

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
Tuesday, January 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

**DINNER MEETING AGENDA
Tuesday, January 20, 2015**

1. Agenda Review – Tammie Keplinger

DEFERRAL / WITHDRAWAL REQUESTS

Item #	Petition #	Petitioner/Description	Update
1	2009-075	Dona Patterson – east side of West Sugar Creek Road close it N. Tryon Street	Withdrawal
2	2014-021	Charlotte-Mecklenburg Planning Department for a Text Amendment related to mobile farmer's markets	Decision – Defer to April
3	2014-031	Wilkison Partners, LLC - southeast corner at the intersection of Youngblood Road and Shelburne Farms Drive	Decision – Defer to March Protest Sufficient
4	2014-042	Moss Road Development Partners, LLC – southwest corner of South Tryon Street and Moss Road	Decision – Defer to February
6	2014-068	City of Charlotte – Statesville Avenue, Dalton Avenue, North Graham Street and Armour Drive	Decision – Defer to April
7	2014-071	Charlotte-Mecklenburg Planning Department for a Text Amendment related to animal care and fostering	Decision – Defer Indefinitely
23	2014-115	Satwinder Singh – Parker Drive between Remount Road and Berryhill Road	Hearing – Defer to February (Community meeting report not submitted)
27	2015-007	Village at Robinson Farm, LLC – Southwest corner of Rea Road and Williams Pond Lane	Hearing – Defer to February (Community meeting report not submitted)
28	2015-010	Mintworth DEI, LLC – Southwest corner of Idlewild Road and Wyalong Drive	Hearing – Defer to February

MISCELLANIOUS REQUESTS AND INFORMATION

Item #	Petition #	Petitioner/Description	Update
5	2014-043	Mark Patterson – west side of Prosperity Church Road between Prosperity Point Lane and Pinewood Lane	Decision - Protest Petition - Sufficient
8	2014-074	Terwilger Pappas Multifamily Partners, LLC – northeast corner of the intersection of North Community House Road and Bryant Farms Road	Decision - Protest Petition – Sufficient
9	2014-092	Pavilion Development Company - northeast corner at the intersection of Nations Ford Road and Tyvola Road	Decision – <ul style="list-style-type: none"> • Council will have to vote whether or not to send back to Zoning Committee due to the change referenced under Item 9. • Protest Insufficient
11	2014-101	LGI Homes NC, LLC – east side of Reames Road between Bella Vista Court and Lawnmeadow Drive	New public hearing (February 16, 2015) to allow conversion to a conditional request.
18	2014-078	Park Selwyn, LL – north side of East Woodlawn Road between Brandywine Road and Selwyn Avenue.	Hearing - Protest sufficient

19	2014-100	Charlotte-Mecklenburg Planning Department – Southeast corner of West 30 th Street and Chick Godley Road	Hearing <ul style="list-style-type: none"> • Public hearing continued from December • Conversion to a conditional petition
20	2014-109	Midtown Area Partners II, LLC - northeast corner of Baxter Street and South Kings Drive	Hearing - Protest Petition - sufficient
21	2014-110	Unique Southern Estates, LLC	Hearing - Protest TBD
26	2015-005	SIM USA – Southside of Choate Circle at Moss Road and Choate Circle	Hearing - Protest TBD

2. **Follow-Up Report – Tammie Keplinger**
3. **Rezoning Cases of Special Interest – Tammie Keplinger**
4. **Area Plan Status and Text Amendment Update – Ed McKinney**

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-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
- **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
- **NC DOT** – North Carolina Department of Transportation
- **PCCO** – Post Construction Control Ordinance

ZONING DECISIONS

Withdrawal	<p>1. <u>Petition No. 2009-075</u> (Council District 4 – Phipps) by Dona Patterson for a change in zoning for approximately 0.64 acres located on the east side of West Sugar Creek Road between North Tryon Street and Penny Way from R-12MF (residential, multi-family) to O-1 (office).</p> <p>The petitioner is requesting a withdrawal of this petition.</p> <p><u>Attachment 1</u></p>
Deferral (to April)	<p>2. <u>Petition No. 2014-021</u> by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to: 1) create a new definition for mobile farmer’s market; 2) allow mobile farmer’s markets in all zoning districts; and 3) create new prescribed conditions for mobile farmer’s markets.</p> <p>The Zoning Committee voted 7-0 to DEFER this petition to their March 25, 2015 meeting.</p> <p><u>Attachment 2</u></p>
Deferral (to March)	<p>3. <u>Petition No. 2014-031</u> (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 7-0 to DEFER this petition to their February 25, 2015 meeting.</p> <p><u>Attachment 3</u></p>
Deferral (to February)	<p>4. <u>Petition No. 2014-042</u> (Council District 3 - Mayfield) by Moss Road Development Partners, LLC for a change in zoning for approximately 2.84 acres located on the southwest corner at the intersection of South Tryon Street and Moss Road from NS (neighborhood services) to NS SPA (neighborhood services, site plan amendment).</p> <p>The Zoning Committee voted 7-0 to DEFER this petition to their January 28, 2015 meeting.</p> <p><u>Attachment 4</u></p>
Protest Sufficient	<p>5. <u>Petition No. 2014-043</u> (Council District 4 - Phipps) by Mark Patterson for a change in zoning for approximately 2.71 acres located on the west side of Prosperity Church Road between Prosperity Point Lane and Pinewood Lane from R-3 (single family residential) to INST(CD) (institutional, conditional).</p> <p>The Zoning Committee finds 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 <i>Plan</i> recommends single family residential at up to four dwelling units per acre. <p>However, the Zoning Committee found this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • Area plans typically do not specify locations for institutional uses; and • The site has frontage on a major thoroughfare; and • The proposed use will serve the needs of the surrounding neighborhoods. <p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Reduced the length of the new internal walkway by eliminating the portion that runs along the inside of the driveway and instead locating it along the guest parking area

	<p>to connect to the sidewalk along Prosperity Church Road. This walkway may meander to preserve any existing trees.</p> <ol style="list-style-type: none"> 2. Removed the sign from the site plan. 3. Added the heading "Signage" and a note stating that signage is permitted per the ordinance. <p>Staff recommends approval of this petition.</p> <p><u>Attachment 5</u></p>
<p>Deferral (to April)</p>	<p>6. <u>Petition No. 2014-068</u> (Council District 2- Austin) by City of Charlotte for a change in zoning for approximately 5.59 acres generally bounded by Statesville Avenue, Dalton Avenue, North Graham Street and Armour Drive from I-2 (general industrial) to MUDD-O (mixed use development, optional).</p> <p>The Zoning Committee voted 7-0 to DEFER this petition to their March 25, 2015 meeting.</p> <p><u>Attachment 6</u></p>
<p>Deferral (Indefinitely)</p>	<p>7. <u>Petition No. 2014-071</u> by Charlotte-Mecklenburg Planning Department & Charlotte-Mecklenburg Police Department for a Text Amendment to the City of Charlotte Zoning Ordinance related to animal care and fostering.</p> <p>The Zoning Committee voted 7-0 to DEFER this petition indefinitely.</p> <p><u>Attachment 7</u></p>
<p>Protest Sufficient</p>	<p>8. <u>Petition No. 2014-074</u> (Council District 7 – Driggs) by Terwilliger Pappas Multifamily Partners, LLC for a change in zoning for approximately 10 acres located on the northeast corner at the intersection of North Community House Road and Bryant Farms Road from B-1(CD) (neighborhood business, conditional) to NS (neighborhood services).</p> <p>The Zoning Committee found the retail portion of this petition to be consistent with the <i>South District Plan</i> and the residential portion to be inconsistent with the <i>South 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 retail uses for the subject properties. <p>However, the Zoning Committee found this petition 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 site plan moves the retail component to the corner of two major thoroughfares; and • The proposed site plan integrates the residential component which provides a transition to the adjacent single family properties; and • The addition of the residential component results in a multi-use development, which is consistent with the intent of the NS (neighborhood services) district. <p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications:</p> <p>Development Area A:</p> <ol style="list-style-type: none"> 1. A note has been added to prohibit the following uses from the site plan: gasoline sales, with or without convenience stores, and automotive uses. 2. A note has been added stating that solid waste/recycling areas will not be allowed to abut Community House Road or Bryant Farms Road unless such areas are enclosed by a wall treatment similar to the architecture of the building. 3. A note has been added that a five-foot sidewalk will be provided to create pedestrian connections between the multi-family component and the non-residential uses. <p>Development Area B:</p> <ol style="list-style-type: none"> 4. Dumpster locations for Area B have been shown on the plan. 5. A note has been added that buildings in Area B will be 25 percent masonry material on each side. 6. The dog walk area referenced in Note 2.D has been labeled on the plan.

7. The possible additional garages have been shown on the plan located along the rear property line.
8. Detail of the required plantings for the 25-foot landscape buffer has been shown for Area B.
9. Note 5.C has been removed.
10. A note has been added that the site will comply with the Post Construction Control Ordinance.
11. Multi-Family Design Guidelines for Development Area B:
 - a. Building facades shall front on and address the external and internal streets to reinforce the streetscape.
 - b. Building footprint shall be arranged to enclose and define a variety of public and private spaces, courtyards, open space and green space.
 - c. Provided an ADA accessible path that is connected to the street sidewalk system to provide wheelchair access to the residential building.
 - d. Architectural façade treatment shall be similar on all sides of the apartment buildings.
 - e. Facades along external and internal streets shall incorporate a minimum of 25% masonry materials such as brick, stucco or stone.
 - f. The principal building entrances shall be articulated to identify them as a primary entry point.
 - g. Exterior elevations shall incorporate a variety of architectural features such as balconies, patios, windows, doors, columns, common building doorways, covered entrances, pitched roofs and parapets at flat roof areas to provide architectural scale and detail.
 - h. Windows and doors shall account for at least 25% of the total facade area along the external and internal streets, with each floor calculated independently from floor to ceiling.
 - i. Windows shall have a vertical orientation with their height greater than their width.
 - j. For street facades, the maximum length without a window or door on any floor shall not exceed 25 feet.
 - k. Street facades shall incorporate projections and/or indentations so that the maximum length without such an offset in the façade is 100 feet. The minimum depth of such required offsets shall be 12 inches from frame wall to the frame wall. For street facades over 100 feet, at least 15% of the total façade length shall be offset from the primary façade plane.
 - l. Exterior materials of buildings along the external and internal streets shall be limited to brick, stone, pre-cast concrete, wood, stucco, fiber cement siding or panels, glass, or granite. Vinyl or aluminum siding, exposed standard concrete masonry unit (CMU) block, corrugated steel, exposed plywood, and exposed pressboard are prohibited. However, vinyl as a building material may be used on windows, soffits, and on handrails/railings.
 - m. Exterior walls of a single building shall utilize a maximum of five primary building materials (textures, colors, etc.). This requirement shall not include secondary materials such as windows, doors, porches, balconies, foundations, awnings or architectural details.
 - n. Materials may be combined horizontally or vertically. A visually heavier material (such as brick or stone) shall be used below a lighter material (such as siding or stucco).
 - o. Accessory structures, such as garages, shall be consistent with the principal building in material, texture, and color, but may have simplified architectural detailing and features.
 - p. Concrete foundations, if more than 8" is exposed above grade, shall be coated or faced in stucco, brick, synthetic stone, or natural stone.
 - q. Pitched roofs shall have a minimum slope of 4:12. Pitched roof materials may include slate, wood shingles, standing seam pre-finished metal, architectural composition or asphalt shingles.
 - r. Vents, stacks, and roof fans in pitched roof shall be painted to blend with the roof color to minimize their visibility from external streets.
 - s. Flat roofs shall be screened from view from external and internal streets by a parapet.
 - t. Roof top condensing units and other equipment shall be screened from the external and internal streets by a parapet or other architectural feature such as

a chimney.

12. A clarification and addition to the required buffer planting along the existing single family development.

a. A modified 40-foot Class "C" Buffer will be provided where Development Area B abuts existing single family homes as generally depicted on the Rezoning Plan and such buffer shall be installed prior to the issuance of the first certificate of occupancy for the first principle building on Development Area B. The outer 25 feet of this Buffer will be an undisturbed Buffer, and existing vegetation preserved within this portion of the Buffer may be used to meet minimum Buffer planting requirements. To create an effective and enhanced Buffer treatment that is unique and responsive to the existing conditions around the perimeter of the Site, the proposed Buffer will be enhanced in three different ways (Otterdale Court Buffer, Buffton Court Buffer and Moss Mill Lane Buffer) as described below:

i. The portion of the Buffer known as Otterdale Court Buffer will be improved with: (i) small maturing evergreen trees eight (8) feet on center, the small maturing evergreen trees must be seven (7) to eight (8) feet tall at installation (this will take the place of the Class "C" Buffer shrub requirement); and (ii) a six (6) foot decorative aluminum fence; the fence will be located on the interior edge of the Buffer and the small maturing evergreen trees will be located between the fence and the adjoining property line; the evergreen trees will be arranged as generally depicted on the rezoning plan;

ii. The portion of the Buffer known as Buffton Court will be improved with: (i) ten (10) small maturing evergreen trees per 100 linear feet, the small maturing evergreen trees must be seven (7) to eight (8) feet tall at installation (this will take the place of the Class "C" Buffer shrub requirement); (ii) no less than three (3) one-story garages will be placed at the edge of the buffer to create a solid wall; (iii) a six (6) foot decorative aluminum fence; the fence will be located on the interior edge of the Buffer and between the proposed garages of the Buffer; the small maturing evergreen trees will be located between the fence and the adjoining property line. The small maturing evergreen trees will be arranged within the buffer to maximize the screening of the Site from the adjoining single-family homes; and

iii. The portion of the Buffer known as Moss Mill Lane Buffer will be improved with: (i) small maturing evergreen trees (the number of small evergreen trees to be planted will be calculated at the rate one (1) tree every eight (8) feet along the length of the Buffer), the small maturing evergreen trees must be seven (7) to eight (8) feet tall at installation (this will take the place of the Class "C" Buffer shrub requirement); (ii) a six (6) foot decorative aluminum fence; the fence will be located on the interior edge of the Buffer; the small maturing evergreen trees will be located in the undisturbed portion of the buffer and arranged to maximize their effectiveness at screening the Site from the adjoining single-family homes; (iii) no less than one (1) one story garages will be placed at the edge of the buffer to create a solid wall; and (iv) a row of evergreen shrubs will be placed between the proposed parking spaces and the decorative aluminum fence as generally depicted on the rezoning plan.

b. Utilities may cross the Buffer at angles of 75 degrees or greater. Retaining walls may be located in the Buffer but not in the undisturbed portion of the buffer.

Staff recommends that the outstanding issues be addressed prior to City Council approval.

[Attachment 8](#)

Council will have to vote whether or not to send back to the Zoning Committee.

Protest Insufficient

9. [Petition No. 2014-092](#) (Council District 3 - Mayfield) **by Pavilion Development Company** for a change in zoning for approximately 1.79 acres located on the northeast corner at the intersection of Nations Ford Road and Tyvola Road from CC (commercial center) to CC SPA (commercial center, site plan amendment).

Note: The City Council must determine by a $\frac{3}{4}$ vote if the following changes to the site plan after the Zoning Committee vote are substantial and if the petition should be referred back to the Zoning Committee for review.

The petitioner:

1. Filed for an administrative amendment to Petition 1997-015 to remove building square footage from the allotment for Parcel 4 and reduce the eating/drinking/entertainment establishment's square footage allotment by 2,500 square feet. The administrative amendment has been filed and will be finalized if the rezoning is approved by Council.
2. Amended Note B, Parcel 4A to remove "automobile service stations" and "Petitioner is currently showing unsupported use and proposed revision to special conditions for automobile service station use."
3. Amended Note F. to make the word "parcel" at the end of the first sentence plural.
4. Deleted the proposed sign location and label.
5. Increased the width of the sidewalks on the right and left side of the building from five feet to seven feet to allow for "shy zone" next to the building.
6. Increased the width of the sidewalk in front of the building from six feet to eight feet to allow for the "shy zone" and parked cars. Curb stops will be used in front of the building.
7. Swapped the labels of the left and right elevations to correctly match the images.

The Zoning Committee found this petition to be inconsistent with the *Southwest District Plan*, based on information from the staff analysis and the public hearing, and because:

- The Plan recommends retail uses with the exception of automobile service stations.

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

- This plan and the recommended uses were approved a long time ago. Given the context of area today, this is a reasonable land use for this particular site; and
- The petitioner has agreed to address site plan issues 2 through 8.

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition with the following modifications and with the petitioner's commitment to address outstanding issues 2 through 8 prior to the City Council decision on this case:

1. CDOT withdrew their opposition to the left-in only access off the right-in driveway and no longer has any outstanding issues with the petition.
2. Provided building, dumpster enclosure and pump island elevations for all sides as part of the rezoning plans.
3. Revised the Site Area under Site Data for Parcel 4A to reflect the acreage for the parcel after the proposed subdivision (total site acreage minus acreage of parcel 4B).
4. Removed the "Max SF allowed: 16,000 SF. Office, 10,500 SF. Retail, 24,000 SF. Restaurant" from the Site Data.
5. Removed the "+/-" in proposed building height for Parcel 4A.
6. Revised the Proposed Floor Area Ratio, under the Site Data, for both parcels to reflect the proposed building area compared to proposed acreage for each parcel.
7. Removed Note B in its entirety and replaced with the following: First paragraph - "Parcel 4A – All uses in the CC Zoning District except automobile service stations, building material sales, dwellings, and eating/drinking/entertainment establishments with drive-in service windows." Second paragraph – "Parcel 4B – All uses in the CC Zoning District except automobile service stations, building material sales, dwellings, and eating/ drinking/entertainment establishments with drive-in service windows. The building layout is conceptual in nature; the petitioner reserves the right to not develop this parcel or to make minor site plan adjustments that match the general intent of the plan as shown on this site plan and in accordance with Section 6.207."
8. Deleted Note C in its entirety and replaced with the following: "Parcel 4A may be

	<p>developed with a maximum 3,010 SF building excluding permitted accessory structures. Parcel 4B may be developed with a maximum 2,500 SF building excluding permitted accessory structures."</p> <ol style="list-style-type: none"> 9. Revised the second paragraph under Note E. as follows: "Landscape strips and islands shall be created to break the visual impact of the parking areas." 10. Revised the labels for the 35-foot setback to refer to the setback line. 11. Provided the 35-foot wide landscaped buffer with berm between Nations Ford Road and parking areas and dumpster enclosure north and south of the building. 12. Revised the third paragraph under Note E. as follows: "Continuous landscaping strips and islands shall be created along Nations Ford Road to break up the visual impact of the parking areas as shown on the site plan." 13. Provided a revised "Section Thru Landscaped Buffer" detail from Petition 1997-015 showing the eight-foot planting strip, six-foot sidewalk, 35-foot wide buffer with a three- to four-foot high berm, tiered evergreen plantings and small maturing trees on the rezoning site plan. 14. Amended the label "Landscaping per master plan" to state "Landscaped buffer (see inset detail)" and clearly indicate the locations of the berm on the site plan. 15. Revised Note F by removing the following language: "As stated in Note 16 of the special conditions associated with the overall rezoning plan, petition #97-15," and making all references to "parcel" and "building" plural. 16. Added the following paragraph to Note F: "The buildings must be designed to encourage and complement the pedestrian scale interest and activity by the use of transparent windows and doors arranged so that the uses are visible from and/or accessible to the street and right-in access driveway off Tyvola on at least 50% of the length of the first floor frontage facing the street and right-in access driveway." 17. Amended Note G to remove the following: "per Note 6 of the special conditions of the overall rezoning plan, petition #97-15." 18. Eliminated the language, under Note H, referring to Note 4 of the overall rezoning plan, petition #97-15 and references to the "shopping center" signs. 19. Added a note under General Provisions stating that the petitioner will be required to file an administrative amendment to Petition 1997-015. <p>Staff recommends denial of this petition. The petition is inconsistent with the Southwest District Plan, as amended by rezoning petition 1997-015. There have not been significant changes in development patterns in this area since petition 1997-015 was approved.</p> <p><u>Attachment 9</u></p>
	<ol style="list-style-type: none"> 10. <u>Petition No. 2014-096</u> (Council District 7 - Driggs) by Lenox Development Group, LLC for a change in zoning for approximately 6.09 acres located on the north side of Ardrey Kell Road and between Blakeney Heath Road and Community House Road across from Carson Whitley Avenue from R-3 (single family residential) to NS (neighborhood services). <p>The Zoning Committee found this petition to be inconsistent with the <i>South District Plan</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 at up to three dwelling units per acre; and • The <i>General Development Policies</i> support residential densities up to eight dwelling units per acre for this site. <p>However, the Zoning Committee found this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The site is a remnant parcel of Ardrey Kell Road right-of-way; and • The site is located outside a retail center and adjacent to residential; and • The proposed small office development with limited retail uses is sensitive in form to the surrounding residential properties and provides a buffer and transition to the major thoroughfare; and • A wireless phone service provider is the only allowed retail use on the site.

	<p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Limited permitted uses to personal services, uses allowed in the office district that are also allowed in the NS district, and wireless phone service providers, which is the only retail use allowed on the site. 2. Committed building design to be residential in character by amending Note 4b to reduce the required amount of fenestration for building facades facing Ardrey Kell Road from 40 percent to 20 percent. Also added note to building elevations to state "the architectural design may differ from building to building but will be compatible in scale and material types with complementary color pallets, with possible different fenestration sizes and types. Building character will relate to Blakeney nonresidential areas and façade articulation may be in keeping with more general office and medical office fenestration requirements." Deleted signage from the building elevations. 3. Amended Note 7b as follows: "The allowed wall signage constructed on the site will utilize similar and/or complementary colors so as to create a cohesive appearance." 4. Amended Prohibited or Limited Uses to specify eating/drinking/entertainment establishments Type 1 and 2 as a prohibited use. 5. Amended Sheet RZ-002a to reflect relocated area for the trash and recycling enclosure, location of a proposed chain link security fence, location of an existing berm that is to remain, and fence elevations. 6. Amended Note 1d to reduce the total number of principal buildings from four to three. 7. Amended Note 2a to list wireless phone service providers as a permitted use. 8. Amended Note 2b to specify a minimum of 50 percent of the allowed square footage must be occupied by uses allowed in the Office zoning district that are also allowed in the NS zoning district. The other 50 percent of the uses may be a combination of personal service uses (as defined in the site plan), (ii) a wireless phone service provider; and uses allowed in the office zoning district that are also allowed in the NS district. 9. Added Note 5d as follows: "The petitioner will install a five foot black vinyl coated chain link fence across the tree save area at the western edge of the property as generally depicted on the rezoning plan. The black vinyl chain link fence will tie into the decorative wooden fence located within the buffer and extend to the site's western property boundary." 10. Amended Note 5h to add the following: "The proposed dumpster and recycling area will be located along the western property boundary as generally depicted on the rezoning plan." 11. Added Note 6b as follows: "The petitioner was granted a variance to reduce the PCCO buffer required along the western property boundary to a 100 foot buffer. The variance was granted by SWAC on October 16, 2014." 12. Added Note 6d as follows: "The petitioner will clear the obstructions (silt and debris) from the creek channel(s) that extends into the site from the Blakeney Heath Neighborhood and between the rear of the homes on Fieldcroft Drive and Autumn Applause Drive. This clearing will take place subject to and contingent upon the adjoining property owners granting the petitioner the right, and releasing the petitioner from any liability, while performing the work and subject to the issuance of any required City and/or State permits. The petitioner will clear the obstructions in the creek channel(s) as part of the site development work and prior to the issuance of the first certificate of occupancy for the first building constructed on the site." <p>Staff recommends denial of this petition. The proposed retail use is inconsistent with the recommended land use set forth in the adopted area plan.</p> <p><u>Attachment 10</u></p>
<p>New Public Hearing (February 16, 2015)</p>	<p>11. <u>Petition No. 2014-101</u> (Council District 2 - Austin) by LGI Homes NC, LLC 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 (single-family residential).</p>

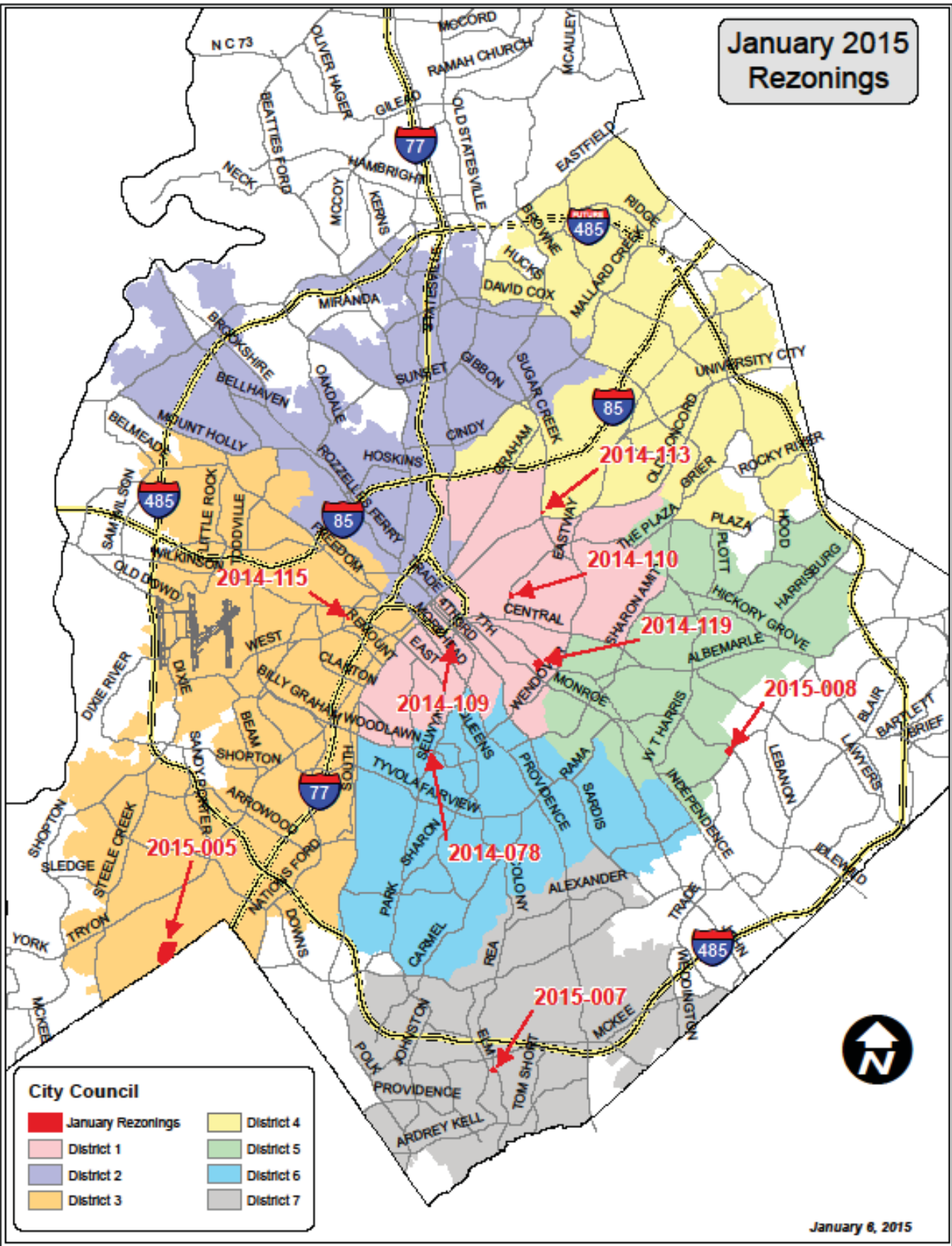
	<p>Note: The petitioner has indicated a desire to convert this conventional petition to a conditional petition. A new public hearing is required and will be scheduled for February 16, 2015.</p> <p>The Zoning Committee voted 7-0 to send this petition to City Council for a new public hearing.</p> <p><u>Attachment 11</u></p>
	<p>12. <u>Petition No. 2014-108</u> (Council District 5 – Autry) by U-Haul Company of Charlotte for a change in zoning for 1.4 acres generally located at the southwest corner of the intersection between Albemarle Road and Farm Pond Lane from B-2 (general business) to B-D(CD) (distributive business, conditional).</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 retail for this area. <p>However, the Zoning Committee found this petition 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 use will be within an existing building; and • The proposed change supports reinvestment in the Albemarle Road corridor. <p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Removed the commitment to dedicate land to Mecklenburg County Park and Recreation for greenway, since this area is not located on the property to be rezoned. 2. Removed the commitment for the screening fence, as it is not located on the property to be rezoned. 3. Note 2 under Architectural Standards has been removed from the site plan. <p>Staff recommends approval of this petition.</p> <p><u>Attachment 12</u></p>
	<p>13. <u>Petition No. 2014-112</u> (Council District 6 – Smith) by Mohammad R. Bolouri for a change in zoning for approximately 1.23 acres located on the east side of Sardis Road across from Wilby Drive from INST(CD) (institutional, conditional) to INST(CD) SPA (institutional, conditional, site plan amendment).</p> <p>The Zoning Committee found this petition to be inconsistent with the <i>South 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 an adult day care facility as an institutional use. <p>However, the Zoning Committee found this petition 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 addition of medical office/research uses will have a negligible impact; and • The proposed uses are an extension of the existing adult day care facility with no exterior changes to the existing structure. <p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Noted on site plan the acreage of the parcel. 2. Noted the proposed zoning on the site plan: INST (CD) SPA. 3. Amended Survey Note 8 to indicate that the required minimum lot size in the institutional district is 15,000 square feet.

	<p>4. The parking tabulation provided on the site plan has been adjusted to reflect required parking for medical offices at one space per 200 square feet, and adult care centers at one space per employee plus one space per six adults.</p> <p>5. Modified the site plan to note that the facility will have a minimum 1,500 square feet of adult day care use, and 3,500 square feet of medical office.</p> <p>6. Site plan has been amended to specify a minimum 1,500 square feet will be devoted to the adult day care use.</p> <p>7. Added language provided by Storm Water Services pertaining to the location and size of storm water management systems.</p> <p>Staff recommends approval of this petition.</p> <p><u>Attachment 13</u></p>
	<p>14. <u>Petition No. 2014-114</u> by Stor-All Storage for a Text Amendment to the City of Charlotte Zoning Ordinance to allow an increase in the maximum FAR for warehousing, within a completely enclosed building when the building is multi-story.</p> <p>The Zoning Committee found this petition to be consistent with the <i>Centers, Corridors and Wedges Growth Framework</i>, based on information from the staff analysis and the public hearing, and because the text amendment:</p> <ul style="list-style-type: none"> Amends the maximum FAR in the I-1 and I-2 zoning districts for warehousing uses conducted within an enclosed building when the building has multiple stories. <p>Therefore, the Zoning Committee found this petition 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"> It meets the goals of ensuring a diverse, growing and adaptable economy and revitalizing economically changed business areas. <p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.</p> <p>Staff recommends approval of this petition.</p> <p><u>Attachment 14</u></p>
	<p>15. <u>Petition No. 2014-116</u> (Council District 6 – Smith) by Spectrum Properties Residential, Inc. for a change in zoning for approximately 9.07 acres located on the north and south sides of Abbey Place near the intersection of Park Road and Abbey Place from R-17MF (multi-family residential) to UR-2(CD) (urban residential, conditional).</p> <p>The Zoning Committee found the proposed land use to be consistent with the <i>Park Woodlawn Area Plan</i>, but found the proposed density to be inconsistent with the <i>Park Woodlawn 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 multi-family residential at up to 17 dwelling units per acre. <p>However, the Zoning Committee found this petition 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 increase in density is appropriate due to compliance with the residential design principals in the area plan, which includes but are not limited to avoidance of blank walls, orientation of buildings, internal pedestrian network, and increased yards abutting single family residential uses. <p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> Addressed CDOT issues as follows: <ol style="list-style-type: none"> Amended transportation Note 3.c. to remove “and the necessary grading and clearing for the construction of the sidewalk can also be accommodated within the existing right-of-way.” Added the following: “If the construction of this sidewalk cannot be accommodated within the existing right-of-way of Abbey Place the Petitioner will approach the adjoining property owner to secure the

	<p>needed easements to construct the sidewalk. If the adjoining property owner is not willing to provide the necessary easements the Petitioner will not be required to construct the sidewalk.”</p> <ol style="list-style-type: none"> b. Amended transportation Note 3.d. to read: “The petitioner will request that it be allowed to construct crosswalks on Abbey Place. CDOT will determine during the construction permitting process if marked mid-block crosswalks are necessary for crossing Abbey Place.” c. Removed the three designated marked mid-block crosswalks on the site plan sheet RZ-2. <ol style="list-style-type: none"> 2. Amended Note 5. a. to reflect a required setback of 16-feet and to match the eight-foot sidewalk and eight-foot planting strip provided on each side of Abbey Place. 3. Amended Note 4. b. to change the word “building” to “buildings” when referencing the buildings that may be constructed on the site and actual buildings constructed on the site. 4. Provided a note specifying that the area depicted as Possible Open Space/Stormwater BMP is not to be used for parking or building area. 5. Committed to a minimum of 12,000 square feet in each development area that will be included the Open Space/Stormwater BMP area. 6. Deleted the Note 6. e. about end fronting facades and specified in the revised Note 6. e. that all facades shall incorporate windows, arches, balconies, or other architectural details along with varying build materials or roof lines, or building offsets. 7. Deleted Note 6. f. and specified in the revised Note 6. e. that all facades shall incorporate windows, arches, balconies, or other architectural details along with varying build materials or roof lines, or building offsets. 8. Added a note stating that “if approved by CDOT and approved by the residents of Halstead Drive/Drexmore Avenue as required by the City’s Neighborhood Traffic Management Policies, the Petitioner will replace the existing speed bump located on Halstead Drive near the intersection of Drexmore Avenue with stop signs”. 9. Added a note stating the “working in conjunction with CDOT, the petitioner will explore the installation of traffic calming measures at the intersection of Longwood Drive and Bradbury Drive”. 10. Added a note specifying that the petitioner will instruct contractors to access the site from Park Road for construction traffic. 11. Added a note specifying that staging for the development will not be allowed on adjoining single family zoning properties. 12. Removed, through a formatting error, the words “in interest or assigns” from Note 12. a. 13. The petitioner requested the following note be added: “The petitioner will use good faith efforts to direct the general contractor for the Site to not begin outdoor construction activity on the Site on Saturday mornings before 8:30 AM EST. The Petitioner will also use good faith efforts to direct the general contractor for the Site to avoid late night concrete pours.” <p>Staff recommends approval of this petition.</p> <p><u>Attachment 15</u></p>
	<p>16. <u>Petition No. 2014-118</u> (Council District 1 – Kinsey) by Cotswold Partners, LLC for a change in zoning for approximately 2.21 acres located on the east side of Randolph Road between Greenwich Road and North Sharon Amity Road from B-1 (neighborhood business) to MUDD-O (mixed use development, optional).</p> <p>The Zoning Committee found this petition to be consistent with the <i>South 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 retail uses for the subject property. <p>Therefore, the Zoning Committee found this petition 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 site plan commits to details such as elevations and design standards, as well as transportation improvements; and • The proposal is for infill redevelopment, which minimizes the impacts to the natural environment.

	<p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Four-sided elevations of the proposed building have been provided. 2. The optional request for increased ground mounted signage has been removed. 3. A note has been modified to clarify that only one principal building will be on the site. 4. Optional request "F" has been removed from the site plan. 5. A detail of the loading dock screen wall along Colwick Road has been provided with the elevations. 6. A detail of the street wall has been provided within the elevations. 7. The request to allow all existing building, parking and uses to remain under this plan has been removed. 8. A note has been added that the ground floor elevations along Randolph Road will be treated with a combination of fenestration, clear glass, prominent entrances, changes in material, building step backs and landscaping. 9. A note has been added that the maximum allowed square footage includes the building but not the parking structure. 10. A note has been added that a concrete pad will be provided for a future bus pad. <p>Staff recommends approval of this petition.</p> <p><u>Attachment 16</u></p>
	<p>17. <u>Petition No. 2015-010</u> (Council District 2 – Austin) by The Salvation Army for a change in zoning for approximately 2.6 acres located on the west side of Statesville Avenue south of Oliver Street and east of Spratt Street from O-6(CD) (office, conditional) to MUDD-O (mixed use development, optional).</p> <p>The Zoning Committee found this petition to be consistent with the <i>Central 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 institutional uses for the subject property. <p>Therefore, the Zoning Committee found this petition 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 use will not increase the exterior size of the building; and • The proposed request will allow the existing institutional use to continue to serve the needs of the community. <p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. The proposed uses on the site plan have been listed as a homeless shelter, daycare, and administrative offices. 2. The maximum square footage has been modified to 50,000 square feet. 3. A note has been added specifying that the expansion area is interior to the existing building. 4. The amount of open space to be provided has been labelled on the plan. 5. A note has been added that the existing 69 parking spaces provided on site and along the project frontage on Spratt Street will satisfy the parking requirement. <p>Staff recommends approval of this petition.</p> <p><u>Attachment 17</u></p>

January 2015 Rezonings



ZONING HEARINGS

Protest Sufficient	<p>18. <u>Petition No. 2014-078</u> (Council District 6- Smith) by Park Selwyn, LLC for a change in zoning for approximately 1.21 acres located on the north side of East Woodlawn Road between Brandywine Road and Selwyn Avenue from UR-2(CD) (urban residential, conditional) to UR-2(CD) SPA (urban residential, conditional, site plan amendment).</p> <p style="text-align: center;"><u>Attachment 18</u></p>
Public hearing continued in November to January	<p>19. <u>Petition No. 2014-100</u> (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 style="text-align: center;"><u>Attachment 19</u></p>
Protest Sufficient	<p>20. <u>Petition No. 2014-109</u> (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 R-8 (single family residential), UR-C(CD)(PED) (urban residential – commercial, conditional, pedestrian overlay) and B-1(PED) (neighborhood business, pedestrian overlay) to MUDD-O (mixed use development, optional) and MUDD-O(PED) (mixed use development, optional, pedestrian overlay).</p> <p style="text-align: center;"><u>Attachment 20</u></p>
Protest TBD	<p>21. <u>Petition No. 2014-110</u> (Council District 1 – Kinsey) by Unique Southern Estates, LLC for a change in zoning for approximately 4.54 acres located at the southeast corner of the intersection of 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 style="text-align: center;"><u>Attachment 21</u></p>
	<p>22. <u>Petition No. 2014-113</u> (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 style="text-align: center;"><u>Attachment 22</u></p>
Deferral (to February)	<p>23. <u>Petition No. 2014-115</u> (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 style="text-align: center;"><u>Attachment 23</u></p>
	<p>24. <u>Petition No. 2014-119</u> (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) & MUDD-O (mixed use development district, optional).</p> <p style="text-align: center;"><u>Attachment 24</u></p>

	<p>25. <u>Petition No. 2015-002</u> by Charlotte Montessori School for a Text Amendment to the City of Charlotte Zoning Ordinance to modify the street frontage and primary access requirements for child care centers.</p> <p><u>Attachment 25</u></p>
Protest TBD	<p>26. <u>Petition No. 2015-005</u> (Council District 3 – Mayfield) by SIM USA for a change in zoning for approximately 108.86 acres located on the south side of Choate Circle and at the southern intersection of Moss Road and Choate Circle from INST (CD) (institutional, conditional) to INST (CD) SPA (institutional, conditional, site plan amendment).</p> <p><u>Attachment 26</u></p>
Deferral (to February)	<p>27. <u>Petition No. 2015-007</u> (Council District 7 – Driggs) by Village at Robinson Farm, LLC for a change in zoning for approximately 5.69 acres located on the southwest corner at the intersection of Rea Road and Williams Pond Lane from NS (neighborhood services) to NS SPA (neighborhood services, site plan amendment).</p> <p><u>Attachment 27</u></p>
Deferral (to February)	<p>28. <u>Petition No. 2015-008</u> (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><u>Attachment 28</u></p>



The petitioner is requesting a withdrawal of this petition.

REQUEST	Current Zoning: R-12MF, multi-family residential Proposed Zoning: O-1, office
LOCATION	Approximately 0.64 acres located on the east side of West Sugar Creek Road between North Tryon Street and Penny Way.
CENTER, CORRIDOR OR WEDGE	Corridor
SUMMARY OF PETITION	This petition proposes to rezone the property to allow all uses permitted in the O-1 district.
Property Owner	Dona M. Patterson
Petitioner	Dona M. Patterson
Agent/Representative	None
Community Meeting	Meeting not required.

ZONING COMMITTEE ACTION	The Zoning Committee voted unanimously to recommend DENIAL of this petition.
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VOTE	Motion/Second: Allen/Griffith Yeas: Allen, Dodson, Griffith, Randolph, and Walker Nays: N/A Absent: Rosenburgh and Simmons Recused: N/A
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ZONING COMMITTEE DISCUSSION Staff reviewed the petition, recommending denial of the petition based on the adopted land use plan. A Committee member asked if the character of West Sugar Creek was going to change with transit. Staff responded that the residential recommendation of the area plan would continue even with transit. Several Committee members stated they could not support the petition because it was conventional and they would have liked to see a site plan.

STATEMENT OF CONSISTENCY This petition is found to be inconsistent with the *Northeast District Plan* and not reasonable and in the public interest, by a 4-1 vote of the Zoning Committee (motion by Commissioner Allen seconded by Commissioner Griffith).

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

- **Proposed Request Details**
This is a conventional rezoning petition with no associated site plan.
- **Public Plans and Policies**
 - The *Northeast District Plan* (1996) recommends multi-family residential uses for the subject property.
 - This petition is inconsistent with *Northeast District Plan*.

- **STAFF RECOMMENDATION (Updated)**
 - Staff agrees with the recommendation of the Zoning Committee.
-

PUBLIC INFRASTRUCTURE UPDATES (see full department reports online)

- **CDOT:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **CATS:** No issues.
 - **Connectivity:** No issues.
 - **Neighborhood and Business Services:** No issues.
 - **Schools:** There will be an increase in students.
 - **Park and Recreation:** No comments received.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Storm Water:** No issues.
 - **LUESA:** No issues.
 - **Site Design:** There is no site plan associated with this conventional rezoning request.
-

OUTSTANDING ISSUES

- No issues.
-

Attachments Online at www.rezoning.org

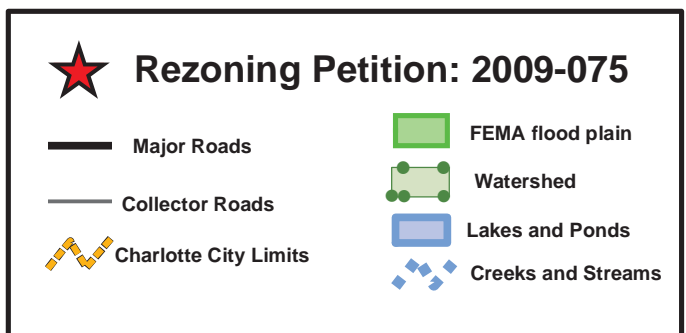
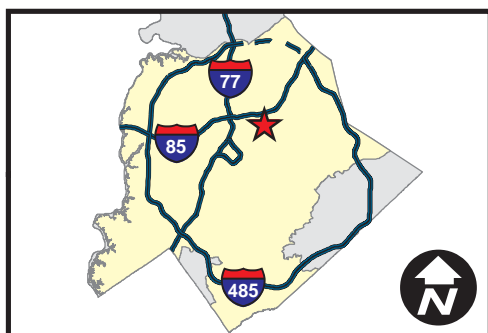
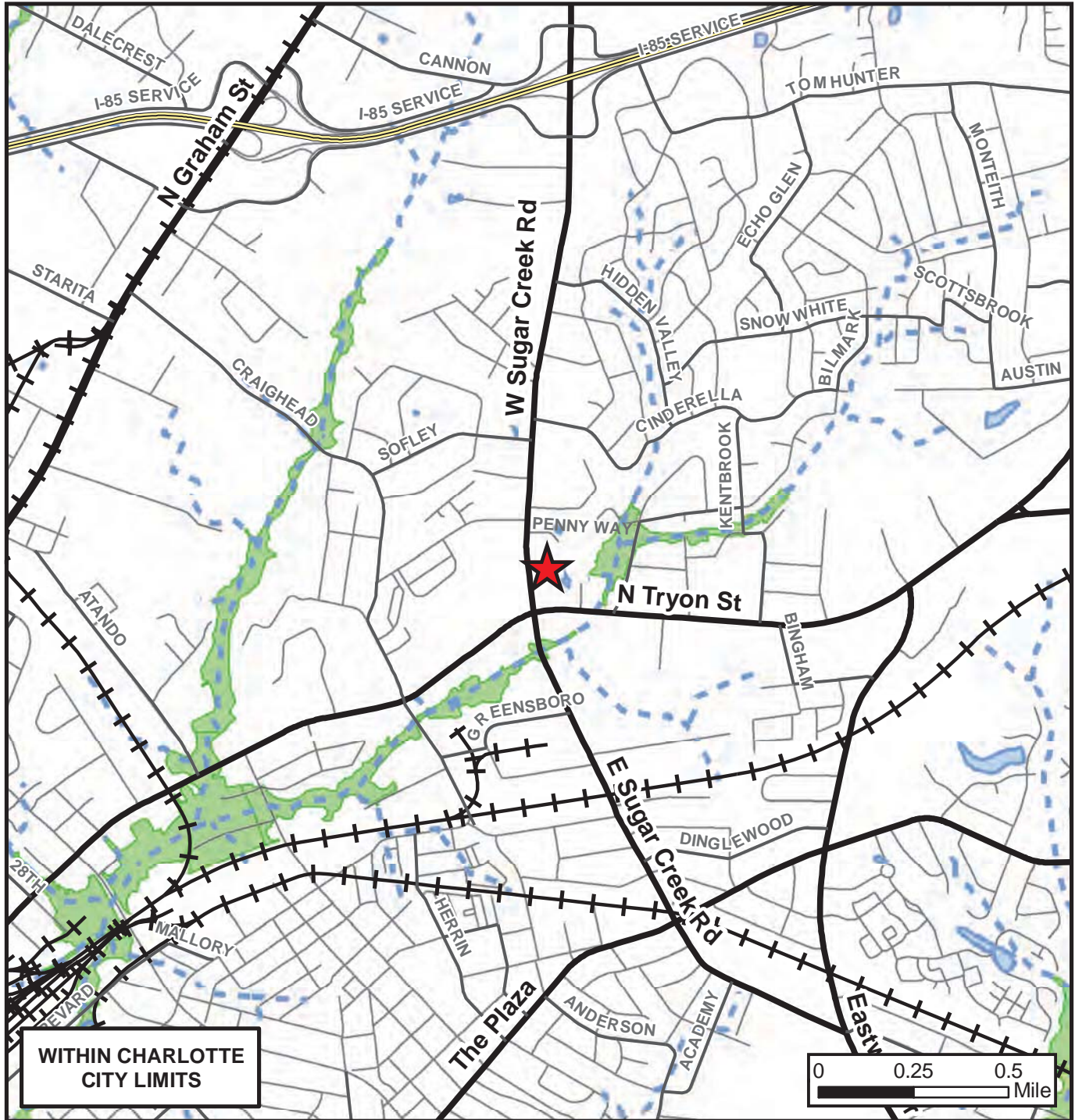
- Application Form
- CATS Review
- CDOT Review
- Charlotte Fire Department Review
- CMS Review
- LUESA Review
- Neighborhood and Business Services Review
- Pre-Hearing Staff Analysis
- Storm Water Review

Planner: Solomon Fortune (704) 336-8326

Petition #: **2009-075**

Vicinity Map

Acreeage & Location : Approximately 0.64 acres located on the east side of West Sugar Creek Road between North Tryon Street and Penny Way.



