to UR-2(CD) (urban residential, conditional).

The Zoning Committee found this petition to be consistent with the *Central District Plan* and the *General Development Policies*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends multi-family residential on this site; and
- The *General Development Policies* support up to 17 dwelling units per acre.

Therefore, this petition is found to be reasonable and in the public interest based on information from the staff analysis and the public hearing, and because:

- The rezoning will allow for the establishment of a zoning district and development pattern that is consistent with the plan, as well as the neighboring residential uses.

The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition with the following modifications:

1. Labeled site plan "Rezoning petition 2015-017."
2. Amended Development Data to state proposed zoning is UR-2(CD).
3. Amended Development Data to note existing use of property (residence with outbuildings).
4. Amended Development Data to state proposed use is up to six single family detached residential homes.
5. Amended Development Data to note proposed density as 9.5 dwelling units per acre.
6. Added language under General Provisions that states that alterations and modifications to the site plan will be subject Section 6.207.
7. Removed first sentence under General Provisions regarding existing conditional zoning.
8. Removed sentence under General Provisions pertaining to proposed use.
9. Amended Note 4 to reflect that the proposed permitted uses are up to six single family detached homes and accessory uses as allowed in the UR-2.
10. Removed paragraph under Development Data pertaining to other standard development requirements.
11. Labeled proposed six-foot sidewalk and eight-foot planting strip along Hamorton Place.
12. Under heading Streetscape and Landscaping added language that references Landis Avenue and Hamorton Place.
13. Removed language under heading Signage and replaced with note stating that signage will be per Ordinance.
14. Under Transportation, removed reference to North Carolina Department of Transportation.
15. Labeled zoning of abutting properties.
16. Noted 50-foot right-of-way width of Hamorton Place.
17. Under Note 8, replaced "Landscape Ordinance" with "applicable City Ordinances."
18. Addressed Transportation and Storm Water Services comments as follows:
 - a. Addressed Transportation comment and increased total paved width to 16 feet to comply with Charlotte Land Development Standards Manual.
 - b. Addressed Storm Water Services comment by adding language to state that the petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance. As requested, this language has been moved from Note 9 to Note 8.

Staff recommends approval of this petition.

[Attachment 10](#)

11. [Petition No. 2015-022](#) (Council District 7 – Driggs) **by Lincoln Harris, LLC** for a change in zoning for approximately 194 acres located on the north side of Ardrey Kell Road near the intersection of Providence Road and Ardrey Kell Road from R-3 (single family residential) and NS (neighborhood services) to MUDD-O (mixed use development, optional) and MX-1(INNOV) (mixed use, innovative standards), with 5-Year Vested Rights.

The Zoning Committee found this petition to be inconsistent with the *Providence Road/*

I-485 Area Plan, based on information from the staff analysis and the public hearing, and because:

- The plan recommends residential uses for the subject property.

However, this petition is found to be reasonable and in the public interest based on information from the staff analysis and the public hearing, and because it:

- Provides a walkable multi-use development with a mixture of residential, office, institutional and retail uses; and
- Provides a potential new school site; and
- Provides a mixture of uses to serve the surrounding community.

The Zoning Committee voted 5-0 to recommend **APPROVAL** of this petition with the following modifications:

I. General Outstanding Issues

A. Open Space

1. A note has been added to the schematic plan confirming that the development will contain a minimum of 5 acres of open space and 3 acres will be centrally located.
2. A note has been added that each development area will meet the minimum MUDD open space requirements.
3. Existing natural areas have been labeled and shown on the site plan.

B. Freestanding Retail

1. A note has been added that one freestanding retail use up to 24,000 square feet is permitted in Development Area A.
2. A note has been added to limit freestanding retail in Development Area B to one retail anchor not to exceed 85,000 square feet and one other freestanding retail use not to exceed 24,000 square feet. The remaining retail uses shall be in multi-tenant buildings.

C. Street Network and Pedestrian Connectivity

1. The Schematic Plan has been updated to reflect anticipated required streets as well as other vehicular, pedestrian and bicycle connections that will minimize block lengths and improve walkability as illustrated on the Conceptual Site Plan.

D. Conceptual Note

1. The petitioner has committed to updating the Conceptual Plan note to reflect the language used in the Development Standards.
2. The notes have been amended on RZ-2 and RZ-6 to include references to Section 6.207.
3. A note has been added that "Petitioner shall develop the Site in a manner generally consistent with the Conceptual Master Plan, with the understanding that the configurations, placements and sizes of buildings, parking areas and opens spaces may be altered or modified as long as the ultimate design is consistent with the spirit and intent of the Conceptual Master Plan."

E. Other

1. Storm Water Services issues have been addressed.

II. Technical Outstanding Issues

A. On Sheet RZ-1:

1. A legend has been provided.
2. Stone Creek Ranch neighborhood has been labeled.
3. The proposed uses have been listed and correct section numbers referenced.
4. The petitioner has committed to removing the note that would allow the site to develop under an R-3 option.

B. Under Permitted Uses:

1. A note has been added that drive-through's as permitted uses in Development Area A are prohibited.
2. A note has been added that Convenience Stores with accessory pumps are not permitted.