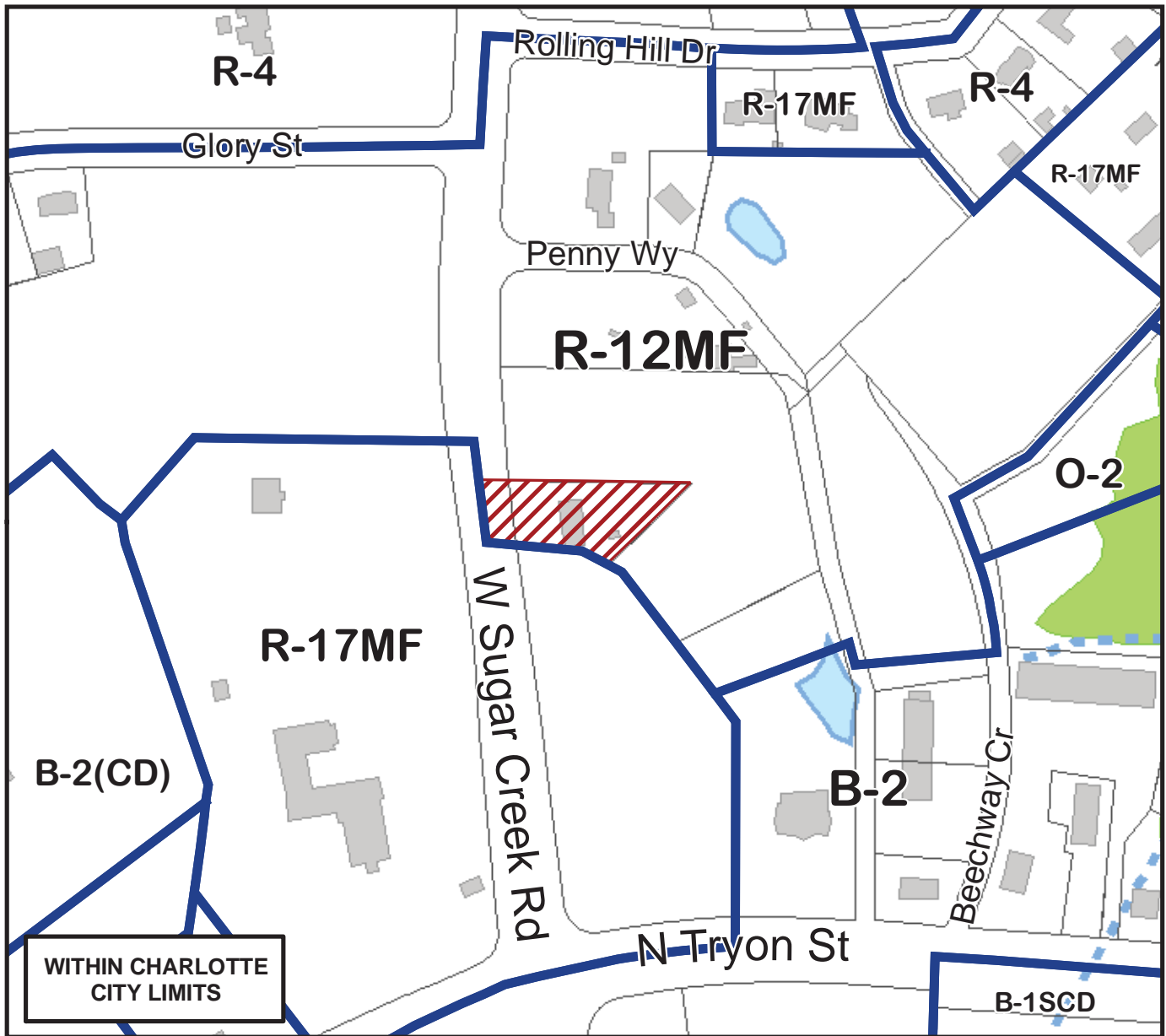
Petition #: **2009-075**

Petitioner: Dona M. Patterson

Zoning Classification (Existing): R-12MF
(Multi-Family Residential, up to 12 dwelling units per acre)

Zoning Classification (Requested): O-1
(Office)

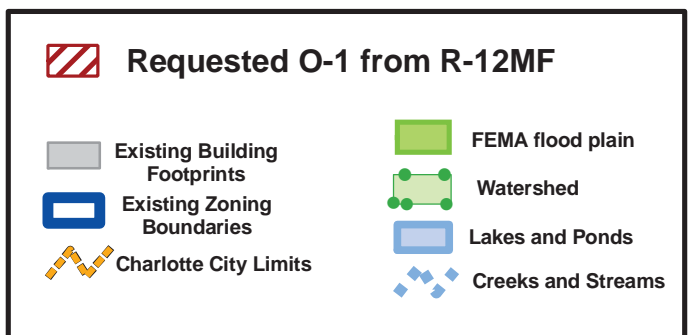
Acreage & Location : Approximately 0.64 acres located on the east side of W Sugar Creek Road between N Tryon Street and Penny Way.



Zoning Map #(s) **78**



Map Produced by the
Charlotte-Mecklenburg Planning Department
09-16-2009



REQUEST	Text amendment to Sections 2.201, 9.101, 9.204, 9.304, 9.404, 9.405, 9.504, 9.603, 9.604, 9.704, 9.803, 9.804, 9.8503, 9.8504, 9.903, 9.904, 9.1003, 9.1004, 9.1103, 9.1104, 9.1206, 9.1207, 11.204, 11.303A, 11.403, 11.404, 11.703, 11.704, and 12.547 of the Zoning Ordinance
SUMMARY OF PETITION	The petition proposes to: <ol style="list-style-type: none"> 1) Create a new definition for mobile farmer’s market; 2) Allow mobile farmer’s markets in all zoning districts. In some districts they will be allowed as a principal use, and in other districts they will be allowed as an accessory use; and 3) Create new prescribed conditions for mobile farmer’s markets.
PETITIONER AGENT/REPRESENTATIVE	Charlotte-Mecklenburg Planning Department Charlotte-Mecklenburg Planning Department
COMMUNITY MEETING	Meeting is not required. Two community advisory group meetings were held on January 29 and June 3, 2014.

ZONING COMMITTEE ACTION	The Zoning Committee voted 7-0 to DEFER this petition to their March 25, 2015 meeting.
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VOTE	Motion/Second: Eschert/Sullivan
	Yeas: Dodson, Eschert, Labovitz, Nelson, Ryan and Sullivan and Walker
	Nays: None
	Absent: None
	Recused: None

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

PLANNING STAFF REVIEW

- **Background**
 - Currently, the Zoning Ordinance does not have a definition for mobile grocery stores or mobile farmer’s markets. However, the use is permitted as a Periodic Retail Sales Event, Off-Premise, with a permit good for 14 days, and renewable up to six times per calendar year.
 - In the summer of 2013, City Council requested staff research how other cities regulate mobile grocery stores and explore how mobile grocery stores (also called mobile farmer’s markets) can be permitted for longer periods of time as a viable way of providing fresh fruits and vegetables to areas lacking access to full-service grocery stores or only having access to limited grocery stores, such as convenience stores.
 - On September 5, 2013, City Council’s Economic Development Committee received a presentation on the Mecklenburg County Food Assessment from representatives of the University of North Carolina–Charlotte and the Charlotte-Mecklenburg Food Policy Council. The study addressed the absence of food stores in Mecklenburg County and found the following:
 - 1) There are food deserts where there is limited access to affordable and nutritious food, particularly in low-income areas. In these neighborhoods, health issues, including heart disease, were found to be higher than in non-food deserts; and
 - 2) A statistical analysis, controlled for income, race, and population density, found that adding a limited or full service food store to a census block group results in a lower number of premature deaths due to heart disease.
 - On September 19, 2013, the Economic Development Committee continued their discussion

about food deserts and received information from staff on the existing land use classifications in the Zoning Ordinance where fresh food can be sold. Staff suggested that one strategy to increase the availability of fresh produce in food deserts was through a text amendment, to add mobile grocery or mobile farmer's markets as a new use in the Zoning Ordinance. Staff suggested that a Community Advisory Group (CAG) should be involved with the development of the regulations and reviewed a proposed process for engaging a Community Advisory Group.

- In January 2014, a Community Advisory Group was formed and charged with providing staff input on:
 - 1) the issues and opportunities associated with mobile farmer's markets,
 - 2) a draft definition for mobile farmer's markets, and
 - 3) associated prescribed conditions.

The group included representatives from the Charlotte-Mecklenburg Food Policy Council, Friendship Gardens, an outdoor fresh produce stand operator, and a mobile market operator. Four stakeholders met on January 29, 2014 to review and discuss the proposed regulations. Two stakeholders met on June 3, 2014 to continue discussions.

- **Proposed Request Details**

The text amendment contains the following provisions:

- Adds a definition for mobile farmer's market: a commercial mobile vehicle (excluding pick-up trucks, open trailers and boats), licensed by the Department of Motor Vehicles, from which commercially prepared and packaged or uncut perishable fruits, vegetables or dairy products are sold (excluding alcoholic beverages, homemade food products and goods).
- Allows a mobile farmer's market as a principal use and/or accessory use in all zoning districts under prescribed conditions:
 - A mobile farmer's market shall be allowed as a principal use or as an accessory use in the following zoning districts, under prescribed conditions: UR-C (urban residential – commercial); RE-3 (research); B-1 (neighborhood business); B-2 (general business); B-D (distributive business); BP (business park); CC (commercial center); NS (neighborhood services); MUDD (mixed use development); UMUD (uptown mixed use); TOD-E (transit oriented development – employment); TOD-M (transit oriented development – mixed-use); U-I (urban industrial); I-1 (light industrial); and I-2 (general industrial).
 - A mobile farmer's market shall be allowed as an accessory use to a religious institution, school, college, university, hospital or office in the following zoning districts, under prescribed conditions: R-3, R-4, R-5, R-6, and R-8 (single family residential); R-8MF, R-12MF, R-17MF, R-22MF, and R-43MF (multi-family residential); R-MH (manufactured housing); UR-1, UR-2, and UR-3 (urban residential); MX-1, MX-2, and MX-3 (mixed use); INST (institutional); RE-1 and RE-2 (research); O-1, O-2, and O-3 (office); and TOD-R (transit oriented development – residential).
- Adds new prescribed conditions for mobile farmer's markets:
 - The mobile farmer's market shall not be located in any required setback, any sight distance triangle, or required buffer.
 - The operator must receive a zoning use permit and display a placard from Neighborhood & Business Services. The maximum duration of a mobile farmer's market permit is 365 consecutive days. There is a maximum of three (3) locations that can be listed for each permit.
 - The operator shall submit proof that the property owner or designated agent (lessee) grants his/her permission to locate the mobile farmer's market on each property.
 - A mobile farmer's market shall not sell food and/or drink processed or prepared on-site. Mobile food vending is not allowed as part of the use.
 - The operator is responsible for removing all trash, litter, and refuse generated by the use from the site at the end of each visit.
 - The hours of operation shall be between 8:00 a.m. and 9:00 p.m. The mobile farmer's market shall only be located on the site between these hours. No overnight parking is allowed.
 - The mobile farmer's market shall provide five off-street parking spaces for customers. Parking spaces may be shared with other uses on the site. The mobile farmer's market shall not locate in any minimum required parking spaces for other uses on the site.
 - One table and one fabric covered tent (maximum size of 12 feet by 12 feet) for shelter only are permitted in association with the use, if removed daily.
 - No products shall be displayed or stored off the vehicle or trailer.
 - All applicable local and state codes shall be met.
 - A mobile farmer's market and an outdoor fresh produce stand shall not occupy the same lot at the same time.
 - Signs must be in compliance with Chapter 13. No portable signs are allowed.

- Violations may result in the revocation of the zoning use permit. Violations are subject to the requirements in Section 8.105, "Citations".
 - Adds two extra prescribed conditions for mobile farmer's markets allowed as an accessory use to a religious institution, school, college, university, hospital or office:
 - If the mobile farmer's market utilizes a large commercial vehicle, it may park in a residential district as an accessory use on a site with a religious institution, school, college, university or hospital.
 - In the residential districts, only one mobile farmer's market shall be allowed per location at any one time.
 - **Public Plans and Policies**
 - This petition is consistent with the *Centers, Corridors and Wedges Growth Framework* goals to create a vibrant economy and a greater mix of commercial uses, and to provide a range of choices for employment opportunities.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No comments received.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Not applicable.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

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

OUTSTANDING ISSUES

- No issues.
-

Attachments Online at www.rezoning.org

- Application
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review

Planner: Sandra Montgomery (704) 336-5722

TEXT AMENDMENT SUMMARY: Mobile Farmer's Market
6-13-14

2014-21

Purpose/Background: The purpose of this text amendment is to create a new definition for mobile farmer's market and permit the use with prescribed conditions either as a principal or accessory use in all zoning districts. This amendment will assist in expanding the availability of fresh fruits, vegetables in all zoning districts.

	Current Regulations	Proposed Regulations	Rationale
Definitions	None	<p>Adds a new definition:</p> <ul style="list-style-type: none"> • <u>Mobile Farmer's Market</u>: A mobile vehicle, commercial licensed by a Department of Motor Vehicles, from which commercially prepared and packaged or uncut perishable fruits and vegetables are sold (excluding alcoholic beverages, homemade food products and goods). 	<ul style="list-style-type: none"> • Creates a new definition for a new use.
Items Sold	None	<p>Allows the same fresh produce to be sold that is allowed for outdoors fresh produce stands, plus dairy products:</p> <ul style="list-style-type: none"> • Mobile farmer's market operator(s) may sell all types of fresh produce, including but not limited to tomatoes, squash, corn, cucumbers, beans, berries, melons, apples, pears, peaches, citrus fruit, root vegetables, green vegetables, pie pumpkins, nuts, fresh herbs, or other fruits or vegetables. In addition to fresh produce, up to 10% of the total sales area may be used to sell fruit or vegetable derived products. Mobile farmer's markets are not intended to include the sale of Christmas trees, Halloween pumpkins, plants or flowers, which are regulated in Section 12.519. 	<ul style="list-style-type: none"> • Allows the same types of fresh produce to be sold as outdoors fresh produce stands.
Districts Allowed and Prescribed Conditions	None	<ul style="list-style-type: none"> • Allows a mobile farmer's market as a <u>principal use</u> or an <u>accessory use</u> in the following districts: urban residential - commercial (UR-C); research (RE-3 only), neighborhood business (B-1); general business (B-2); distributive business (B-D); business park (BP); commercial center (CC); neighborhood service (NS); mixed use development (MUDD); uptown mixed use (UMUD); transit oriented development – employment (TOD-E); transit oriented development – mixed use (TOD-M); urban industrial (U-I); light industrial (I-1) and heavy industrial (I-2), subject to the following prescribed conditions: <ul style="list-style-type: none"> • The mobile farmer's market shall not be located in any required setback, any sight distance triangle, or required buffer. • Any operator of a mobile farmer's market must receive a zoning use permit and display placard from Neighborhood & Business Services. It must be posted in the front window of the mobile farmer's market vehicle, while in use. The maximum duration of a mobile farmer's market permit is 365 consecutive days. A list of dates and times the mobile farmer's market will be at each location shall be submitted with the zoning use permit application. There is a maximum of three (3) locations that can be listed for each permit. • The operator of a mobile farmer's market shall submit proof that the property 	<ul style="list-style-type: none"> • Allows the use in all zoning districts, including residential districts. • Establishes prescribed conditions to regulate the use.

		<p>owner or designated agent (lessee) grants his/her permission to locate the mobile farmer's market on each property. This documentation shall be submitted to Neighborhood & Business Services and attached to the zoning use permit application.</p> <ul style="list-style-type: none"> • A mobile farmer's market shall not sell food and/or drink processed or prepared on-site. A mobile food truck is not allowed as part of the use. • The operator of a mobile farmer's market is responsible for removing all trash, litter, and refuse generated by the use from the site at the end of each visit. • The hours of operation shall be between 8:00 a.m. and 9:00 p.m. The mobile farmer's market shall only be located on the site between these hours. No overnight parking is allowed. • The mobile farmer's market shall provide five off-street parking spaces and shall not locate in any minimum required parking spaces for other uses on the site. Parking spaces may be shared with other uses on the site, unless the Zoning Administrator determines that parking congestion problems will be present on the site. • One table and one fabric covered tent (maximum size of 12 feet x 12 feet) for shelter only are permitted in association with the use, and shall be removed daily. • No products shall be displayed or stored off the vehicle or trailer. • All applicable local and state codes shall be met. • A mobile farmer's market and an outdoors fresh produce stand shall not occupy the same lot at the same time. • Signs must be in compliance with Chapter 13. No portable signs are allowed. • Violations are subject to Section 8.105, "Citations". Violations may result in the revocation of the zoning use permit. • Allows a mobile farmer's market as an accessory use to a religious institution, school, college, university, hospital or office in the R-3, R-4, R-5, R-6, R-8, R-8MF, R-12MF, R-17MF, R-22MF, R-43MF, R-MH, UR-1, UR-2, UR-3, MX-1, MX-2, MX-3, Institutional, O-1, O-2, O-3, RE-1, RE-2 and TOD-R zoning districts, subject to the prescribed conditions listed above and the following additional prescribed condition: <ul style="list-style-type: none"> • If the mobile farmer's market utilizes a large commercial vehicle, it is exempt from meeting the requirements of Section 12.218(4) and may park in a residential district as an accessory use on a site with a religious institution, school, college, university or hospital. 	
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		<ul style="list-style-type: none">• In the residential districts, only one mobile farmer's market shall be allowed per location at any one time.	
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REQUEST	Current Zoning: MX-3 (LLWCA) (mixed use, Lower Lake Wylie Critical Area) Proposed Zoning: MX-3 SPA (LLWCA) (mixed use, site plan amendment, Lower Lake Wylie Critical Area)
LOCATION	Approximately 6.23 acres located on the southeast corner at the intersection of Youngblood Road and Shelburne Farms Drive. (Outside City Limits)
SUMMARY OF PETITION	The petition proposes a site plan amendment to increase the single family density for a portion of the original Palisades rezoning from 3.9 units per acre to 4.815 dwelling units per acre for a total of 30 attached dwelling units. The overall density of the original Palisades rezoning increases from 3.87 to 3.89 dwelling units per acre.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Wilkison Partners Palisades, LLC Wilkison Partners, LLC Michael L. Boston
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 10.

ZONING COMMITTEE ACTION	The Zoning Committee voted 7-0 to DEFER this petition until their February 25, 2015 meeting.
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VOTE	Motion/Second: Eschert/Sullivan
	Yeas: Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan, and Walker
	Nays: None
	Absent: None
	Recused: None

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

PLANNING STAFF REVIEW

- **Background**
 - The subject parcel was rezoned under petition 2001-016(C) for the Palisades Development.
 - The approved site plan rezoned 1,068.9 acres to MX-3 (mixed use) to allow the development of 4,145 residential single family and multi-family units with an overall residential density of 3.9 dwelling units per acres.
 - The approved site plan allowed for several “village residential” components, which allowed up 5.1 dwelling units per acre.
 - The site plan called for single family development up to 3.9 dwelling units per acre on the subject site.
 - A public hearing was held for this petition on April 28, 2014.
 - After the public hearing, the petitioner made major changes to the site plan related to street connectivity. These adjustments were required by the Subdivision Ordinance and significantly changed the layout of the proposed development.
 - On July 7, 2014, the Zoning Committee voted 6-0 to recommend to City Council that the changes to this petition were significant and that a new public hearing should be held.
 - The City Council agreed with the recommendation of the Zoning Committee and a new public hearing on this petition was held on September 15, 2014.
- **Proposed Request Details**

The site plan amendment contains the following changes:

 - Maximum of 30 attached single family townhomes for a density of 4.81 units per acre.
 - A 17-foot planting strip and six-foot sidewalk along Shelburne Farms Drive and Youngblood

Road.

- Eight-foot planting strip and six-foot sidewalk along the internal public streets.
 - A four-foot tall berm or wall/fence with tree and/or plantings along the project frontage on Shelburne Farms Drive and Youngblood Road West.
 - Proposed public street stub to the adjacent property.
 - Building elevations for the proposed structures.
 - Building materials consisting of brick, architectural CMU, cultured stone, hardie shake, stucco or other similar durable material. Vinyl, EIFS and Masonite are prohibited as exterior building materials except vinyl may be used for soffit and trim including windows and doors.
 - 400 square feet of private open space per unit.
 - Proposed 15 spaces for guest parking screened by a buffer and five-foot tall screening shrubs.
 - A total of 0.49 acres of proposed tree save areas.
 - Pedestrian connection to the existing amenity area south of the subject site.
 - A 25.5-foot Class "C" buffer with a fence along the east property edge abutting the existing single family homes in R-3 (single family residential) zoning. The proposed fence detail is provided.
 - Freestanding lighting limited to 20 feet in height.
 - Innovative provision requests (which are considered for approval by the Zoning Committee) include:
 - Allowing minimum lot area to be 4,000 square feet.
 - Minimum lot width of 40 feet.
 - Lot depth of 100 feet.
 - **Public Plans and Policies**
 - The *Steele Creek Area Plan* (2012) recommends residential at up to four units per acre for the subject site.
 - The petition is consistent with the *Steele Creek Area Plan* recommendation of up to four dwelling units per acre. While the density of the property included in the site plan amendment is approximately 4.81 dwelling units per acre, the density of the original rezoning for the overall Palisades development, of which this petition was a part, will remain below four dwelling units per acre at approximately 3.89 dwelling units per acre.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** No issues.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site meets minimum ordinance standards.
-

OUTSTANDING ISSUES

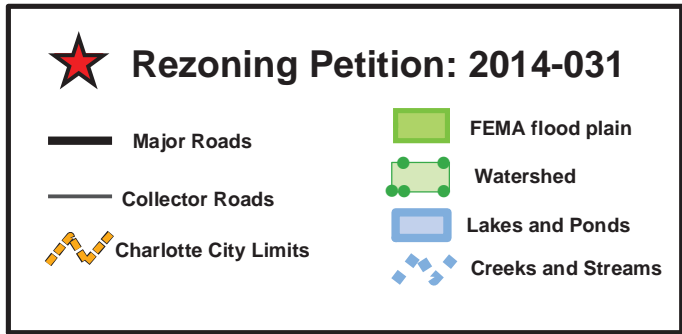
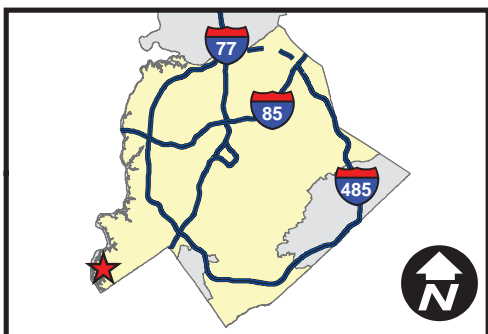
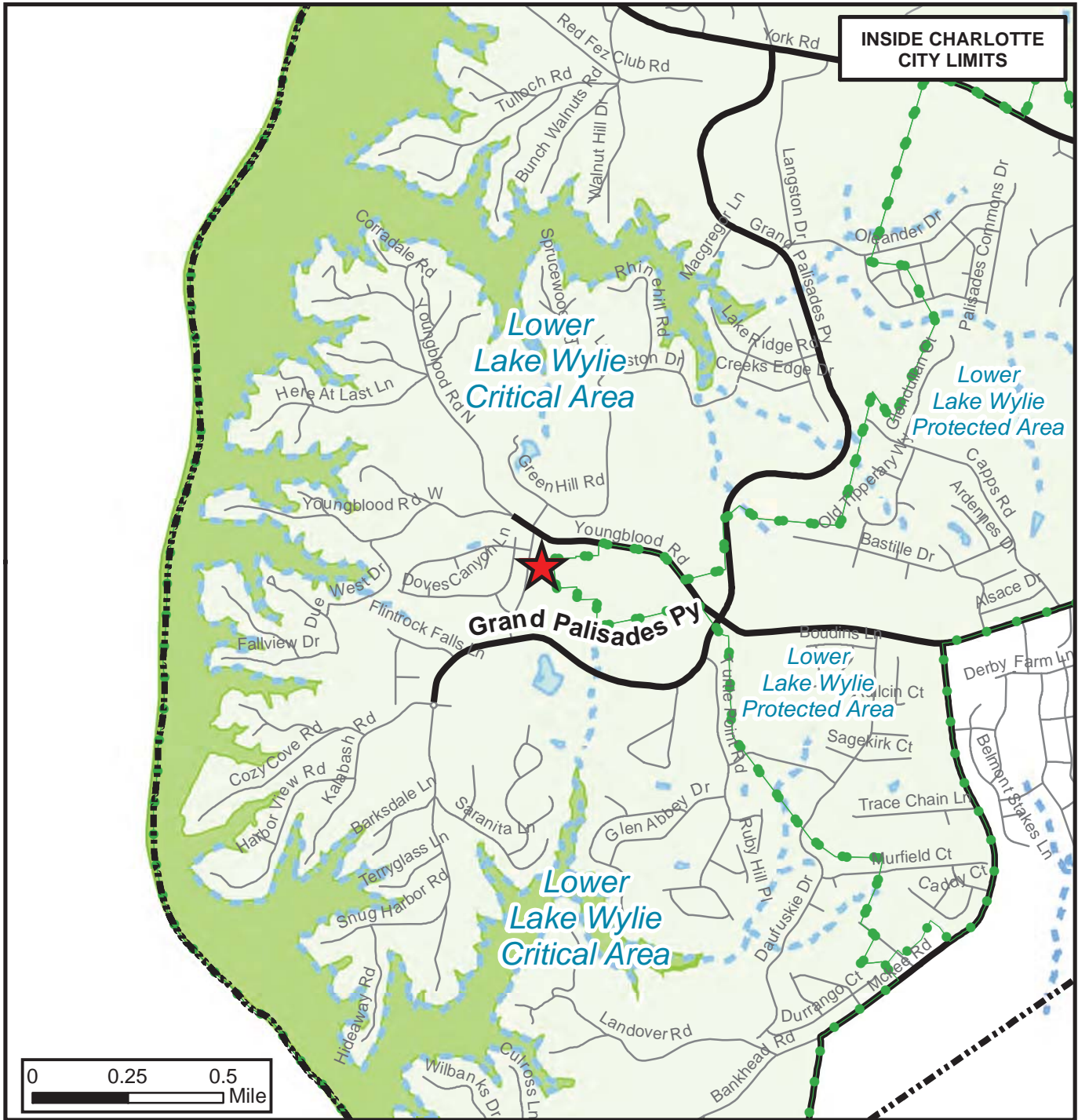
- The petitioner should:
 1. Submit an administrative request for Petition 2001-016C and reduce the number of “village residential” units by 30 units prior to the City Council decision.
 2. Clearly show which areas along Shelburne Farms Drive will have a berm and which areas will have a buffer.
 3. Modify the proposed berm, as it appears to be in conflict with the proposed tree save area.
 4. Show which cross sections apply to each street and label accordingly.
 5. Clarify whether there is a proposed connection to the existing tennis club through the guest parking area. If there is a connection, identify and label on the site plan.
-

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

Planner: Solomon Fortune (704) 336-8326

Acreage & Location : Approximately 5.9 acres located on the southeast corner at the intersection of Youngblood Road and Shelburne Farms Drive.



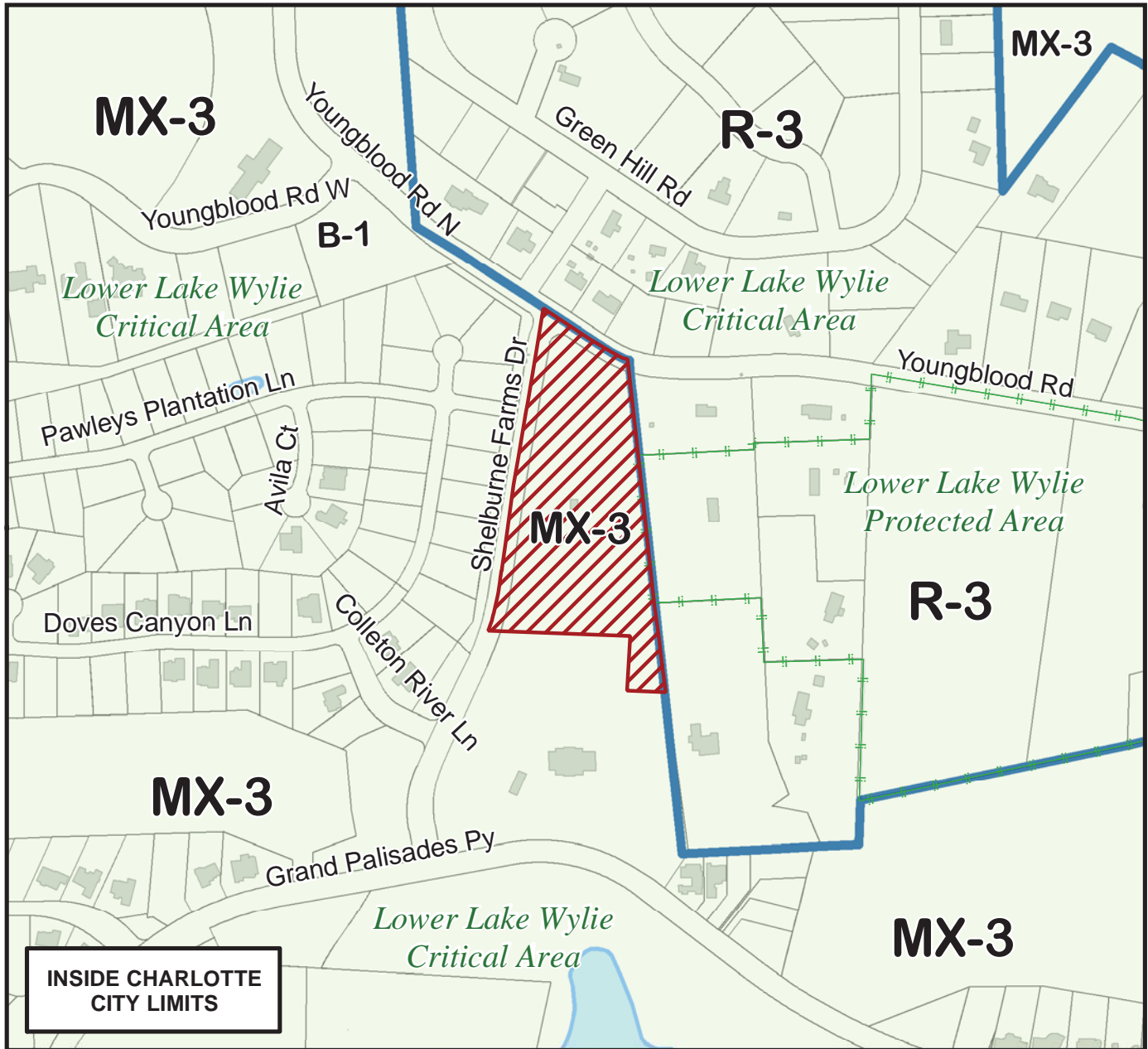
Petition #: **2014-031**

Petitioner: **Wilkison Partners, LLC**

Zoning Classification (Existing): **MX-3 (LLWCA)**
(Mixed Use District, Lower Lake Wylie Critical Area)

Zoning Classification (Requested): **MX-3 (S.P.A.) (LLWCA)**
(Mixed Use District, Site Plan Amendment, Lower Lake Wylie Critical Area)

Acreage & Location: Approximately 5.9 acres located on the southeast corner at the intersection of Youngblood Road and Shelburne Farms Drive.

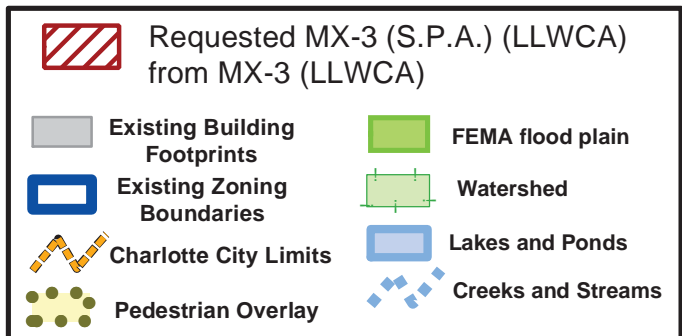


Map Produced by the Charlotte-Mecklenburg Planning Department, 9-3-14.



Zoning Map #(s)

173





REQUEST	Current Zoning: NS (neighborhood services) Proposed Zoning: NS SPA (neighborhood services, site plan amendment)
LOCATION	Approximately 2.84 acres located on the southwest corner at the intersection of South Tryon Street and Moss Road. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to allow for additional uses on the site to include up to 6,000 square feet of retail and/or automobile services, and to increase the square footage of a previously approved office building from 29,000 square feet to 30,000 square feet.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Liberty Oak, Inc. Moss Road Development Partners, LLC Walter Fields
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1

ZONING COMMITTEE ACTION	The Zoning Committee voted 7-0 to DEFER this petition to the January 28, 2015 Zoning Committee Work Session.
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VOTE	Motion/Second: Eschert/Sullivan
	Yeas: Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan and Walker
	Nays: None
	Absent: None
	Recused: None

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

PLANNING STAFF REVIEW

- **Background**
 - The subject site was rezoned in 2007 (rezoning petition 2007-024) from R-3 (single family residential) to NS (neighborhood services), in order to allow up to 34,000 square feet of office uses in two buildings, of which one was a 5,000-square foot bank with a drive-thru window. The approved site plan allows a two-story office building and a financial institution, along with associated parking and service areas. Staff did not support this rezoning request because it was inconsistent with the *Southwest District Plan*, which recommended single family residential up to three dwelling units per acre.
- **Proposed Request Details**

The site plan amendment contains the following changes:

 - Amends permitted uses to allow all uses in the NS (neighborhood services) district.
 - Replaces the 5,000-square foot one story bank building shown on the approved site plan with a 6,000-square foot proposed automotive services center building and slightly shifts the location of the building footprint.
 - Increases the square footage of the previously approved two-story office building from 29,000 square feet to 30,000 square feet.
 - Modifies a development note currently committing to a minimum parking ratio of one space per 200 square feet of floor area for medical office and/or bank uses and one parking space per 300 square feet of floor area for office uses, to now state that parking will meet or exceed the requirements of the Ordinance. The NS (neighborhood services) district requires one space per 600 square feet for non-residential uses.

- Provides elevations for proposed automotive services building.
 - **Public Plans and Policies**
 - The *Steele Creek Area Plan* (2012) recommends office land uses for this site.
 - The portion of the request involving the previously approved office building is consistent with the *Steele Creek Area Plan*. The retail portion of the petition is inconsistent with the *Steele Creek Area Plan*.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Charlotte Department of Solid Waste Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site meets minimum ordinance standards.
-

OUTSTANDING ISSUES

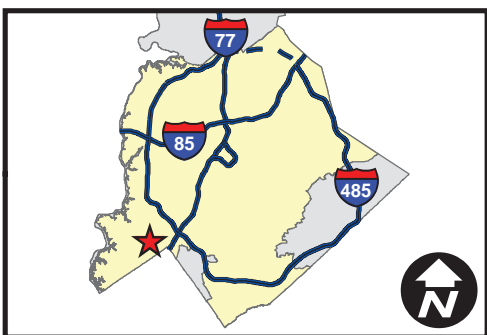
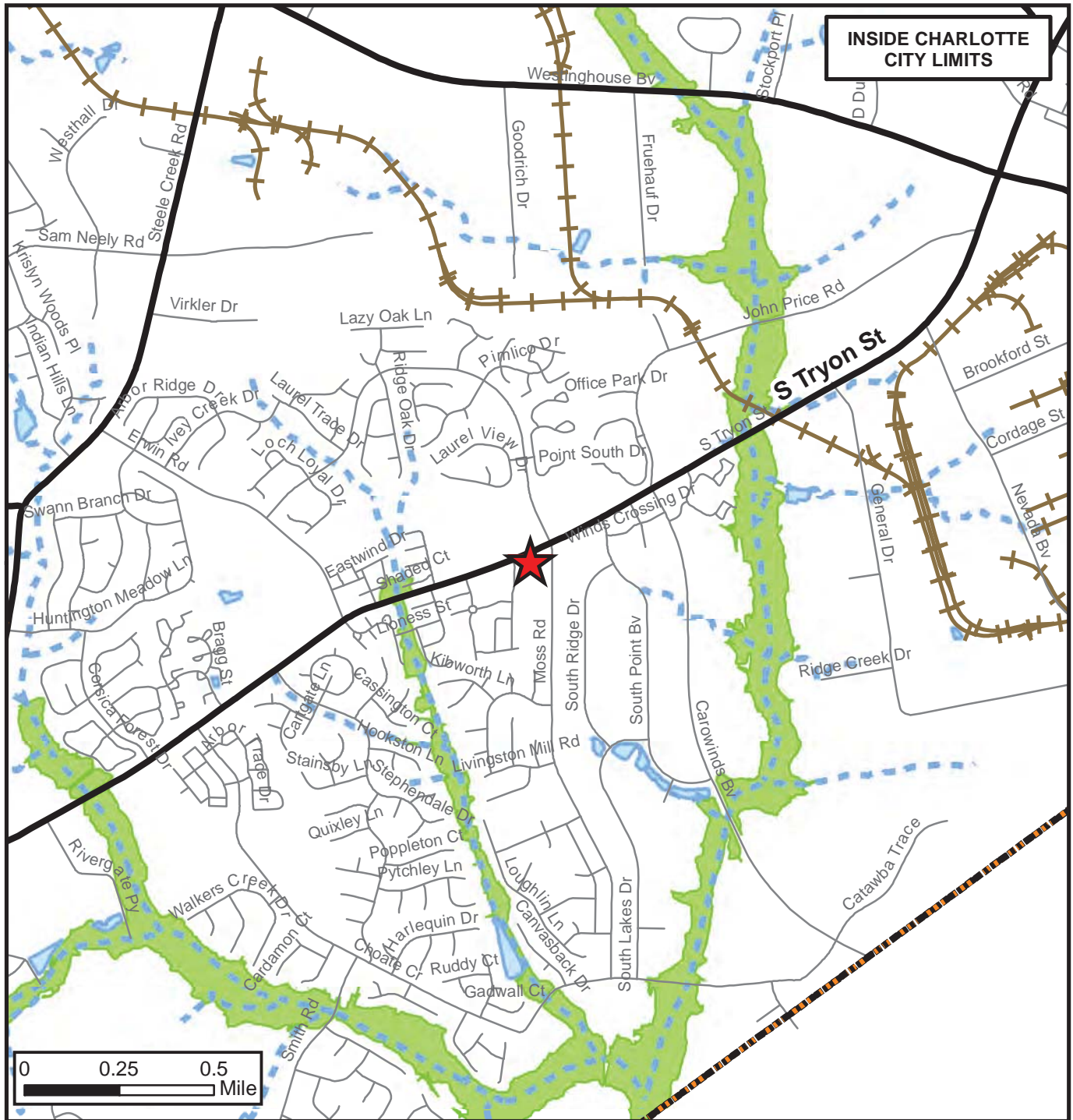
- The retail portion of the petition is inconsistent with the *Steele Creek Area Plan* which recommends office land uses for this site.
-

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Solid Waste Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Claire Lyte-Graham (704) 336-3782

Acreage & Location : Approximately 2.84 acres located on the southwest corner at the intersection of South Tryon Street and Moss Road.



★ Rezoning Petition: 2014-042

Major Roads	FEMA flood plain
Collector Roads	Watershed
Charlotte City Limits	Lakes and Ponds
	Creeks and Streams

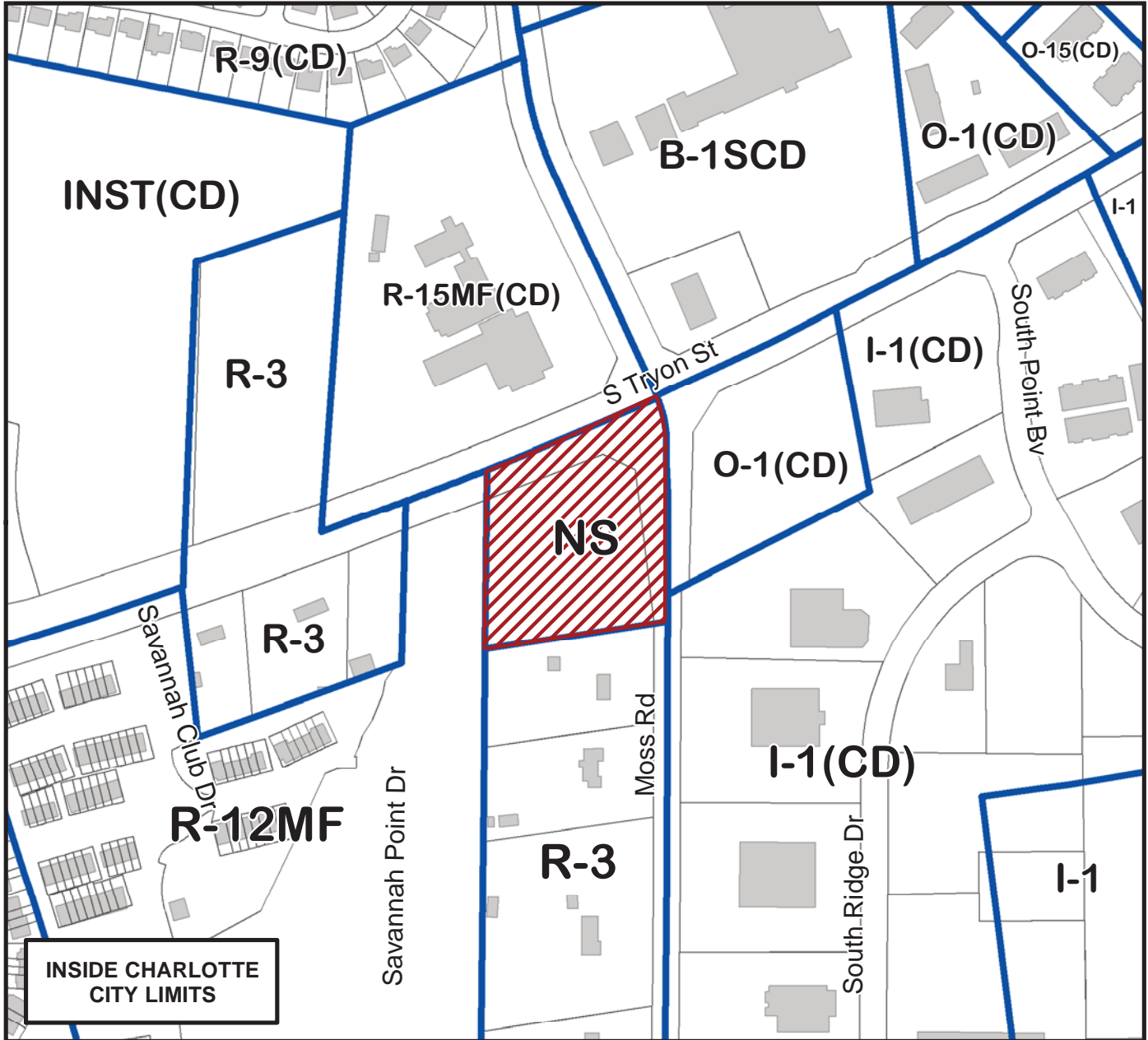
Petition #: **2014-042**

Petitioner: **Moss Road Development Partners, LLC**

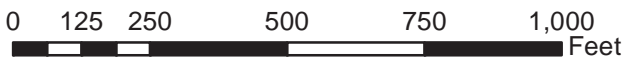
Zoning Classification (Existing): **NS**
(Neighborhood Services)

Zoning Classification (Requested): **NS (S.P.A.)**
(Neighborhood Services, Site Plan Amendment)

Acreage & Location: Approximately 2.84 acres located on the southwest corner at the intersection of South Tryon Street and Moss Road.

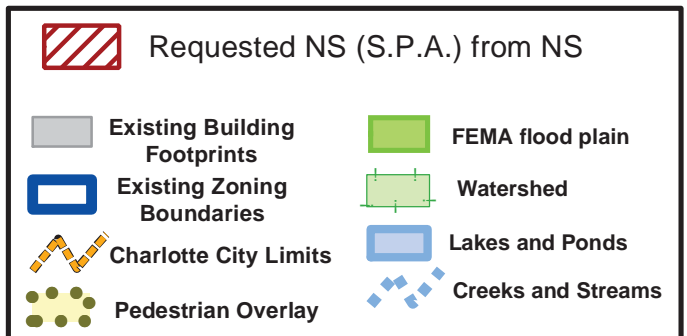


Map Produced by the Charlotte-Mecklenburg Planning Department, 11-6-14.



Zoning Map #(s)

155



REQUEST	Current Zoning: R-3 (single family residential) Proposed Zoning: Inst (CD) (institutional, conditional)
LOCATION	Approximately 2.71 acres located on the west side of Prosperity Church Road between Prosperity Point Lane and Pinewood Lane. (Council District 4 - Phipps)
SUMMARY OF PETITION	The petition proposes to reuse an existing single family home to establish a daycare center.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	North End Homes, LLC Mark Patterson N/A
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 8
STATEMENT OF CONSISTENCY	<p>This petition is found 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 single family residential up to four dwelling units per acre for this 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, and because:</p> <ul style="list-style-type: none"> • Area plans typically do not specify locations for institutional uses; and • The site has frontage along a major thoroughfare; and • The proposed use would serve the needs of the surrounding neighborhoods; <p>By a 7-0 vote of the Zoning Committee (motion by Commissioner Walker seconded by Commissioner Nelson).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Reduced the length of the new internal walkway by eliminating the portion that runs along the inside of the driveway and instead locating it along the guest parking area to connect to the sidewalk along Prosperity Church Road. This walkway may meander to preserve any existing trees. 2. Removed the sign from the site plan. 3. Added the heading "Signage" and a note stating that signage is permitted per the ordinance.
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VOTE	<table border="0"> <tr> <td>Motion/Second:</td> <td>Nelson/Eschert</td> </tr> <tr> <td>Yeas:</td> <td>Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan and Walker</td> </tr> <tr> <td>Nays:</td> <td>None</td> </tr> <tr> <td>Absent:</td> <td>None</td> </tr> <tr> <td>Recused:</td> <td>None</td> </tr> </table>	Motion/Second:	Nelson/Eschert	Yeas:	Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan and Walker	Nays:	None	Absent:	None	Recused:	None
Motion/Second:	Nelson/Eschert										
Yeas:	Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan and Walker										
Nays:	None										
Absent:	None										
Recused:	None										

ZONING COMMITTEE DISCUSSION	Staff provided an update of the petition, noting that the petition is inconsistent with the Northeast District Plan's recommendation for residential uses up to four units per acre. However, area plans typically do not specify locations for institutional uses. In addition, the site has frontage along a major thoroughfare and the proposed use would serve the needs of the surrounding neighborhoods.
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A committee member asked if an additional turn lane could be provided into the site. CDOT staff responded that this would not be possible due to a lack of adequate distance to provide a turn lane. A committee member commented that the issue raised at the public hearing regarding other child care centers in the area is a market issue, and added that such uses do not deter the value of the neighborhood.