C. Under General Provisions:

	<ol style="list-style-type: none"> 1. Note "d" has been modified to state, "private streets will have a minimum of a 16 foot setback." 2. Note "c" has been amended to allow changes to the conceptual plan per section 6.207 in the Zoning Ordinance. <p>D. Under Optional Provisions:</p> <ol style="list-style-type: none"> 1. Note "b" has been removed. 2. Note "m" has been removed. 3. Revised the optional provision to allow deviations to streetscape to state that dimensional deviations will only be allowed with hardships. <p>E. Under Permitted Uses, Development Area Limitations, Transfer and Conversion Rights:</p> <ol style="list-style-type: none"> 1. Note has been modified to state residential dwelling unit numbers are being allocated from the allowed 500 units in all locations. 2. The request to allow drive-throughs in Development Area A has been removed. <p>F. Under General Design Guidelines:</p> <ol style="list-style-type: none"> 1. A note has been added that a minimum of 3 acres of open space will be centrally located to the office, multi-family and retail uses. 2. A note has been added that Rooftop HVAC and related mechanical equipment will be screened from public view at grade from public or private streets. 3. A note has been added that commits to entrances for all uses fronting the public green and states that entrances for all non-residential uses will be open and operable during business hours. 4. The petitioner has committed to clarifying the note about building materials to indicate that vinyl may only be used on windows, soffits and trim features. 5. The petitioner has committed to adding a note that for Development Area A, the setback along Public Street B or Public Street C will be 20 feet for residential lining any parking deck, with stairs and stops allowed to encroach up to four feet into the setback. <p>G. Under Development Area A Design Guidelines:</p> <ol style="list-style-type: none"> 1. A note has been added that freestanding retail will be limited to 24,000 square feet. 2. A note has been added that parking areas will be screened from view and will not front the Public Green or be located to the side of buildings that front the Public Green. 3. Note "c.5" has been removed. 4. Note "c.6" has been removed. 5. A note has been added that states that non-residential buildings' service areas will be screened from all residential structures. <p>H. Under Development Area B Design Guidelines:</p> <ol style="list-style-type: none"> 1. A note has been added to allow one free standing tenant to have a maximum square footage of 60,000 square feet or 85,000 square feet for a grocery store, and to allow one additional freestanding retail use that is 24,000 square feet or less, and to commit to locating the remaining commercial uses in multi-tenant buildings. 2. A note has been added that the buildings facing the existing shopping center will have their service area oriented toward the existing shopping center. 3. A note has been added that "Any drive-through uses within Development Area B shall be internally oriented and drive-through facilities and associated maneuvering areas shall be screened with a low wall and landscaping when visible from Public Street A and Golf Links Drive." <p>I. Under Development Area D Design Guidelines:</p> <ol style="list-style-type: none"> 1. Staff has rescinded the request to modify the allowed height. 2. A note has been added that open space will be provided within Area D with the proposed school. 3. A note has been added that commits to a limit of 30 off-street spaces between the proposed building and Golf Links Drive for this development area. 4. A note has been added that recreation fields will be provided. <p>J. Under Development Area E Design Guidelines:</p> <ol style="list-style-type: none"> 1. A note has been added that if this area develops with residential uses, open space will be provided for each development per the ordinance requirements. <p>K. Under Development Area F Design Guidelines:</p> <ol style="list-style-type: none"> 1. Development guidelines for this area have been provided. 2. A 25-foot buffer along the western edge adjacent to the future Stone Creek
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	<p>Ranch will be required if a senior living center is developed.</p> <p>L. Under Development Area G Design Guidelines:</p> <ol style="list-style-type: none"> 1. A note has been added to read: "Drive-through uses shall be oriented internally to the site. No circulation will be allowed between Public Street A and the proposed use." 2. Note "h.6" has been removed. <p>M. Under Parking Areas Access and Circulation Design Guidelines:</p> <ol style="list-style-type: none"> 1. A note has been added to include decorative louvers and landscaping to screen parking decks. <p>N. Under Pedestrian Access and Circulation Design Guidelines:</p> <ol style="list-style-type: none"> 1. A note has been added that allows deviations for the proposed sidewalk and planting strips only for hardships. <p>O. Under Open Space, Public Green, and Amenity Area Design Guidelines:</p> <ol style="list-style-type: none"> 1. A note has been provided that a minimum of three acres will be located within Development Area A and B and within the village green as generally configured and located, consistent with the Conceptual Plan. 2. The petitioner has committed to adding a note stating that portions of the public green will be constructed when adjacent areas are developed. <p>P. Under Buffers:</p> <ol style="list-style-type: none"> 1. A note has been provided: "Petitioner shall provide a 25 foot building setback along Ardrey Kell Road measured from the back of the future curb line. This area will be landscaped with a variety of landscape materials (trees, shrubs, ornamental grasses, and plantings for seasonal colors). A minimum of 25 shrubs and 5 large maturing trees per 100 linear feet will be planted within this area. An eight-foot sidewalk will be provided within the landscape setback." <p>Q. Under Lighting:</p> <ol style="list-style-type: none"> 1. A note has been added that attached and detached lighting will be downwardly directed. <p>R. On RZ-8:</p> <ol style="list-style-type: none"> 1. Conflicting notes have been clarified. 2. Conditional notes from this sheet have been added to the design guidelines for each area. 3. Village Main Street Zone: <ol style="list-style-type: none"> a. A note has been added that "service areas will not be on the street and will be screened." 4. Village Green Frontage: <ol style="list-style-type: none"> a. A fenestration note has been added. b. Allowance has been removed for parking fields to the side of buildings fronting the village green. 5. Golf Links Drive Frontage: <ol style="list-style-type: none"> a. A note has been added that "No primary surface parking areas will be located between the buildings and the street." b. A note has been added that "Ground level parking structures will be designed to screen the view of cars by decorative louvers, green screens, or other elements that provide interest at ground level. At upper levels walls at a minimum of 36" tall shall screen cars." c. A design note for the multi-family has been added to the site plan. d. A note has been added committing to not accessing individual units directly from Golf Links Drive and the streets surrounding the Village Green. <p>III. Transportation:</p> <ol style="list-style-type: none"> A. Petitioner has removed the language "if feasibly possible" from the transportation notes. B. A note has been added that a pedestrian refuge will be provided at the intersection of Fairway Row and Ardrey Kell Road. C. The conditional note references have been modified to match the correct site plan sheets. D. Transportation notes have been modified to comply with the Subdivision Ordinance. E. A note has been added committing to the funding and installation of the proposed traffic signals on the proposed site. F. A note has been added that the final designs of the proposed improvements will be determined during the permitting process.
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	<p>G. A note has been added that future curb line and bike lanes will be determined during the permitting process.</p> <p>H. Petitioner has agreed to a median to be constructed along Golf Links Drive to extend from Providence Road to a point at least 50 feet west of Golf Links Drive North.</p> <p>I. Petitioner has agreed to a median to be constructed along Ardrey Kell Road to extend from Providence Road to a point at least 50 feet west of the driveway to the existing retail on the north side of Ardrey Kell Road.</p> <p>J. A note has been added that Red Rust Lane will be connected during the development of Area D.</p> <p>K. A connection has been shown on the site plan to the adjacent existing retail center along Providence Road.</p> <p>L. The petitioner has modified the phasing and time requirements for the proposed traffic improvements.</p> <p>M. Petitioner will provide a north bound right-turn lane and a west bound left-turn lane at the intersection of Ardrey Kell Road and Tom Short Road.</p> <p>N. Note VIII under Phase 3 has been removed.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 11</p>
<p>Defer (to May)</p> <p>Protest (sufficient)</p>	<p>12. Petition No. 2015-023 (Outside City Limits) by Weldegebriel Ucbeab for a change in zoning for approximately 1.66 acres located on the northeast corner at the intersection of Harrisburg Road and Camp Stewart Road from R-3 (single family residential) to NS (neighborhood services).</p> <p>The Zoning Committee voted 6-0 to DEFER this petition until their April 29, 2015 meeting.</p> <p>Attachment 12</p>
	<p>13. Petition No. 2015-024 (Council District 1 – Kinsey) by Jeffrey Smith for a change in zoning for approximately 0.413 acres located on the southeast corner at the intersection of East 22nd Street and North Brevard Street from I-2 (general industrial) to I-1(TS) (light industrial, transit supportive overlay).</p> <p>The Zoning Committee found this petition to be consistent with the <i>Blue Line Extension Transit Station Area Plan - Parkwood Transit Station Area</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The <i>Blue Line Extension Transit Station Area Plan - Parkwood Transit Station Area</i> recommends transit supportive land uses for this site and surrounding locations. <p>Therefore, this petition is found to be reasonable and in the public interest based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The proposed request will allow all uses in the I-1(TS) district. <p>The Zoning Committee voted 5-1 to recommend APPROVAL of this petition.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 13</p>
	<p>14. Petition No. 2015-025 (Council District 5 - Autry) by Circle K Stores, Inc. for a change in zoning for approximately 1.03 acres located on the northwest corner at the intersection of Idlewild Road and East W.T. Harris Boulevard from R-4 (single family residential), INST(CD) (institutional, conditional), and B-1 (neighborhood business) to NS (neighborhood services).</p> <p>The Zoning Committee found this petition to be inconsistent with the <i>Eastland Area Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The plan recommends institutional uses for the subject property.