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**• Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Reuse of an existing 2,114-square foot single family home to allow a commercial child care center with up to 60 children and seven employees.
- Parking areas for employees and guests, with drop-off area proposed in front of building.
- Extension of existing driveway and installation of new curb cut to allow one-way vehicular access onto Prosperity Church Road (site entrance will be right-in movement only).
- A 22-foot Class "C" buffer along all property lines abutting residential uses and/or zoning.
- A five-foot wide sidewalk connecting from the site to the existing five-foot wide sidewalk along Prosperity Church Road.
- Any future additions will be located to the rear, will be residential in character and scale, and will not exceed 25% of the square footage of the existing building.
- All lighting will be full cut-off light fixtures.
- Freestanding lighting will be limited to 25 feet in height.

• Public Plans and Policies

- The *Northeast District Plan* (1996) recommends single family residential up to four dwelling units per acre for the rezoning site.
 - The petition is inconsistent with the *Northeast District Plan*. However, area plans do not typically recommend locations for institutional uses. The site has frontage along a major thoroughfare and the proposed use would serve the needs of the nearby neighborhoods.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - Minimizes impacts to the environment by reuse of an existing structure.
-

OUTSTANDING ISSUES

- No issues.
-

Attachments Online at www.rezoning.org

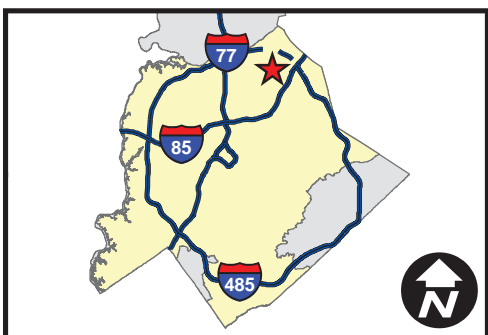
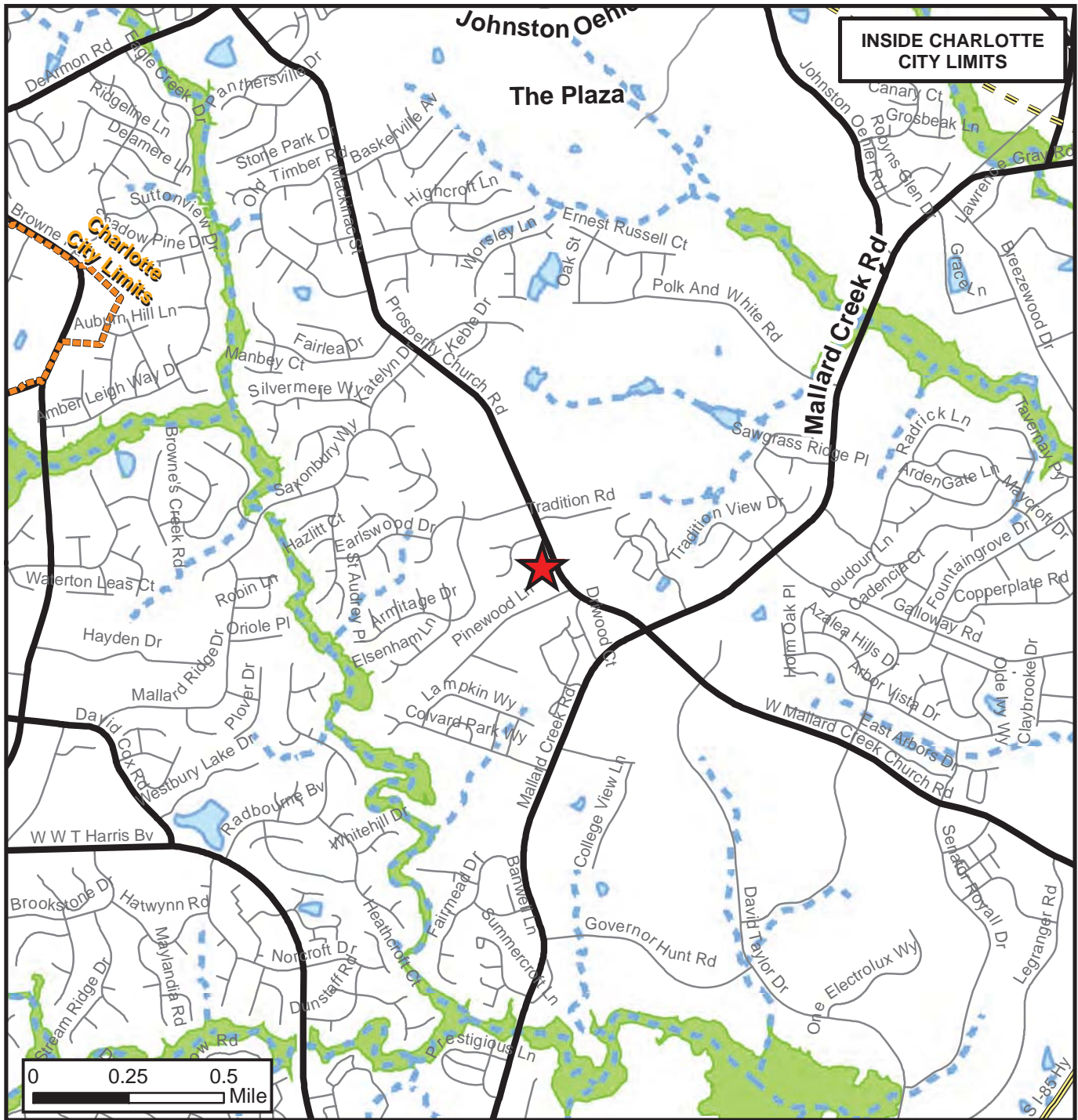
- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Solid Waste Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Claire Lyte-Graham (704) 336-3782








Petition #: **2014-043**

Vicinity Map

Acresage & Location : Approximately 2.71 acres located on the west side of Prosperity Church Road between Prosperity Point Lane and Pinewood Lane.



★ Rezoning Petition: 2014-043

 Major Roads	 FEMA flood plain
 Collector Roads	 Watershed
 Charlotte City Limits	 Lakes and Ponds
	 Creeks and Streams

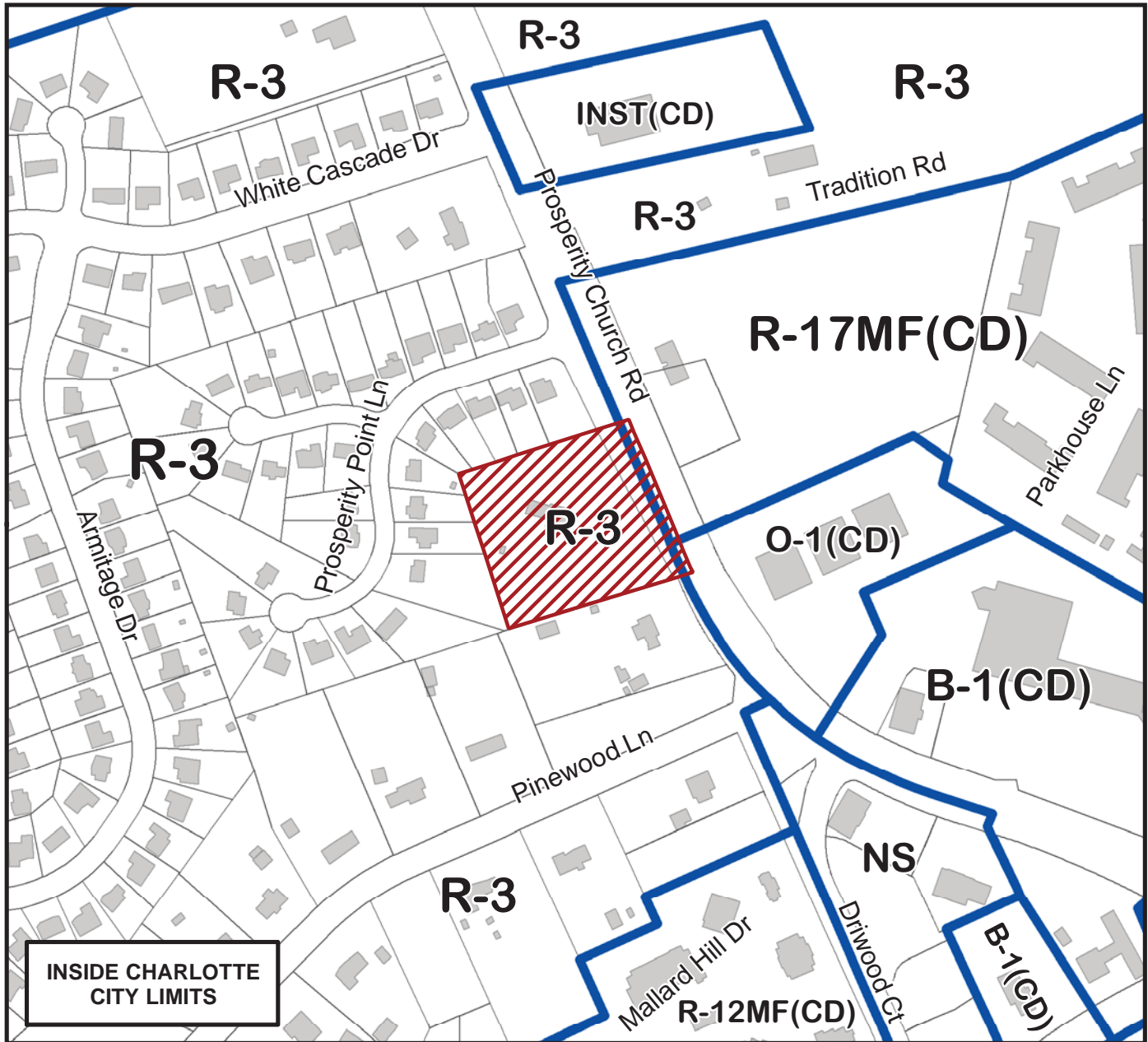
Petition #: **2014-043**

Petitioner: **Mark Patterson**

Zoning Classification (Existing): **R-3**
(Single Family, Residential)

Zoning Classification (Requested): **INST(CD)**
(Institutional, Conditional)

Acreage & Location: Approximately 2.71 acres located on the west side of Prosperity Church Road between Prosperity Point Lane and Pinewood Lane.

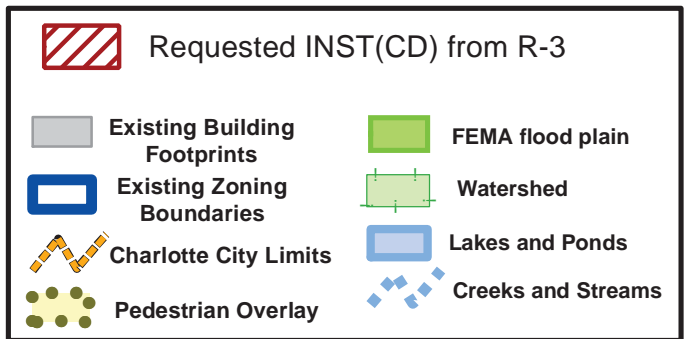


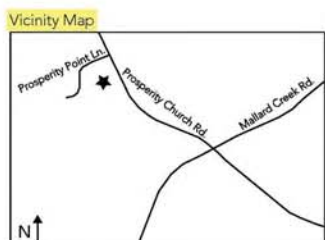
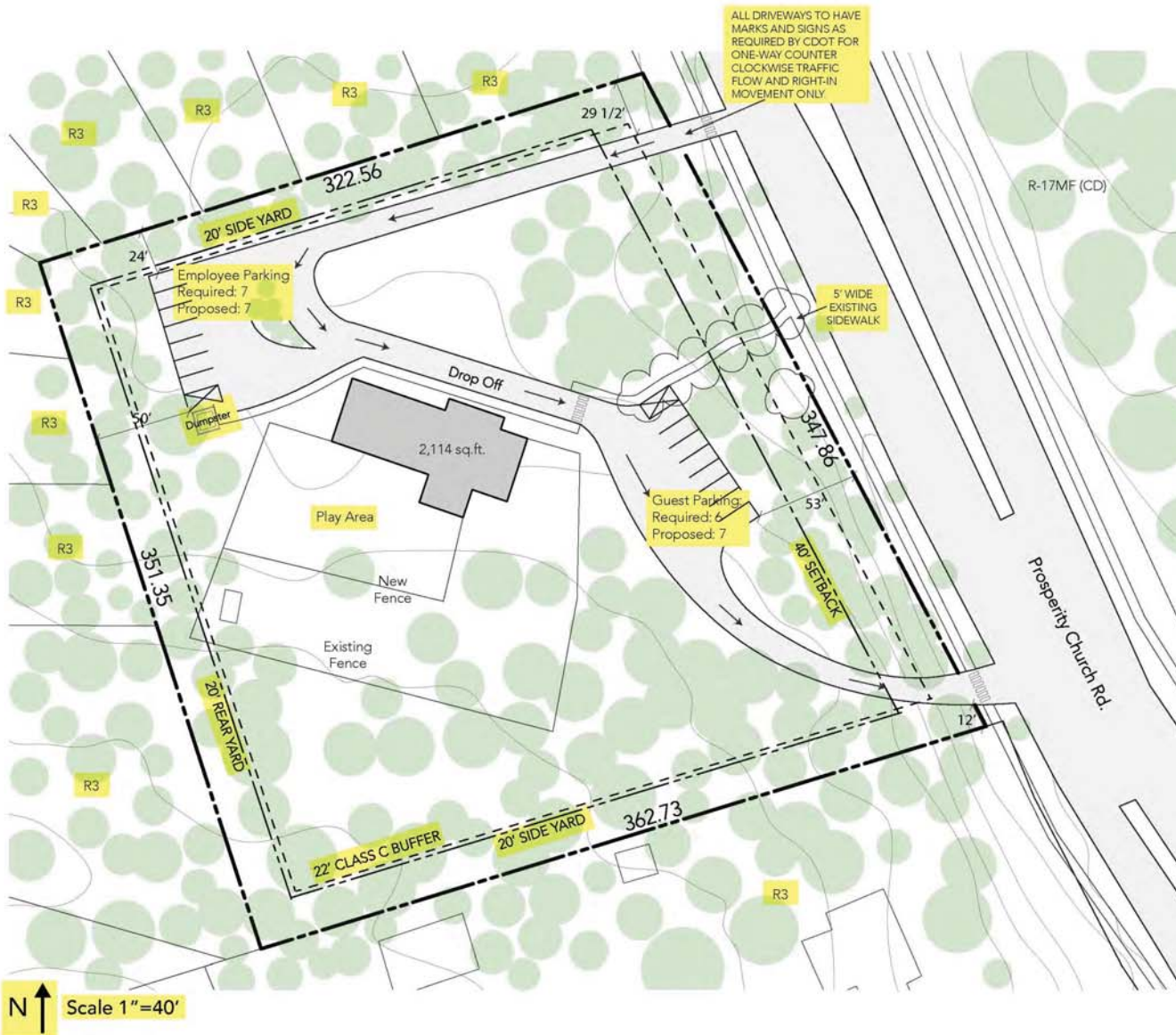
Map Produced by the Charlotte-Mecklenburg Planning Department, 8-26-14.



Zoning Map #(s)

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REZONING- RESIDENTIAL TO COMMERCIAL DAYCARE
 3231 PROSPERITY CHURCH RD

SITE PLAN NOTES
 (NOTE: BOLD ITEMS REVISED 7-21-14 SUBMITTAL)
 (NOTE: BUBBLED ITEMS REVISED 11-18-14 SUBMITTAL)

1. DEVELOPMENT DATA

SITE ACREAGE:	2.71
TAX PARCEL:	02728101
EXISTING ZONING:	R3
PROPOSED ZONING:	INST (CD)
EXISTING USE:	RESIDENTIAL
PROPOSED USE:	COMMERCIAL DAYCARE
EXISTING GROSS SF:	2,114 SF
FLOOR AREA RATIO:	35 SF PER CHILD
NUMBER AND OR RATIO OF PARKING SPACES:	1 PER EMPLOYEE (7 EMPLOYEES) 1 PER 10 CHILDREN (UP TO 60 CHILDREN)
2. GENERAL PROVISIONS

THESE DEVELOPMENT STANDARDS FORM A PART OF THE TECHNICAL DATA SHEET ASSOCIATED WITH THE REZONING PETITION FILED BY MARK PATTERSON TO ACCOMMODATE REUSE OF THIS 2.71 ACRE SITE. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE TECHNICAL DATA SHEET, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE ZONING ORDINANCE OF THE CITY OF CHARLOTTE (THE "ORDINANCE"). UNLESS THE TECHNICAL DATA SHEET OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS.

ALTERATIONS TO THE CONDITIONAL PLAN ARE SUBJECT TO SECTION 6.207 ALTERATIONS TO APPROVAL
4. PERMITTED USES

SITE WILL BE DEVOTED TO USE AS CHILD DAYCARE CENTER, TOGETHER INCIDENTAL AND/OR ACCESSORY USES ASSOCIATED THEREWITH, THAT ARE PERMITTED UNDER THE "ORDINANCE" BY RIGHT UNDER PRESCRIBED CONDITIONS IN THE INSTITUTIONAL ZONING DISTRICT.
5. TRANSPORTATION

ON SITE TRAFFIC CIRCULATION TO BE SIGNED AND MARKED FOR ONE-WAY COUNTER CLOCKWISE TRAFFIC FLOW.

PROPOSED SITE ENTRANCE IS RIGHT-IN MOVEMENT ONLY.

PROPOSED DRIVEWAY CONNECTIONS TO PROSPERITY CHURCH RD. SHALL GO THROUGH ALL REQUIRED CDOT DRIVEWAY PERMITTING PRIOR TO CONSTRUCTION.
6. ARCHITECTURAL STANDARDS

EXISTING STRUCTURE TO REMAIN.

THERE IS NO PROPOSED EXPANSION/ADDITION. HOWEVER, ANY FUTURE ADDITIONS TO THE EXISTING STRUCTURE MUST BE TO THE REAR OF THE BUILDING AND ADDED SF SHALL NOT EXCEED 25% OF THE EXISTING SF OF THE STRUCTURE. PLUS, ANY EXPANSION OR EXTERIOR RENOVATIONS TO THE CURRENT STRUCTURE WILL BE RESIDENTIAL IN CHARACTER AND SCALE.
7. STREETScape AND LANDSCAPING

EXISTING SIDEWALK ON PROSPERITY CHURCH RD. IS 5' WIDE. A 5' WIDE SIDEWALK TO BE CONSTRUCTED CONNECTING EXISTING SIDEWALK WITH THE DAYCARE PER CDOT REQUIREMENT.
8. ENVIRONMENTAL FEATURES

MALLARD CREEK WATERSHED
11. SIGNAGE

ALL SIGNAGE IS PERMITTED THROUGH THE ORDINANCE
12. LIGHTING

ALL HEADING LIGHTING WILL BE UNIFORM IN DESIGN AND PLACED WHERE REQUIRED.

FREESTANDING LIGHTING WILL BE LIMITED TO 25' IN HEIGHT.

ALL LIGHTING WILL HAVE FULL CUT-OFF LIGHTING FIXTURES.
14. OTHER

PER SECTION 12.502 OUTDOOR PLAY SPACE AND EQUIPMENT MUST BE LOCATED OUTSIDE THE REQUIRED SETBACK AND SIDE YARDS.

REQUEST	Current Zoning: I-2 (general industrial) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 5.59 acres generally bounded by Statesville Avenue, Dalton Avenue, North Graham Street and Armour Drive. (Council District 2 - Austin)
SUMMARY OF PETITION	The petition proposes to allow all uses permitted in the MUDD (mixed use development) zoning district.
PROPERTY OWNER	City of Charlotte
PETITIONER	City of Charlotte
AGENT/REPRESENTATIVE	Jim Metzke, Little Diversified Architectural Consulting
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 6

ZONING COMMITTEE ACTION	The Zoning Committee voted 7-0 to DEFER this petition to their February 25, 2015 meeting.
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VOTE	Motion/Second:	Eschert/Sullivan
	Yeas:	Walker, Labovitz, Ryan, Dodson, Sullivan, Eschert, Nelson
	Nays:	None
	Absent:	None
	Recused:	None

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

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows all uses in the MUDD (mixed use development) district, with the intended use of the building to be constructed in Phase 1 as a government service facility and the building constructed in Phase 2 as any use permitted in the MUDD (mixed use development) district.
- Provides a new public street through the southern edge of the site with sidewalks and planting strips on both sides.
- Provides an 11.5-foot side yard along the northeastern property line.
- Provides a pedestrian refuge island along Statesville Avenue with the final location to be determined during construction plan review and permitting.
- Provides a 30-foot setback with a 12-foot planting strip, eight-foot sidewalk, and ten-foot amenity zone along Statesville Avenue, and an 18-foot setback with a 12-foot planting strip and six-foot sidewalk along North Graham Street.
- Provides pedestrian connections throughout the site and to adjacent properties.
- Phased development in two parts. Phase 1 includes:
 - Construction of a four-story government services building along Statesville Avenue.
 - A surface parking lot to the east and a landscaped building pad for Phase 2 development.
 - Building materials include a combination of brick veneer, glass, pre-finished metal panel accents, and solar screens.
 - Building may provide a metal canopy at the public/visitor entrance along Statesville Avenue and may project into the amenity zone of the Statesville Avenue setback.
 - Includes architectural renderings.
 - Optional provision to allow parking between the building and North Graham Street setback during Phase 1, prior to the construction of the Phase 2 building.
- Phase 2 includes:
 - The development of a mixed use building constructed to MUDD (mixed use development)

standards on the pad provided in Phase 1 along North Graham Street and the construction of a parking deck over a portion of the surface parking lot constructed in Phase 1.

- Specifies that Phase 2 building will be similar in design and architecture as the Phase 1 building.
 - **Public Plans and Policies**
 - The site is located within the Applied Innovation Corridor, which is an area identified in the *Center City 2020 Vision Plan* for targeted economic growth and industry recruitment to leverage the City's academic and research capital with its business assets.
 - The petition is consistent with the recommendations and goals of the *Center City 2020 Vision Plan*.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** No comments received.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site meets minimum ordinance standards.
-

OUTSTANDING ISSUES

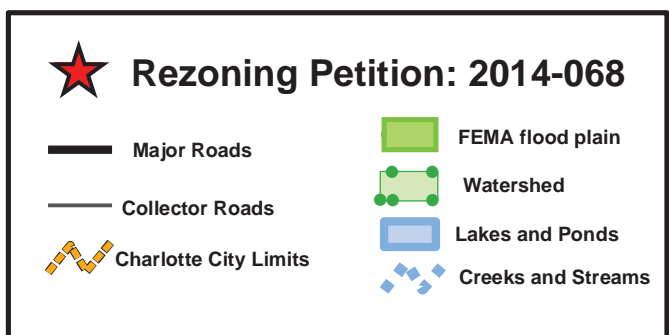
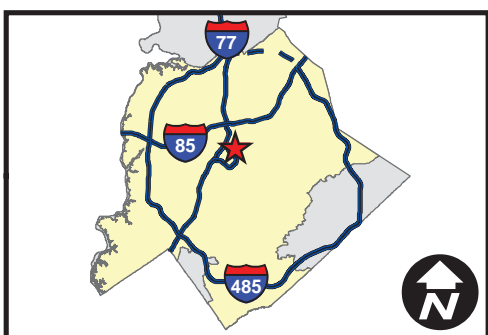
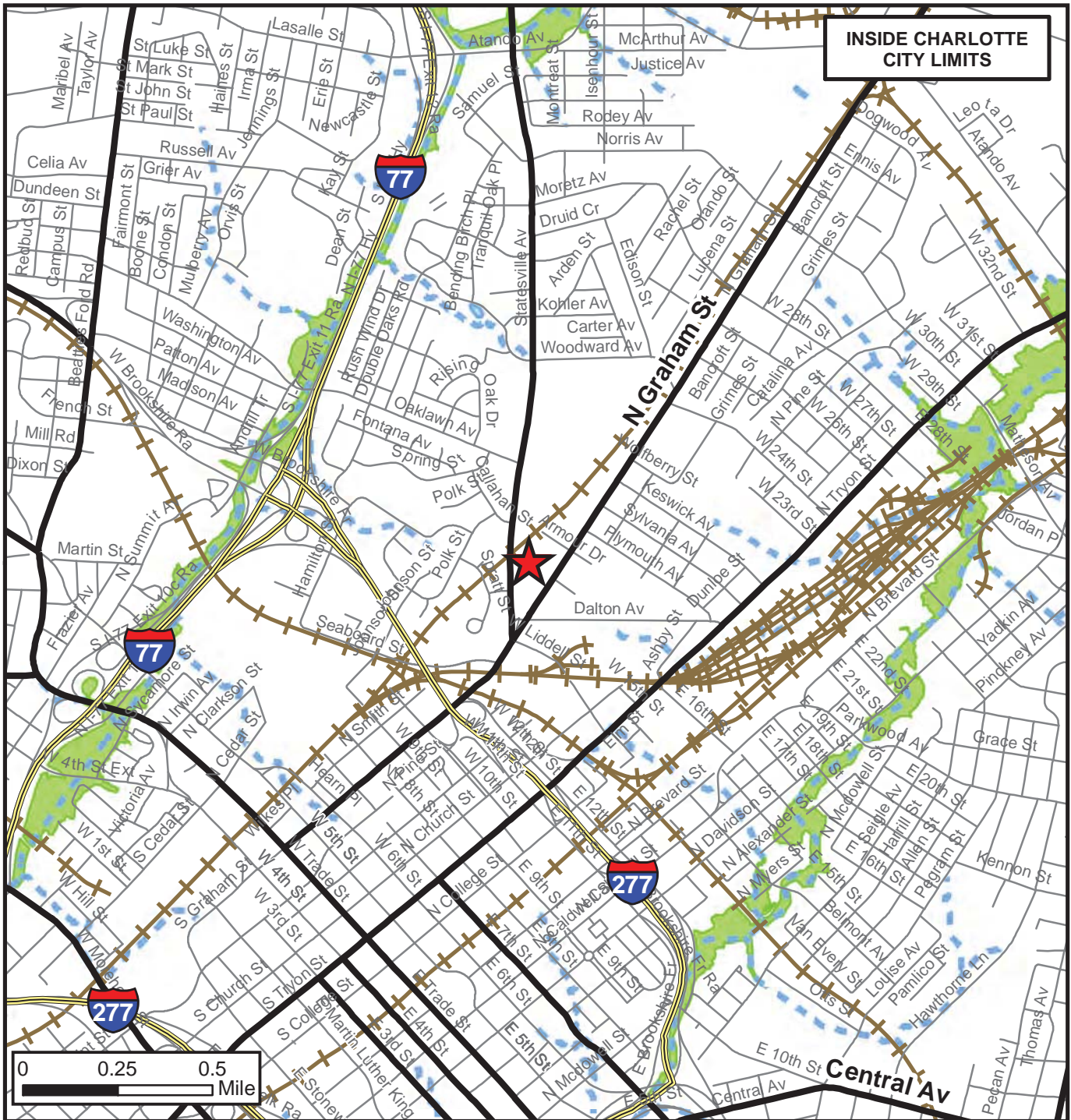
- No issues.
-

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Prehearing staff analysis
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: John Kinley (704) 336-8311

Acresage & Location : Approximately 5.59 acres generally bounded by Statesville Avenue, Dalton Avenue, North Graham Street and Armour Drive.



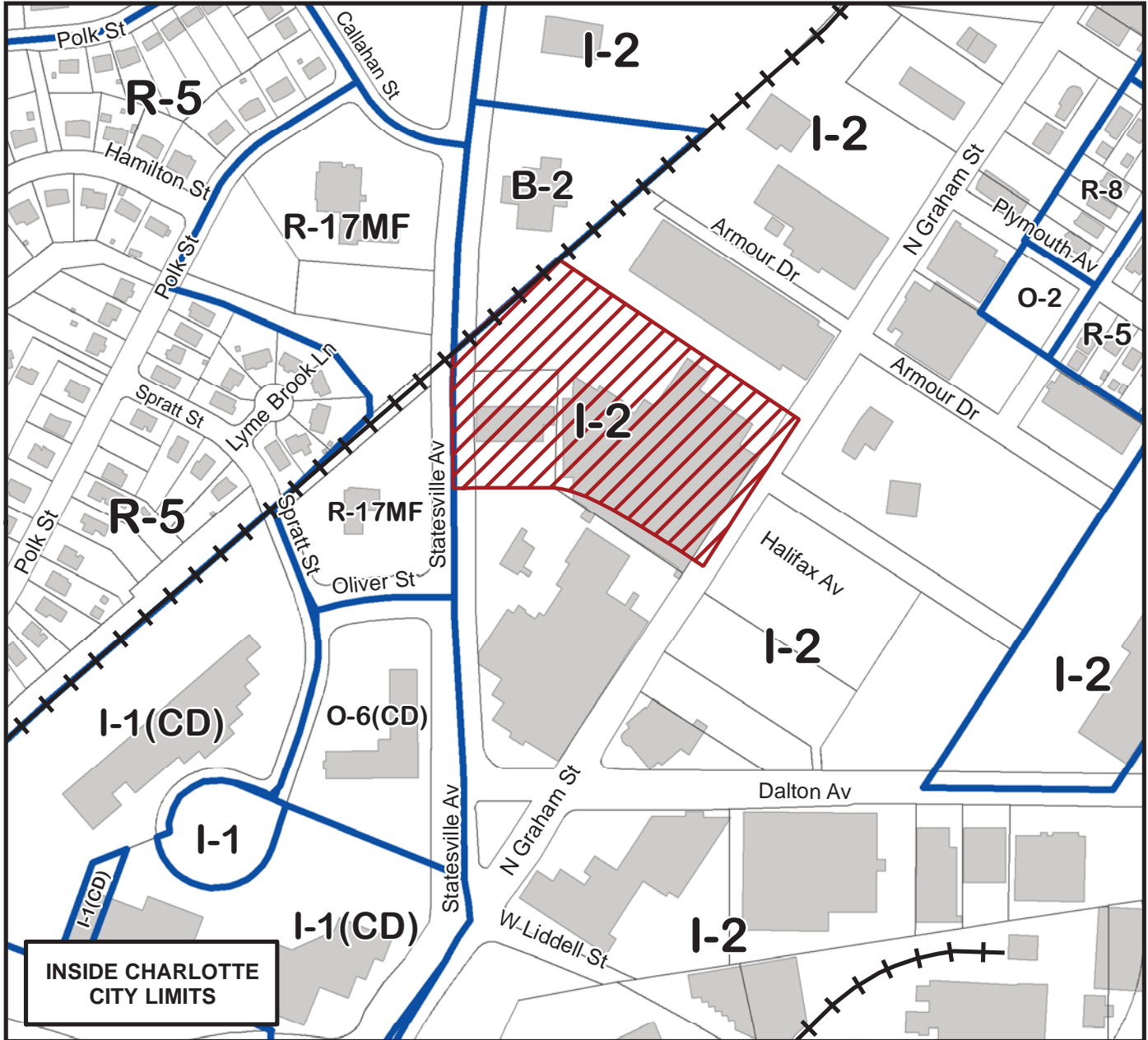
Petition #: **2014-068**

Petitioner: City of Charlotte

Zoning Classification (Existing): I-2
(General Industrial)

Zoning Classification (Requested): MUDD-O
(Mixed Use Development District, Optional)

Acreage & Location: Approximately 5.59 acres generally bounded by Statesville Avenue, Dalton Avenue, North Graham Street and Armour Drive.

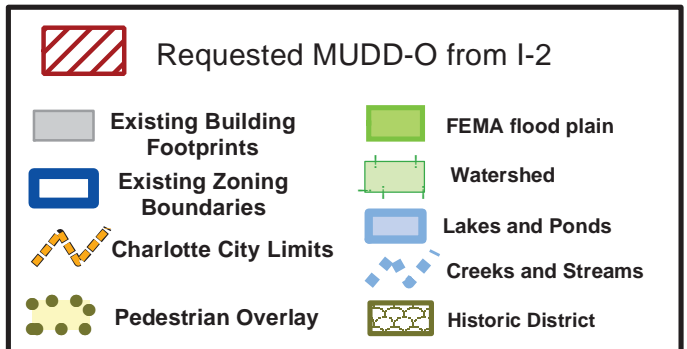


Map Produced by the Charlotte-Mecklenburg Planning Department, 8-26-2014.



Zoning Map #(s)

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REQUEST	Text amendment to Sections 2.201, 12.408 and 12.410 of the Zoning Ordinance
SUMMARY OF PETITION	The petition proposes to: <ol style="list-style-type: none"> 1) add new definitions for Animal Care and Control Division, animal care and control fosterer, animal rescue group, and animal rescue group fosterer; 2) modify the definitions for commercial kennel and private kennel; 3) modify the prohibited customary home occupation list; and 4) add cross-references and clarify the prescribed conditions for private kennels.
PETITIONER	Charlotte-Mecklenburg Planning Department and Charlotte-Mecklenburg Police Department
AGENT/REPRESENTATIVE	Charlotte-Mecklenburg Planning Department and Charlotte-Mecklenburg Police Department
COMMUNITY MEETING	Meeting is not required.

ZONING COMMITTEE ACTION	The Zoning Committee voted 7-0 to indefinitely DEFER this petition.
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VOTE	Motion/Second: Eschert/Sullivan
	Yeas: Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan, and Walker
	Nays: None
	Absent: None
	Recused: None

ZONING COMMITTEE DISCUSSION	Staff requested an indefinite deferral to allow time to consider modifications to the text amendment.
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FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Background**
 - Chapter 3, "Animals" in Part II of the City Code of Ordinances regulates animals.
 - The Charlotte-Mecklenburg Police Department, Animal Care and Control Division, has an Animal Care and Control Fostering Program to provide a nurturing environment for dogs and cats before they are adopted. Examples include puppies and kittens that need to mature, and dogs and cats that need rehabilitation or socialization and training.
 - This text amendment adds new definitions for animal rescue group, animal care and control fosterer and animal rescue group fosterer and classifies them as private kennels, which are allowed in single family and multi-family residential districts and non-residential districts.
 - Private kennels are permitted, with prescribed conditions, in R-3, R-4, R-5, R-6, and R-8 (single family); R-8MF, R-12MF, R-17MF, R-22MF, and R-43MF (multi-family); MX-1, MX-2, and MX-3 (mixed use); O-1, O-2, and O-3 (office); B-1 (neighborhood business); B-2 (general business); B-D (business distributive); BP (business park); I-1 (light industrial); and I-2 (general industrial) zoning districts.
 - Commercial kennels are not permitted in single family or multi-family zoning districts.
 - Commercial kennels are permitted, by right or with prescribed conditions, in UR-2 and UR-3 (urban residential); UR-C (urban residential - commercial); MX-2 and MX-3 (mixed use); MUDD (mixed use development); UMUD (uptown mixed use); CC (commercial center); NS (neighborhood services); TOD-E (transit oriented development - employment); TOD-M (transit oriented development - mixed-use); B-1 (neighborhood business); B-2 (general business); I-1

(light industrial); and I-2 (general industrial) zoning districts.

- **Proposed Request Details**

The text amendment contains the following provisions:

- Adds new definitions for the Animal Care and Control Division of the Charlotte-Mecklenburg Police Department, animal care and control fosterer, animal rescue group, and animal rescue group fosterer.
- Modifies the definition of private kennel by classifying animal care and control fosterer, animal rescue group, and animal rescue group fosterer as a private kennel.
- Modifies the definition of commercial kennel by clarifying that animal care and control fosterer, animal rescue group, or animal rescue group fosterer are not classified as a commercial kennel.
- Clarifies that commercial kennels are a prohibited customary home occupation.
- Clarifies the private kennel supplementary standards and adds cross-references to other parts of the City Code that regulate private kennels.

- **Public Plans and Policies**

- The petition is consistent with the Chapter 3 "Animals" of Part II of the Charlotte City Code.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Not applicable.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

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

OUTSTANDING ISSUES

- No issues.
-

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Parks and Recreation Review

Planner: Sandra Montgomery (704) 336-5722

TEXT AMENDMENT SUMMARY: Animal

Fostering

10-2-14

2014-071

Purpose/Background: The purpose of this text amendment is to 1)add new definitions for animal care and control division, animal care and control fosterer, animal rescue group, and animal rescue group fosterer; 2) modify the definitions for commercial kennel and private kennel; 3) modify the prohibited customary home occupation list; and 4) clarify the prescribed conditions for private kennels and add cross-references to other parts of the City Code related to private kennels.

Topic	Current Regulations	Proposed Regulations	Rationale
Definitions	<p>Private kennel: A structure used by the occupant of the property for outdoor storage of animals and not operated on a commercial basis.</p>	<ul style="list-style-type: none"> • Modifies the definition to include animal fosterer’s and rescue groups. • Modifies the definition to include both indoor and outdoor areas. • Modifies the definition by changing the term “structure” to “property” • Revised definition: “A property where animals are bred or kept indoors or outdoors by the occupant of the property for personal or non-commercial purposes. This definition includes properties used by an 1) animal care and control fosterer, 2) animal rescue group fosterer, or 3) animal rescue group.” 	<ul style="list-style-type: none"> • Refines definitions in accordance with existing practice.
	<p>Commercial kennel: A use or structure intended and used for the breeding or storage of animals for sale or for the training or overnight boarding of animals for persons other than the occupant of the lot.</p>	<ul style="list-style-type: none"> • Modifies the definition to exclude properties used by an animal fosterer or rescue group. • Modifies the definition by changing the term “use or structure” to “property”. • Expands the definition to include “letting for hire”. • Revised definition: “Any property used to conduct a commercial business involving the buying, selling, breeding for sale, letting for hire, overnight boarding, storage or training of animals. This definition excludes properties used by an 1) animal care and control fosterer, 2) animal rescue group fosterer, or 3) animal rescue group.” 	<ul style="list-style-type: none"> • Refines definitions in accordance with existing practice.
Definitions	None	<ul style="list-style-type: none"> • Adds four new definitions: <ul style="list-style-type: none"> • Animal care and control division: “The Division within the Charlotte-Mecklenburg Police Department that is responsible for promoting animal welfare in the Charlotte-Mecklenburg Community through the 	<ul style="list-style-type: none"> • Adds definitions to alignment with other code definitions.

<p>Definitions</p>		<p>enforcement of departmental and the City of Charlotte animal-related policies and management of the county’s animal shelter.”</p> <ul style="list-style-type: none"> • Animal care and control fosterer: “An individual approved with animal care and control to which custody, but not ownership, of animals is transferred for the purpose of providing a temporary home for animals that do not thrive in the shelter setting. After six months of guardianship, the fosterer must register the animal(s) as an owned pet.” • Animal rescue group: “A humane, 501(c)(3) non-profit organization, that is registered with animal care and control as a rescue partner that transfers animals from animal control into their care as a means of facilitating animal care and control’s goal of eliminating the euthanasia of healthy, adoptable animals.” • Animal rescue group fosterer: “An individual volunteering with an animal rescue group who provides a temporary home for animals that the animal rescue group has available for adoption until they are found a permanent home. After six months of guardianship, the fosterer must register the animal(s) as an owned pet.” 	
<p>Customary Home Occupations</p>	<ul style="list-style-type: none"> • “Kennels” are currently listed as a prohibited customary home occupation in Section 12.408. 	<ul style="list-style-type: none"> • Clarifies the prohibited use by changing the term “kennels” to “commercial kennels”. 	<ul style="list-style-type: none"> • Clarifies that commercial kennels are a prohibited customary home occupation.
<p>Private Kennels</p>	<ul style="list-style-type: none"> • Section 12.410 contains supplementary standards for private kennels: <ul style="list-style-type: none"> • Pens, runs, cages, houses or other facilities for the keeping of dogs, cats and other small animals is permitted as an accessory use in any district EXCEPT institutional (INST), research (RE-1, RE-2), B-D and BP with prescribed conditions: <ul style="list-style-type: none"> • Any structure for the keeping of animals that is not completely enclosed, except for fences along property lines, shall be located between the principal structure and the rear lot line, shall 	<ul style="list-style-type: none"> • Retains all existing regulations. • Adds references to Part II, Chapter 3 of the City Code that regulates private kennels. • Clarifies sentences. 	<ul style="list-style-type: none"> • Adds references to Part II, Chapter 3 of the City Code related to private kennels.

	<p>occupy no more than 20% of the rear yard and shall be located no closer than 10' to any side lot line.</p> <ul style="list-style-type: none">• Extensions of, or additions to, property line fences to confine animals to be part of the property abutting the lot line shall not be permitted.• No such accessory use shall be operated for commercial purposes.		
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REQUEST	Current Zoning: B-1(CD) (neighborhood business, conditional) Proposed Zoning: NS (neighborhood services)
LOCATION	Approximately 10 acres located on the northeast corner at the intersection of North Community House Road and Bryant Farms Road. (Council District 7 - Driggs)
SUMMARY OF PETITION	The petition proposes to allow the development of a multi-use community consisting of up to 15,000 square feet of non-residential uses and up to 194 residential units.
PROPERTY OWNER	Harris Teeter, LLC, CMH-DWH Ballantyne, LLC, and Terwilliger Pappas Multifamily Partners, LLC
PETITIONER AGENT/REPRESENTATIVE	Terwilliger Pappas Multifamily Partners, LLC Jeff Brown & Keith Mac Vean / Moore Van Allen
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 44
STATEMENT OF CONSISTENCY	<p>The retail portion of this petition is found to be consistent with the <i>South District Plan</i>; however the residential portion is found to be inconsistent with the <i>South 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 retail uses for the subject properties. <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, and because:</p> <ul style="list-style-type: none"> • The proposed site plan moves the retail component to the corner of two major thoroughfares; and • The proposed site plan integrates the residential component which provides a transition to the adjacent single family properties; and • The addition of the residential component results in a multi-use development, which is consistent with the intent of the NS (neighborhood services) district; <p>By a 7-0 vote of the Zoning Committee (motion by Commissioner Ryan seconded by Commissioner Labovitz).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications:</p> <p>Development Area A:</p> <ol style="list-style-type: none"> 1. A note has been added to prohibit the following uses from the site plan: gasoline sales, with or without convenience stores, and automotive uses. 2. A note has been added stating that solid waste/recycling areas will not be allowed to abut Community House Road or Bryant Farms Road unless such areas are enclosed by a wall treatment similar to the architecture of the building. 3. A note has been added that a five-foot sidewalk will be provided to create pedestrian connections between the multi-family component and the non-residential uses. <p>Development Area B:</p> <ol style="list-style-type: none"> 4. Dumpster locations for Area B have been shown on the plan. 5. A note has been added that buildings in Area B will be 25 percent masonry material on each side. 6. The dog walk area referenced in Note 2.D has been labeled on the plan. 7. The possible additional garages have been shown on the plan located along the rear property line.
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8. Detail of the required plantings for the 25-foot landscape buffer has been shown for Area B.
9. Note 5.C has been removed.
10. A note has been added that the site will comply with the Post Construction Control Ordinance.
11. Multi-Family Design Guidelines for Development Area B:
 - a. Building facades shall front on and address the external and internal streets to reinforce the streetscape.
 - b. Building footprint shall be arranged to enclose and define a variety of public and private spaces, courtyards, open space and green space.
 - c. Provided an ADA accessible path that is connected to the street sidewalk system to provide wheelchair access to the residential building.
 - d. Architectural façade treatment shall be similar on all sides of the apartment buildings.
 - e. Facades along external and internal streets shall incorporate a minimum of 25% masonry materials such as brick, stucco or stone.
 - f. The principal building entrances shall be articulated to identify them as a primary entry point.
 - g. Exterior elevations shall incorporate a variety of architectural features such as balconies, patios, windows, doors, columns, common building doorways, covered entrances, pitched roofs and parapets at flat roof areas to provide architectural scale and detail.
 - h. Windows and doors shall account for at least 25% of the total facade area along the external and internal streets, with each floor calculated independently from floor to ceiling.
 - i. Windows shall have a vertical orientation with their height greater than their width.
 - j. For street facades, the maximum length without a window or door on any floor shall not exceed 25 feet.
 - k. Street facades shall incorporate projections and/or indentations so that the maximum length without such an offset in the façade is 100 feet. The minimum depth of such required offsets shall be 12 inches from frame wall to the frame wall. For street facades over 100 feet, at least 15% of the total façade length shall be offset from the primary façade plane.
 - l. Exterior materials of buildings along the external and internal streets shall be limited to brick, stone, pre-cast concrete, wood, stucco, fiber cement siding or panels, glass, or granite. Vinyl or aluminum siding, exposed standard concrete masonry unit (CMU) block, corrugated steel, exposed plywood, and exposed pressboard are prohibited. However, vinyl as a building material may be used on windows, soffits, and on handrails/railings.
 - m. Exterior walls of a single building shall utilize a maximum of five primary building materials (textures, colors, etc.). This requirement shall not include secondary materials such as windows, doors, porches, balconies, foundations, awnings or architectural details.
 - n. Materials may be combined horizontally or vertically. A visually heavier material (such as brick or stone) shall be used below a lighter material (such as siding or stucco).
 - o. Accessory structures, such as garages, shall be consistent with the principal building in material, texture, and color, but may have simplified architectural detailing and features.
 - p. Concrete foundations, if more than 8" is exposed above grade, shall be coated or faced in stucco, brick, synthetic stone, or natural stone.
 - q. Pitched roofs shall have a minimum slope of 4:12. Pitched roof materials may include slate, wood shingles, standing seam

- pre-finished metal, architectural composition or asphalt shingles.
- r. Vents, stacks, and roof fans in pitched roof shall be painted to blend with the roof color to minimize their visibility from external streets.
 - s. Flat roofs shall be screened from view from external and internal streets by a parapet.
 - t. Roof top condensing units and other equipment shall be screened from the external and internal streets by a parapet or other architectural feature such as a chimney.
12. A clarification and addition to the required buffer planting along the existing single-family development.
- a. A modified 40-foot Class "C" Buffer will be provided where Development Area B abuts existing single family homes as generally depicted on the Rezoning Plan and such buffer shall be installed prior to the issuance of the first certificate of occupancy for the first principle building on Development Area B. The outer 25 feet of this Buffer will be an undisturbed Buffer, and existing vegetation preserved within this portion of the Buffer may be used to meet minimum Buffer planting requirements. To create an effective and enhanced Buffer treatment that is unique and responsive to the existing conditions around the perimeter of the Site, the proposed Buffer will be enhanced in three different ways (Otterdale Court Buffer, Buffton Court Buffer and Moss Mill Lane Buffer) as described below:
 - i. The portion of the Buffer known as Otterdale Court Buffer will be improved with: (i) small maturing evergreen trees eight (8) feet on center, the small maturing evergreen trees must be seven (7) to eight (8) feet tall at installation (this will take the place of the Class "C" Buffer shrub requirement); and (ii) a six (6) foot decorative aluminum fence; the fence will be located on the interior edge of the Buffer and the small maturing evergreen trees will be located between the fence and the adjoining property line; the evergreen trees will be arranged as generally depicted on the rezoning plan;
 - ii. The portion of the Buffer known as Buffton Court will be improved with: (i) ten (10) small maturing evergreen trees per 100 linear feet, the small maturing evergreen trees must be seven (7) to eight (8) feet tall at installation (this will take the place of the Class "C" Buffer shrub requirement); (ii) no less than three (3) one-story garages will be placed at the edge of the buffer to create a solid wall; (iii) a six (6) foot decorative aluminum fence; the fence will be located on the interior edge of the Buffer and between the proposed garages of the Buffer; the small maturing evergreen trees will be located between the fence and the adjoining property line. The small maturing evergreen trees will be arranged within the buffer to maximize the screening of the Site from the adjoining single-family homes; and
 - iii. The portion of the Buffer known as Moss Mill Lane Buffer will be improved with: (i) small maturing evergreen trees (the number of small evergreen trees to be planted will be calculated at the rate one (1) tree every eight (8) feet along the length of the Buffer), the small maturing evergreen trees must be seven (7) to eight (8) feet tall at installation (this will take the place of the Class "C" Buffer shrub requirement); (ii) a six (6) foot decorative aluminum fence; the fence will be located on the interior edge of the Buffer; the small maturing evergreen trees will be located in the undisturbed portion of the buffer and arranged to maximize their effectiveness at screening

the Site from the adjoining single-family homes; (iii) no less than one (1) one story garages will be placed at the edge of the buffer to create a solid wall; and (iv) a row of evergreen shrubs will be placed between the proposed parking spaces and the decorative aluminum fence as generally depicted on the rezoning plan.

b. Utilities may cross the Buffer at angles of 75 degrees or greater. Retaining walls may be located in the Buffer but not in the undisturbed portion of the buffer.