However, this petition is found to be reasonable and in the public interest based on information from the staff analysis and the public hearing, and because:

- The site is located at the intersection of two major thoroughfares; and
- The proposed development will replace an existing service station already located at this intersection.

The Zoning Committee voted 5-1 to recommend **APPROVAL** of this petition with the following modifications:

1. Added a note that signage will be allowed per the Ordinance.
2. Added a note that required parking for the existing religious institutional and dental office use on parcels 133-21-118 and 133-21-142 will be constructed prior to any Certificates of Occupancy for the proposed convenience store and gas station.
3. Parking for the church property and dental office has been shown on the site plan.
4. The word "possible" has been removed from the proposed parking plan for the existing church.
5. "Dwelling" has been removed from the site plan (which is located on the old sanctuary, the metal building, and the accessory buildings for the church on sheet C-2.0.)
6. Proposed building materials have been labeled.
7. The site plan has been amended to include the appropriate headings.
8. 50 feet dedicated from the centerline of Idlewild Road has been shown and labeled on the site plan.

Staff recommends approval of this petition.

[Attachment 14](#)

15. [Petition No. 2015-033](#) (Council District 3 - Mayfield) **by Averitt Express, Inc.** for a change in zoning for approximately 15.88 acres located on the north side of Ed Brown Road between Westinghouse Boulevard and Steele Creek Road from I-1 (light industrial) to I-2(CD) (general industrial, conditional).

The Zoning Committee found this petition to be consistent with the *Steele Creek Area Plan*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends industrial uses on the site.

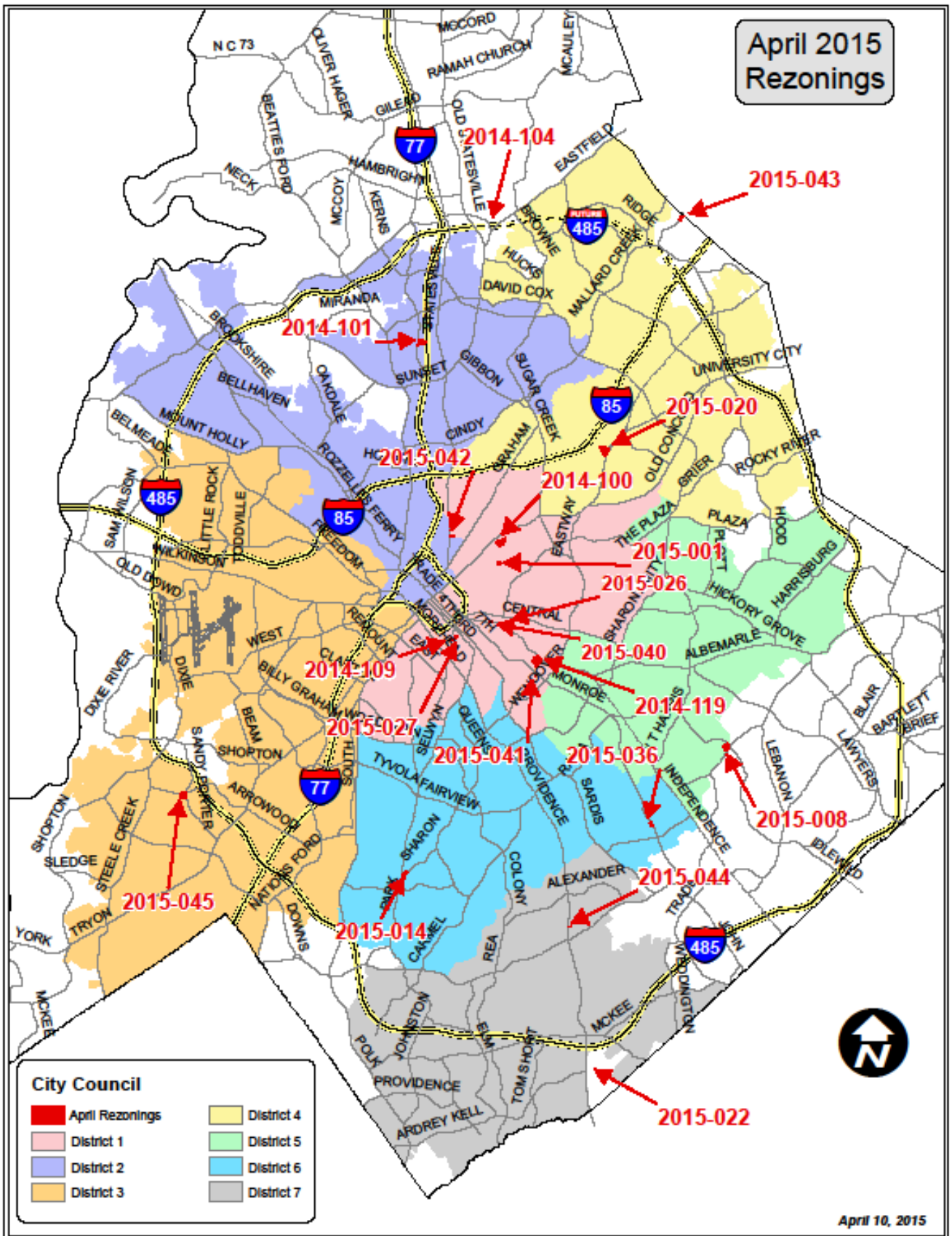
Therefore, this petition is found to be reasonable and in the public interest based on information from the staff analysis and the public hearing, and because:

- A 100-foot Class "A" buffer will be provided along the property line abutting residential zoning, and the portion of the buffer within 50 feet of the rear will remain undisturbed; and
- The proposal will preserve the wetlands area at the front of the site; and
- Proposed left-turn and right-turn lanes will assist in supporting traffic circulation in the immediate area.

The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition with the following modifications:

1. Clarified note on Sheet RZ-1.0 on the site plan to identify Potential Wetland Impact Area.
2. Revised and defined proposed uses to be consistent in all places on the site plan (Development Data Table, General Provisions, and Permitted Uses). Site plan now identifies proposed uses as warehousing (indoor and outdoor); truck maintenance facility (with driver lounge and convenience center); outdoor storage; and overnight truck parking.
3. Parking has been relocated to the south of the wetland area and now fronts on Ed Brown Road. The building envelope, tractor, and trailer parking are located to the north of the wetland area. This is due to the exact location of wetlands being further defined.
4. New language has been added under General Provisions that states: "The Technical Data Sheet shows a building envelope at the rear of the Site. Petitioner intends to develop an enclosed warehouse at that location. However, in the event the warehouse is not

	<p>developed at the same time as the remainder of the Site, it will still be necessary to grade and prepare the area within the building envelope in order to accommodate the future construction of the warehouse. As long as these areas are appropriately screened, the areas within either building envelope may be used for parking or outdoor storage until such time as buildings are constructed.”</p> <p>5. Language has been added stating that detached lighting shall be fully shielded and downwardly directed.</p> <p>6. Language has been added to the site plan stating that any perimeter fencing will comply with the requirements of the Ordinance.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 15</p>
	<p>16. Petition No. 2015-035 (Council District 3 – Mayfield) by Paul Kardous for a change in zoning for approximately 0.85 acres located on the southwest corner at the intersection of West Bland Street and South Church Street from I-2 (general industrial) to TOD-M (transit oriented development – mixed-use).</p> <p>The Zoning Committee found this petition to be consistent with the <i>South End Transit Station Area Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The plan recommends mixed use transit supportive development. <p>Therefore, this petition is found to be reasonable and in the public interest based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The petition allows all uses permitted in the TOD-M (transit oriented development - mixed-use) district. <p>The Zoning Committee voted 5-0 to recommend APPROVAL of this petition.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 16</p>
<p>Defer (to May)</p>	<p>17. Petition No. 2015-037 (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 B-1(HD-O) (neighborhood business, historic district overlay) .</p> <p>The Zoning Committee voted 5-0 to DEFER this petition to their April 29, 2015 meeting.</p> <p>Attachment 17</p>
<p>Defer (to May)</p>	<p>18. Petition No. 2015-038 (Council District 7 – Driggs) by Meritage Homes of the Carolinas for a change in zoning for approximately 9.48 acres located on the west side of Providence Road between Cedar Croft Drive and Candlewyck Lane from R-15PUD (planned unit development) to R-4(CD) (single family residential, conditional) and INST(CD) (institutional, conditional).</p> <p>The Zoning Committee voted 6-0 to DEFER this petition to their April 29, 2015 meeting.</p> <p>Attachment 18</p>