VOTE

Motion/Second:	Ryan/Labovitz
Yeas:	Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan, and Walker
Nays:	None
Absent:	None
Recused:	None

ZONING COMMITTEE DISCUSSION

Staff reviewed the petition and noted that staff was recommending a deferral since there was still several outstanding issues that needed to be addressed for Development Area A. One Commissioner asked why the deferral was needed. Staff responded and stated would like to see a higher level of detail for Development Area A. It was also stated that the petitioner has restricted automobile repair and gas stations uses and limited the site to one drive-thru from allowed on Development Area A. Several Commissioners felt that the notes and restrictions are better than what was approved in 1991 and felt there was no need for a deferral. They also acknowledged that Development Area A is not owned by the petitioner who is proposing the development for Development Area B. There was no further discussion of this petition.

STAFF OPINION

Staff disagrees with the recommendation of the Zoning Committee and recommends that the outstanding issues be addressed prior to City Council approval.

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

PLANNING STAFF REVIEW

• **Background**

- Petition 1991-037(C) for this site approved up to 70,000 square feet of B-1 uses with the following provisions:
 - A 50-foot landscape buffer along North Community House Road.
 - A 40-foot front setback along Bryant Farms Road.

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows for 15,000 square feet of non-residential uses and 194 units at a density of 19.4 units per acre within two development areas.
 - Area "A," which allows non-residential uses:
 - Maximum of two buildings.
 - Non-residential buildings limited to two stories in height.
 - A note limiting the site to one accessory service window.
 - A note that limits access to development Area "A" from the internal drive.
 - Area "B," which allows for residential development:
 - Residential buildings limited to three stories in height.
 - One-story garages associated with the residential units.
 - Residential building elevations.
 - Maximum of three buildings in development Area "B."
 - Possible residential building materials that will consist of brick, stone, pre-cast concrete, pre-cast stone, cementitious siding, stucco, EIFS, and decorative block.
 - Detached lighting in Area "B" will be limited to 15 feet in height between the building

- and any exterior property line but 20 feet internal to the site.
 - A 40-foot landscape buffer, of which 25-feet will be undisturbed, adjacent to the existing single family.
 - A minimum of 1.25 parking spaces per residential unit.
 - General:
 - A 25-foot landscape buffer along North Community House Road and Bryant Farms Road.
 - Eight-foot planting strip and six-foot sidewalk along all public streets.
 - A public or private street internal to the site.
 - Prohibition of vinyl as a building material except for window trim and soffits.
 - Enhanced landscape buffer/planting note with specific plantings.
 - Attached and detached lighting will be fully screened and will use full cut-off fixtures.
 - Access to the site via North Community House Road and Bryant Farms Road.
 - Transportation improvements:
 - Proposed leftover along North Community House Road.
 - Southbound directional crossover on Community House Road.
 - Proposed right-turn lane into the site's northernmost driveway.
 - Proposed deceleration lane with 50 feet of storage along Bryant Farms Road.
 - **Public Plans and Policies**
 - The *South District Plan* (1993) recommends retail for the subject property. The area plan references the residential locational criteria of the *General Development Policies* (2003) to assess density of proposed development.
 - The *General Development Policies* (2003) support residential densities up to six dwelling units per acre for the site.
 - The proposed retail use is consistent with the land use recommendations of the *South District Plan*; however, the proposed residential use is inconsistent with the land use recommendation of the *South District Plan* and the *General Development Policies*.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No comments received.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** No issues.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site meets minimum ordinance standards.
-

OUTSTANDING ISSUES

- The petitioner should:
 1. Add a note that commits to placing the building(s) along Community House Road and Bryant Farms Road, with no parking located between the building(s) and the streets.
 2. Provide minimum standards for blank walls visible from Community House Road and Bryant

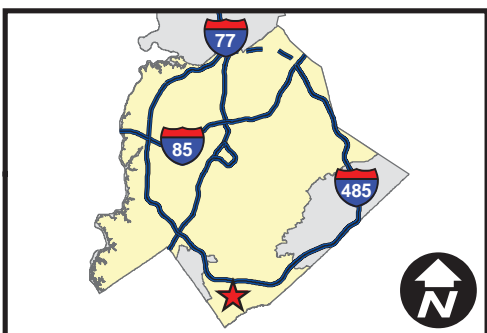
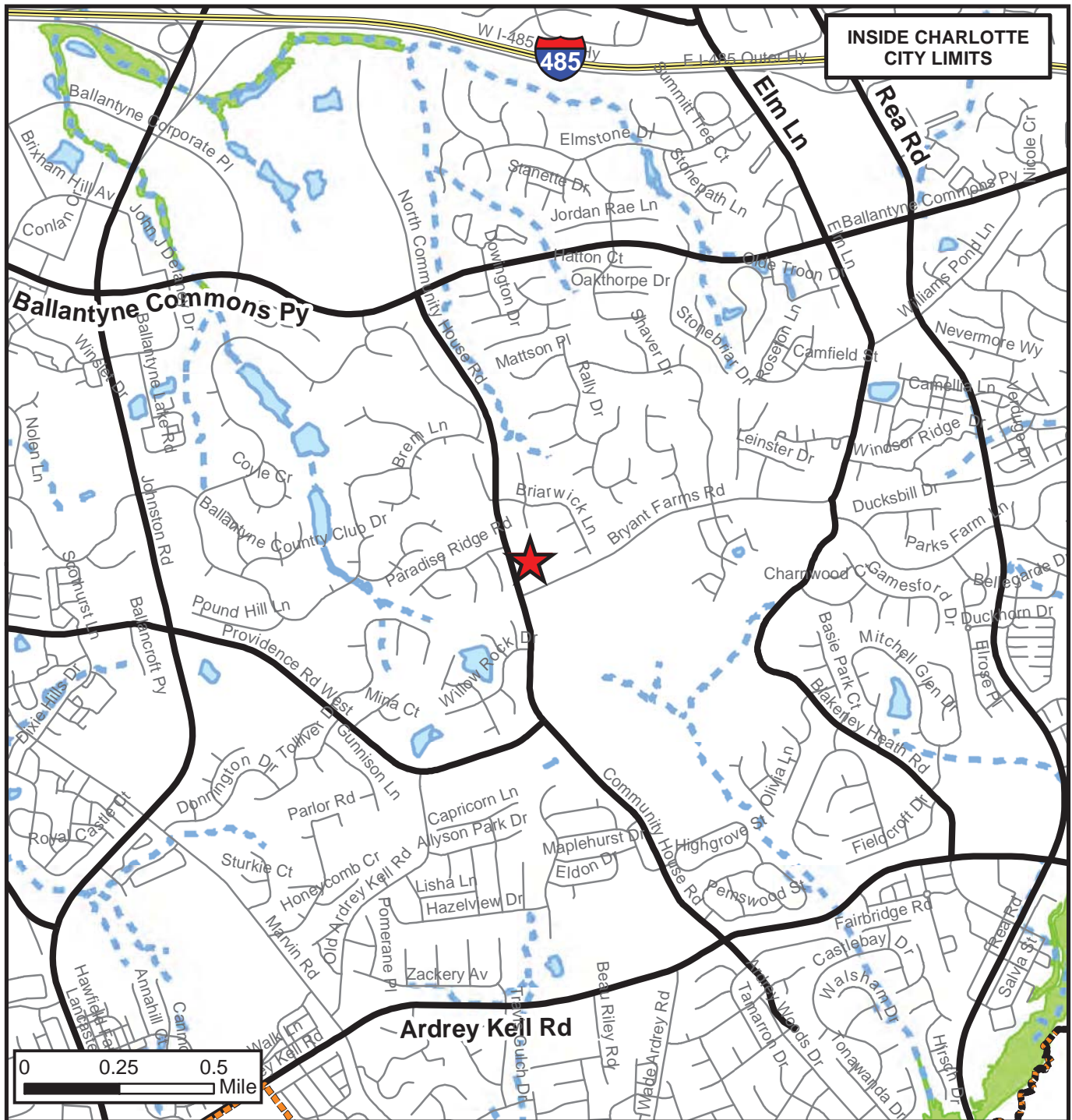
- Farms Road, with facades greater than 20' in length and over 5' in height treated with a combination of display windows, building step backs, change in materials, landscaping or other pedestrian oriented architectural features.
3. Add a note that where a drive-through window is allowed, only the drive-through service lane (no parking) may be located between the building and North Community House Road and Bryant Farms Road, and that low walls and accent plantings be provided when maneuvering is located in this area.
 4. Commit to not orienting the service side of the building(s) to Community House Road or Bryant Farms Road.
 5. Amend Note 5.B and site plan to remove the allowance for parking in the 25-foot setback for Area "A."
 6. Provide detail of the proposed landscape setback for Area "A."
-

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Solomon Fortune (704) 336-8326

Acreage & Location : Approximately 10 acres located on the northeast corner at the intersection of North Community House Road and Bryant Farms Road.



★ Rezoning Petition: 2014-074

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

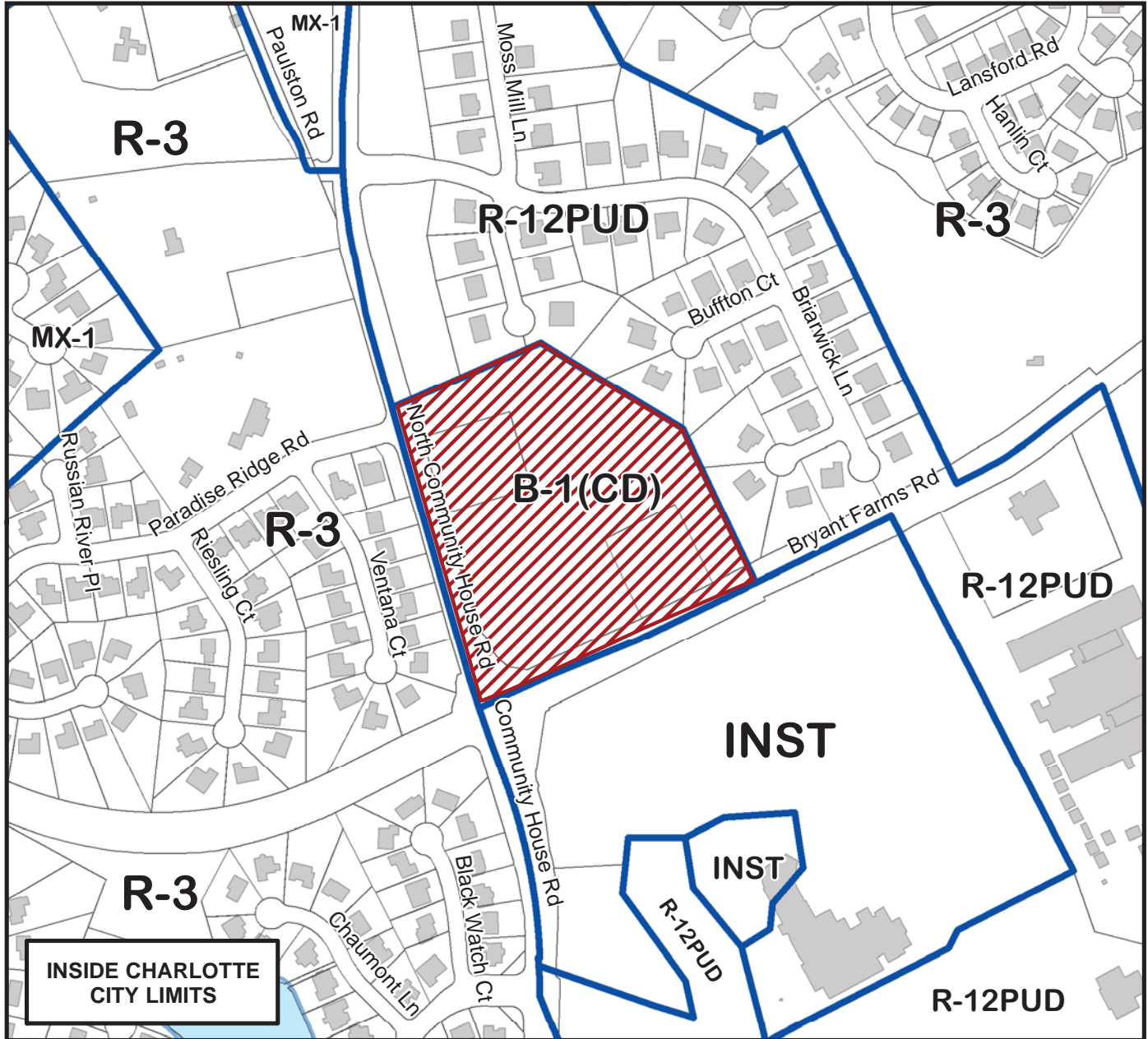
Petition #: **2014-074**

Petitioner: **Terwilliger Pappas Multifamily Partners, LLC**

Zoning Classification (Existing): **B-1(CD)**
(Neighborhood Business, Conditional)

Zoning Classification (Requested): **NS**
(Neighborhood Services)

Acreage & Location: Approximately 10 acres located on the northeast corner at the intersection of North Community House Road and Bryant Farms Road.



Map Produced by the Charlotte-Mecklenburg Planning Department, 10-29-2014.

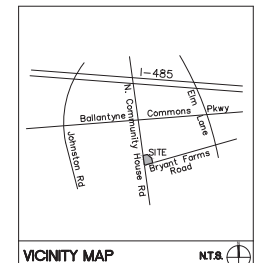
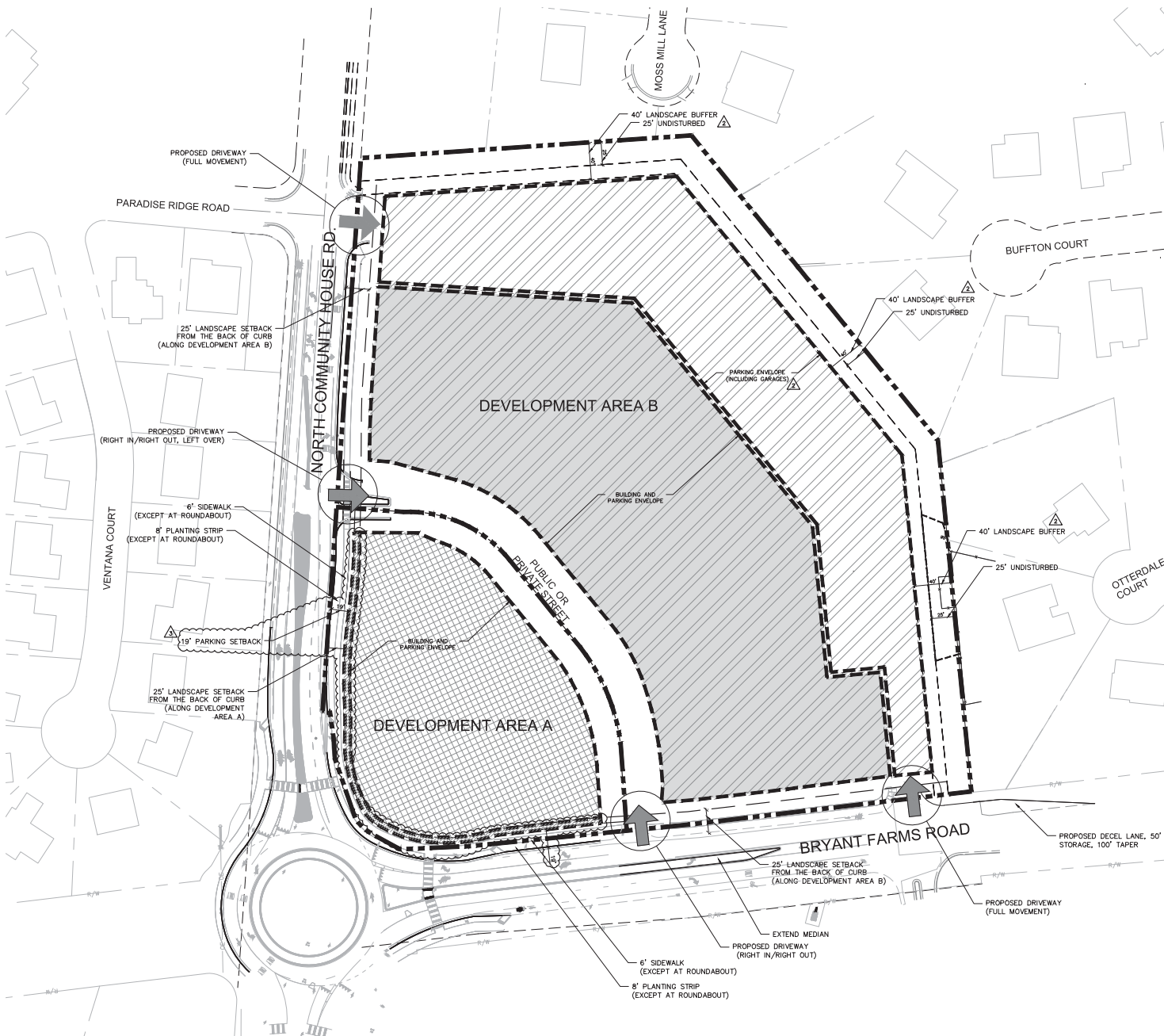
0 150 300 600 900 1,200 Feet



Zoning Map #(s)

182

	Requested NS from B-1(CD)		FEMA flood plain
	Existing Building Footprints		Watershed
	Existing Zoning Boundaries		Lakes and Ponds
	Charlotte City Limits		Creeks and Streams
	Pedestrian Overlay		Historic District



SURVEY DISCLAIMER
 ALTA/ASCM LAND TITLE SURVEY, 9814 BRYANT FARMS ROAD,
 SURVEY ISSUE DATE: 7/17/13, REVISED 7/21/13, PROVIDED
 BY A.C. ZOUTHELL SURVEYORS 1918 EAST FIFTH STREET,
 CHARLOTTE, NC 28207, 704-372-9055.



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TERWILLIGER PAPPAS
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 Raleigh,
 North Carolina 27601

SOLIS BALLANTYNE REZONING
 Charlotte
 North Carolina 28284

TECHNICAL DATA SHEET

REZONING PETITION No. 2014-074

Project No.
 4259
 Issued
 06/18/14

Revised
 10/29/14 - REZONING RE-SUBMITTAL
 11/14/14 - REZONING RE-SUBMITTAL
 12/18/14 - REZONING RE-SUBMITTAL

SITE DEVELOPMENT DATA






TAX PARCEL NUMBER: 223-201-22, 223-201-82, 223-201-83
 ACRES SITE AREA: 10.0 AC
 EXISTING ZONING: B-1 (CD) BY REZONING PETITION No. 91-37(C)
 PROPOSED ZONING: NS
 EXISTING USES: VACANT
 PROPOSED USES:

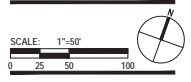
DEVELOPMENT AREA A: UP TO 15,000 SF OF NON-RESIDENTIAL USES.
 DEVELOPMENT AREA B: UP TO 194 RESIDENTIAL DWELLINGS UNITS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE NS ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED BELOW IN SECTION 2).

NOTES

SEE SHEET RZ-3 FOR SITE DEVELOPMENT NOTES.

LEGEND:

-  PROPERTY LINE
-  VEHICULAR ACCESS
-  PARKING/BUILDING ENVELOPES
-  DEVELOPMENT AREA A
-  DEVELOPMENT AREA B

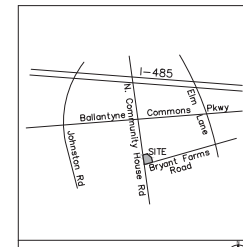
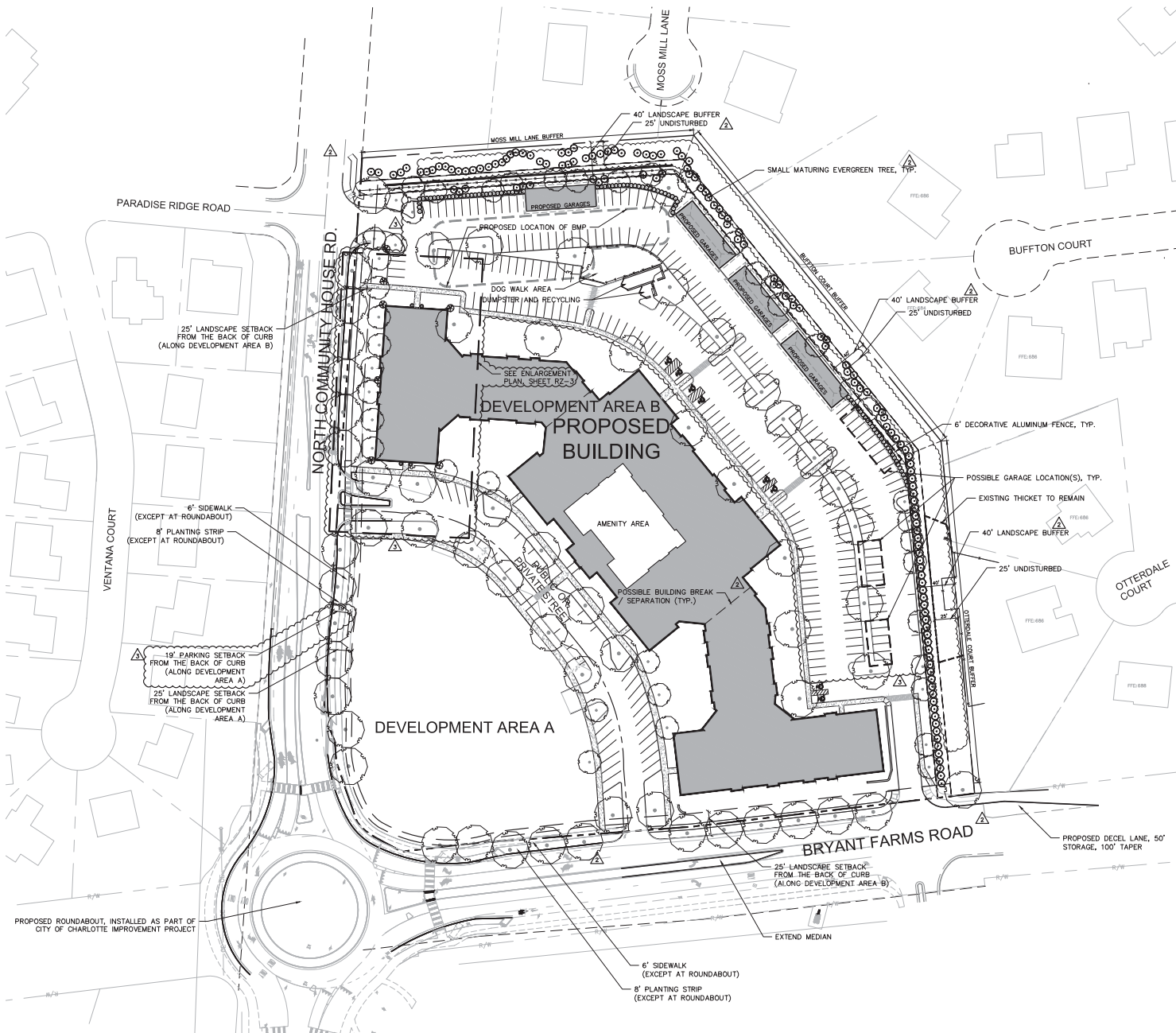


RZ-1

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PET. # 2014-074



VICINITY MAP N.T.S.

SURVEY DISCLAIMER
 ALTA/ASCM LAND TITLE SURVEY, 9814 BRYANT FARMS ROAD,
 SURVEY ISSUE DATE: 7/17/13, REVISED 7/23/13, PROVIDED
 BY A.C. ZOUTENELLE SURVEYORS 1918 EAST FIFTH STREET,
 CHARLOTTE, NC 28207, 704-374-9555.



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SOLIS BALLANTYNE REZONING

Charlotte
 North Carolina 28284

CONCEPTUAL SITE PLAN

REZONING PETITION No. 2014-074

Project No. 4259
 Issued 9/18/14

Revised
 10/29/14 - REZONING RE-SUBMITTAL
 11/14/14 - REZONING RE-SUBMITTAL
 12/18/14 - REZONING RE-SUBMITTAL



SCALE: 1"=50'
 0 25 50 100

RZ-2

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PET. # 2014-074



REQUEST	Current Zoning: CC (commercial center) Proposed Zoning: CC SPA (commercial center, site plan amendment)
LOCATION	Approximately 1.79 acres located on the northeast corner at the intersection of Nations Ford Road and Tyvola Road. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to allow a 3,010-square foot automobile service station and a 2,500-square foot commercial building.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Corporate Trust Properties NC LLC Pavilion Development Company Bohler Engineering, NC PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 19
STATEMENT OF CONSISTENCY	This petition is found to be inconsistent with the <i>Southwest District Plan</i> , based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> • The Plan recommends retail uses with the exception of automobile service stations. <p>However, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • This plan and the recommended uses were approved a long time ago. Given the context of area today, this is a reasonable land use for this particular site; and • The petitioner has agreed to address site plan issues 2 through 8; <p>By a 7-0 vote of the Zoning Committee (motion by Commissioner Nelson seconded by Commissioner Walker).</p>

ZONING COMMITTEE ACTION	The Zoning Committee voted 7-0 to APPROVE this petition with the following modifications and with the petitioner's commitment to address outstanding issues 2 through 8 prior to the City Council decision on this case: <ol style="list-style-type: none"> 1. CDOT withdrew their opposition to the left-in only access off the right-in driveway and no longer has any outstanding issues with the petition. 2. Provided building, dumpster enclosure and pump island elevations for all sides as part of the rezoning plans. 3. Revised the Site Area under Site Data for Parcel 4A to reflect the acreage for the parcel after the proposed subdivision (total site acreage minus acreage of parcel 4B). 4. Removed the "Max SF allowed: 16,000 SF. Office, 10,500 SF. Retail, 24,000 SF. Restaurant" from the Site Data. 5. Removed the "+/-" in proposed building height for Parcel 4A. 6. Revised the Proposed Floor Area Ratio, under the Site Data, for both parcels to reflect the proposed building area compared to proposed acreage for each parcel. 7. Removed Note B in its entirety and replaced with the follow: First paragraph - "Parcel 4A – All uses in the CC Zoning District except automobile service stations, building material sales, dwellings, and eating/drinking/entertainment establishments with drive-in service windows." Second paragraph – "Parcel 4B – All uses in the CC Zoning District except automobile service stations, building material sales, dwellings, and eating/ drinking/entertainment
------------------------------------	--

establishments with drive-in service windows. The building layout is conceptual in nature; the petitioner reserves the right to not develop this parcel or to make minor site plan adjustments that match the general intent of the plan as shown on this site plan and in accordance with Section 6.207."

8. Deleted Note C in its entirety and replaced with the following: "Parcel 4A may be developed with a maximum 3,010 SF building excluding permitted accessory structures. Parcel 4B may be developed with a maximum 2,500 SF building excluding permitted accessory structures."
9. Revised the second paragraph under Note E. as follows: "Landscape strips and islands shall be created to break the visual impact of the parking areas."
10. Revised the labels for the 35-foot setback to refer to the setback line.
11. Provided the 35-foot wide landscaped buffer with berm between Nations Ford Road and parking areas and dumpster enclosure north and south of the building.
12. Revised the third paragraph under Note E. as follows: "Continuous landscaping strips and islands shall be created along Nations Ford Road to break up the visual impact of the parking areas as shown on the site plan."
13. Provided a revised "Section Thru Landscaped Buffer" detail from Petition 1997-015 showing the eight-foot planting strip, six-foot sidewalk, 35-foot wide buffer with a three- to four-foot high berm, tiered evergreen plantings and small maturing trees on the rezoning site plan.
14. Amended the label "Landscaping per master plan" to state "Landscaped buffer (see inset detail)" and clearly indicate the locations of the berm on the site plan.
15. Revised Note F by removing the following language: "As stated in Note 16 of the special conditions associated with the overall rezoning plan, petition #97-15," and making all references to "parcel" and "building" plural.
16. Added the following paragraph to Note F: "The buildings must be designed to encourage and complement the pedestrian scale interest and activity by the use of transparent windows and doors arranged so that the uses are visible from and/or accessible to the street and right-in access driveway off Tyvola on at least 50% of the length of the first floor frontage facing the street and right-in access driveway."
17. Amended Note G to remove the following: "per Note 6 of the special conditions of the overall rezoning plan, petition #97-15."
18. Eliminated the language, under Note H, referring to Note 4 of the overall rezoning plan, petition #97-15 and references to the "shopping center" signs.
19. Added a note under General Provisions stating that the petitioner will be required to file an administrative amendment to Petition 1997-015.

VOTE

Motion/Second:	Nelson/Sullivan
Yeas:	Walker, Dodson, Eschert, Labovitz, Nelson, Ryan, and Sullivan
Nays:	None
Absent:	None
Recused:	None

ZONING COMMITTEE DISCUSSION

Staff reviewed the petition and noted that it is inconsistent with the *Southwest District Plan*. The petitioner addressed a number of outstanding issues and verbally agreed to address 2 through 8 of the remaining issues. One commissioner noted a desire for mechanical equipment to be move from the façade facing the public street. There was no further discussion.

STAFF OPINION

Staff disagrees with the recommendation of the Zoning Committee. The

petition is inconsistent with the *Southwest District Plan*, as amended by rezoning petition 1997-015. There have not been significant changes in development patterns in this area since petition 1997-015 was approved.

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

PLANNING STAFF REVIEW

• **Background**

- Petition 1988-001 rezoned 22.25 acres at the northeast corner of the intersection of Nations Ford Road and Tyvola Road to B-1SCD (business shopping center district) to allow for a mixed use development including hotels and offices. Other business and retail uses were not permitted.
- Petition 1997-015 approved in 1998 rezoned 22.25 acres at the northeast corner of the intersection of Nations Ford Road and Tyvola Road from B-1SCD (business shopping center district) to CC (commercial center) to allow for office, retail, institutional, eating/drinking/entertainment establishments and hotel uses. The rezoning included eight parcels.
- The proposed development is located on Parcel 4 of the overall commercial center site plan from Petition 1997-015. Parcel 4 is located at the corner of Nations Ford Road and Tyvola Road. The plan allows 16,000 square feet of office or 10,500 square feet of retail or 24,000 square feet of eating/drinking/entertainment establishments on Parcel 4. The plan excludes automobile service stations, building material sales and dwellings.

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Divides Parcel 4 into two parcels; Parcel 4A is 1.28 acres and Parcel 4B is 0.52 acres.
- Modifies the permitted uses for Parcel 4A to include automobile service stations.
- Reduces the maximum development area on Parcel 4 from 16,000 square feet of office or 10,500 square feet of retail to a 3,010-square foot automobile service station on Parcel 4A and a 2,500-square foot commercial building on Parcel 4B. Reduces the total maximum for eating/drinking/entertainment uses from 24,000 square feet to 21,500 square feet.
- Adds a limit of 19 feet, excluding the architectural roof feature, for building height on Parcel 4A.
- Changes the right-in/right-out access on the north side of the site on Nations Ford Road to a full movement access, with a southbound left-turn lane into the center.
- Replaces the existing back of curb sidewalk along Tyvola Road with an eight-foot planting strip and six-foot sidewalk.
- Provides a four-foot planting strip and five-foot sidewalk along the eastern edge of the site along the right-in access drive. Provides a five-foot screening strip and five-foot sidewalk along the northern boundary of the site along the existing private access easement named Tyvola Glen Circle.
- Adds a maximum height of 25 feet for freestanding lights on Parcels 4A and 4B.
- Adds a CATS bus stop and waiting pad on the north side of Tyvola Road between Nations Ford Road and the right-in access driveway.
- Provides four sided building elevations, elevations of the dumpster enclosure and pump islands.
- States that buildings must be designed to encourage and complement the pedestrian scale interest and activity by the use of transparent windows and doors arranged so that the uses are visible from and/or accessible to the street and the right-in access driveway off of Tyvola Road on at least 50% of the length of the first floor frontage facing the street and right-in access driveway.

The site plan accompanying this petition contains the following provisions carried over from Petition 1997-015:

- Provides a landscaped buffer along Nations Ford Road.
- Preserves existing trees in a tree save area near the intersection of Tyvola Road and Nations Ford Road.
- Limits the height of the building on Parcel 4B to a maximum of two stories.
- Specifies that building elevations fronting Nations Ford Road will include materials such as brick, masonry stucco, pitched, mansard roofs, decorative parapets, awnings, palladian windows, or mullioned windows in order to respect the residential nature of and view from residences fronting Nations Ford Road.
- Limits ground mounted signage for the individual parcels to a maximum of four feet high and 50

square feet.

- **Public Plans and Policies**

- The *Southwest District Plan* (1991), as amended by Petition 1997-015, recommends a mix of uses including office, hotel and other uses permitted in the CC (commercial center) zoning district including eating/drinking/entertainment establishments and retail. Automobile service stations, building material sales and dwellings are prohibited uses. Prior to Petition 1997-015, the *Southwest District Plan* recommended a mixed use development, providing housing and employment with hotels and office uses at the northwest quadrant of the I-77 and West Tyvola Road intersection. Other business and retail uses were not permitted.
- The petition is inconsistent with the *Southwest District Plan*, as amended by rezoning petition 1997-015. The proposed land use is also inconsistent with the intent of the *Southwest District Plan's* initial recommendation for mixed use development providing employment and housing opportunities. There have not been significant changes in development patterns in this area since petition 1997-015 was approved.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** No issues.
 - **Charlotte-Mecklenburg Storm Water Services:** No Issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site meets minimum ordinance standards.
-

OUTSTANDING ISSUES

- The petitioner should:
 1. Change the proposed use for Parcel 4A to a use that is permitted in CC excluding automobile service stations, building material sales, dwellings, and eating/drinking/entertainment establishments with drive-in service windows.
 2. File for an administrative amendment to Petition 1997-015 to remove building square footage from the allotment for Parcel 4 and reduce the eating/drinking/entertainment establishment's square footage allotment by 2,500 square feet. The administrative amendment must be filed and ready for approval prior to a decision on the rezoning. Add a note to the site plan requiring filing on an administrative amendment as described in the previous sentence.
 3. Amend Note B, Parcel 4A to remove "automobile service stations" and "Petitioner is currently showing unsupported use and proposed revision to special conditions for automobile service station use."
 4. Amend Note F. to make the word "parcel" at the end of the first sentence plural.
 5. Delete the proposed sign location and label.
 6. Increased the width of the sidewalks on the right and left side of the building from five feet to six feet to allow for "shy zone" next to the building.
 7. Increase the width of the sidewalk in front of the building from six feet to eight feet to allow for the "shy zone" and parked cars, curb stops should be used in front of the building.
 8. Swap the labels of the left and right elevations to correct match the images.
-

Attachments Online at www.rezoning.org

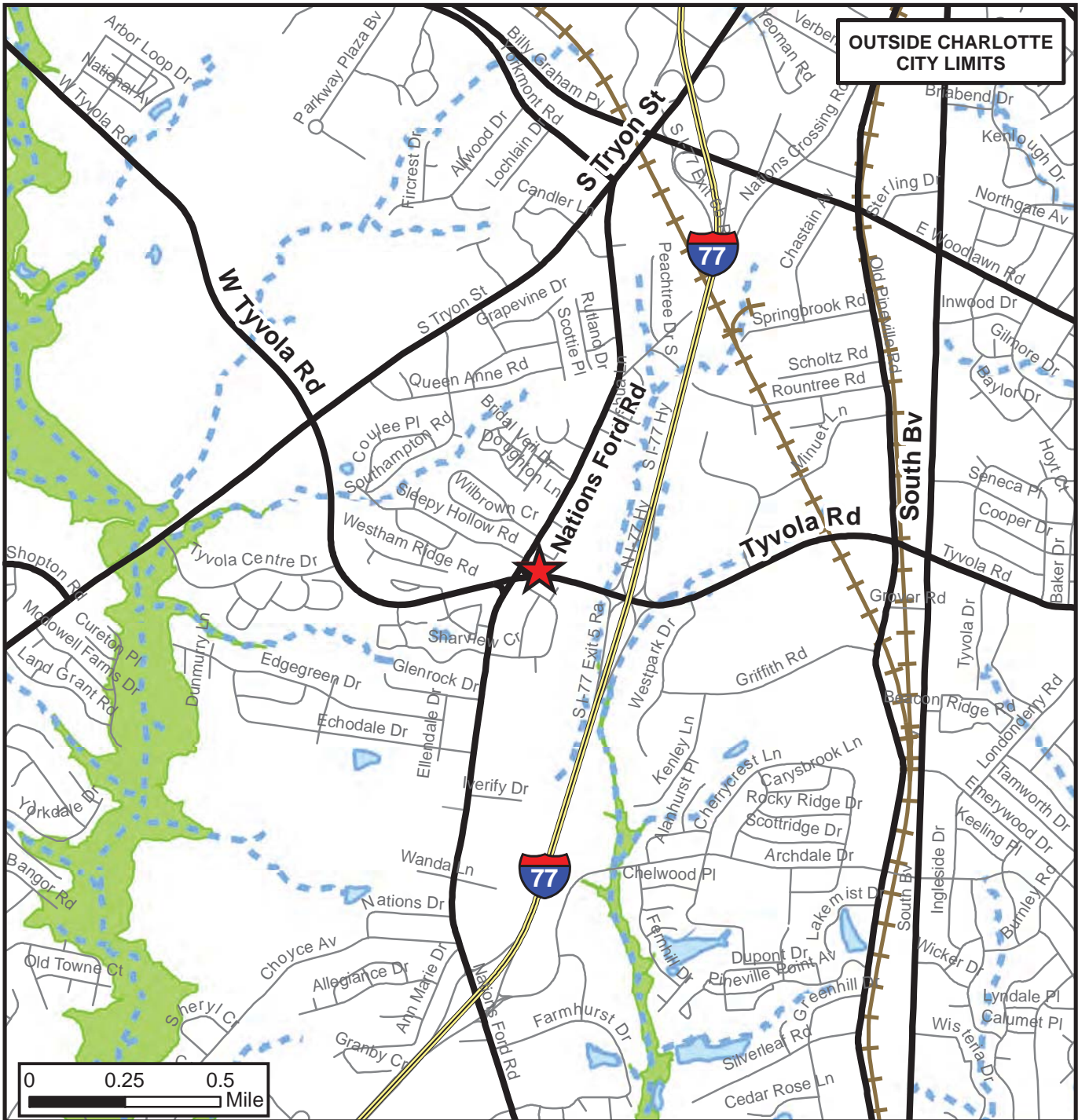
- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

Planner: John Kinley (704) 336-8311

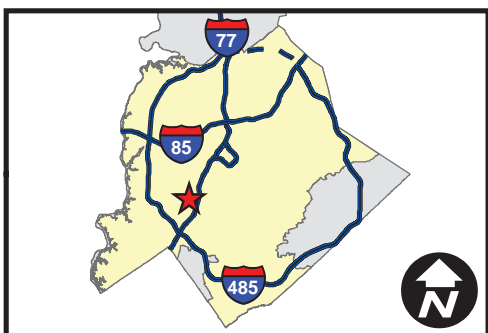
Petition #: **2014-092**

Vicinity Map

Acreage & Location : Approximately 1.79 acres located on the northeast corner at the intersection of Nations Ford Road and Tyvola Road.



OUTSIDE CHARLOTTE CITY LIMITS



★ Rezoning Petition: 2014-092

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

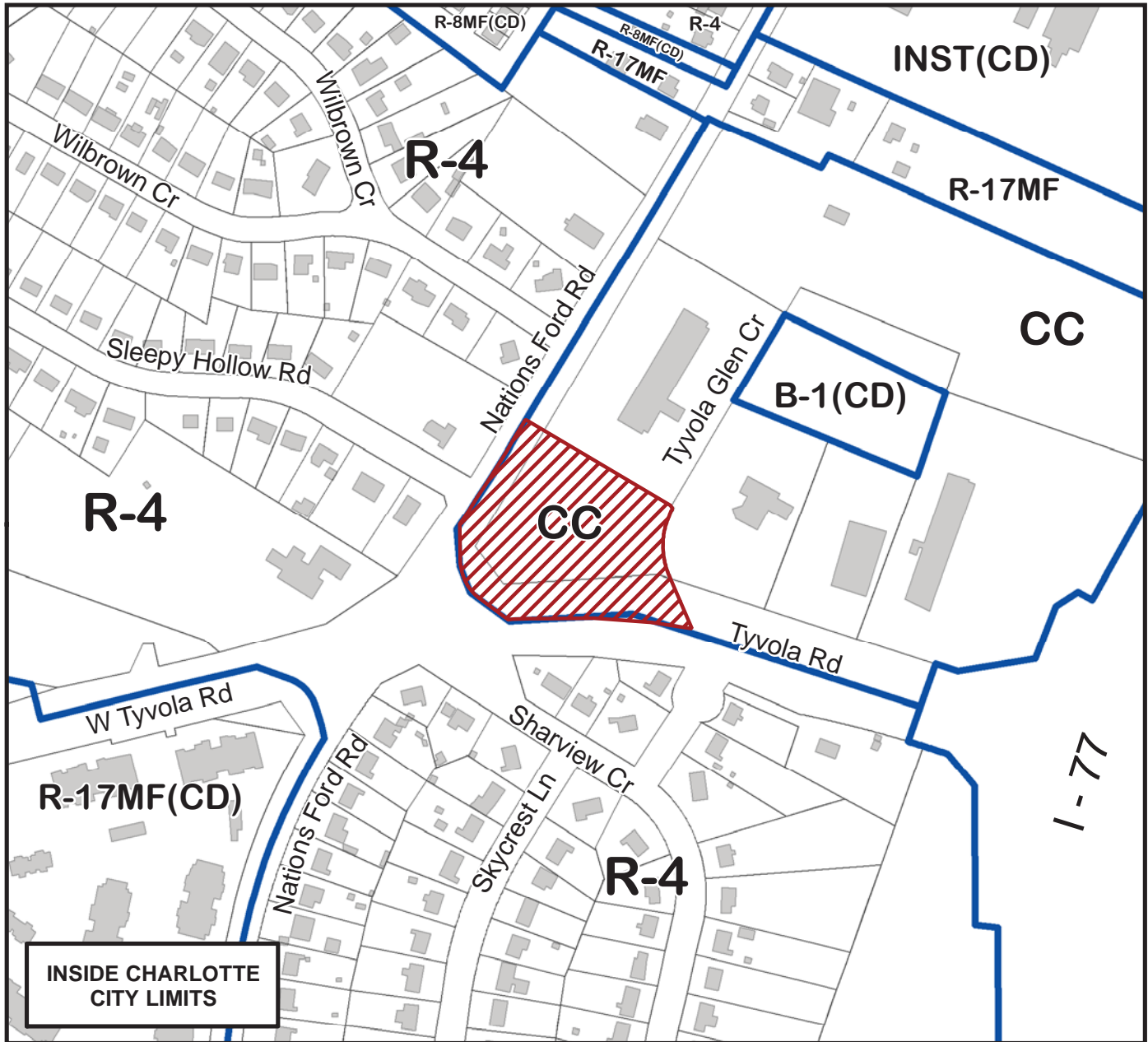
Petition #: **2014-092**

Petitioner: **Pavilion Development Company**

Zoning Classification (Existing): **CC**
(Commercial Center)

Zoning Classification (Requested): **CC (S.P.A.)**
(Commercial Center, Site Plan Amendment)

Acreage & Location: Approximately 1.79 acres located on the northeast corner at the intersection of Nations Ford Road and Tyvola Road.