ZONING HEARINGS

Defer (to May)	<p>19. Petition No. 2014-100 (Council District 1 - Kinsey) by Charlotte-Mecklenburg Planning Department for a change in zoning for approximately 15.50 acres located on the southeast corner at the intersection of West 30th Street and Chick Godley Road from UR-3(CD) (urban residential, conditional) to TOD-M (transit oriented development - mixed-use).</p> <p>The petitioner is requesting a deferral to May 18, 2015 to allow this petition to be converted to a conditional rezoning.</p> <p>Attachment 19</p>
Defer (to May)	<p>20. Petition No. 2014-101 (Council District 2 - Austin) by Charles M. Shelton, Jr. for a change in zoning for approximately 14.30 acres located on the east side of Reames Road between Bella Vista Court and Lawnmeadow Drive from UR-1(CD) (urban residential, conditional) to R-5(CD) (single family residential, conditional).</p> <p>The petitioner is requesting a deferral of this public hearing until May 18, 2015.</p> <p>Attachment 20</p>
Protest (Sufficient)	<p>21. Petition No. 2014-109 (Council District 1 - Kinsey) by Midtown Area Partners II, LLC for a change in zoning for approximately 1.99 acres located on the northeast corner of the intersection of Baxter Street and South Kings Drive and the south side of Luther Street between Cecil Street and Cherry Street from UR-C(CD) (urban residential - commercial, conditional), B-1 (neighborhood business) and R-8 (single family residential) to B-2(PED-O) (general business, pedestrian overlay, optional), UR-C(PED-O) (urban residential - commercial, pedestrian overlay, optional) and R-8MF (PED-O) (multi-family residential, pedestrian overlay, optional) with five-year vested rights.</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 21</p>
Withdrawal	<p>22. Petition No. 2014-119 (Council District 1 - Kinsey) by City of Charlotte (Neighborhood & Business Services) for a change in zoning for approximately 20.32 acres located on the south side of East Independence Boulevard and generally surrounded by Briar Creek Road, Television Place, Chipley Avenue, and Arena Boulevard from R-22MF (multi-family residential) and B-2 (general business) to B-2(CD) (general business, conditional) and MUDD-O (mixed use development, optional).</p> <p>The petitioner is requesting withdrawal of this petition.</p> <p>Attachment 22</p>
Protest (TBD)	<p>23. Petition No. 2015-001 (Council District 1 - Kinsey) by Southern Apartment Group for a change in zoning for approximately 3.63 acres located on the east side of North Davidson Street and bounded by East 27th Street, Yadkin Avenue, East 26th Street, and North Davidson Street from MUDD-O (mixed use development, optional) to TOD-M(O) (transit oriented development - mixed-use, optional).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 23</p>
Defer (to May)	<p>24. Petition No. 2015-008 (Council District 5 - Autry) by Mintworth DEI, LLC for a change in zoning for approximately 10.01 acres located on the southwest corner at the intersection of Idlewild Road and Wyalong Drive from NS (neighborhood services) to NS SPA (neighborhood services, site plan amendment).</p> <p>The petitioner is requesting a deferral of this public hearing until May 18, 2015.</p> <p>Attachment 24</p>