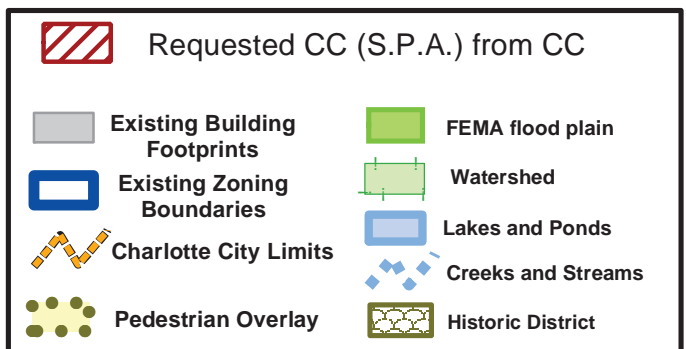


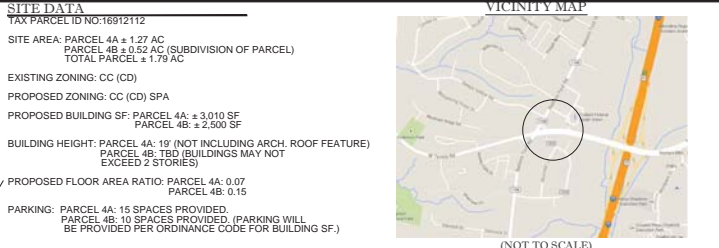
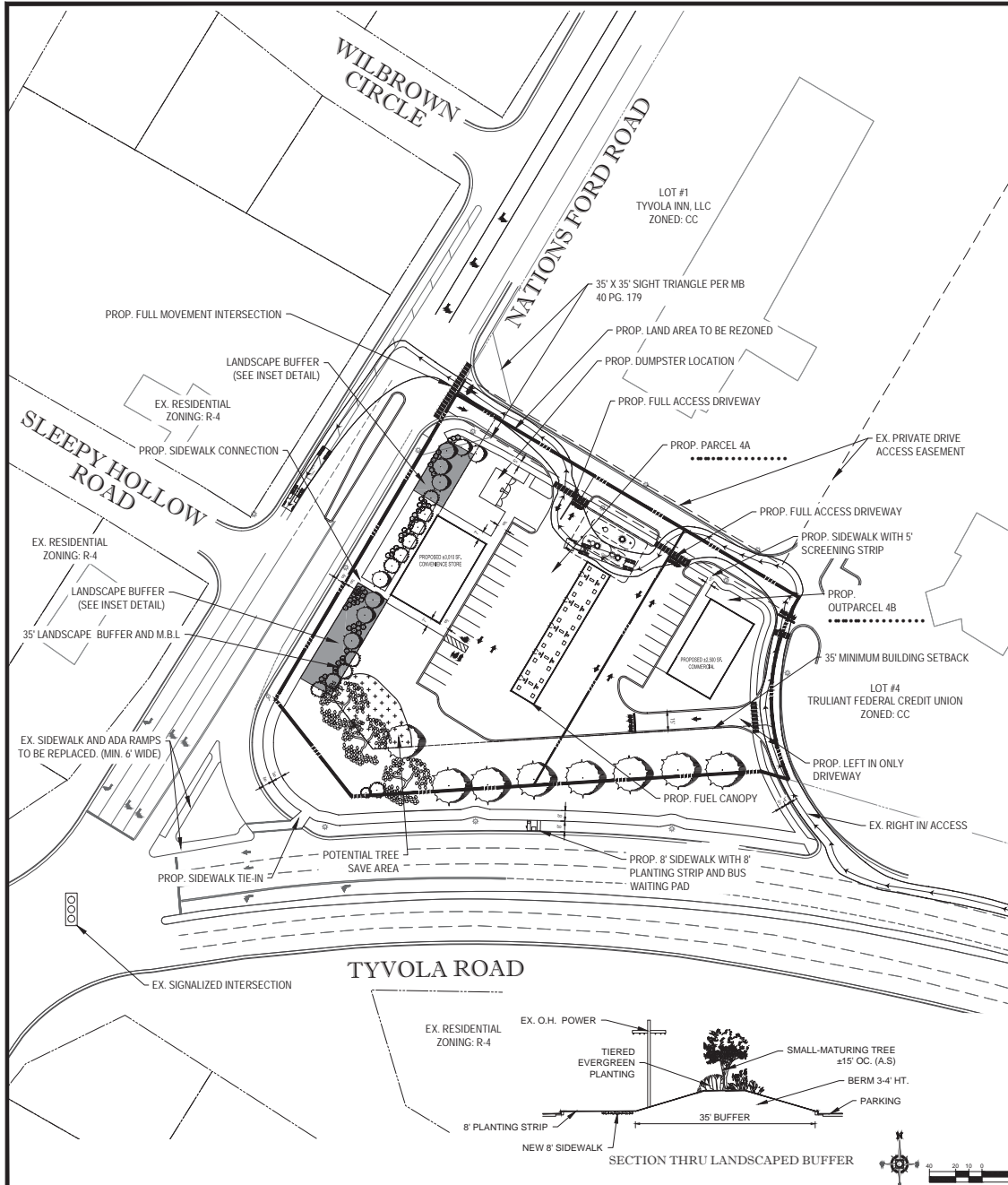
Map Produced by the Charlotte-Mecklenburg Planning Department, 8-1-2014.



Zoning Map #(s)

134





DEVELOPMENT STANDARDS
GENERAL PROVISIONS
 DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE SCHEMATIC SITE PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS SITE PLAN IS INTENDED TO REFLECT THE GENERAL ARRANGEMENT OF PROPOSED USES ON THIS SITE. HOWEVER THE CONFIGURATIONS, PLACEMENTS, SIZE OF BUILDING FOOTPRINT AND LOTS INCLUDING LOCATION OF STREETS AND PARKING AREAS SHOWN ARE SCHEMATIC IN NATURE AND MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, WITHIN THE LIMITS SET FORTH BY THE ORDINANCE UNDER THE PROVISIONS DETAILED IN SECTION 6.207 OF THE CHARLOTTE ZONING ORDINANCE.
 PETITIONER WILL BE REQUIRED TO FILE AN ADMINISTRATIVE AMENDMENT TO ORIGINAL PETITION 1997-015 BY AMENDMENT OF THE MOST RECENTLY APPROVED SITE PLAN AMENDMENT DOCUMENT.

A. PURPOSE
 THE PURPOSE OF THIS REZONING APPLICATION IS TO PROVIDE A DEVELOPMENT TRACT OF LAND AT THE INTERSECTION OF NATIONS FORD ROAD AND TYVOLA ROAD. THIS DEVELOPMENT WILL PROVIDE THE LOCATION OF AN AUTOMOBILE SERVICE STATION, ASSOCIATED CONVENIENCE STORE AND ANOTHER PROPOSED COMMERCIAL USE ON THE ADJACENT EASTERN PARCEL THAT IS CURRENTLY PART OF A PROPOSED SUBDIVISION. A SEPARATE DRIVE IS PROPOSED OFF THE RIGHT-IN ACCESS OFF OF TYVOLA ROAD TO THE SOUTH. THE EXACT LOCATION AND DESIGN DETAIL OF THESE DRIVEWAYS WILL BE DETERMINED DURING THE DEVELOPMENT REVIEW PROCESS AND WILL BE SUBJECT TO MODIFICATIONS REQUIRED FOR APPROVAL BY THE CITY OF CHARLOTTE AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
B. PERMITTED USES
 PARCEL 4A - ALL USES IN THE CC ZONING DISTRICT EXCEPT BUILDING MATERIAL SALES, DWELLINGS, AND EATING/DRINKING/ENTERTAINMENT ESTABLISHMENTS WITH DRIVE-IN SERVICE WINDOWS.
 PARCEL 4B - ALL USES IN THE CC ZONING DISTRICT EXCEPT AUTOMOBILE SERVICE STATIONS, BUILDING MATERIAL SALES, DWELLINGS, AND EATING/DRINKING/ENTERTAINMENT ESTABLISHMENTS WITH DRIVE-IN SERVICE WINDOWS. THE BUILDING LAYOUT IS CONCEPTUAL IN NATURE. THE PETITIONER RESERVES THE RIGHT TO NOT DEVELOP THIS PARCEL OR TO MAKE MINOR SITE PLAN ADJUSTMENTS THAT MATCH THE GENERAL INTENT OF THE PLAN AS SHOWN ON THIS SITE PLAN AND IN ACCORDANCE WITH SECTION 6.207.

C. MAXIMUM DEVELOPMENT STANDARDS AND DEVELOPMENT LIMITATIONS
 PARCEL 4A MAY BE DEVELOPED WITH A MAXIMUM OF 3,010 SF BUILDING EXCLUDING PERMITTED ACCESSORY STRUCTURES. PARCEL 4B MAY BE DEVELOPED WITH A MAXIMUM OF 2,500 SF BUILDING EXCLUDING PERMITTED ACCESSORY STRUCTURES.
D. TRANSPORTATION
 THE PROPOSED SITE PLAN SHOWS 2 ACCESS DRIVEWAYS OFF OF TYVOLA GLEN CIRCLE WHICH CONNECTS THE OVERALL DEVELOPMENT TO NATIONS FORD ROAD TO THE WEST. THE CURRENT MOVEMENT AT THE NATIONS FORD ENTRANCE IS A RIGHT-IN, RIGHT-OUT MOVEMENT. A SEPARATE DRIVE IS PROPOSED OFF THE RIGHT-IN ACCESS OFF OF TYVOLA ROAD TO THE SOUTH. THE EXACT LOCATION AND DESIGN DETAIL OF THESE DRIVEWAYS WILL BE DETERMINED DURING THE DEVELOPMENT REVIEW PROCESS AND WILL BE SUBJECT TO MODIFICATIONS REQUIRED FOR APPROVAL BY THE CITY OF CHARLOTTE AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
 PARKING AREAS ARE GENERALLY DEPICTED ON THE CONCEPT PLAN OF THIS SITE.
 A FULL MOVEMENT DRIVEWAY HAS BEEN PROPOSED TO MODIFY THE CURRENT MOVEMENT AT THE NATIONS FORD ENTRANCE AND FURTHER COORDINATION AND APPROVALS WILL BE NEEDED.
 PETITIONER WILL REPLACE EXISTING SIDEWALK IN THE CHANNELIZATION MEDIAN AT THE INTERSECTION OF TYVOLA ROAD AND NATIONS FORD ROAD WITH NEW MINIMUM 6' WIDE SIDEWALK ALONG WITH NEW ACCESSIBLE RAMPS.

E. SCREENING AND LANDSCAPED AREAS
 AT A MINIMUM, SCREENING AND LANDSCAPING SHALL CONFORM TO THE STANDARDS SPECIFIED IN SECTION 12.302-12.303 OF THE ORDINANCE.
 LANDSCAPE STRIPS AND ISLANDS SHALL BE CREATED TO BREAK THE VISUAL IMPACT OF THE PARKING AREAS.
 CONTINUOUS LANDSCAPING STRIPS AND ISLANDS SHALL BE CREATED ALONG NATIONS FORD ROAD TO BREAK UP THE VISUAL IMPACT OF THE PARKING AREAS AS SHOWN ON THE SITE PLAN.
 TREE SAVE AREA REQUIRED PER TREE ORDINANCE. PROPOSED TREE SAVE AREA SHOWN; HOWEVER FURTHER COORDINATION WITH THE CITY OF CHARLOTTE URBAN FORESTRY DEPARTMENT NEEDED TO DETERMINE FINAL TREE SAVE AREA.
 PETITIONER WILL COMPLY WITH THE CHARLOTTE TREE ORDINANCE.

F. ARCHITECTURAL STANDARDS
 THE SUBJECT PARCELS SHALL BE DESIGNED WITH MATERIALS COMPATIBLE WITH ADJACENT RESIDENTIAL NEIGHBORHOOD. IN ORDER TO ACHIEVE ARCHITECTURAL COHERENCE FOR THE ENTIRE PROJECT, THE DEVELOPER SHALL ESTABLISH AND ENFORCE RESTRICTIVE COVENANTS FOR APPROVAL OF BUILDING STYLE AND MATERIALS IN ADDITION, AS TO BUILDINGS LOCATED ON THE SUBJECT PARCELS. THEIR ELEVATIONS FRONTING NATIONS FORD ROAD SHALL INCLUDE (WITHOUT LIMITATION AND WITHOUT REQUIRING ALL) SUCH MATERIALS AND FEATURES AS: BRICK, MASONRY STUCCO, PITCHED OR MANSARD ROOFS OR DECORATIVE PARAPETS OR AWNINGS OR PALLADIAN WINDOWS OR MULLIONED WINDOWS AND THE LIKE, IN ORDER TO RESPECT THE RESIDENTIAL NATURE OF AND VIEW FROM RESIDENCES FRONTING NATIONS FORD ROAD.
 THE BUILDINGS MUST BE DESIGNED TO ENCOURAGE AND COMPLEMENT THE PEDESTRIAN SCALE INTEREST AND ACTIVITY BY THE USE OF CONTIGUOUS WINDOWS AND DOORS ARRANGED SO THAT THE USES ARE VISIBLE FROM AND/OR ACCESSIBLE TO THE STREET AND RIGHT-IN ACCESS DRIVEWAY OFF TYVOLA ON AT LEAST 50% OF THE LENGTH OF THE FIRST FLOOR FRONTAGE FACE THE STREET AND RIGHT-IN ACCESS DRIVEWAY.

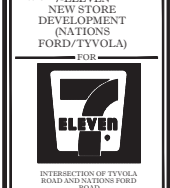
G. LIGHTING
 ALL SITE LIGHTING SHALL BE INWARDLY DIRECTED SO AS NOT TO REFLECT OR BEAM TOWARD ADJACENT PROPERTY. LIMIT HEIGHT OF FREE STANDING LIGHTING TO 25 FEET.
H. SIGNAGE
 ALL SIGNAGE SHALL MEET APPLICABLE REGULATIONS, AS A MINIMUM IN EFFECT AT TIME OF PERMITTING. GROUND MOUNTED SIGNAGE FOR INDIVIDUAL PARCELS SHALL BE A MAXIMUM OF FOUR FEET HIGH AND 50 SQUARE FEET. ONE SIGN SHALL BE PERMITTED AT TYVOLA ROAD ENTRANCE, MAXIMUM 100 SQUARE FEET. ONE SIGN SHALL BE PERMITTED ALONG NATIONS FORD ROAD FRONTAGE, MAXIMUM 25 SQUARE FEET.
I. STORMWATER MANAGEMENT
 THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE DEVELOPMENT PLAN SUBMITTAL AND ARE IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS. SITE IS NOT LOCATED WITHIN ANY FLOODPLAIN.



REV. NO.	DATE	COMMENTS
1	5/19/14	REZONING REVISION #1
2	12/18/14	REZONING REVISION #2
3	1/9/15	REZONING REVISION #3



NOT APPROVED FOR CONSTRUCTION
 PROJECT NO: NCDT42310
 DRAWN BY: BSM
 CHECKED BY: CMC
 DATE: 1/9/15
 SCALE: 1"=40'

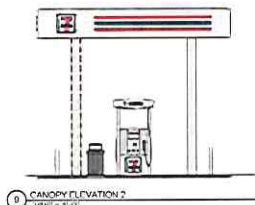


BOHLER ENGINEERING
 100 WEST HILL STREET, SUITE 101
 CHARLOTTE, NC 28208
 Phone: (980) 273-3400
 Fax: (980) 273-3401
 NC@BohlerEng.com

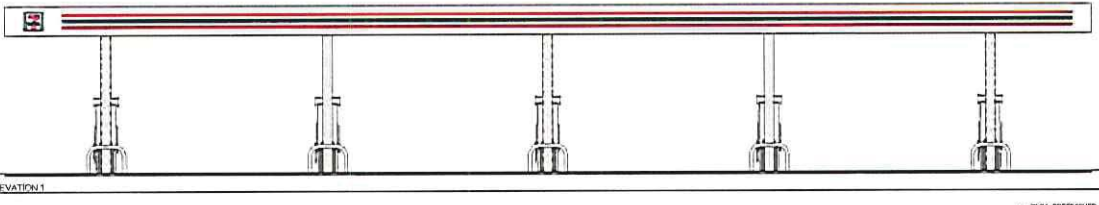


SHEET TITLE:
REZONING SITE PLAN
 PETITION # 2014-92

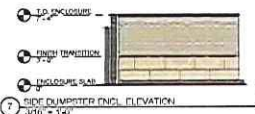
SHEET NUMBER:
RZ-1



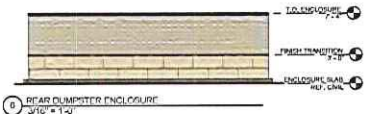
6 CANOPY ELEVATION 2
3/16" = 1'-0"



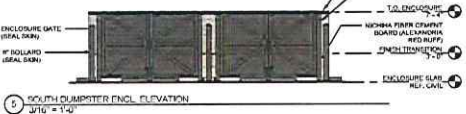
5 CANOPY ELEVATION 1
3/16" = 1'-0"



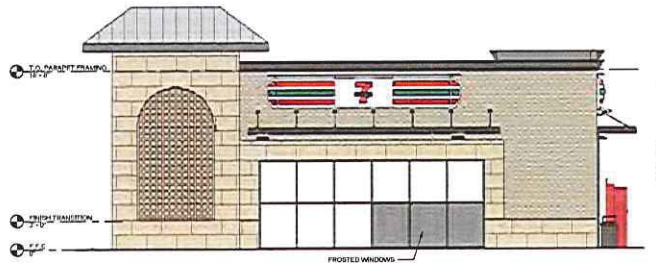
7 SIDE DUMPSTER ENCL. ELEVATION
3/16" = 1'-0"



8 REAR DUMPSTER ENCLOSURE
3/16" = 1'-0"



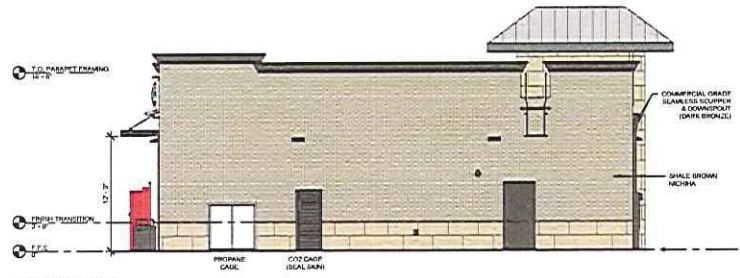
9 SOUTH DUMPSTER ENCL. ELEVATION
3/16" = 1'-0"



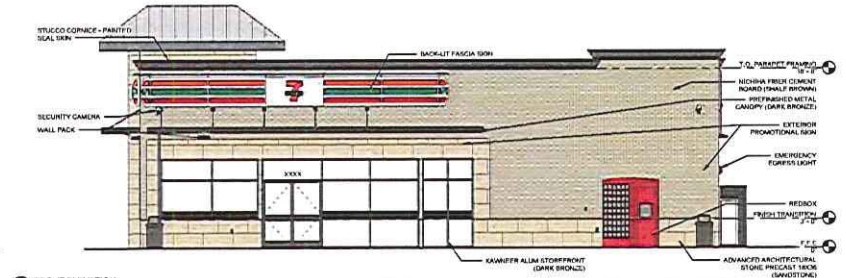
4 LEFT ELEVATION
3/16" = 1'-0"



3 REAR ELEVATION
3/16" = 1'-0"



2 RIGHT ELEVATION
3/16" = 1'-0"



1 FRONT ELEVATION
3/16" = 1'-0"

No.	Description

PHOTO BY GFM 05-14-14

PAVILION DEVELOPMENT COMPANY
 ONE ANTI-JAGGA AVENUE, STREET DALLAS, TEXAS 75217

REZONING PETITION #2014-92
 1107 WEST MOORE AVENUE, DALLAS, TEXAS 75216

COLOR ELEVATIONS



PROJECT #	Project Number	3-15-14
SCALE	3/16" = 1'-0"	
DATE	10-14-14	
DESIGNED BY	EGS	
CHECKED BY	CS	

FOR THE RECORD: THESE ELEVATIONS WERE PREPARED BY THE ARCHITECT FOR THE PROJECT AND DO NOT REPRESENT THE ARCHITECT'S LIABILITY FOR THE PROJECT. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROJECT AND DOES NOT EXTEND TO OTHER PROJECTS OR TO THE PROJECT'S SUCCESSORS.

SHEET
RZ-2

I, Richard Boyd Brooks, certify that this plat was drawn under my supervision from an actual survey made under my supervision, (deed description recorded in Book 5674, page 265); that the boundaries not surveyed are clearly indicated as drawn from the deeds shown hereon; that the ratio of precision as calculated is 1:10,000; that this plat was prepared in accordance with G.S. 47-30 as amended. This is a survey of an existing parcel of land and does not create a new street or change an existing street. Subject to underground utilities and or any easements or right-of-ways of record. Area by the coordinate method of area computation. Copying this plat could be a violation of copyright laws. Witness my original signature, registration number and seal this 23rd day of November, A.D., 2007.

**Preliminary Plat
For Review Only
Not for Sales Conveyance
or Recording**

RICHARD BOYD BROOKS
1700 JENNIS DRIVE
Charlotte, NC 28212
(704) 568-1719
Professional Land Surveyor, L-2689

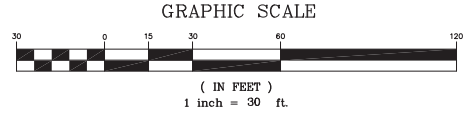
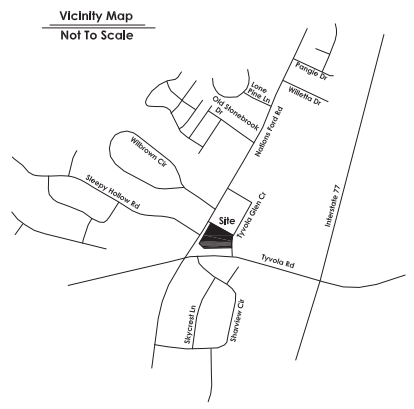
Notes:
1) The E/W of Nations Ford Rd. and Tyvola Rd. were taken from MB 40-179.

Tyvola Inn, LLC
DB 9320-871
Lot 1, MB 28-668
PID 16912108
6057 Tyvola Glen Cir

Tullant Federal Credit Union
DB 16173-346
Lot 4, MB 40-179
PID 16912111
4051 Tyvola Glen Cir

1.79 Acres
DB 5674-265
Lot 5, MB 40-179
PID 16912112

B=504°38'27"W
R=150.00
A=144.20
C=138.71



Line Table		
Line	Length	Bearing
L1	7.00	S57°49'11"E

- LEGEND:
 EP ● = Existing Iron Pin
 NIP ○ = New Iron Pin
 NPS □ = No Point Set
 R/W = Right of Way
 P = Power Pole
 MBSL = Minimum Building Setback Line
 ESMT = Easement
 ⊙ = Manhole
 EP = Edge of Pavement

1	OF
SHEET NO.	
1	
OF	
PLAN NO.	07296
SCALE	1"=30'
DATE	11/23/07
CHECKED	R.B.B.
DRAWN	S.R.S.

City of Charlotte
Mecklenburg County, N.C.

Boundary Survey
for
Stephen Lucas

Spratt & Brooks
P.O. BOX 25175 - CHARLOTTE, NC
LAND SURVEYING
(704) 568-1719

REVISIONS	BY	DATE



REQUEST	Current Zoning: R-3 (single family residential) Proposed Zoning: NS (neighborhood services)
LOCATION	Approximately 6.09 acres located on the north side of Ardrey Kell Road and between Blakeney Heath Road and Community House Road across from Carson Whitley Avenue. (Council District 7 - Driggs)
SUMMARY OF PETITION	The petition proposes to develop the subject property with up to 30,000 square feet of uses permitted in the office district that are also permitted in the NS (neighborhood services) district, personal services, and wireless phone service provider uses.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	North Carolina Department of Transportation Lenox Development Group, LLC Jeff Brown and Keith MacVean, Moore & Van Allen
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 25
STATEMENT OF CONSISTENCY	<p>This petition is found to be inconsistent with the <i>South District Plan</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 at up to three dwelling units per acre; and • The <i>General Development Policies</i> support residential densities up to eight dwelling units per acre for this site. <p>However, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The site is a remnant parcel of Ardrey Kell Road right-of-way; and • The site is located outside a retail center and adjacent to residential; and • The proposed small office development with limited retail uses is sensitive in form to the surrounding residential properties and provides a buffer and transition to the major thoroughfare; and • A wireless phone service provider is the only allowed retail use on the site. <p>By a 7-0 vote of the Zoning Committee (motion by Commissioner Ryan seconded by Commissioner Eschert).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Limited permitted uses to personal services, uses allowed in the office district that are also allowed in the NS district, and wireless phone service providers, which is the only retail use allowed on the site. 2. Committed building design to be residential in character by amending Note 4b to reduce the required amount of fenestration for building facades facing Ardrey Kell Road from 40 percent to 20 percent. Also added note to building elevations to state "the architectural design may differ from building to building but will be compatible in scale and material types with complementary color pallets, with possible different fenestration sizes and types. Building character will relate to Blakeney nonresidential areas and façade articulation may be in keeping with more general office and medical office fenestration requirements." Deleted signage from the building elevations.
--------------------------------	--

3. Amended Note 7b as follows: "The allowed wall signage constructed on the site will utilize similar and/or complementary colors so as to create a cohesive appearance."
4. Amended Prohibited or Limited Uses to specify eating/drinking/entertainment establishments Type 1 and 2 as a prohibited use.
5. Amended Sheet RZ-002a to reflect relocated area for the trash and recycling enclosure, location of a proposed chain link security fence, location of an existing berm that is to remain, and fence elevations.
6. Amended Note 1d to reduce the total number of principal buildings from four to three.
7. Amended Note 2a to list wireless phone service providers as a permitted use.
8. Amended Note 2b to specify a minimum of 50 percent of the allowed square footage must be occupied by uses allowed in the Office zoning district that are also allowed in the NS zoning district. The other 50 percent of the uses may be a combination of personal service uses (as defined in the site plan), (ii) a wireless phone service provider; and uses allowed in the office zoning district that are also allowed in the NS district.
9. Added Note 5d as follows: "The petitioner will install a five foot black vinyl coated chain link fence across the tree save area at the western edge of the property as generally depicted on the rezoning plan. The black vinyl chain link fence will tie into the decorative wooden fence located within the buffer and extend to the site's western property boundary."
10. Amended Note 5h to add the following: "The proposed dumpster and recycling area will be located along the western property boundary as generally depicted on the rezoning plan."
11. Added Note 6b as follows: "The petitioner was granted a variance to reduce the PCCO buffer required along the western property boundary to a 100 foot buffer. The variance was granted by SWAC on October 16, 2014."
12. Added Note 6d as follows: "The petitioner will clear the obstructions (silt and debris) from the creek channel(s) that extends into the site from the Blakeney Heath Neighborhood and between the rear of the homes on Fieldcroft Drive and Autumn Applause Drive. This clearing will take place subject to and contingent upon the adjoining property owners granting the petitioner the right, and releasing the petitioner from any liability, while performing the work and subject to the issuance of any required City and/or State permits. The petitioner will clear the obstructions in the creek channel(s) as part of the site development work and prior to the issuance of the first certificate of occupancy for the first building constructed on the site."

VOTE

Motion/Second:	Ryan/Nelson
Yeas:	Dodson, Eschert, Labovitz, Nelson, and Ryan, Sullivan, Walker
Nays:	None
Absent:	None
Recused:	None

ZONING COMMITTEE DISCUSSION

Staff provided an overview of the petition and explained that the Zoning Committee recommended approval of the petition at its meeting in October 2014. The decision was subsequently deferred by the petitioner to allow additional changes to the site plan. In December 2014, the City Council voted to send the petition back to the Zoning Committee. Staff explained that Planning does not recommend approval of this petition because the proposed retail use is inconsistent

with the recommended land use set forth in the adopted area plan.

A committee member asked if the proposed wireless phone service provider use would be the only retail use permitted on the site? Staff confirmed that it would be the only retail use and the petitioner has agreed to list it as a retail use instead of a personal service use.

STAFF OPINION

Staff disagrees with the recommendation of the Zoning Committee because the proposed retail use is inconsistent with the recommended land use set forth in the adopted area plan. The site qualifies for an increase in residential density of up to eight dwelling units per acre, which is compatible with the existing townhomes across Ardrey Kell Road. In addition, because the site is adjacent to residential uses outside of a retail center location, a small office development sensitive in form to its residential surroundings could be supported.

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

PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Maximum 30,000 square feet of uses allowed in the office district that are also allowed in the NS district, personal services, and wireless phone service providers. Eating/drinking/entertainment establishments are prohibited. Minimum 50 percent of the allowed square footage must be occupied by uses allowed in the office district that are also allowed in the NS district. The other 50 percent of the uses may be a combination of: (i) personal service uses; and (ii) a wireless phone service provider; and (iii) uses allowed in the office zoning district that are also allowed in the NS district.
- Prohibited uses include: accessory drive-through service windows, automotive service stations with or without a convenience store including minor adjustments, repairs and lubrication, residential dwellings, animal crematorium, bus and train terminals, civic/social/fraternal facilities, equipment rental and leasing firms including retail sale of products grown on premises, fences and fence material sales within an enclosed building, funeral homes & embalming, gunsmiths, active adult retirement communities, adult care centers, adult care homes, bed and breakfasts, beneficial fill sites, boarding houses, car washes, cemeteries, child care center in a residence/family childcare homes, rooming houses, construction and demolition landfills, dormitories, dwellings mixed use, jails & prisons, land clearing and inert debris landfills offsite, nursing homes/rest homes/homes for the aged, off-street parking as a principal use, open space recreational uses, orphanages/children's homes and similar nonprofit institutions providing domiciliary care for children, outdoor fresh produce stands, single room occupancy residences, eating/drinking/entertainment establishments Type 1 and 2, drive-in windows as an accessory to the principal use, helistops, land clearing and inert landfill onsite, outdoor storage of any materials/stocks/equipment, and satellite dish farm in conjunction with a telecommunications and data storage facility/radio station/television station.
- Number of principal buildings not to exceed three.
- Buildings limited to one story and 30 feet in height except for a 45-foot tall decorative tower element.
- Surface parking disallowed between the buildings and Ardrey Kell Road.
- Installation of a left-turn lane and right-turn lane along Ardrey Kell Road to serve the site subject to CDOT and NCDOT requirements.
- Building materials consisting of brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding, stucco, EIFS, decorative block, architectural metal panels, and/or wood. Vinyl as a building material may only be used on windows, soffits, and handrail/railings.
- Building elevations reflecting architectural style and quality of the proposed building.
- Building facades facing Ardrey Kell Road to include a minimum of 20 percent fenestration. Fenestration shall extend higher than three feet from the exterior average grade at the base of the building to at least the height of the door head. Glazing of windows will be transparent under all lighting conditions; however, spandrel or colored glass may be used in the area above the height of the door head.
- Architectural design may differ from building to building but will be compatible in scale and

material types with complementary color pallets, with possible different fenestration sizes and types. Building character will relate to Blakeney nonresidential areas and façade articulation may be in keeping with more general office and medical office fenestration requirements.

- The existing five-foot sidewalk and three-foot planting strip will be preserved along a portion of Ardrey Kell Road, while a six-foot sidewalk and eight-foot planting strip will be provided along the remaining frontage. Site plan specifies the area to be preserved.
 - A 44-foot Class “B” buffer with a solid decorative fence six feet in height will be provided abutting any existing single family use and/or zoning. Three different treatments along portions of the 44-foot buffer area are specified, which include the addition of a six-foot wooden fence, existing berm and new vegetation, and existing vegetation supplemented with trees. Buffers may not be reduced.
 - The petitioner will install a five-foot black vinyl coated chain link fence across the tree save area at the western edge of the property as generally depicted on the rezoning plan. The black vinyl chain link fence will tie into the decorative wooden fence located within the buffer and extend to the site’s western property boundary.
 - Cross-section and elevations provided for the proposed six-foot wooden fence to be provided in a portion of the 44-foot Class “B” buffer.
 - Site plan reflects an approved variance for a 100-foot Post Construction Controls Ordinance buffer.
 - Detached signage limited to five feet in height and 50 square feet in area.
 - Wall signage will utilize similar and/or complementary colors to create a cohesive appearance.
 - Dumpster and recycling areas to be located along the western property boundary.
 - Detached lighting limited to 15 feet in height.
- **Public Plans and Policies**
 - The *South District Plan* (1993) recommends residential land uses up to three units per acre, and references the residential locational criteria of the *General Development Policies* (2003) for areas of higher density development. Because the site is adjacent to residential uses and outside of a retail center location, it may be conducive for higher density residential or a small office development that is sensitive in form to the surrounding residential uses.
 - The *General Development Policies* (2003) support residential densities up to eight dwelling units per acre.

Assessment Criteria	Density Category - >6 up to 8 dua
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (Medium)
Connectivity Analysis	2 (Med - Low)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
Total Points Needed: 11	Total Points: 11

- The petition is inconsistent with the *South District Plan*.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Transportation:** No issues.
- **Charlotte-Mecklenburg Schools:** No issues.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte-Mecklenburg Utilities:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.
- **Urban Forestry:** No comments received.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site meets minimum ordinance standards.
-

OUTSTANDING ISSUES

- Land Use
 1. The proposed use is inconsistent with the *South District Plan* recommendation for single family at three units per acre. The petitioner should eliminate wireless phone service providers as a permitted use.
-

Attachments Online at www.rezoning.org

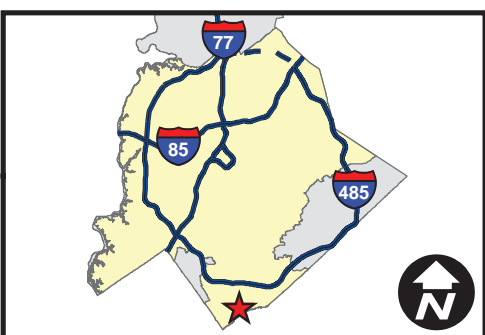
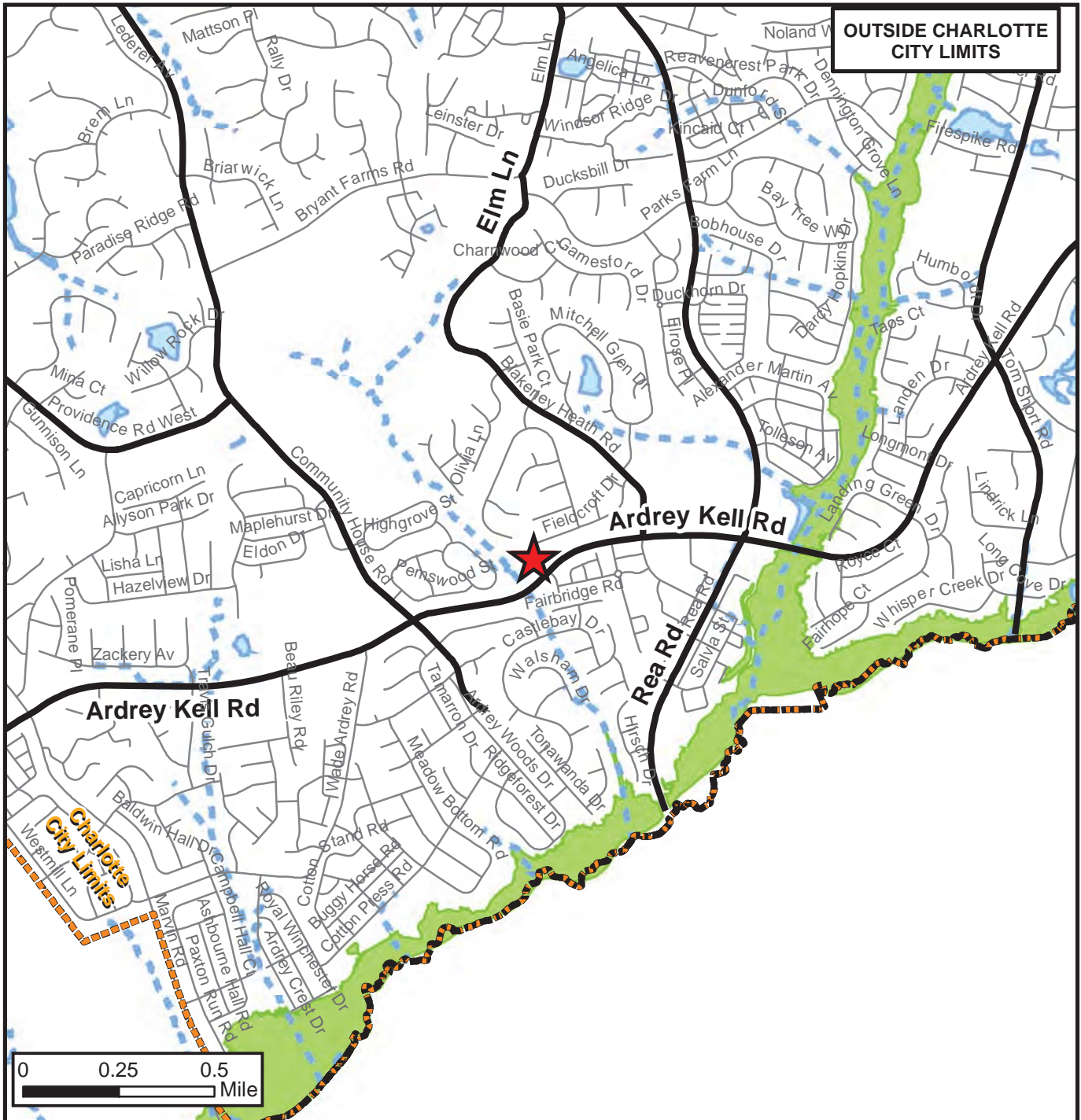
- Application
- Pre-hearing Staff Analysis
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

Planner: Sonja Sanders (704) 336-8327

Petition #: **2014-096**

Vicinity Map

Acreage & Location : Approximately 6.09 acres located on the north side of Ardrey Kell Road and between Blakeney Heath Road and Community House Road across from Carson Whitley Avenue.



★ Rezoning Petition: 2014-096

Major Roads	FEMA flood plain
Collector Roads	Watershed
Charlotte City Limits	Lakes and Ponds
	Creeks and Streams

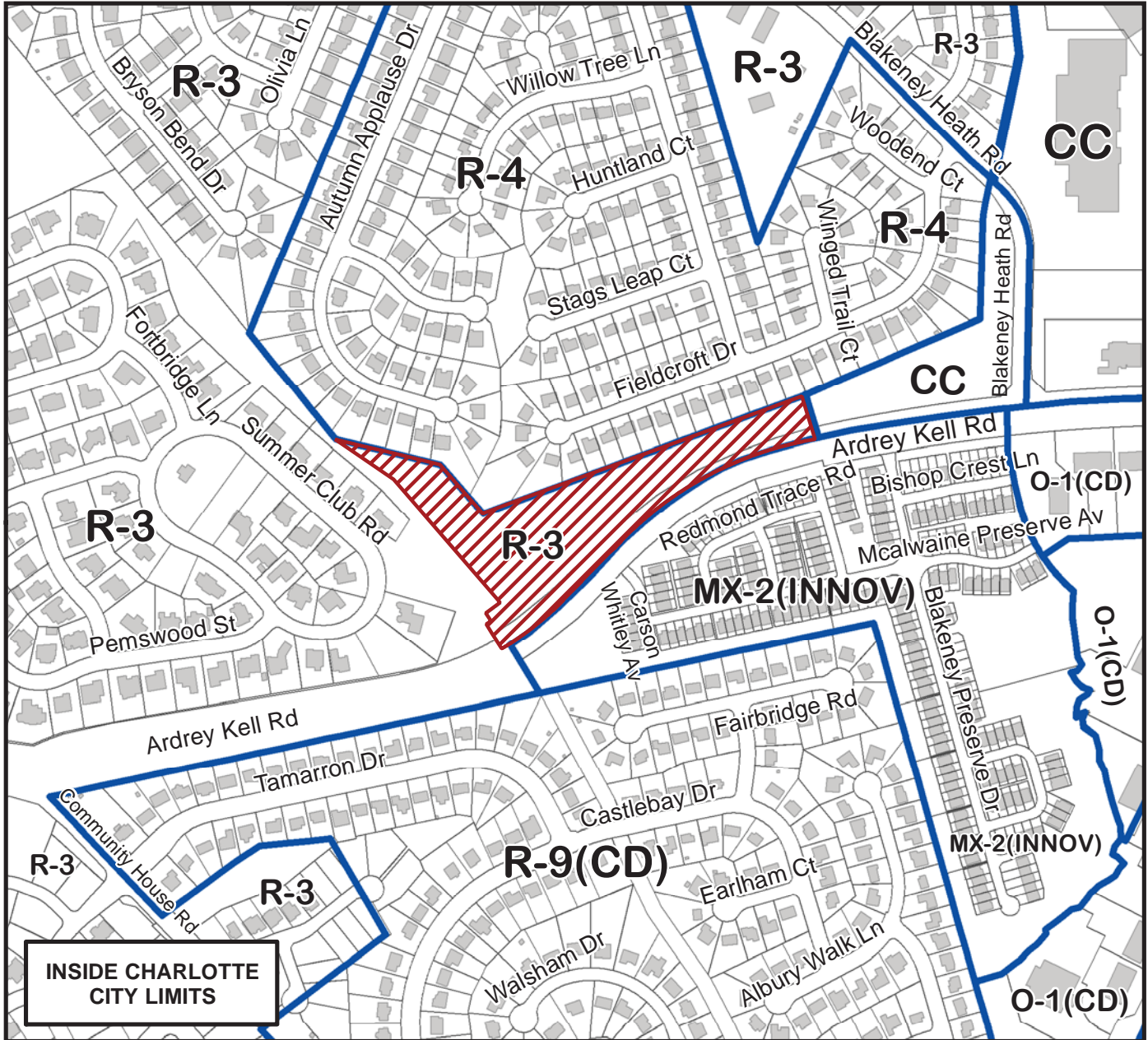
Petition #: **2014-096**

Petitioner: **Lenox Development Group, LLC**

Zoning Classification (Existing): **R-3**
(Single Family, Residential)

Zoning Classification (Requested): **NS**
(Neighborhood Services)

Acreage & Location: Approximately 6.09 acres located on the north side of Ardrey Kell Road and between Blakeney Heath Road and Community House Road across from Carson Whitley Avenue.

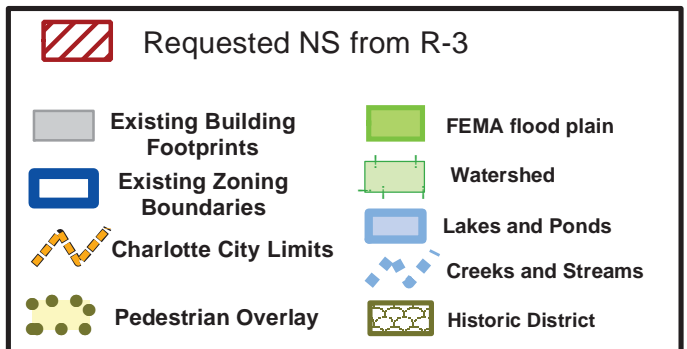


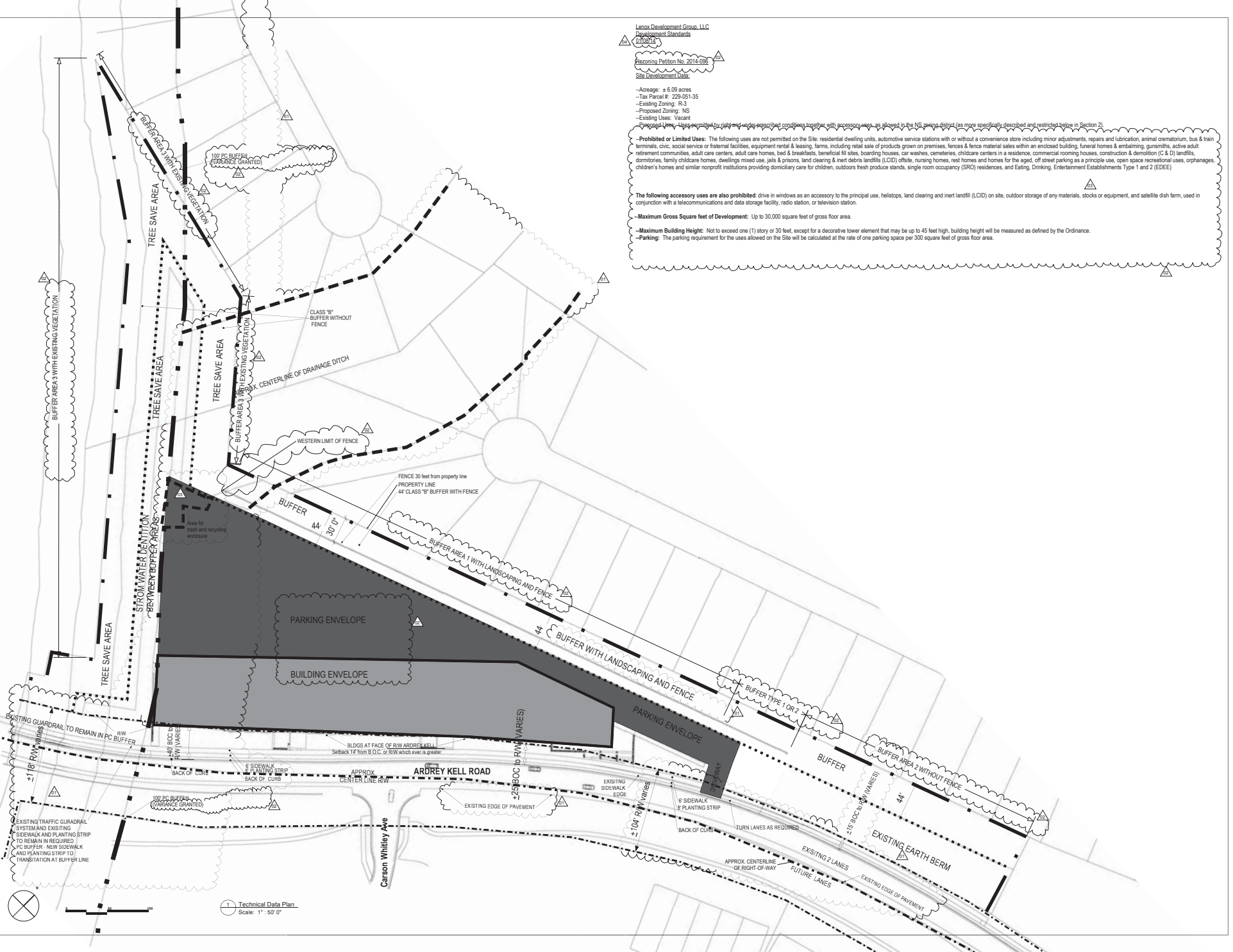
Map Produced by the Charlotte-Mecklenburg Planning Department, 8-1-2014.



Zoning Map #(s)

185, 186





Lenox Development Group, LLC
 Development Standards
 01/09/14
 Rezoning Petition No. 2014-006
 Site Development Date:

- Acreage: ± 0.09 acres
- Tax Parcel #: 229-051-35
- Existing Zoning: R-3
- Proposed Zoning: NS
- Existing Uses: Vacant

Proposed Uses: All uses permitted by ordinance under prescribed conditions together with accessory uses as allowed by the NS ordinance district (as more specifically described and restricted below in Section 2).

Prohibited or Limited Uses: The following uses are not permitted on the Site: residential dwelling units, automotive service stations with or without a convenience store including minor adjustments, repairs and lubrication, animal crematorium, bus & train terminals, civic, social service or fraternal facilities, equipment rental & leasing, farms, including retail sale of products grown on premises, fences & fence material sales within an enclosed building, funeral homes & embalming, gunsmiths, active adult retirement communities, adult care centers, adult care homes, bed & breakfasts, beneficial fill sites, boarding houses, car washes, cemeteries, childcare centers in a residence, commercial rooming houses, construction & demolition (C & D) landfills, dormitories, family childcare homes, dwellings mixed use, jails & prisons, land clearing & inert debris landfills (LCID) offsite, nursing homes, rest homes and homes for the aged, off street parking as a principle use, open space recreational uses, orphanages, children's homes and similar nonprofit institutions providing domiciliary care for children, outdoors fresh produce stands, single room occupancy (SRO) residences, and Eating, Drinking, Entertainment Establishments Type 1 and 2 (EDEE)

- The following accessory uses are also prohibited:** drive in windows as an accessory to the principal use, heliports, land clearing and inert landfill (LCID) on site, outdoor storage of any materials, stocks or equipment, and satellite dish farm, used in conjunction with a telecommunications and data storage facility, radio station, or television station.
- Maximum Gross Square Feet of Development:** Up to 30,000 square feet of gross floor area.
 - Maximum Building Height:** Not to exceed one (1) story or 30 feet, except for a decorative tower element that may be up to 45 feet high, building height will be measured as defined by the Ordinance.
 - Parking:** The parking requirement for the uses allowed on the Site will be calculated at the rate of one parking space per 300 square feet of gross floor area.

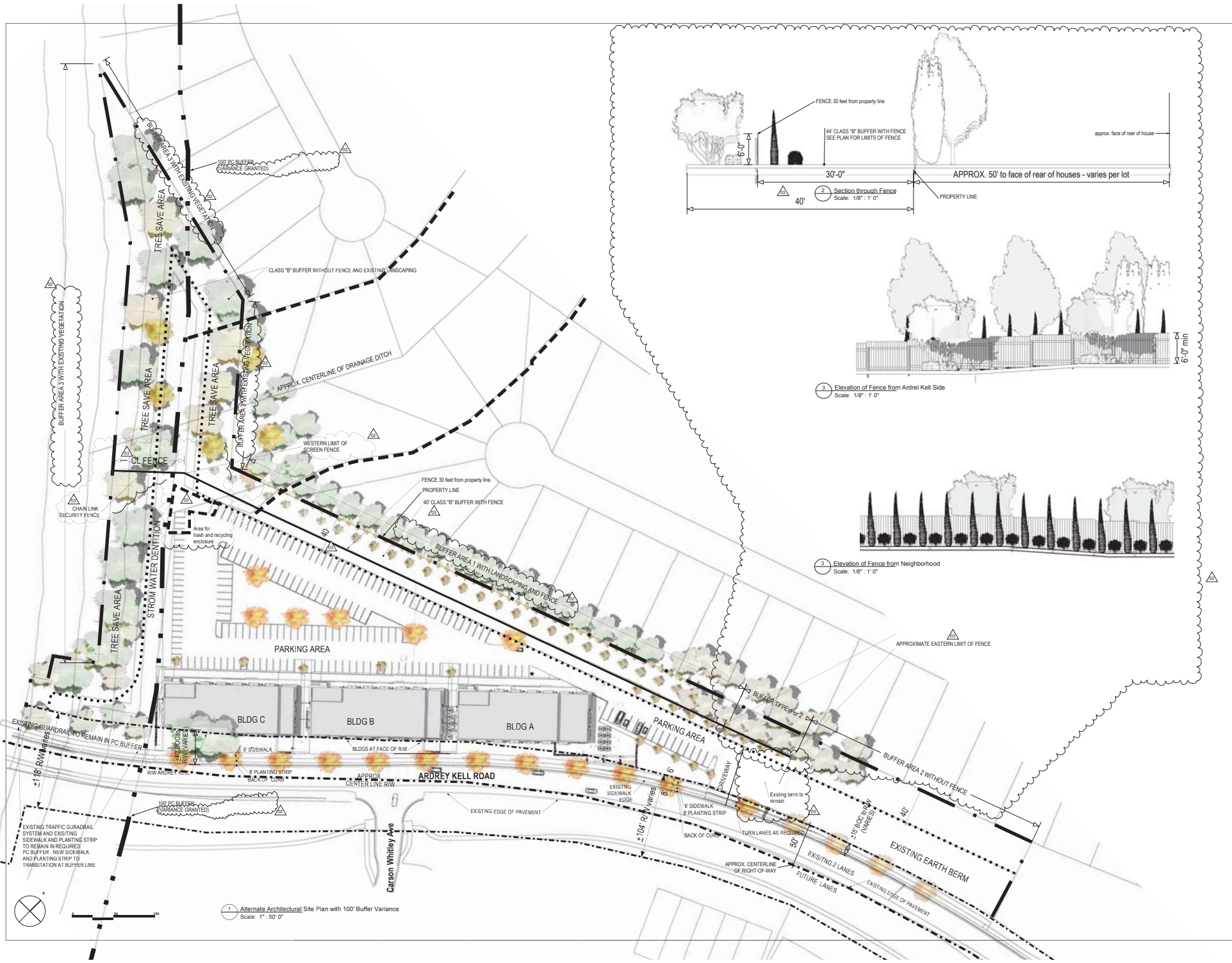
1 Technical Data Plan
 Scale: 1" = 50' 0"

NO.	DATE	REVISIONS
1	07/26/14	REVISION
2	08/20/14	Revised 01 Planning Comments
3	10/22/14	Revised 02
4	12/15/14	Revised 03
5	1/21/15

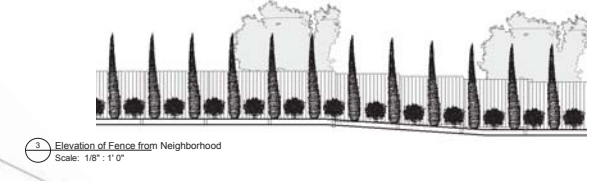
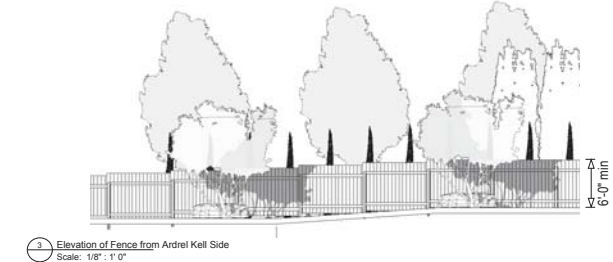
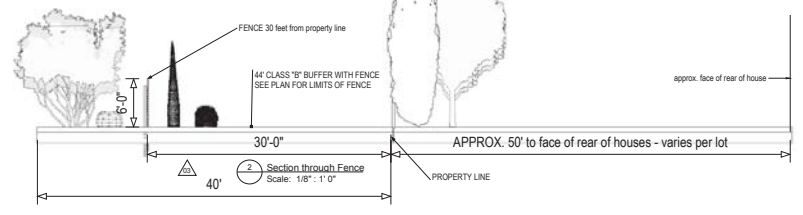
BURGESS DESIGN STUDIO

ARDREY KELL ROAD

TECHNICAL SITE DATA



1 Alternate Architectural Site Plan with 100' Buffer Variance
Scale: 1" = 50' 0"



REVISIONS	
NO.	DESCRIPTION
1	07/28/14
2	08/22/14
3	08/22/14
4	09/24/14
5	10/22/14
6	11/11/14

BURGESS DESIGN STUDIO
ARDREY KELL ROAD

ARCHITECTURAL SITE PLAN
ALTERNATE SITE PLAN WITH PC BUFFER VARIANCE APPROVAL

1. **General Provisions:**
 - a. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Lenox Development Group, LLC ("Petitioner") to accommodate the development of a "village styled" group of one-story buildings with up to 30,000 square feet of gross floor area on approximately a 6.09 acre site located on the north side of Ardrey Kell Road between Blakeney Heath Road and Community House Road across from Carson Whitley Avenue (the "Site").
 - b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the NS zoning classification shall govern.
 - c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, driveways, and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are expressly permitted by the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards); or, minor and don't materially change the overall design intent depicted on the Rezoning Plan; or modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties in a residential district or abutting residential use but no closer than the "external building line" (in this case the external setbacks or buffer areas) indicated on the Rezoning Plan; or modifications to allow minor increases in the mass of the buildings that do not materially change the design intent depicted on or described in the Rezoning Plan.

The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

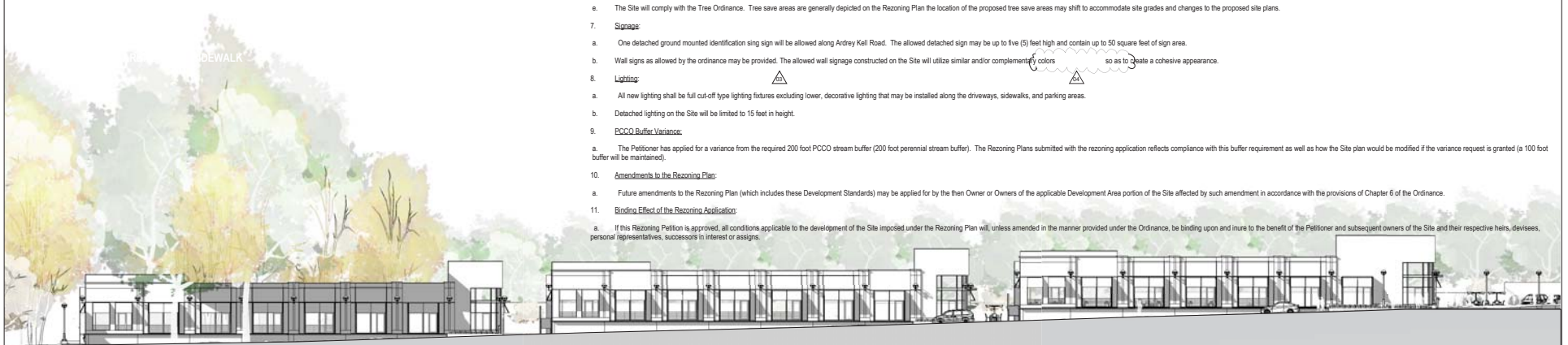
d. **Number of Buildings Principal and Accessory.** The total number of principal buildings to be developed on the Site shall not exceed three (3). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal buildings located on the Site.

2. **Permitted Uses & Development Area Limitation:**
 - a. The Site may be developed with up to 30,000 square feet of gross floor area of the following uses, uses allowed in the office zoning district that are also allowed in the NS zoning district, a wireless service phone provider and personal service uses. (Personal Service uses will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandise but the sale of products and merchandise is typically ancillary). Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spa's, Yoga and exercise studios, nail salons, massage shops, martial art training studios, bookshops, dry cleaning establishment (drop-off only), and alike), together with accessory uses allowed in the NS zoning district.
 - b. A minimum of 50% of the allowed square footage must be occupied by uses allowed in the Office Zoning District that are also allowed in the NS Zoning district. The other 50% of the uses may be a combination of: (i) Personal Services Uses (as defined above); and (ii) uses allowed in the Office Zoning District that are also allowed in the NS Zoning district.
 - c. The following uses will not be allowed on the Site: residential dwelling units, automotive service stations with or without a convenience store including minor adjustments, repairs and lubrication, animal crematorium, bus & train terminals, civic, social service or fraternal facilities, equipment rental & leasing, farms, including retail sale of products grown on premises, fences & fence material sales within an enclosed building, funeral homes & embalming, gunsmiths, active adult retirement communities, adult care centers, adult care homes, bed & breakfasts, beneficial fill sites, boarding houses, car washes, cemeteries, childcare centers in a residence, commercial rooming houses, construction & demolition (C & D) landfills, dormitories, family childcare homes, dwellings mixed use, jails & prisons, land clearing & inert debris landfills (LCID) offsite, nursing homes, rest homes and homes for the aged, off street parking as a principle use, open space recreational uses, exchanges, children's homes and similar nonprofit institutions providing domiciliary care for children, outdoor sports stands, single room occupancy (SRO) residences, and Eating, Drinking, Entertainment Establishments Type 1 and 2 (EDEE).

The following accessory uses are also prohibited: drive in windows as an accessory to the principal use, heliostats, land clearing and inert landfill (LCID) on site, outdoor storage of any materials, stocks and equipment, and satellite dish farm, used in conjunction with a telecommunications and data storage facility, radio station, or television station.

 - d. Surface parking areas will not be allowed between the proposed buildings and Ardrey Kell Road.
 - e. The setback along Ardrey Kell Road will be the existing right-of-way line. The minimum required setback is 14 feet from the back of curb or the existing right-of-way line whichever is the greatest; in this case the existing right-of-way line is located more than 14 feet behind the existing curb line and will be the required setback.
3. **Access and Transportation:**
 - a. Access to the Site will be from Ardrey Kell Road in the manner generally depicted on the Rezoning Plan.
 - b. The Petitioner will install a left-turn lane and a right-turn lane along Ardrey Kell Road to serve the Site, subject to CDOT and NCDOT approval. The turn lanes will be designed to meet CDOT and NCDOT requirements.
 - c. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by CDOT in accordance with applicable published standards.
 - d. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.
4. **Architectural Standards:**
 - a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding (such as hardi-plank), stucco, EIFS, decorative block, architectural metal panels and/or wood. Vinyl as a building material may only be used on windows, soffits, and on handrails/railings.
 - b. The attached illustrative building elevations are included to reflect an architectural style and a quality of the building that may be constructed on the Site (the actual building constructed on the Site may vary from these illustrations provided that the design intent is preserved).
 - c. The buildings constructed on the Site abutting Ardrey Kell Road will be designed and constructed so that the building facades facing Ardrey Kell Road will include 20% fenestration (fenestration will be defined as an opening in the exterior building wall with windows allowing light and views between the interior and exterior and not screened from view). Glazing of windows shall be transparent under all lighting conditions; however, spandrel or colored glass may be used in the area above the height of the door head. Fenestrations shall extend from a height of no more than three feet from the exterior average grade at the base of the building to at least the height of the door head.
 - d. Meter banks will be screened from adjoining properties and from Ardrey Kell Road.

HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade. HVAC and related mechanical equipment may not be located between the proposed building and Ardrey Kell Road.
5. **Streetscape, Buffers, Yards and Landscaping:**
 - a. Along a portion of Ardrey Kell Road the existing five (5) foot sidewalk and three (3) foot planting strip will be preserved due to the existing topography (a shift in the sidewalk location or an increase in its width would require extensive filling and grading, the extension of storm water structures and the relocation of an existing guardrail). The preservation of the existing sidewalk and planting strip will occur along a portion of the Site's frontage on Ardrey Kell Road as generally indicated on the Rezoning Plan. Along the remainder of Ardrey Kell Road frontage the Petitioner will provide an eight (8) foot planting strip and six (6) foot sidewalk as generally indicated on the Rezoning Plan.
 - b. A 44 foot Class B Buffer will be provided where the Site abuts existing single-family homes or R-3 zoning as generally depicted on the Rezoning Plan, portions of this buffer will be treated in three different ways as described below: (1) The portion of the 44 foot Class B Buffer abutting the homes on Faldcroft Drive directly behind the portion of the Site to be developed will contain a six (6) foot solid wooden decorative fence or a berm and will be landscaped with a minimum of 12 evergreen trees per 100 linear feet. These evergreen trees will be a combination of small and large maturing evergreen trees and will be a minimum of 7 to 8 feet tall at installation. These evergreen trees will be planted between the proposed fence and property line where a fence is provided and on the berm when a berm is provided. The area of buffer to be treated in this manner is generally depicted on the Rezoning Plan. (2) The portion of the 44 foot Class B Buffer located to the east of the proposed dumpster will consist of the existing berm and new and existing vegetation to meet the standards of a Class B Buffer. The area of buffer to be treated in this manner is generally depicted on the Rezoning Plan. (3) The portion of the buffer located along the western property line and north of the proposed parking area will consist of existing vegetation supplemented with additional trees when the existing trees in the buffer does not equal a minimum of 8 trees per 100 linear feet (shrubs are not required).
 - c. The width of the 44 foot Buffer may not be reduced.
 - d. The Petitioner will install a five (5) foot black vinyl coated chain link fence across the tree save area at the western edge of the property as generally depicted on the Rezoning Plan. The black vinyl chain link fence will tie into the decorative wooden fence located within the buffer and extend to the Site's western property boundary.
 - e. The Petitioner will provide a sidewalk network that links to each building on the Site to the sidewalk along Ardrey Kell Road in the manner generally depicted on the Rezoning Plan. The minimum width for this internal sidewalk will be five (5) feet.
 - f. Screening requirements of the Ordinance will be met.
 - g. Above ground backflow preventers will be screened from public view and will be located outside of the required setbacks.
 - h. Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building. The proposed dumpster and recycling area will be located along the western property boundary as generally depicted on the Rezoning Plan.
6. **Environmental Features:**
 - a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
 - b. The Petitioner was granted a variance to reduce the PCCO buffer required along the western property boundary to a 100 feet buffer. The variance was granted by SWAC on October 16th 2014.
 - c. The location, size and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.
 - d. The Petitioner will clear the obstructions (fill and debris) from the creek channel(s) that extends into the Site from the Blakeney Heath Neighborhood and between the rear of the homes on Faldcroft Drive and Autumn Applause Drive. This clearing will take place subject to and contingent upon the adjoining property owners granting the Petitioner the right, and releasing the Petitioner from any liability, while performing the work and subject to the issuance of any required City and/or State permits. The Petitioner will clear the obstructions in the creek channel(s) as part of the Site development work and prior to the issuance of the first certificate of occupancy for the first building constructed on the Site.
 - e. The Site will comply with the Tree Ordinance. Tree save areas are generally depicted on the Rezoning Plan the location of the proposed tree save areas may shift to accommodate site grades and changes to the proposed site plans.
7. **Signage:**
 - a. One detached ground mounted identification sign will be allowed along Ardrey Kell Road. The allowed detached sign may be up to five (5) feet high and contain up to 50 square feet of sign area.
 - b. Wall signs as allowed by the ordinance may be provided. The allowed wall signage constructed on the Site will utilize similar and/or complementary colors so as to create a cohesive appearance.
8. **Lighting:**
 - a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
 - b. Detached lighting on the Site will be limited to 15 feet in height.
9. **PCCO Buffer Variance:**
 - a. The Petitioner has applied for a variance from the required 200 foot PCCO stream buffer (200 foot perennial stream buffer). The Rezoning Plans submitted with the rezoning application reflects compliance with this buffer requirement as well as how the Site plan would be modified if the variance request is granted (a 100 foot buffer will be maintained).
10. **Amendments to the Rezoning Plan:**
 - a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.
11. **Binding Effect of the Rezoning Application:**
 - a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.



REVIEWS	
1	07/24/14
2	09/10/14
3	09/10/14
4	01/08/15
5	01/08/15

BURGESSES DESIGN STUDIO	
1	07/24/14
2	09/10/14
3	09/10/14
4	01/08/15
5	01/08/15

CHARACTER IMAGES	
09/19/14 Revision 01	
09/25/14 Revision 02	
12/15/14 Revision 03	
01/08/15 Revision 04	



REQUEST	Current Zoning: UR-1(CD) (urban residential, conditional) Proposed Zoning: R-5 (single family residential)
LOCATION	Approximately 14.30 acres located on the east side of Reames Road between Bella Vista Court and Lawnmeadow Drive. (Council District 2 - Austin)
SUMMARY OF PETITION	The petition proposes to allow all uses permitted in the R-5 (single family residential) district.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Liberty Oak, Inc. LGI Homes NC, LLC/Seth Yurman N/A
COMMUNITY MEETING	A community meeting is not required as part of a conventional request. However, a community meeting will be required as the petitioner proposes to convert the conventional request to a conditional request.

ZONING COMMITTEE ACTION	Staff noted the petitioner is proposing to convert this rezoning request from conventional to conditional. The Zoning Committee voted 7-0 to send this petition to City Council for a new public hearing.
--------------------------------	---

VOTE	Motion/Second:	Eschert/Ryan
	Yeas:	Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan, and Walker
	Nays:	None
	Absent:	None
	Recused:	None

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

PLANNING STAFF REVIEW

- **Background**
 - Rezoning petition 2007-140 rezoned the site from R-3 (single family residential) to UR-1(CD) (urban residential, conditional) to allow up to 95 for-sale dwelling units (duplexes and single family homes, at a density of 6.64 units per acre).
- **Proposed Request Details**

This is a conventional rezoning petition with no associated site plan.
- **Public Plans and Policies**
 - The *Northwest District Plan* (1990) recommends single family residential up to 6.6 dwelling units per acre, as amended by rezoning petition 2007-140.
 - The petition is consistent with the *Northwest District Plan*.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would

generate 28 students, while the development allowed under the proposed zoning will produce 40 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 12 students.

- **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Park and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - There is no site plan associated with this conventional rezoning request.
-

OUTSTANDING ISSUES

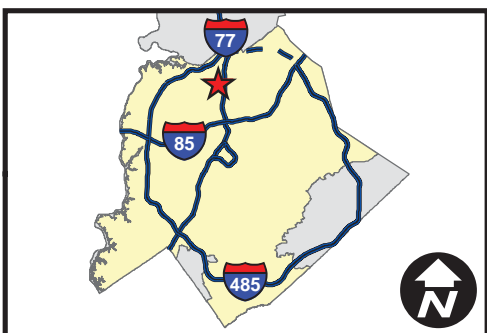
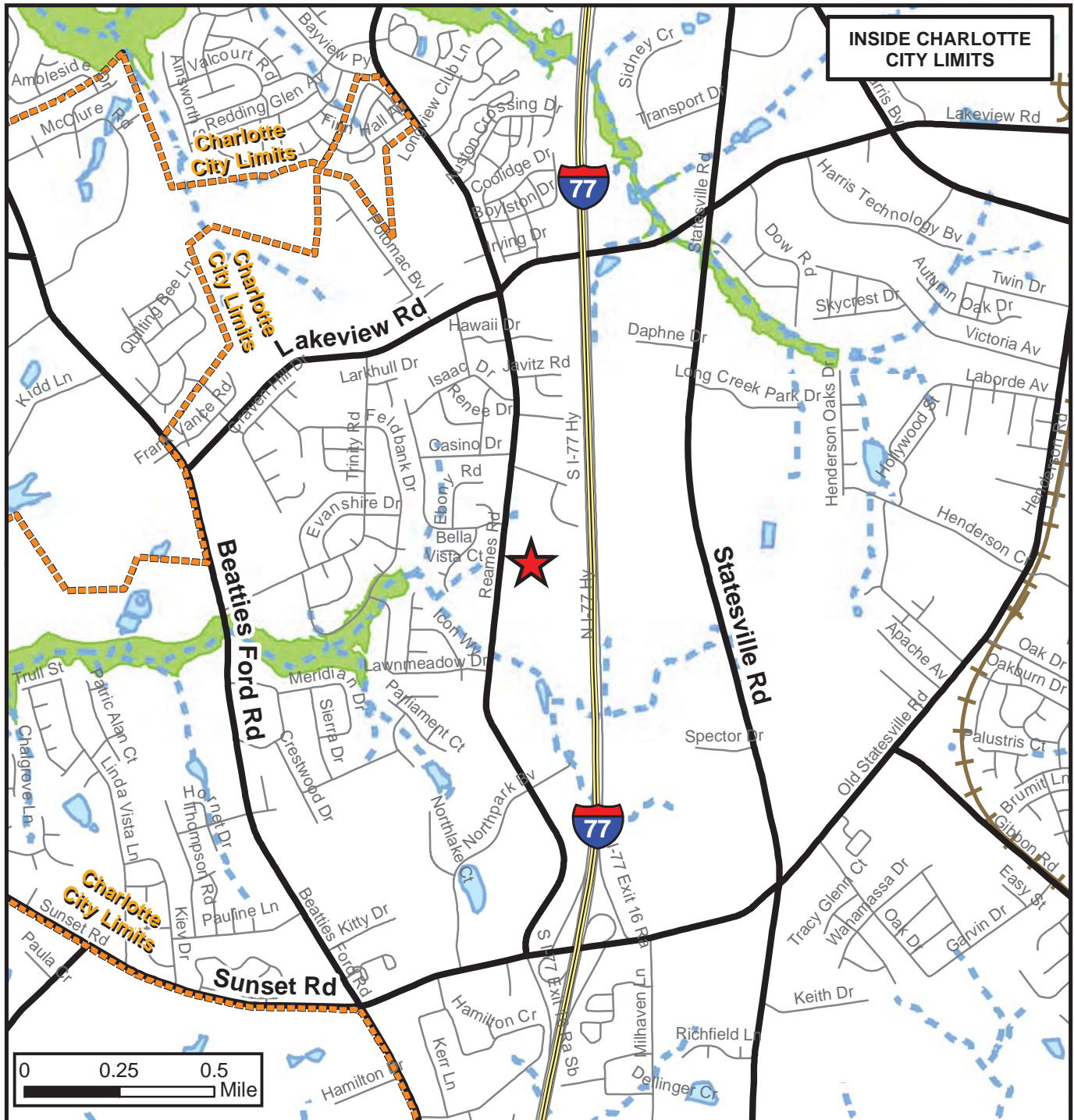
- The petitioner is proposing to convert this request from conventional to conditional. Therefore, a site plan and a community meeting report will be required as part of this process.
-

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Claire Lyte-Graham (704) 336-3782

Acresage & Location : Approximately 14.30 acres located on the east side of Reames Road between Bella Vista Court and Lawnmeadow Drive.



★ Rezoning Petition: 2014-101

Major Roads	FEMA flood plain
Collector Roads	Watershed
Charlotte City Limits	Lakes and Ponds
	Creeks and Streams

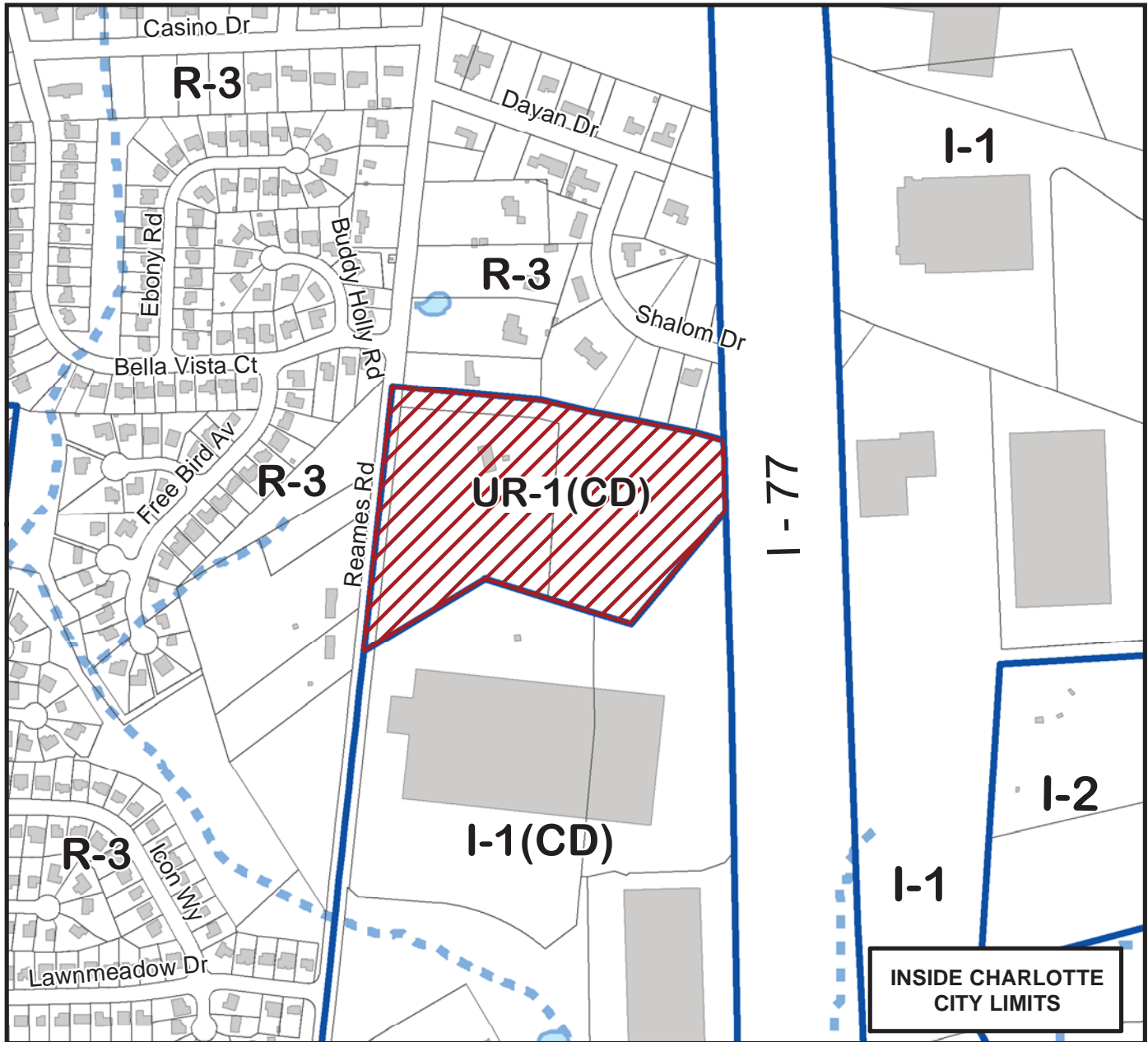
Petition #: **2014-101**

Petitioner: **LGI Homes NC, LLC**

Zoning Classification (Existing): **UR-1(CD)**
(Urban Residential, Conditional)

Zoning Classification (Requested): **R-5**
(Single Family, Residential)

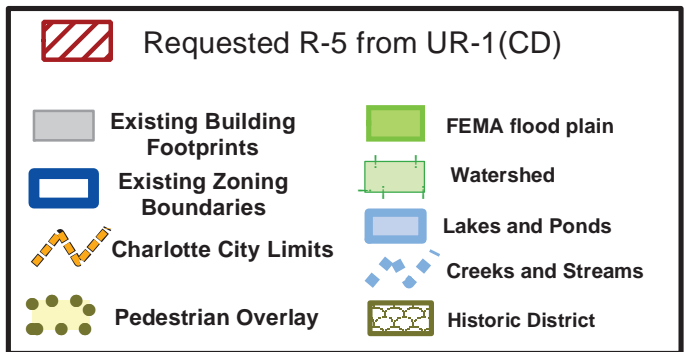
Acreage & Location: Approximately 14.30 acres located on the east side of Reames Road between Bella Vista Court and Lawnmeadow Drive.



Map Produced by the Charlotte-Mecklenburg Planning Department, 10-20-2014.



Zoning Map #(s)
51, 60





REQUEST Current Zoning: B-2, general business
Proposed Zoning: B-D(CD), distributive business, conditional

LOCATION Approximately 1.4 acres generally located at the southwest corner of the intersection between Albemarle Road and Farm Pond Lane. (Council District 5 - Autry)

SUMMARY OF PETITION The petition proposes the reuse of an existing 42,010-square foot building for a self-storage facility, truck rental facility and accessory office space.

PROPERTY OWNER U-Haul Real Estate Company
PETITIONER U-Haul Company of Charlotte
AGENT/REPRESENTATIVE Peter Tatge / ESP Associates P.A.

COMMUNITY MEETING Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 2

STATEMENT OF CONSISTENCY This petition is found to be inconsistent with the *Eastland Area Plan*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends retail for this area.

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 proposed use will be within existing building; and
- The proposed change supports reinvestment in the Albemarle Road corridor;

By a 7-0 vote of the Zoning Committee (motion by Commissioner Sullivan seconded by Commissioner Labovitz).

ZONING COMMITTEE ACTION	The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications: <ol style="list-style-type: none">1. Removed the commitment to dedicate land to Mecklenburg County Park and Recreation for greenway, since this area is not located on the property to be rezoned.2. Removed the commitment for the screening fence, as it is not located on the property to be rezoned.3. Note 2 under Architectural Standards has been removed from the site plan.
--------------------------------	---

VOTE

Motion/Second:	Labovitz/Sullivan
Yeas:	Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan, and Walker
Nays:	None
Absent:	None
Recused:	None

ZONING COMMITTEE DISCUSSION Staff reviewed the petition and noted that all the outstanding issues had been addressed. There was no further discussion on this petition.

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**

- The subject property is a former United States Post Office warehouse building that is currently used for a truck rental facility. The request will allow the majority of the building to be used for self-storage along with offices and the existing truck rental use.

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows a maximum of 42,010 square feet for reuse of an existing building as a self-storage and truck rental facility, and related accessory office uses.
- Vehicular access provided via existing driveways along Farm Pond Lane and Albemarle Road.
- New façade elevations.
- 12-foot Class "C" buffer along a portion of the southern property edge.
- Proposed six-foot high screening fence along a portion of the southern property boundary.
- Proposed screening fence detail.
- Rooftop mechanical equipment will be screened from the view of the public right-of-way.
- Detail of the proposed screening for rooftop mechanical equipment.
- Maximum building height of 40 feet.
- Detached lighting will be limited to 25 feet in height. Any new detached or attached lighting will be decorative, capped and downwardly directed.

• Public Plans and Policies

- The *Eastland Area plan 2003* recommends retail and greenway/park/open space for the subject property.
 - This petition is inconsistent with the *Eastland Area Plan* as the proposed storage facility is considered an industrial use and not a retail use.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Not applicable.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site meets minimum ordinance standards.
-

OUTSTANDING ISSUES

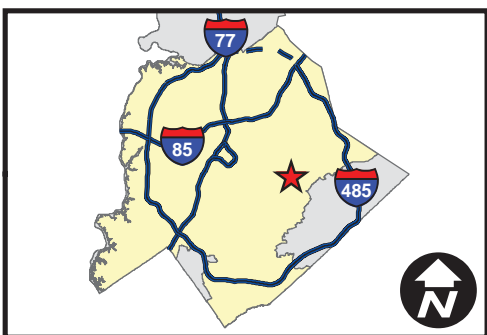
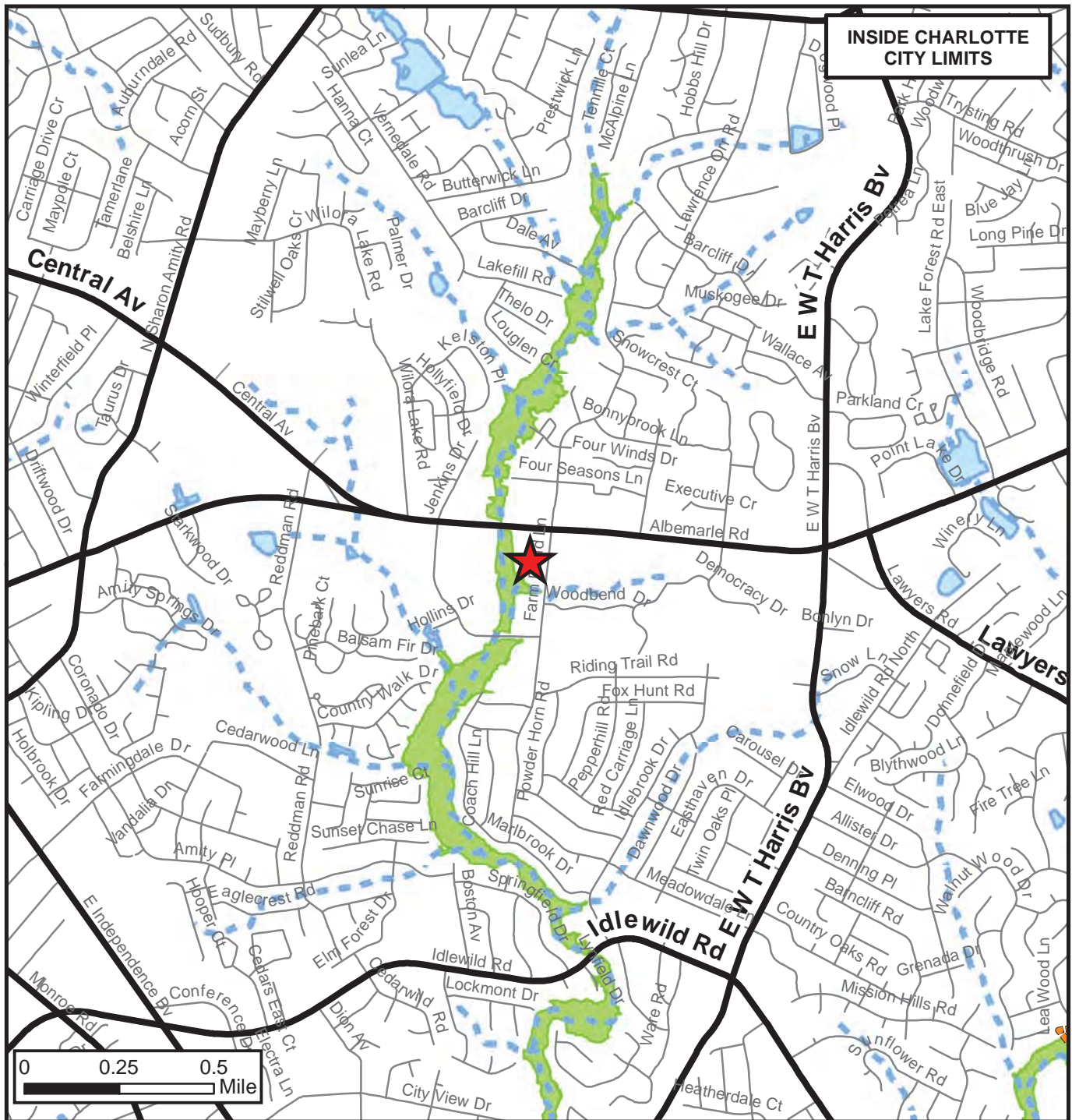
- No issues.
-

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Douglas International Airport Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Solomon Fortune (704) 336-8326

Acresage & Location : Approximately 1.4 acres generally located at the southwest corner of the intersection between Albemarle Road and Farm Pond Lane.



	Rezoning Petition: 2014-108
	Major Roads
	Collector Roads
	Charlotte City Limits
	FEMA flood plain
	Watershed
	Lakes and Ponds
	Creeks and Streams

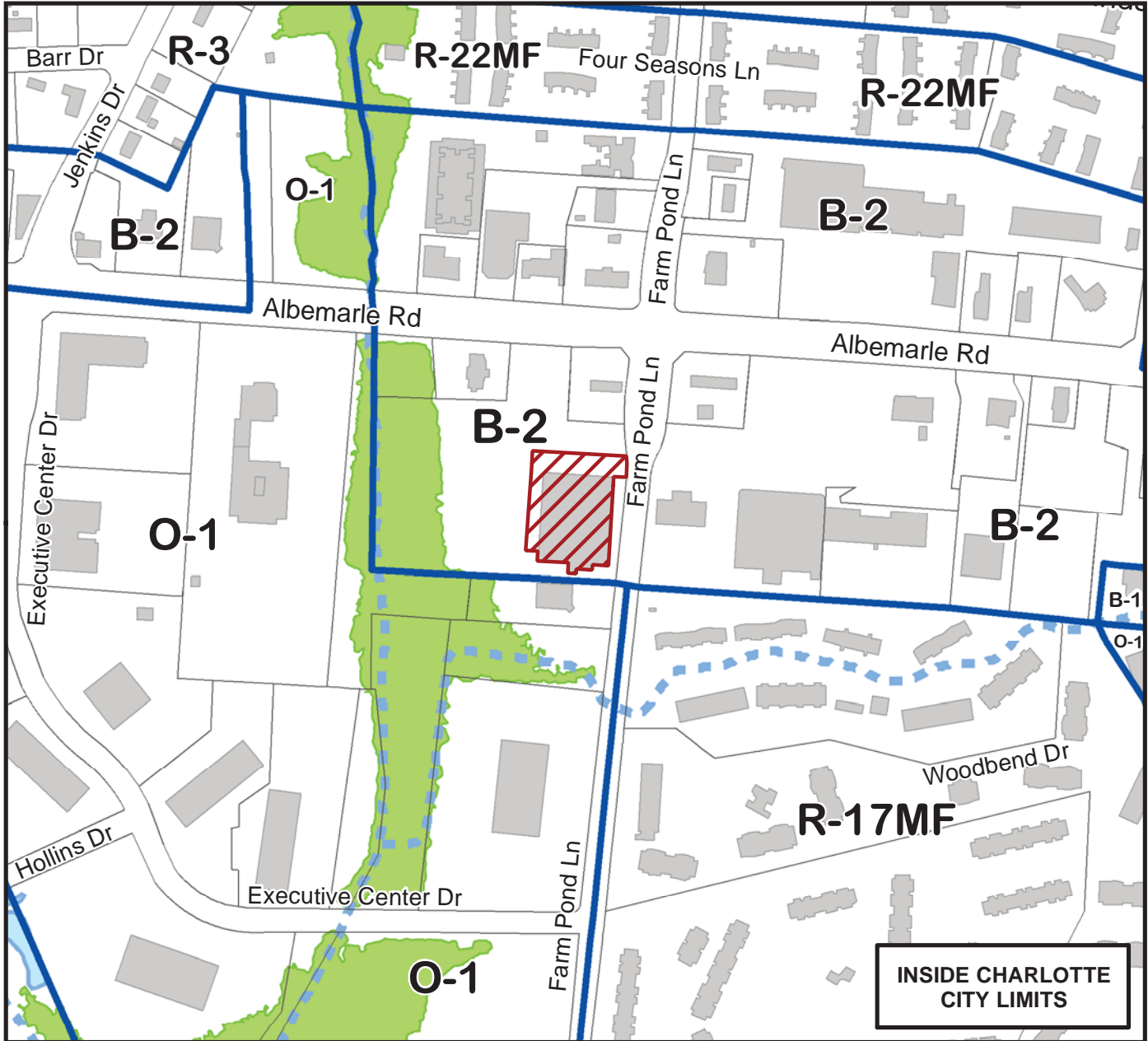
Petition #: **2014-108**

Petitioner: **U-Haul Company of Charlotte**

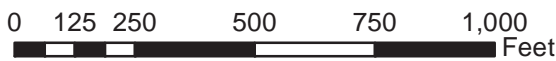
Zoning Classification (Existing): **B-2**
(General Business)

Zoning Classification (Requested): **B-D(CD)**
(Distributive Business, Conditional)

Acreage & Location: Approximately 1.4 acres generally located at the southwest corner of the intersection between Albemarle Road and Farm Pond Lane.

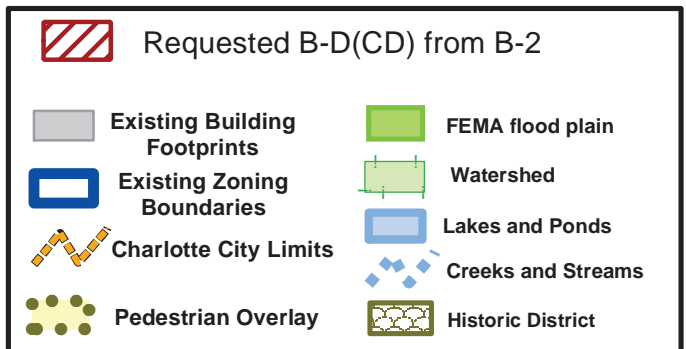


Map Produced by the Charlotte-Mecklenburg Planning Department, 12-11-2014.



Zoning Map #(s)

114



Development Standards

General Provisions

- These Development Standards form a part of the Rezoning Plan associated with the rezoning petition filed by U-Haul of Charlotte to accommodate the conversion of an existing approximate 42,010 square foot vacant warehouse building to allow the "uplift" and development as a climate controlled self-storage facility within a portion of the existing approximately 6.8 acre site located on the south side of Albemarle Road.
- The "Site" (area to be included in this rezoning petition) is a portion of the approximate 6.8 acre parcel of land designated as Tax Parcel No. 1331411 as the subject request (rezone from B-2 to B-D) being a portion of the overall Property, (approximately 1.4 acres) intended to support the requested use as Climate Controlled Self-Service Storage (mini-warehouse) facility. The "Site" is further defined by the attached Metes and Bounds Legal description identifying areas that are the subject of this request. The approximate 7,000 square foot area within the existing 42,010 sq. ft. building is understood to be an allowed accessory use supporting both the existing U-Haul truck rental, service and retail sales facility which currently supports U-Haul Retail and office uses and the tandem proposed U-Haul climate controlled self-service storage (mini-warehouse) facility, as further described in the permitted uses below. The B-2 zoned portion of the overall property is not the subject of this pending Rezoning Petition.
- Unless more stringent standards are established by the Rezoning Plan or these Development Standards, all Development Standards established under the City of Charlotte Zoning Ordinance for the B-D (CD) zoning district shall govern the use and development of the site.
- Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the site in accordance with the provisions of Section 6.207 of the ordinance.

Permitted Uses

- The "Site" may be devoted to a climate controlled self-service storage facility, such facility's retail and management offices and to any accessory uses that are clearly incidental and related thereto. Accessory uses are known to include the existing U-Haul retail sales center facility, related moving equipment sales and rental, (known to include but are not limited to the sale of moving supplies, truck trailer rental, sale and rental of trailer hitch, existing propane rental) along with the operation and assistance of related U-Haul business offices and U-Haul call center, each located within the existing 42,010 storage and office building. Each of these uses are acknowledged and approved as being approved accessory uses, supportive to the U-Haul business, intended to serve both the existing U-Haul truck rental facility (Zoned B-2) and the proposed U-Haul self-storage operation, (Zoned B-D).

Transportation

- Vehicular access to the site shall be as generally depicted on the Rezoning Plan. The placement and configuration of each vehicular access point are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation.
- Parking will meet the minimum standards established under the ordinance. Parking located within the tandem B-2 zoned portion of the 6.8 acre property. May be utilized to satisfy requirements for the proposed climate controlled self-service storage facility, service storage facility.

Architectural Standards

- Petitioner has included, on Sheet 2 of 2 of the Rezoning Plan, proposed conceptual facade renderings to convey building facade enhancements planned to be a part of the proposed climate controlled self-storage use to be located within the existing 42,010 sq. ft. building.
- New dumpster and recycling areas will be enclosed on all four sides by an opaque wall or fence with one side being a hinged opaque gate. If one or more sides of a dumpster and recycling area adjoin a side wall or rear wall of the building, then the side wall or rear wall of the building may be substituted for the wall or fence along each such side.

Landscaping and Screening

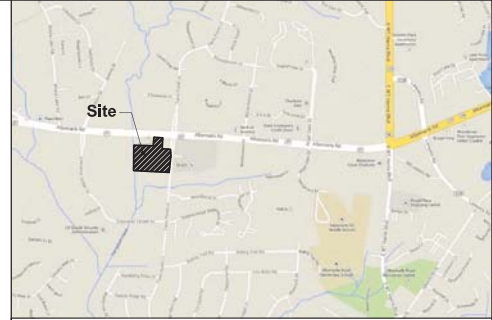
- Landscaping within the proposed B-D zoned area will meet or exceed the requirements of the ordinance.
- In an effort to further screen and soften the edge of the existing U-Haul facility building, near the southernmost Farm Pond Lane entrance, Petitioner proposes to plant a large maturing shade tree and extend the turf areas to provide more greenery in the areas shown on sheet 2 of 2 of the rezoning plan, landscape screening detail 'A' and as further illustrated in the conceptual screening concept photo B. The location and extent of actual turf area to be expanded and the placement of the proposed shade tree installation, will be based on maintaining a suitable access width at the Farm Pond Lane entrance to accommodate delivery vehicles, tractor trailer and fire truck access requirements associated with providing fire protection to support the safe and continued operation of this facility.
- In efforts to provide screening of mechanical equipment located on the roof of the existing U-Haul warehouse facility, Petitioner proposes to install a parapet lattice type screen as further illustrated in proposed "conceptual screening photo 'B'" on sheet 2 of 2, to screen existing mechanical/A/C equipment from view of the southern property (existing daycare facility). Proposed lattice/ parapet screen to be located in an area as shown in conceptual screening photograph B.