<p>Defer (to May)</p> <p>Protest (TBD)</p>	<p>25. Petition No. 2015-014 (Council District 6 - Smith) by Park Sharon Properties, LLC for a change in zoning for approximately 4.66 acres located on the northeast corner at the intersection of Park Road and Sharon Road from R-3 (single family residential) to UR-2(CD) (urban residential, conditional).</p> <p>The petitioner is requesting a deferral of this public hearing until May 18, 2015.</p> <p>Attachment 25</p>
	<p>26. Petition No. 2015-020 (Council District 4 – Phipps) by Carolina States Regional Center, LLC for a change in zoning for approximately 15.43 acres located on the southwest corner at the intersection of US 29 By-Pass Highway and North Tryon Street from B-2 (general business) to TOD-R(O) (transit oriented development-residential, optional).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 26</p>
<p>Protest (TBD)</p>	<p>27. Petition No. 2015-026 (Council District 1 - Kinsey) by Robert Drakeford for a change in zoning for approximately 1.14 acres located on the north and south sides of McClintock Road near the intersection of St. Julien Street and McClintock Road from R-5 (single family residential) to MUDD(CD) (mixed use development, conditional).</p> <p>Staff does not recommend approval of this petition in its current form.</p> <p>Attachment 27</p>
<p>Defer (to July)</p> <p>Protest (Sufficient)</p>	<p>28. Petition No. 2015-027 (Council District 1 - Kinsey) by Charlotte Housing Authority for a change in zoning for approximately 3.04 acres located on the southeast corner at the intersection of Cherry Street and East 1st Street from R-22MF (multi-family residential) to UR-C(CD) (urban residential - commercial, conditional).</p> <p>The petitioner is requesting a deferral of this public hearing until July 20, 2015.</p> <p>Attachment 28</p>
	<p>29. Petition No. 2015-036 (Council District 6 - Smith) by Ryan Berger for a change in zoning for approximately 2.98 acres located on the west side of Monroe Road at the intersection of Orchard Lake Drive and Lucy Jane Lane from I-1(CD) (light industrial, conditional) to I-1(CD) SPA (light industrial, conditional, site plan amendment).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 29</p>
	<p>30. Petition No. 2015-040 (Council District 1 - Kinsey) by Charlotte-Mecklenburg Planning Department to establish zoning for approximately 0.46 acres located on the north side of East Independence Boulevard and on the southeast corner at the intersection of Helton Way and Seegars Place to I-2 (PED) (general industrial, pedestrian overlay).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 30</p>
	<p>31. Petition No. 2015-041 (Council District 1 - Kinsey) by Off Camber Group, Inc. for a change in zoning for approximately 0.52 acres located near the northwest corner at the intersection of St. Mary Avenue and Buford Avenue west of Monroe Road from I-2 (general industrial) to I-1 (light industrial).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 31</p>

	<p>32. Petition No. 2015-042 (Council District 1 - Kinsey) by Jim Donaldson for a change in zoning for approximately 2.51 acres located on the northeast corner at the intersection of Statesville Avenue and Woodward Avenue from NS (neighborhood services) and I-2 (general industrial) to NS(SPA) (neighborhood services, site plan amendment) and NS (neighborhood services).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 32</p>
	<p>33. Petition No. 2015-043 (Outside City Limit) by Prime Business, LLC for a change in zoning for approximately 4.98 acres located on the south side of Mallard Creek Road between Kings Grant Drive and Carolina Lily Lane from R-3 (single family residential) to NS (neighborhood services).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 33</p>
<p>Defer (to May)</p>	<p>34. Petition No. 2015-044 (Council District 7 - Driggs) by David Willis for a change in zoning for approximately 1.5 acres located on the east side of Providence Road across from Springs Farm Lane from R-3 (single family residential) to UR-C(CD) (urban residential - commercial, conditional).</p> <p>The petitioner is requesting a deferral of this public hearing until May 18, 2015.</p> <p>Attachment 34</p>
	<p>35. Petition No. 2015-045 (Council District 3 – Mayfield) by TWO Capital Partners, LLC for a change in zoning for approximately 16.98 acres located on the southwest corner at the intersection of Brown-Grier Road, West Arrowood Road, and Sandy Porter Road from R-3 (single family residential), R-8MF(CD) (multi-family residential, conditional) and INST(CD) (institutional, conditional) to UR-2(CD) (urban residential, conditional).</p> <p>Staff does not recommend approval of this petition.</p> <p>Attachment 35</p>