Lighting

- All newly installed freestanding lighting fixtures on the site (excluding street lights) shall be fully capped and shielded and the illumination directed so that direct illumination does not extend past any property line of the site.
- The maximum height of any newly installed freestanding lighting fixture on the site shall be 25 feet.
- Any new lighting fixtures attached to the building located on the site shall be decorative, capped and downwardly directed.

Binding Effect of the Rezoning Documents and Definitions

- If this Rezoning Petition is approved, all conditions applicable to the use and development of the site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the ordinance, be binding upon and inure to the benefit of petitioner and the current and subsequent owners of the site and their respective successors in interest and assigns.
- Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of petitioner or the owner or owners of the site from time to time who may be involved in any future development thereof.
- Any reference to the ordinance herein shall be deemed to refer to the requirements of the ordinance in effect as of the date this Rezoning Petition is approved.



Vicinity Map

Not to Scale

PETITIONER:	U-Haul Real Estate Co.
ACREAGE (ENTIRE SITE) - PARCEL #13314111	+/- 6.8 Acres
ACREAGE INCLUDED IN PROPOSED REZONING	+/- 1.4 Acres
EXISTING ZONING:	B-2
PROPOSED ZONING:	B-D (CD)
EXISTING USE:	Commercial/Retail/Office
PROPOSED USE:	Commercial/Retail/Office and Mini-warehousing
MAX. BUILDING HEIGHT:	40'
BUILDING SUMMARY:	
EXISTING BUILDING SF:	+/- 42,010 SF
PROPOSED AREA FOR MINI-WAREHOUSING	+/- 42,010 SF
FAR:	
MAXIMUM ALLOWABLE:	.70
PROPOSED:	+/- .69



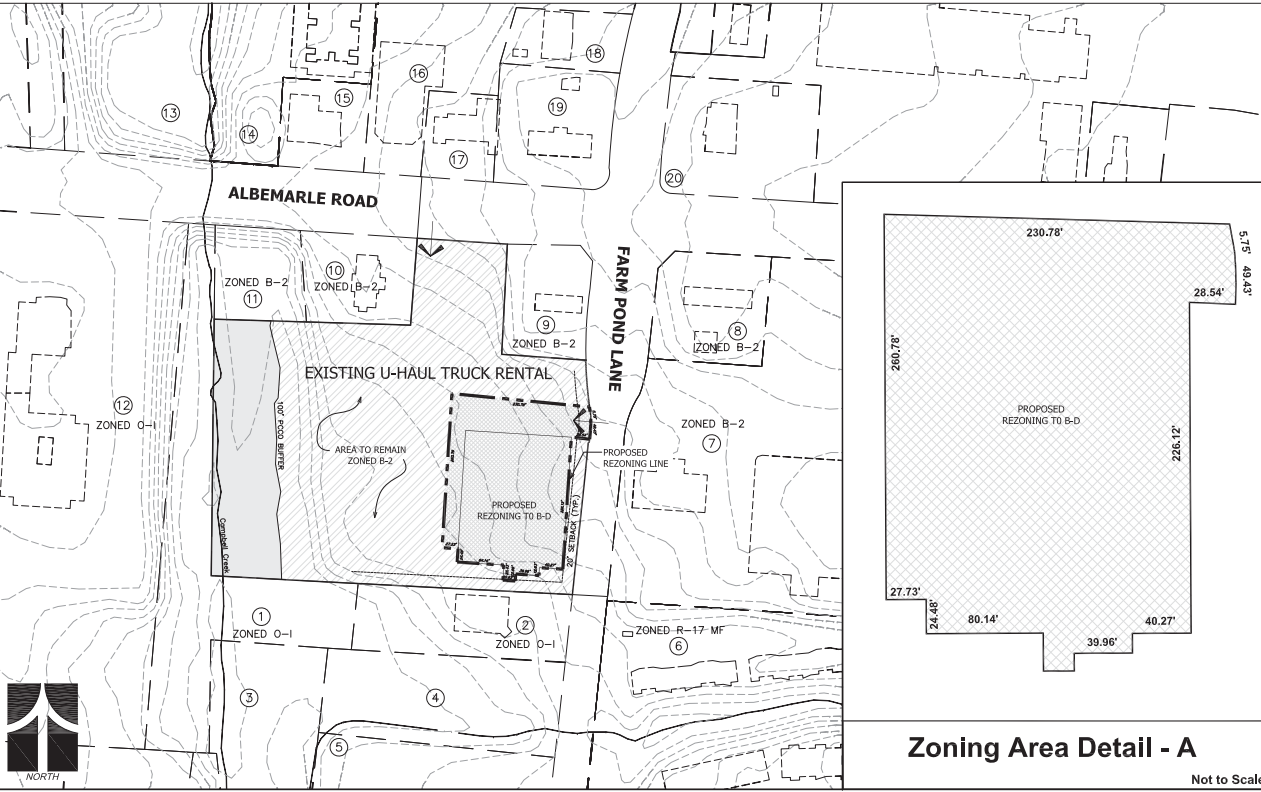
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U-Haul Co. of Charlotte

6216 Albemarle Road
Charlotte, NC
28212

Rezoning Plan Petition #2014-108

"For Public Hearing"



Legend:

- Property to be Rezoned B-D (CD)
- Property to remain Zoned as B-2
- Existing UHaul Facility
- Existing Access

Adjacent Property Owners:

7. PD# 13317130A FARM POND ASSOCIATES 121 W TRADE ST, STE 2700 CHARLOTTE, NC 28202 ZONED B-2	8. PD# 13317113 BINN INVESTMENT INC C/O SAM'S MART LLC 7935 COUNCIL PL, STE 200 MATHESON, NC 28105 ZONED B-2	9. PD# 13314110 HENRY BANGSON P.O. BOX 25305 FRESNO, CA 93729 ZONED B-2	10. PD# 13314102 INC ORANGE GROVE UTILITIES P.O. BOX 2869 GULFPORT, MS 39503 ZONED B-2	11. PD# 13314104 LTD HORIZON ASSOCIATES P.O. BOX 36626 CHARLOTTE, NC 28236 ZONED B-2	12. PD# 13314106 CHURCH OF CHARLOTTE CENTRAL UNITED METHODIST 6030 ALBEMARLE RD CHARLOTTE, NC 28212 ZONED O-1	13. PD# 10316308 ATTN: TAK DEPT PROBE BLUE POWER CO 422 S CHURCH ST CHARLOTTE, NC 28242 ZONED O-1	14. PD# 10314302 WOODGARDEN RENTALS INC 5616 FARM POND LANE CHARLOTTE, NC 28205 ZONED B-2	15. PD# 10314306 CHAROESHA JALISCO INC 6127 ALBEMARLE RD CHARLOTTE, NC 28212 ZONED B-2	16. PD# 10316307 BY MERGER CORT FURNITURE RENTAL 15000 CONFERENCE CENTER DR, STE 440 CHANTILLY, VA 20151 ZONED B-2	17. PD# 10316305 BRAKE & MUFFLER EXPRESS INC 4212 MIDDLE STREAM RD CHARLOTTE, NC 28213 ZONED B-2	18. PD# 10316303 OUTBACK R ALTA WATI 1415 TORRENCE GROVE CHURCH RD CHARLOTTE, NC 28213 ZONED B-2	19. PD# 10316304 SAM'S MART INC C/O SAM'S MART LLC 7935 COUNCIL PL, STE 200 MATHESON, NC 28105 ZONED B-2	20. PD# 10316107 MCDONALD'S REAL ESTATE COMPANY 3070 SONNA DRIVE, STE A MATHESON, NC 28105 ZONED B-2
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Albemarle Road U-Haul

PROJECT LOCATION: Charlotte, NC

GRAPHIC SCALE
1 inch = 100 ft.

PROJECT NO	DATE	BY	REVISION
0122-100	10/16/14	GW	revised per staff comments
0122 - Uhaul Albemarle Rd - Rezoning Submittal	12/18/14	GW	revised per staff comments

1 or 2



Conceptual Facade Improvements View from Albemarle Rd.



Conceptual Facade Improvements View from Farm Pond Lane



Existing Conditions Photo A



Conceptual Screening Concept Photograph B

—Decorative parapet to screen air conditioning equipment
 —Addition of Shade Tree
 —Turf/Greenspace expanded and driveway narrowed



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 ESP Associates, P.A.

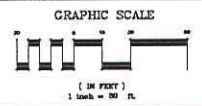
U-Haul Co. of Charlotte

6216 Albemarle Road
 Charlotte, NC
 28212

**Rezoning Plan
 Petition #2014-108
 Exhibits/Photos/Details**

**Albemarle Road
 U-Haul**

PROJECT LOCATION Charlotte, NC



PROJECT NO.	C222-180		
DRAWING	C222 - Uhaul Albemarle Rd - Rezoning Submittal.dwg		
DATE	10/26/14		
DRAWN BY	CW		
CHECKED BY	PT		
AGENCY / SUBMITTAL REVISION			
NO.	DATE	BY	REVISION
01	11/14/14	PT/CW	Issued per staff comments
02	12/18/14	CW	Issued per staff comments



REQUEST	Current Zoning: INST(CD) (institutional, conditional) Proposed Zoning: INST(CD) SPA (institutional, conditional, site plan amendment)
LOCATION	Approximately 1.23 acres located on the east side of Sardis Road across from Wilby Drive. (Council District 6 - Smith)
SUMMARY OF PETITION	The petition proposes to add medical office and research center as an allowed use as part of an existing adult day care facility.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Mohammad R. Bolouri Mohammad R. Bolouri N/A
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 2
STATEMENT OF CONSISTENCY	This petition is found to be inconsistent with the <i>South District Plan</i> , based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> • The plan recommends an adult day care facility as an institutional use. <p>However, this petition is found to be and 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 addition of medical office/research uses will have a negligible impact; and • The proposed uses are an extension of the existing adult day care facility with no exterior changes to the existing structure; <p>By a 7-0 vote of the Zoning Committee (motion by Commissioner Ryan seconded by Commissioner Nelson).</p>

ZONING COMMITTEE ACTION	The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications: <ol style="list-style-type: none"> 1. Noted on site plan the acreage of the parcel. 2. Noted the proposed zoning on the site plan: INST (CD) SPA. 3. Amended Survey Note 8 to indicate that the required minimum lot size in the institutional district is 15,000 square feet. 4. The parking tabulation provided on the site plan has been adjusted to reflect required parking for medical offices at one space per 200 square feet, and adult care centers at one space per employee plus one space per six adults. 5. Modified the site plan to note that the facility will have a minimum 1,500 square feet of adult day care use, and 3,500 square feet of medical office. 6. Site plan has been amended to specify a minimum 1,500 square feet will be devoted to the adult day care use. 7. Added language provided by Storm Water Services pertaining to the location and size of storm water management systems.
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VOTE	Motion/Second:	Ryan/Walker
	Yeas:	Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan, and Walker
	Nays:	None
	Absent:	None
	Recused:	

ZONING COMMITTEE DISCUSSION

Staff reviewed this petition with the Zoning Committee, noting that all outstanding issues had been addressed by the petitioner. Staff specifically identified modifications pertaining to commitment to a minimum square footage for the adult day care operation, and revisions to parking calculations to accurately reflect the new use. A Committee member requested clarification regarding the square footage of the adult day care, and staff noted the petitioner had committed to a minimum 1,500 square feet. There was no further discussion of this petition.

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**

- Rezoning petition 2009-050 rezoned the subject property from R-3 (single family residential) to INST (CD) (institutional, conditional) in order to allow the establishment of an adult day care center with approximately 80 clients and related personnel. The approved rezoning allowed up to 7,500 square feet of building area on the site, with the first floor building footprint not to exceed 5,000 square feet, and up to 2,500 square feet permitted on the second floor.

• Proposed Request Details

The site plan amendment contains the following changes:

- Adds medical office and research center as a permitted use.
- Commits to a minimum 1,500 square feet for the proposed medical office/research use.
- Modifies parking calculations to reflect new medical office/research use in addition to existing adult day care facility.

• Public Plans and Policies

- The *South District Plan* (1993) recommends institutional, as amended by rezoning petition 2009-050. Prior to this rezoning, the Plan recommended single family residential and greenway on the subject site.
 - The petition is inconsistent with the *South District Plan*, but the proposed medical office/research use is an extension of the existing adult day care facility and the two uses complement each other.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** No issues.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site meets minimum ordinance standards.
-

OUTSTANDING ISSUES

- No issues.
-

Attachments Online at www.rezoning.org

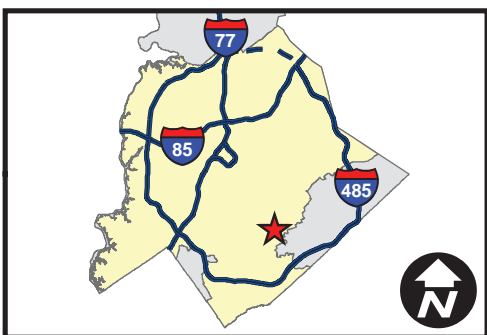
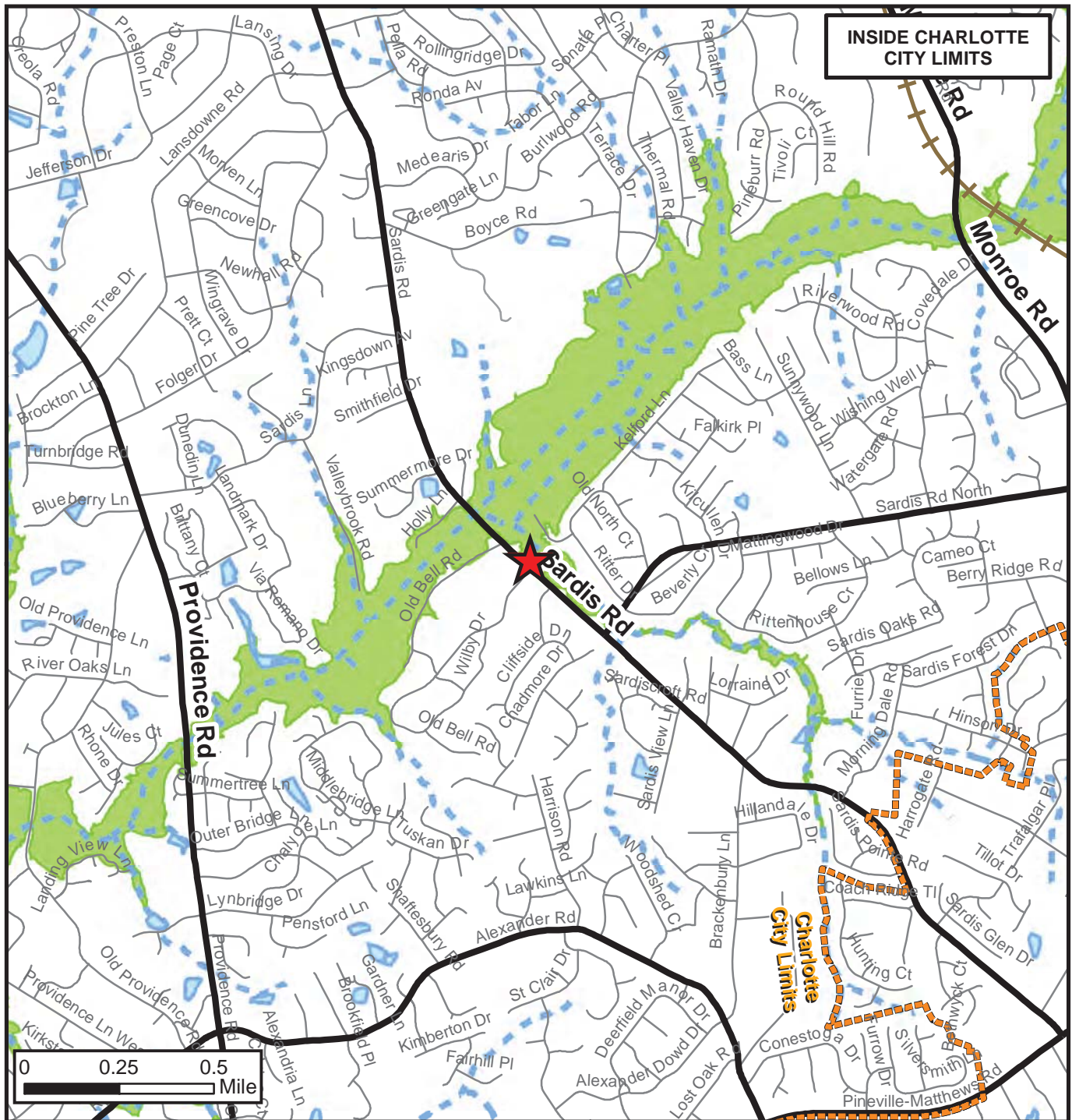
- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Claire Lyte-Graham (704) 336-3782

Petition #: **2014-112**

Vicinity Map

Acres & Location : Approximately 1.23 acres located on the east side of Sardis Road across from Wilby Drive.



★ Rezoning Petition: 2014-112

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

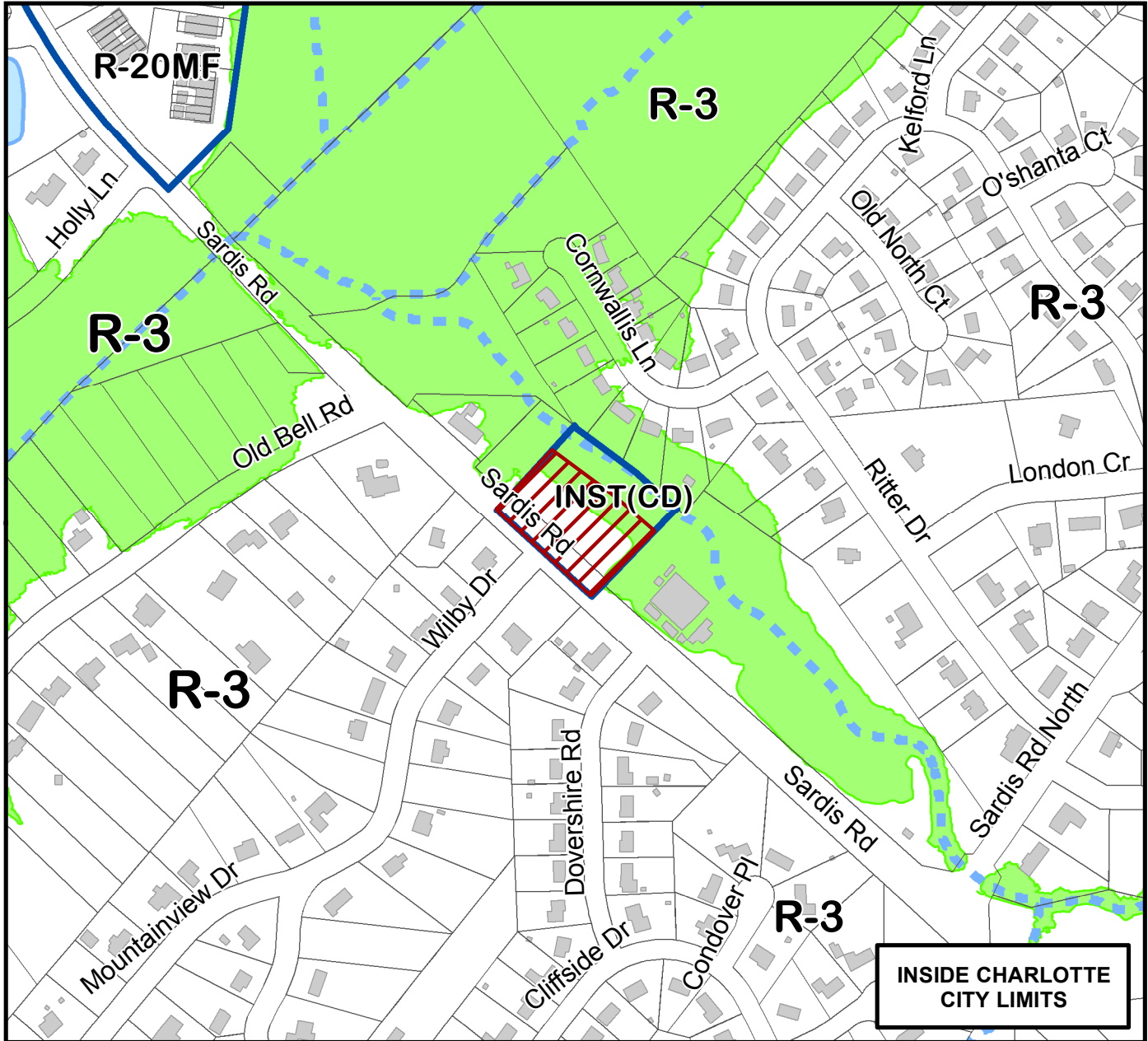
Petition #: **2014-112**

Petitioner: **Mohammad R. Bolouri**

Zoning Classification (Existing): **INST(CD)**
(Institutional, Conditional)

Zoning Classification (Requested): **INST(CD) SPA**
(Institutional, Conditional, Site Plan Amendment)

Acreage & Location: Approximately 1.23 acres located on the east side of Sardis Road across from Wilby Drive.



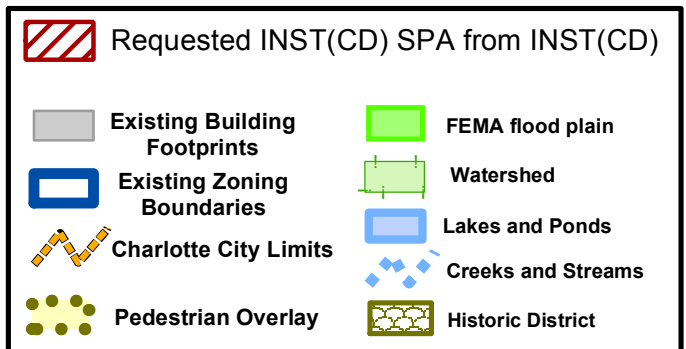
Map Produced by the Charlotte-Mecklenburg Planning Department, 9-26-2014.

0 125 250 500 750 1,000 Feet



Zoning Map #(s)

145





REQUEST	Text amendment to Section 9.1105(1) of the Zoning Ordinance
SUMMARY OF PETITION	The petition proposes to increase the floor area ratio (FAR) in the industrial zoning districts for a warehousing use that is fully enclosed within a building, when the building is multi-story.
PETITIONER AGENT/REPRESENTATIVE	Stor-All Storage Walter Fields, III, Walter Fields Group
COMMUNITY MEETING	Meeting is not required.
STATEMENT OF CONSISTENCY	<p>This petition is found to be consistent with the <i>Centers, Corridors and Wedges Growth Framework</i>, based on information from the staff analysis and the public hearing, and because the text amendment:</p> <ul style="list-style-type: none"> • Amends the maximum FAR in the I-1 and I-2 zoning districts for warehousing uses conducted within an enclosed building when the building has multiple stories. <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"> • It meets the goals of ensuring a diverse, growing and adaptable economy and revitalizing economically changed business areas. <p>By a 7-0 vote of the Zoning Committee (motion by Commissioner Walker seconded by Commissioner Labovitz).</p>

ZONING COMMITTEE ACTION	The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.
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VOTE	<table border="0"> <tr> <td>Motion/Second:</td> <td>Walker/Labovitz</td> </tr> <tr> <td>Yeas:</td> <td>Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan and Walker</td> </tr> <tr> <td>Nays:</td> <td>None</td> </tr> <tr> <td>Absent:</td> <td>None</td> </tr> <tr> <td>Recused:</td> <td>None</td> </tr> </table>	Motion/Second:	Walker/Labovitz	Yeas:	Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan and Walker	Nays:	None	Absent:	None	Recused:	None
Motion/Second:	Walker/Labovitz										
Yeas:	Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan and Walker										
Nays:	None										
Absent:	None										
Recused:	None										

ZONING COMMITTEE DISCUSSION	<p>Staff presented a summary of the text amendment. A commissioner asked how the proposed floor area ratio was determined. Staff responded that the petitioner proposed the ratio in order to utilize older buildings with multiple stories that were vacant and available for warehousing, but exceeded the existing floor area ratios in terms of existing space.</p> <p>There were no further questions.</p>
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STAFF OPINION	Staff agrees with the recommendation of the Zoning Committee.
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FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Background**
 - The industrial districts currently permit warehousing within an enclosed building in the I-1 (light industrial) and I-2 (general industrial) zoning districts as a use by-right.
 - The maximum floor area ratio (FAR) for all uses in the I-1 (light industrial) district is 0.8 and the maximum floor area ratio in the I-2 (general industrial) district is 1.0.

- Floor area ratio (FAR) is defined as the total floor area of the building(s) on a lot divided by the gross area of the lot.
 - This text amendment provides greater flexibility by increasing the floor area ratio over the current limits allowed in the industrial districts for multi-story warehousing.
 - **Proposed Request Details**
The text amendment contains the following provisions:
 - Adds a footnote amending the maximum floor area ratio in the I-1 (light industrial) district from 0.8 to 2.0 and from 1.0 to 2.0 in the I-2 (general industrial) district, for a warehousing use conducted within an enclosed building when the building has multiple stories.
 - **Public Plans and Policies**
 - This petition is consistent with the *Centers, Corridors and Wedges Growth Framework* goal to ensure a diverse, growing and adaptable economy, and to revitalize economically challenged business areas.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Not applicable.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

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

OUTSTANDING ISSUES

- No issues.
-

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

Planner: Sandra Montgomery (704) 336-5722

TEXT AMENDMENT SUMMARY: Floor Area Ratio for Warehousing in Multi-Story Buildings
11-25-14

2014-114

Purpose/Background: The purpose of this text amendment is to add a footnote amending the maximum floor area ratio in the I-1 (light industrial) district and I-2 (general industrial) zoning districts for a warehousing use conducted within an enclosed building, when the building has multiple stories.

Current Regulations	Proposed Regulations	Rationale
<ul style="list-style-type: none"> • Warehousing within an enclosed building is allowed in the I-1 and I-2 zoning districts by right. • The maximum floor area ratio for all uses: <ul style="list-style-type: none"> • I-1: FAR of .8 • I-2: FAR of 1.0 	<ul style="list-style-type: none"> • Adds a footnote amending the maximum floor area ratio in the I-1 (light industrial) district from .8 to 2.0 for a warehouse use conducted within an enclosed building, when the building has multiple stories. • Adds a footnote amending the maximum floor area ratio in the I-2 (general industrial) zoning district from 1.0 to 2.0 for a warehouse use conducted within an enclosed building, when the building has multiple stories. 	<ul style="list-style-type: none"> • Adds flexibility for warehouses that are multi-story • Allows adaptable reuse of older industrial buildings.

Petition #: 2014-114

Revised 11-25-14

Petitioner: Stor-All Storage

AN ORDINANCE AMENDING
APPENDIX A OF THE
CITY CODE - ZONING ORDINANCE

ORDINANCE NO. _____

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

Add a new note to the "Notes To Chart" end of Section 9.1105.(1) as follows:

(3) The maximum FAR for "Warehousing, within an enclosed building" may be increased to 2.0 if the building is multi-story.

Add a note "3" reference to Section 9.1105(1)(a) as follows:

(a) Maximum Floor Area Ratio ^{1,3}

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

City Attorney

I, _____ City Clerk of the City of Charlotte, North Carolina, DO
HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the
City Council of the City of Charlotte, North Carolina, in regular session convened on the _____
day of _____, 20____, the reference having been made in Minute Book
_____, and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the
_____ day of _____, 20__.



REQUEST	Current Zoning: R-17MF (multi-family residential) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 9.07 acres located on the north and south sides of Abbey Place near the intersection of Park Road and Abbey Place. (Council District 6 - Smith)
SUMMARY OF PETITION	The petition proposes to allow the redevelopment of an existing apartment complex with 265 new multi-family dwelling units in up to four buildings for a density of 29.23 units per acre.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Abbey Apartments, LLC Spectrum Properties Residential, Inc Jeff Brown/ Keith MacVean
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 22
STATEMENT OF CONSISTENCY	<p>The proposed land use requested by this petition is found to be consistent with the <i>Park Woodlawn Area Plan</i>, but the proposed density is found to be inconsistent with the <i>Park Woodlawn 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 multi-family residential at up to 17 dwelling units per acre. <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, and because:</p> <ul style="list-style-type: none">• The increase in density is appropriate due to compliance with the residential design principals in the area plan, which include but are not limited to avoidance of blank walls, orientation of buildings, internal pedestrian network, and increased yards abutting single family residential uses; <p>By a 7-0 vote of the Zoning Committee (motion by Commissioner Sullivan seconded by Commissioner Eschert).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none">1. Addressed CDOT issues as follows:<ol style="list-style-type: none">a. Amended transportation Note 3.c. to remove "and the necessary grading and clearing for the construction of the sidewalk can also be accommodated within the existing right-of-way." Added the following: "If the construction of this sidewalk cannot be accommodated within the existing right-of-way of Abbey Place the Petitioner will approach the adjoining property owner to secure the needed easements to construct the sidewalk. If the adjoining property owner is not willing to provide the necessary easements the Petitioner will not be required to construct the sidewalk."b. Amended transportation Note 3.d. to read: "The petitioner will request that it be allowed to construct crosswalks on Abbey Place. CDOT will determine during the construction permitting process if marked mid-block crosswalks are necessary for crossing Abbey Place."c. Removed the three designated marked mid-block crosswalks on the site plan sheet RZ-2.2. Amended Note 5. a. to reflect a required setback of 16-feet and to match the eight-foot sidewalk and eight-foot planting strip provided
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- on each side of Abbey Place.
3. Amended Note 4. b. to change the word “building” to “buildings” when referencing the buildings that may be constructed on the site and actual buildings constructed on the site.
 4. Provided a note specifying that the area depicted as Possible Open Space/Stormwater BMP is not to be used for parking or building area.
 5. Committed to a minimum of 12,000 square feet in each development area that will be included the Open Space/Stormwater BMP area.
 6. Deleted the Note 6. e. about end fronting facades and specified in the revised Note 6. e. that all facades shall incorporate windows, arches, balconies, or other architectural details along with varying build materials or roof lines, or building offsets.
 7. Deleted Note 6. f. and specified in the revised Note 6. e. that all facades shall incorporate windows, arches, balconies, or other architectural details along with varying build materials or roof lines, or building offsets.
 8. Added a note stating that “if approved by CDOT and approved by the residents of Halstead Drive/Drexmore Avenue as required by the City’s Neighborhood Traffic Management Policies, the Petitioner will replace the existing speed bump located on Halstead Drive near the intersection of Drexmore Avenue with stop signs”.
 9. Added a note stating the “working in conjunction with CDOT, the petitioner will explore the installation of traffic calming measures at the intersection of Longwood Drive and Bradbury Drive”.
 10. Added a note specifying that the petitioner will instruct contractors to access the site from Park Road for construction traffic.
 11. Added a note specifying that staging for the development will not be allowed on adjoining single family zoning properties.
 12. Removed, through a formatting error, the words “in interest or assigns” from Note 12. a.
 13. The petitioner requested the following note be added: “The petitioner will use good faith efforts to direct the general contractor for the Site to not begin outdoor construction activity on the Site on Saturday mornings before 8:30 AM EST. The Petitioner will also use good faith efforts to direct the general contractor for the Site to avoid late night concrete pours.”

VOTE

Motion/Second: Ryan/Sullivan
 Yeas: Ryan, Sullivan, Walker, Nelson, Dodson, Ryan Labovitz
 Nays: None
 Absent: None
 Recused: None

ZONING COMMITTEE DISCUSSION

Planning staff reviewed the petition. The petitioner addressed all the issues and requested an additional note be added related to construction activity. There was no further discussion.

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

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows the demolition of the existing 128 apartment units.
- Allows the construction of 265 multi-family residential units in up to four buildings.
- Limits the building height to four stories or 65 feet.

-
- Restricts surface parking between buildings and Abbey Place.
 - Improves Abbey Place with sidewalks and on-street parking.
 - Provides sidewalk along one side of Abbey Place from the eastern edge of the property to connect with the sidewalk along Park Road.
 - Provides midblock crosswalks with CDOT approval.
 - Specifies building materials and prohibits the use of vinyl and aluminum except for soffits, windows and handrails.
 - Provides building elevations depicting the architectural style and quality of the proposed buildings.
 - Provides amenity courtyards improved with seating, walkways, lighting and/or landscaping. Additional features may also be provided such as water features, art work and/or a swimming pool.
 - Provides a minimum of 12,000 square feet of open space/stormwater BMP in each development area.
 - Provides buffers with opaque fencing between the site and single family homes.
 - Commits to providing windows and doors for at least 30 percent of the total façade area along Abbey Place with each floor calculated independently. The maximum contiguous area without windows or doors on any floor shall not exceed 20 feet in length.
 - Commits to a combination of fenestration, clear glass, prominent entrances, stoops, porches, changes in materials, building step backs, art work and landscaping on the ground floor along Abbey Place.
 - Commits to facades over 75 feet in length incorporating wall projections or recesses a minimum three feet in depth with a combined length of recesses and projections constituting at least 20 percent of the total façade length.
 - Specifies that all facades shall incorporate windows, arches, balconies or other architectural details.
 - Commits to screening retaining walls with landscaping if walls are required due to topography along Abbey Place.
 - Limits lighting to full cut-off type fixtures, excluding lower, decorative lighting along drives, sidewalks, parking areas and courtyards.
 - Limits detached lighting to 15 feet in height.
 - Commits to the provision of traffic calming measures and stop signs if approved by CDOT and the neighborhood.
 - Specifies that the petitioner will instruct contractors to access the site from Park Road for construction traffic.
 - Specifies that staging for the development will not be allowed on adjoining single family zoning properties.
 - **Public Plans and Policies**
 - The *Park Woodlawn Area Plan* (2013) recommends multi-family residential use up to 17 dwelling units per acre.
 - The petition is consistent with the *Park Woodlawn Area Plan* recommended land use, but inconsistent with the recommended density.
 - The plan recommends any new development be at a scale compatible with the neighboring single family residential.
 - The increase in density is appropriate due to compliance with the residential design principals included in the plan.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** No issues.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte-Mecklenburg Utilities:** No issues.
- **Engineering and Property Management:** No issues.

- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - Facilitates the use of alternative modes of transportation by providing a sidewalk connection from the site out to the existing sidewalk along Park Road.
 - Minimizes impacts to the natural environment by redeveloping an infill site.
-

OUTSTANDING ISSUES

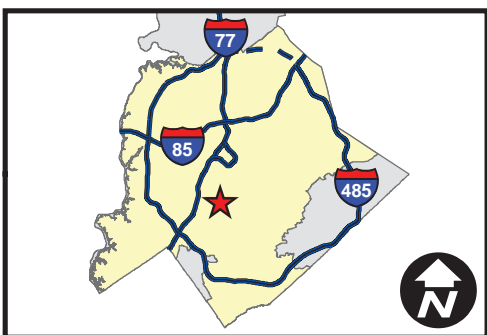
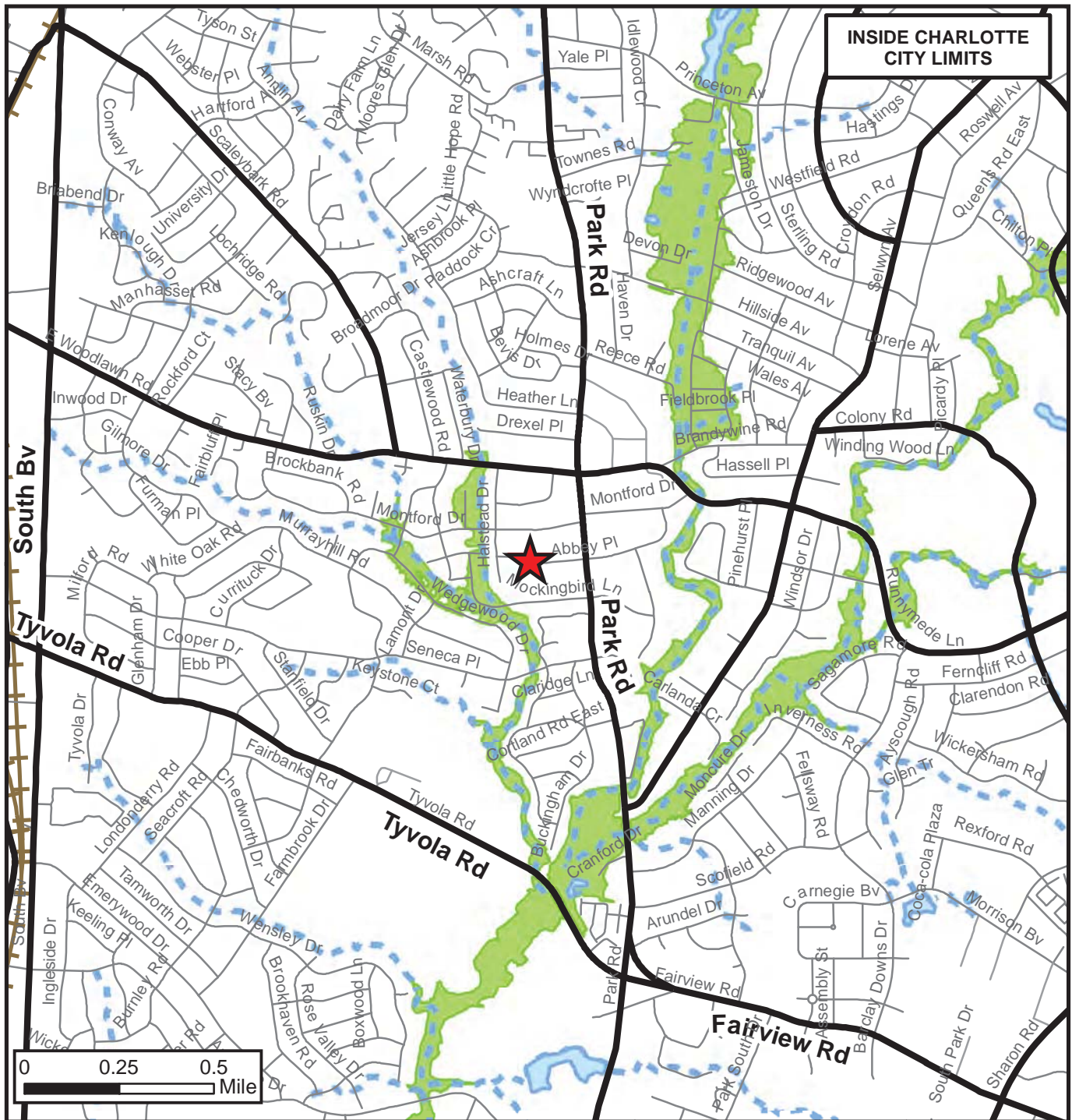
- No issues.
-

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: John Kinley (704) 336-8311

Acresage & Location : Approximately 9.07 acres located on the north and south sides of Abbey Place near the intersection of Park Road and Abbey Place.



- Rezoning Petition: 2014-116**
- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

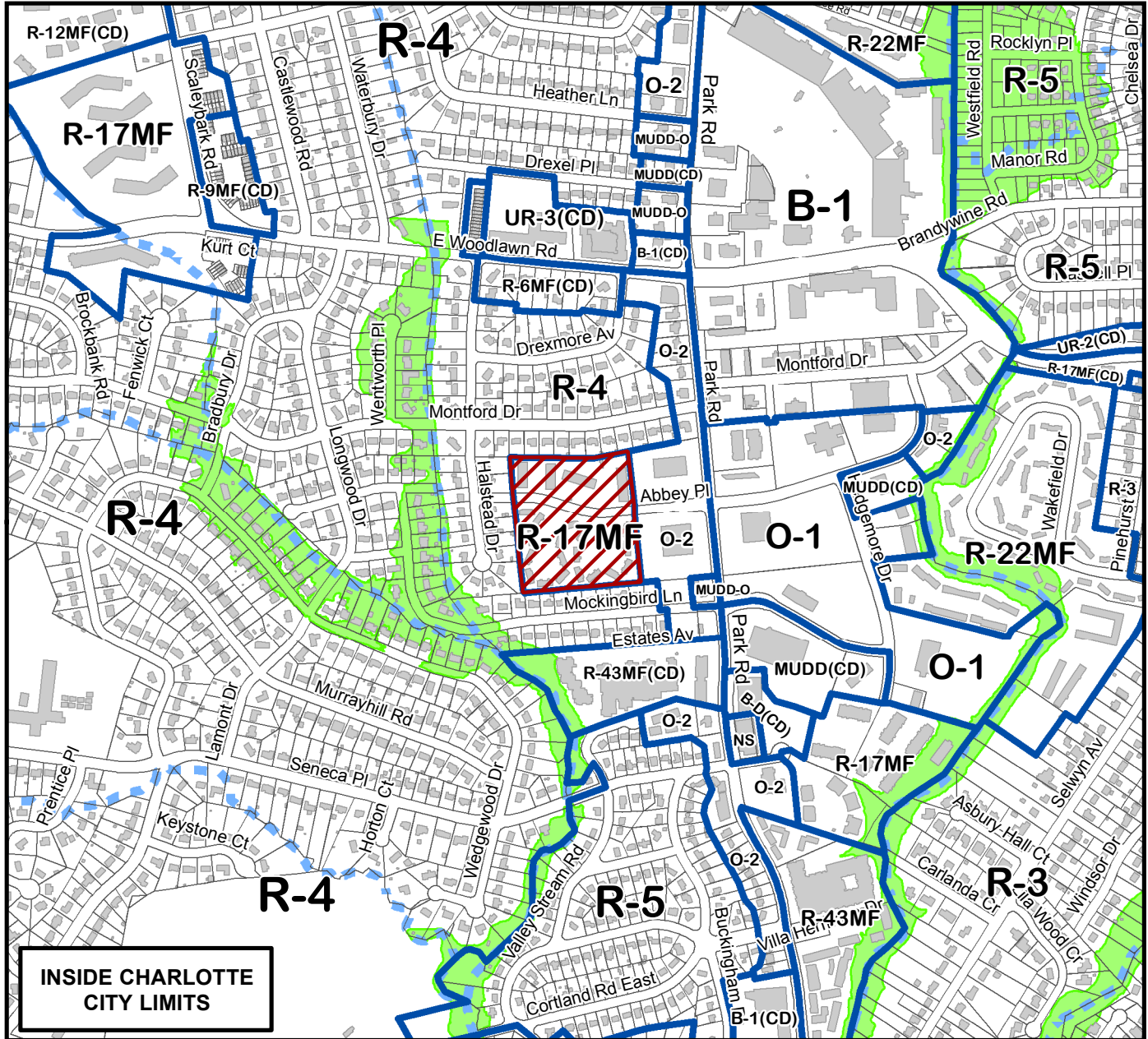
Petition #: **2014-116**

Petitioner: **Spectrum Properties Residential, Inc.**

Zoning Classification (Existing): **R-17MF**
(Multi-Family, Residential)

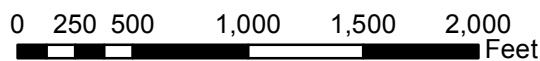
Zoning Classification (Requested): **UR-2(CD)**
(Urban Residential, Conditional)

Acreage & Location: Approximately 9.07 acres located on the north and south sides of Abbey Place near the intersection of Park Road and Abbey Place.



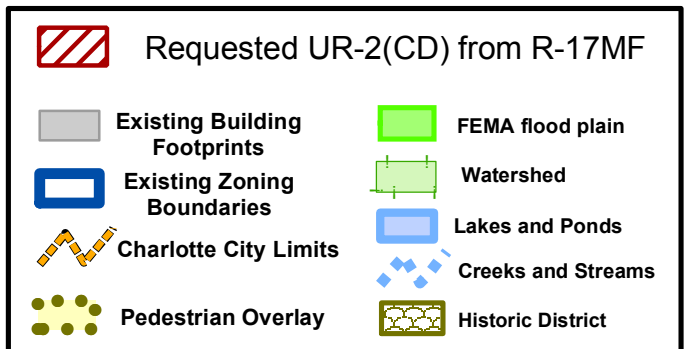
INSIDE CHARLOTTE CITY LIMITS

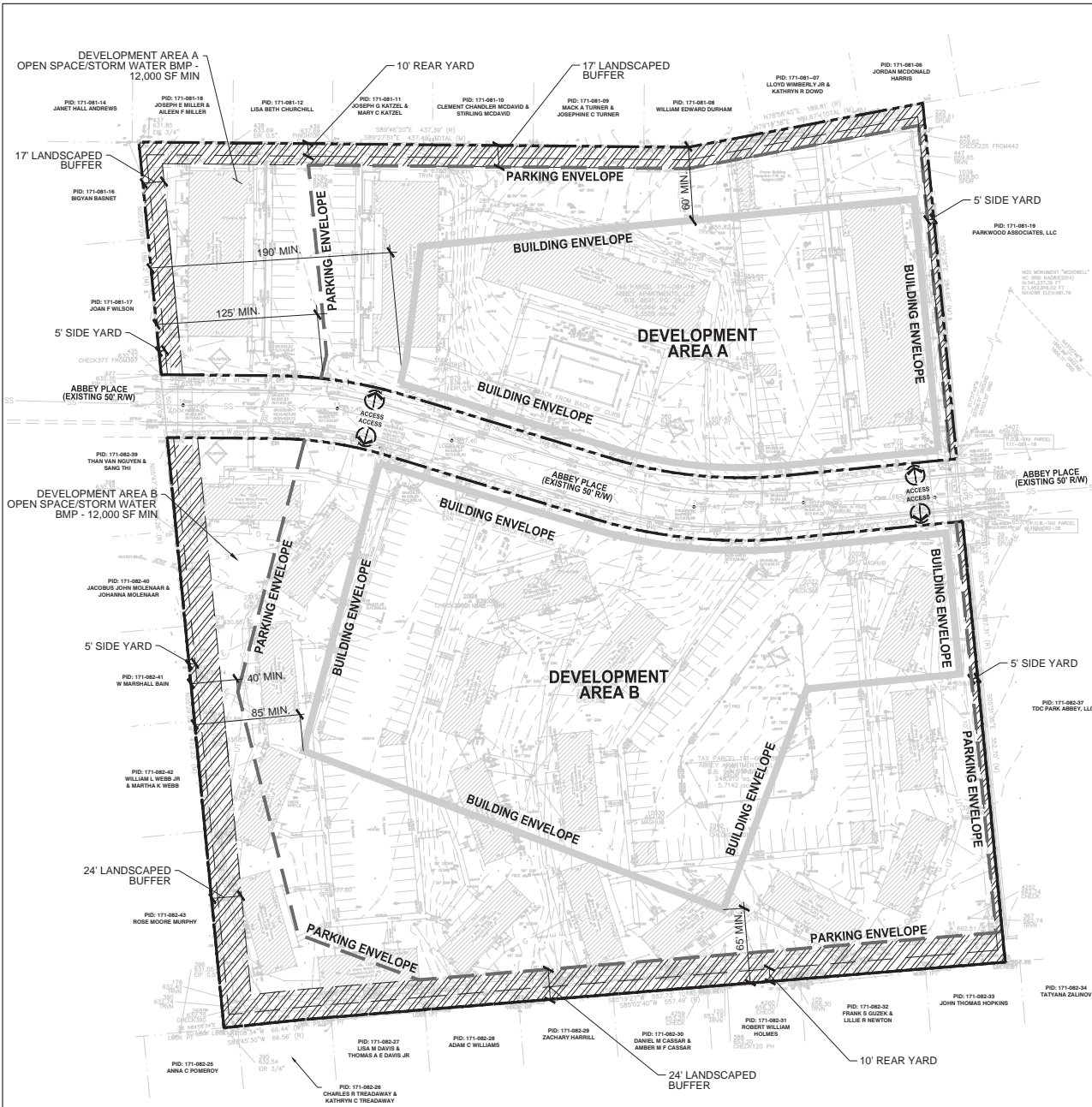
Map Produced by the Charlotte-Mecklenburg Planning Department, 9-26-2014.



Zoning Map #(s)

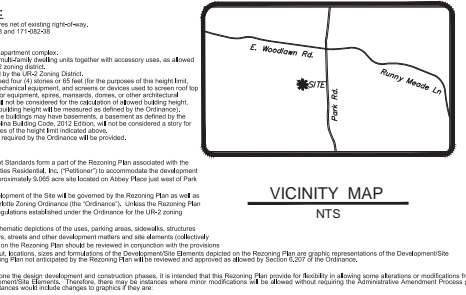
125, 135





Site Development Data:

- Acreage: 3.2065 acres of existing right-of-way.
- Lot Area: 171-081-18 and 171-082-08
- Existing Zoning: B-17P
- Proposed Zoning: URS-20
- Existing Uses: A 128 unit apartment complex.
- Proposed Uses: Up to 250 multi-family dwelling units together with accessory uses, as allowed in the URS-20 zoning district.
- Proposed Floor Area Ratio: As allowed by the URS-20 zoning district.
- Maximum Building Height: Not to exceed four (4) stories or 65 feet for the purposes of the height limit and for mechanical equipment, and seven (7) stories or 100 feet for the purposes of the height limit for the calculation of allowed building height.



1. **General Provisions**

a. Site Location: These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed for Spectrum Properties Residential, Inc. ("Petitioner") to accommodate the development of a 265 unit multi-family community on approximately 3,000 acre site located on Abbey Place just west of Park Road (the "Site").

b. Zoning District/Ordinance: Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unlike the Rezoning Plan, the Ordinance more stringent standards the regulations established under the Ordinance for the URS-20 zoning district than the Rezoning Plan.

c. Graphics and Alterations: The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveway, streets and other development matters and site elements (collectively, the "Development Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, location, size and form of the Development Elements depicted on the Rezoning Plan are graphic representations of the Development Elements proposed. Changes to the Rezoning Plan not anticipated by the Ordinance will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

d. Since the project has not undergone the design, development and construction phases, it is intended that the Rezoning Plan provide flexibility in allowing some alterations or modifications from the graphic representations of the Development Elements. Therefore, the Rezoning Plan shall be enforceable where minor modifications are allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:

1. Minor modifications to the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards).
2. Minor modifications to change the overall design intent depicted on the Rezoning Plan:
 - i. modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties in a residential district or altering residential use but no closer than the "external building line" in the case the external setbacks, rear setbacks or side setbacks are not shown on the Rezoning Plan;
 - ii. modifications to alter minor increases in the mass of the buildings that do not materially change the design intent depicted on the Rezoning Plan.

The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria detailed above, the Petitioner shall file the Administrative Amendment Process per Section 6.207 of the Ordinance. In each instance, however, notice to the Petitioner's record rights set forth in the Ordinance.

3. **Number of Buildings Principal and Accessory.** The total number of principal buildings to be developed on the Site shall not exceed four (4). Accessory buildings and structures located on the Site shall be limited to a maximum of two (2) buildings on the Site. The total number of principal buildings on the Site shall not exceed four (4). Accessory buildings and structures located on the Site shall be limited to a maximum of two (2) buildings on the Site.

4. **Parking Lots and Development Area Limits.**
 - a. The Site may be developed with up to 250 multi-family dwellings units together with accessory uses as allowed in the URS-20 zoning district.
 - b. Surface parking areas will not be allowed between Abbey Place and the proposed buildings, except for on-street parallel parking located along Abbey Place.
5. **Access and Transportation.**
 - a. Access to the Site will be via Abbey Place in the manner generally depicted on the Rezoning Plan.
 - b. The Petitioner will improve Abbey Place with on-street parking as generally depicted on the Rezoning Plan.
 - c. The Petitioner will need to file the Administrative Amendment Process per Section 6.207 of the Ordinance on Park Road. If, as the contractor of the adjacent property owner is not willing to provide the necessary easements to the Petitioner to construct the driveway.
 - d. The Petitioner will request that the driveway be constructed on Abbey Place. COOT will determine during the construction permitting process if market m-block crossover will be allowed or necessary for residents to access Abbey Place.
 - e. The Petitioner will request that the driveway be constructed on Abbey Place. COOT will determine during the construction permitting process if market m-block crossover will be allowed or necessary for residents to access Abbey Place.
 - f. The Petitioner will request that the driveway be constructed on Abbey Place. COOT will determine during the construction permitting process if market m-block crossover will be allowed or necessary for residents to access Abbey Place.

6. **Environmental Standards, Court Yard, and Amenity Areas.**

a. The Petitioner will provide a minimum of 100 square feet of amenity area per dwelling unit. The amenity area shall be located on the Site and shall be used for the purpose of providing a recreational area for the residents of the Site. The amenity area shall be located on the Site and shall be used for the purpose of providing a recreational area for the residents of the Site. The amenity area shall be located on the Site and shall be used for the purpose of providing a recreational area for the residents of the Site.

b. The amenity area shall be located on the Site and shall be used for the purpose of providing a recreational area for the residents of the Site. The amenity area shall be located on the Site and shall be used for the purpose of providing a recreational area for the residents of the Site. The amenity area shall be located on the Site and shall be used for the purpose of providing a recreational area for the residents of the Site.

7. **Site and Building Orientation.**
 - a. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.
 - b. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.
 - c. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.
8. **Site and Building Orientation.**
 - a. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.
 - b. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.
 - c. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.

9. **Site and Building Orientation.**

a. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.

b. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.

10. **Site and Building Orientation.**
 - a. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.
 - b. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.
 - c. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.
11. **Site and Building Orientation.**
 - a. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.
 - b. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.
 - c. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.

12. **Site and Building Orientation.**

a. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.

b. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.

13. **Site and Building Orientation.**
 - a. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.
 - b. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.
 - c. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.
14. **Site and Building Orientation.**
 - a. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.
 - b. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.
 - c. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.

15. **Site and Building Orientation.**

a. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.

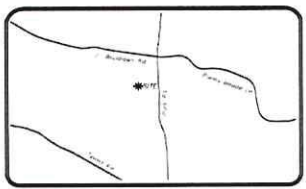
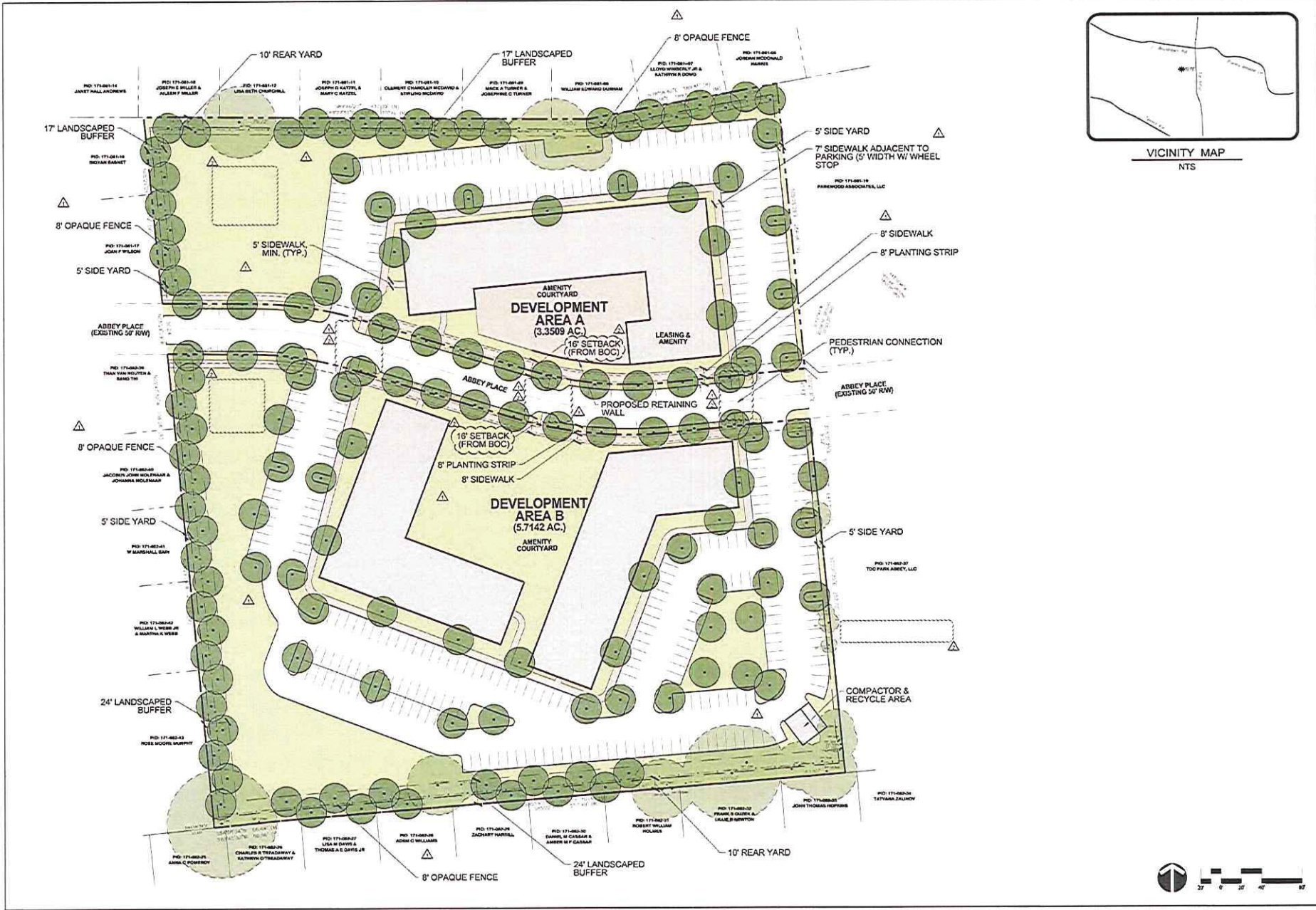
b. The Site and buildings shall be oriented in a manner that is consistent with the surrounding context and the character of the neighborhood.



ABBEY PLACE APARTMENTS
REZONING PETITION NO. 2014-116
 SPECTRUM PROPERTIES RESIDENTIAL, INC.
 TECHNICAL DATA SHEET

DATE: NOVEMBER 14, 2014
 DRAWN BY: P. HARRIS
 CHECKED BY: P. HARRIS
 SCALE: 1" = 40'
 PROJECT: 14-01611





LandDesign.
3301 Greenway Oaks, NC 28027
919.487.1114
www.landdesign.com



ABBEY PLACE APARTMENTS
REZONING PETITION NO. 2014-116
SPECTRUM PROPERTIES RESIDENTIAL, INC.
SCHEMATIC SITE PLAN

REVISIONS:
 1. DATE: 11/14/14
 2. DESCRIPTION: REVISIONS TO THE SCHEMATIC SITE PLAN
 3. DRAWN BY: J. W. COOPER
 4. CHECKED BY: J. W. COOPER
 5. SCALE: AS SHOWN
 6. PROJECT NO.: 14011

SHEET #
RZ-2



FIBER CEMENT PANEL
ASPHALT SHINGLES

FIBER CEMENT SIDING
BRICK VENEER
GLAZING

PREFINISHED METAL HANDRAIL
BRICK VENEER

PREFINISHED METAL COPING
FIBER CEMENT PANEL

FIBER CEMENT SIDING
BRICK VENEER

MASONRY VENEER



REQUEST Current Zoning: B-1 (neighborhood business)
Proposed Zoning: MUDD-O (mixed use development, optional)

LOCATION Approximately 2.21 acres located on the east side of Randolph Road between Greenwich Road and North Sharon Amity Road.
(Council District 1 - Kinsey)

SUMMARY OF PETITION The petition proposes the development of a maximum of 65,000 square feet of commercial floor area space for retail, personal services and eating/drinking/entertainment establishments, and structured parking.

PROPERTY OWNER Silver Family, LLC
PETITIONER Cotswold Partners, LLC
AGENT/REPRESENTATIVE Jeff Brown & Keith MacVean/ Moore & Van Allen

COMMUNITY MEETING Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 62

STATEMENT OF CONSISTENCY This petition is found to be consistent with the *South District Plan*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends retail 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:

- The proposed site plan commits to details such as elevations and design standards, as well as transportation improvements; and
- The proposal is for infill redevelopment, which minimizes the impacts to the natural environment;

By a 6-0 vote of the Zoning Committee (motion by Commissioner Ryan seconded by Commissioner Eschert).

ZONING COMMITTEE ACTION	The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications: <ol style="list-style-type: none">1. Four-sided elevations of the proposed building have been provided.2. The optional request for increased ground mounted signage has been removed.3. A note has been modified to clarify that only one principal building will be on the site.4. Optional request "F" has been removed from the site plan.5. A detail of the loading dock screen wall along Colwick Road has been provided with the elevations.6. A detail of the street wall has been provided within the elevations.7. The request to allow all existing building, parking and uses to remain under this plan has been removed.8. A note has been added that the ground floor elevations along Randolph road will be treated with a combination of fenestration, clear glass, prominent entrances, changes in material, building step backs and landscaping.9. A note has been added that the maximum allowed square footage includes the building but not the parking structure.10. A note has been added that a concrete pad will be provided for a future bus pad.
--------------------------------	--

VOTE Motion/Second: Ryan/Labovitz
Yeas: Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan, and Walker

**ZONING COMMITTEE
DISCUSSION**

Nays: None
Absent: None
Recused: None

Staff reviewed the petition and noted that all the outstanding issues have been addressed. Several commissioners had questions about the transportation improvements and school access along Greenwich Road. Staff responded that they met with Charlotte Mecklenburg Schools to work on a long term solution to create separation of school bus traffic and regular vehicular traffic through the possible use of "double stacking." As part of the petition, the petitioner will provide turn lanes at the intersection of Greenwich Road and Randolph Road. Staff also noted that a choker road would be installed along Chiswick Road. Another Commissioner had a question about the private street and why it did not align with the existing driveway for the shopping center across the street. Staff noted that aligning the private street would have been a hardship on the proposed development. The private street is being setup so that in the future when the adjacent shopping center redevelops a signal and fourth leg of the intersection can be completed. There was no further discussion on this petition.

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****• Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Maximum 65,000 square feet of floor area for retail, personal services (as defined on the plan), and eating/drinking/entertainment establishments.
- One principal building with two levels of structured parking and ground floor retail.
- Building height limited to three stories.
- A 15-foot setback along Randolph Road that includes an eight-foot planting strip and 7.5-foot sidewalk.
- A 13-foot setback along Colwick Road that includes a seven-foot planting strip and six-foot sidewalk.
- Roof top mechanical equipment will be screened from public view at grade.
- Ground floor elevations along Randolph Road shall be treated with a combination of fenestration, clear glass, prominent entrances, changes in materials, building step backs, and landscaping.
- A note stating that blank walls cannot be addressed with landscaping elements only.
- Parking will be provided at one space per 300 gross square feet.
- Screen wall along Colwick Road to screen loading docks.
- Future concrete bus pad.
- Detached lighting limited to 20 feet.
- Transportation improvements to include:
 - Proposed private street to connect Randolph Road and Colwick Road that will include a six-foot sidewalk and six-foot planting strip along the private street, with the sidewalk transitioning to a seven-foot width when abutting the curb.
 - Pedestrian refuge to be constructed in the middle of Randolph Road.
 - Medians along Randolph Road and the proposed private street.
 - Possible Choker Road along Chiswick Road.
 - Westbound right-turn lane on Greenwich Road at Randolph Road, with 125 feet of storage.
 - Extension of the existing southbound left-turn lane storage on Randolph Road at Greenwich Road from 190 feet to 250 feet.
 - Modification of the existing curb radius at the intersection of Greenwich Road and Colwick Road.
- Optional provisions include:
 - Vehicular maneuvering, loading docks, and a service area between the proposed building and Colwick Road.
 - Wall signs up to 200 square feet per wall or 10 percent of the wall area to which they are attached, whichever is less.

- A screen wall along Colwick Road that does not meet the MUDD (mixed use development) street wall requirements. The proposed wall will use changes in pattern, building materials, decorative grills, display windows, and landscaping to create an interesting pedestrian experience.
 - Reduction in the setback along Colwick Road to 13 feet.
 - **Public Plans and Policies**
 - The *South District Plan* (1993) recommends retail for the subject parcel.
 - This petition is consistent with the *South District Plan*.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Not applicable.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site meets minimum ordinance standards.
-

OUTSTANDING ISSUES

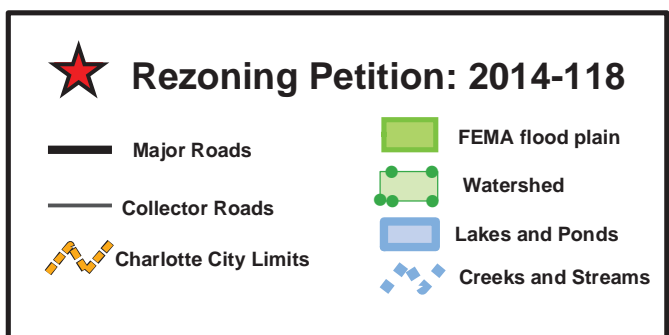
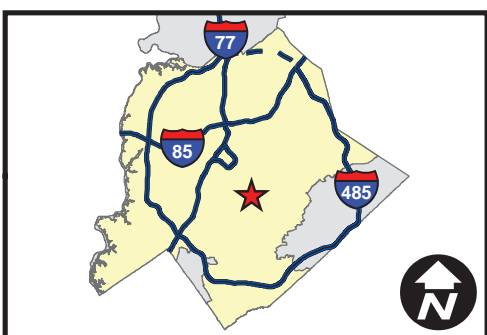
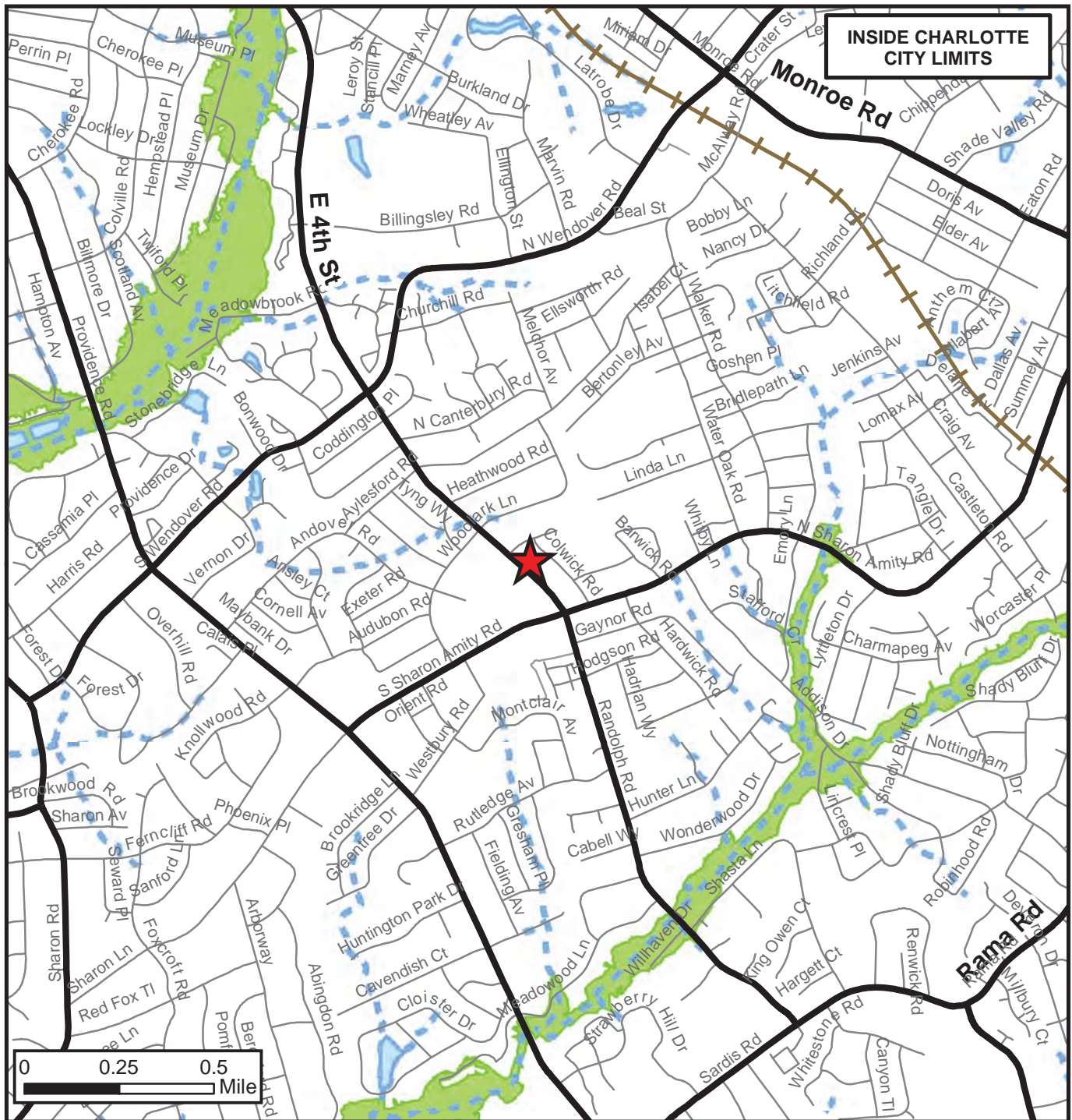
- No issues.
-

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Solomon Fortune (704) 336-8326

Acreage & Location : Approximately 2.21 acres located on the east side of Randolph Road between Greenwich Road and North Sharon Amity Road.



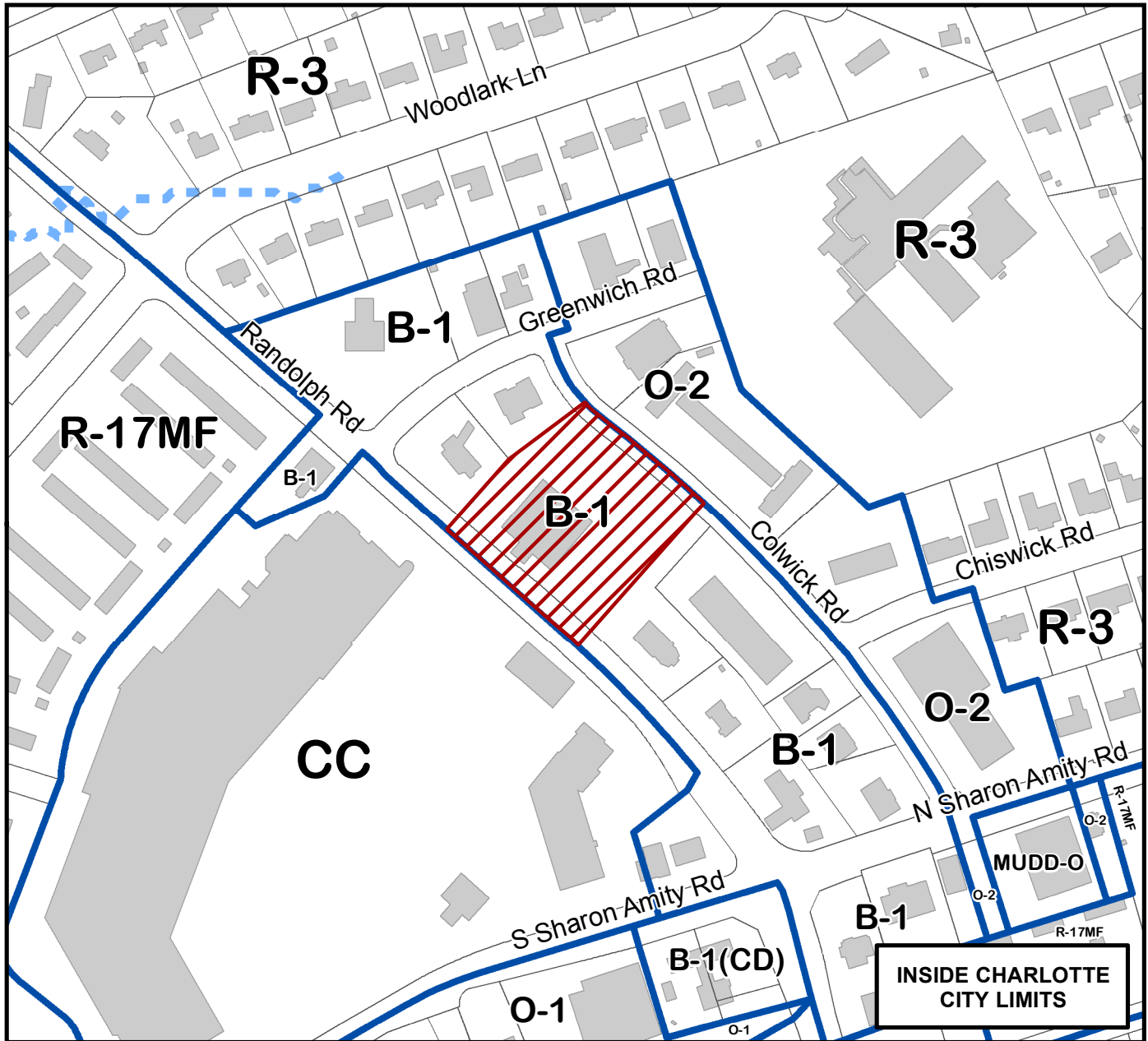
Petition #: **2014-118**

Petitioner: **Cotswold Partners, LLC**

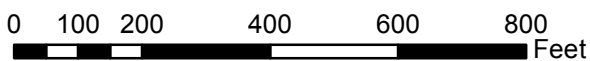
Zoning Classification (Existing): **B-1**
(Neighborhood Business)

Zoning Classification (Requested): **MUDD-O**
(Mixed Use Development District, Optional)

Acreage & Location: Approximately 2.21 acres located on the east side of Randolph Road between Greenwich Road and North Sharon Amity Road.

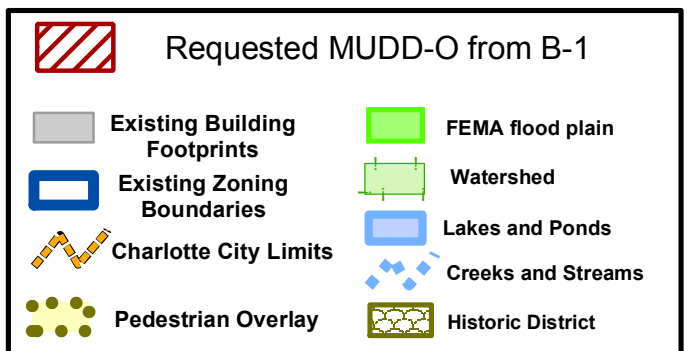


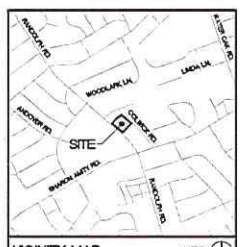
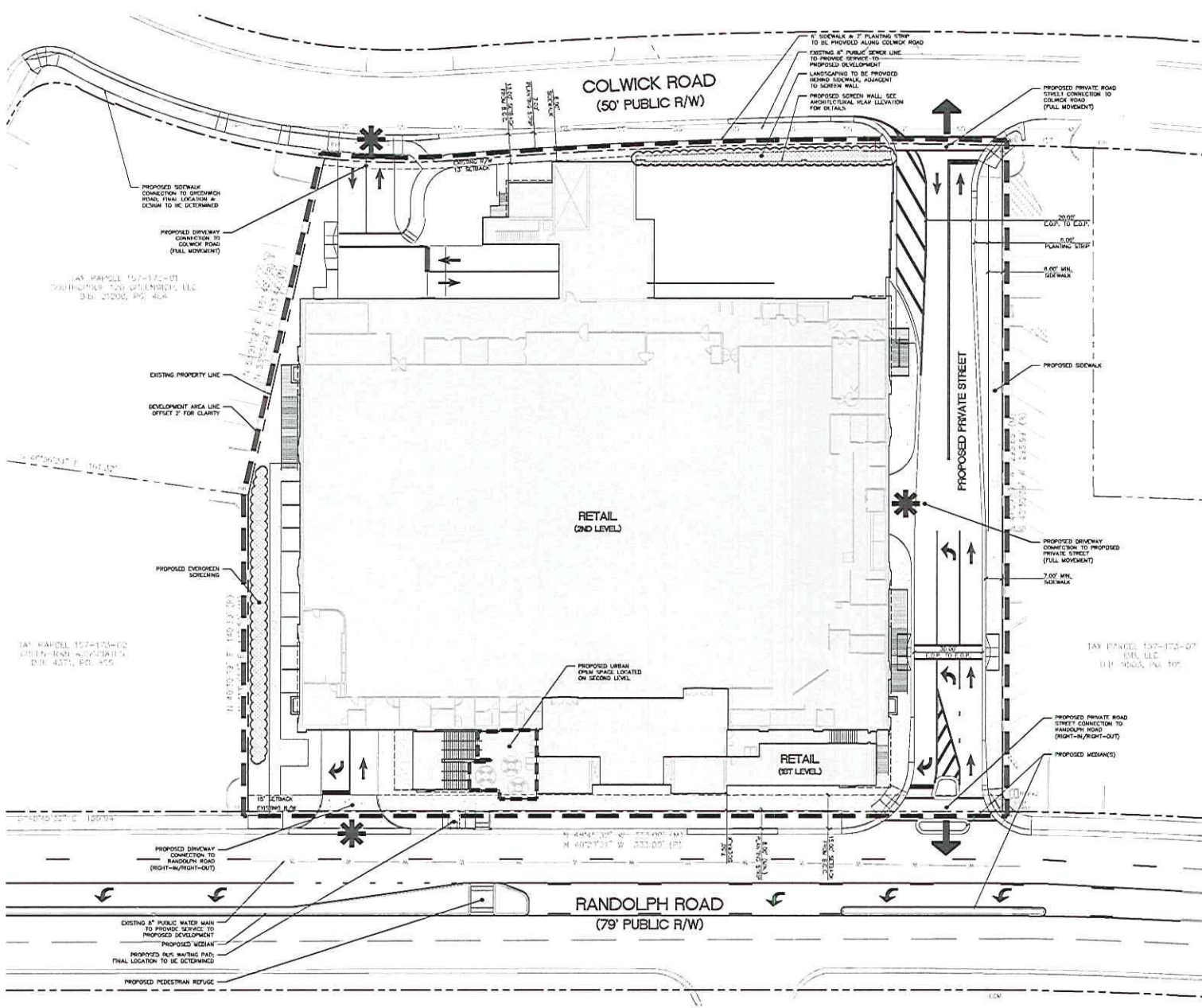
Map Produced by the Charlotte-Mecklenburg Planning Department, 9-26-2014.



Zoning Map #(s)

124





LEGEND

- PROPOSED SIDEWALK
- PROPOSED CURB & GUTTER
- STREET CONNECTION
- DRIVEWAY CONNECTION
- DEVELOPMENT AREA

SITE DEVELOPMENT DATA:

ACREAGE = 2.21 ACRES
 TAX PARCELS # 157-172-01
 EXISTING ZONING IS-1
 PROPOSED ZONING MUDD-0
 REZONING PETITION # 2014-118
 EXISTING USES
 PROPOSED USES
 RETAIL LIVING, DINING, ENTERTAINMENT, RESTAURANTS (EATS), AND PERSONAL SERVICE USES AS PERMITTED BY RIGHT UNDER PRESCRIBED FOUNDATIONS AND BY THE OPTIONAL PROVISIONS RELATIVE TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE MUDD ZONING DISTRICT.
 MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT UP TO ALLOW SQUARE FEET OF GROSS FLOOR AREA OF RETAIL, FOOD, AND PERSONAL SERVICE USES AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE MUDD ZONING DISTRICT. PROVIDED HOWEVER, THE ENCLOSED LOADING DOCK SHALL NOT BE PART OF THE GROSS FLOOR AREA FOR THIS PROVISION.
 MAXIMUM BUILDING HEIGHT: BUILDING HEIGHT WILL BE LIMITED TO THREE (3) STOREYS. ARCHITECTURAL FEATURES SUCH AS CORNICES, MANSARD, DOWLS, AND THE LIKE AS WELL AS ROOF TOP MECHANICAL EQUIPMENT, AND SIGNAGE OR OTHERS USED TO IDENTIFY THE STRUCTURE OR EQUIPMENT WILL BE ALLOWED AND WILL BE CONSIDERED PART OF THE ALLOWED THREE (3) STOREY BUILDING HEIGHT.
 PARKING: A MINIMUM OF ONE PARKING SPACE PER 100 SQUARE FEET OF GROSS FLOOR AREA WILL BE PROVIDED.

GENERAL REZONING NOTES

- SEE SHEET RZ-2 FOR REZONING NOTES
- SEE SHEET RZ-3 FOR ZONING EXHIBIT
- SEE SHEET RZ-3 FOR BUILDING AND PARKING ENVELOPES
- SEE SHEET RZ-3 FOR BUILDING CROSS-SECTION
- SEE SHEET RZ-3 FOR RECOMMENDED LANEAGE
- SEE SHEET RZ-3 FOR LOW MASONRY WALL DETAIL

SCALE: 1"=20'

RZ-1

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STILES
Invest-Build-Manage

COTSWOLD PARTNERS, LLC
2125 SOUTHFIELD DRIVE
SUITE 351
CHARLOTTE, NC 28203

COTSWOLD RETAIL REZONING
4425 RANDOLPH ROAD
CHARLOTTE, NC 28211

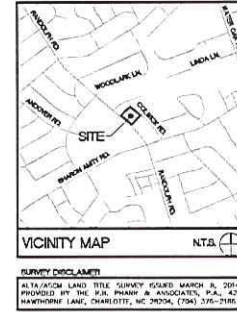
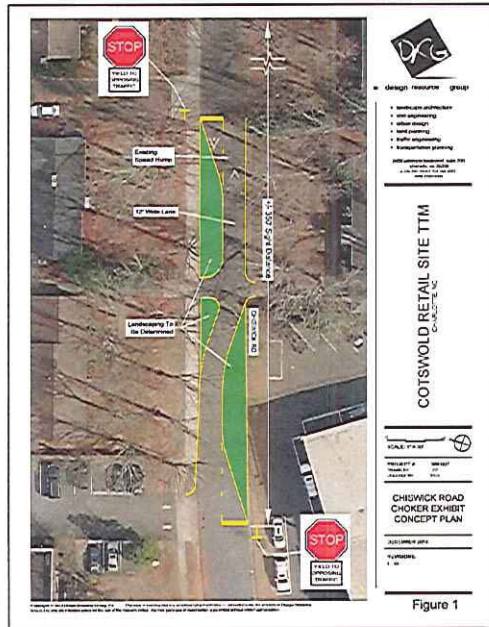
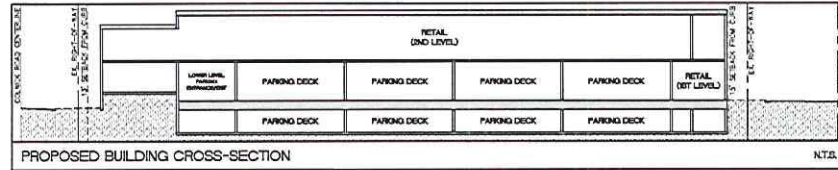
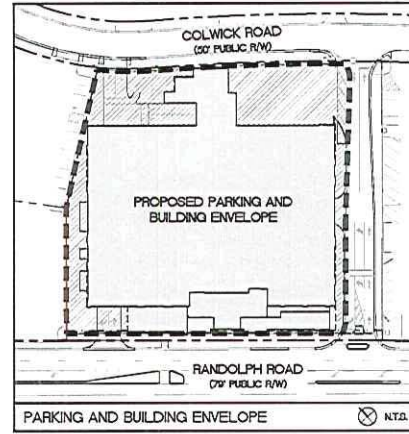
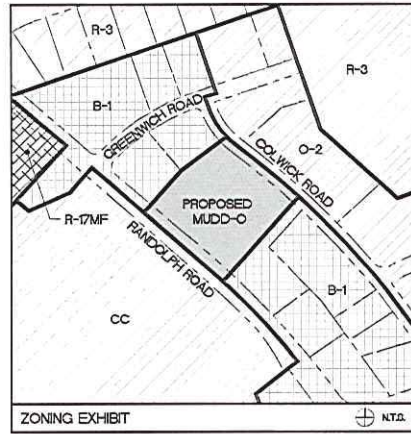
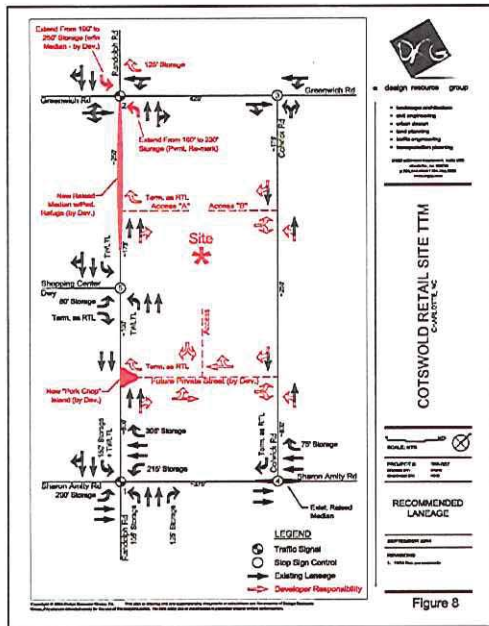
ColeJenest & Stone
Shaping the Environment
Resolving the Possibilities
200 South Tryon Street, Suite 1400
Charlotte, North Carolina 28202
PH 704.376.1555 | FX 704.376.7851
url: www.colejeneststone.com

REZONING PLAN

Project No. 4244
 Issued 04/27/14
 Revised



PETITION #: 2014-118



COTSWOLD PARTNERS, LLC
 2125 SOUTHDEND DRIVE
 SUITE 351
 CHARLOTTE, NC 28203

COTSWOLD RETAIL REZONING

4425 RANDOLPH ROAD
 CHARLOTTE, NC 28211



REZONING EXHIBITS

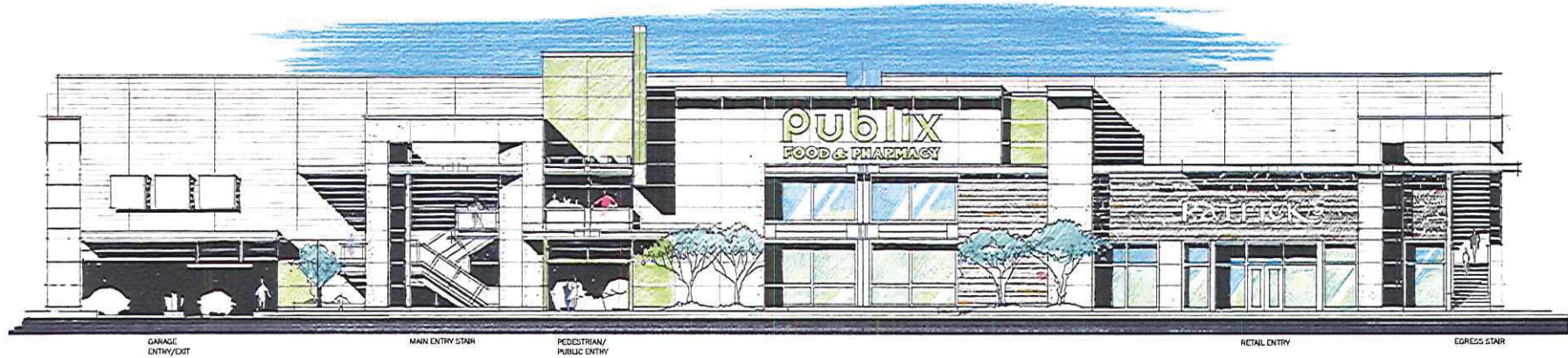
Project No. 4241
 Issued 06/27/14
 Revised 11/14/14 - REVISED PER CITY COMMENTS
 12/16/14 - REVISED PER CITY COMMENTS



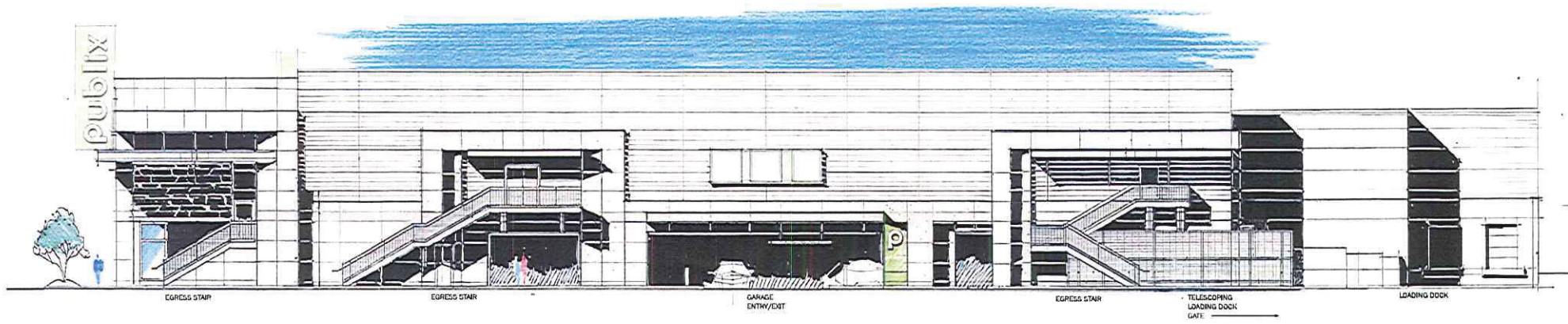
RZ-3

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Cole Jenest & Stone, P.A. 2014



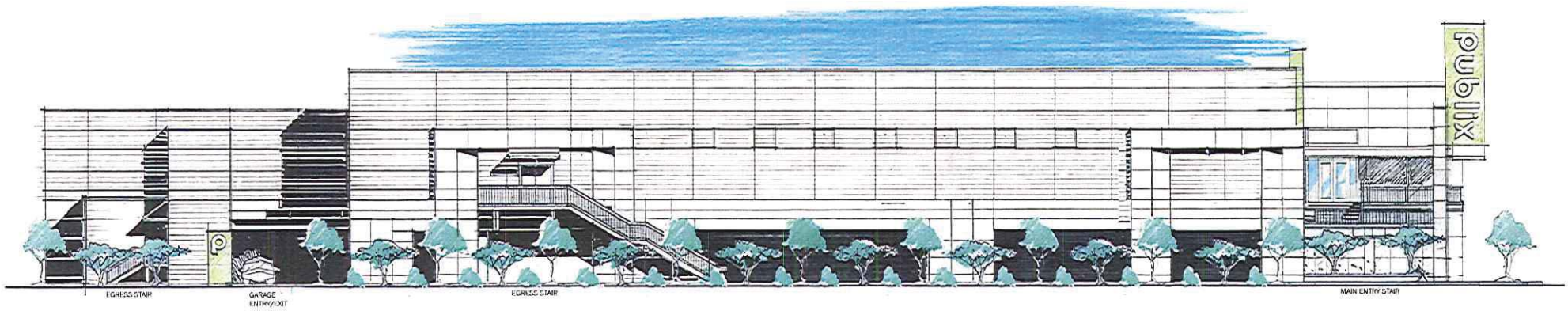
FRONT ELEVATION - RANDOLPH ROAD



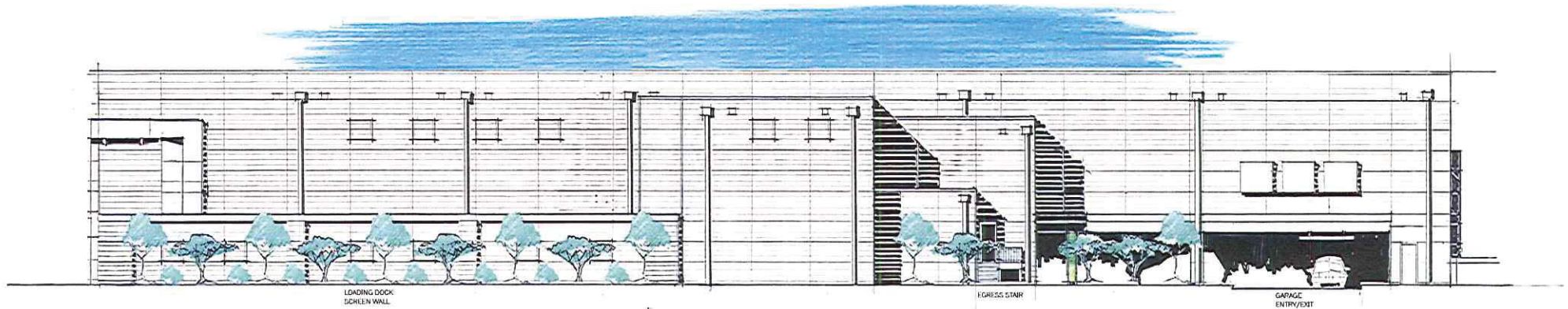
RIGHT SIDE ELEVATION - NEW ACCESS STREET

PUBLIX Cotswold
 SCHEMATIC DESIGN ELEVATIONS - REVISED

12-18-14



LEFT SIDE ELEVATION



REAR ELEVATION - COLWICK ROAD

PUBLIX Cotswold
 SCHEMATIC DESIGN ELEVATIONS - REVISED

12-18-14



REQUEST	Current Zoning: O-6(CD) (office, conditional) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 2.6 acres located on the west side of Statesville Avenue south of Oliver Street and east of Spratt Street. (Council District 2 - Austin)
SUMMARY OF PETITION	The petition proposes an interior expansion to an existing institutional use to allow a maximum building area of 50,000 square feet.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	The Salvation Army, A Georgia Corporation The Salvation Army, A Georgia Corporation N/A
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 4
STATEMENT OF CONSISTENCY	<p>This petition is found to be consistent with the <i>Central 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 institutional uses for the subject property. <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 use will not increase the exterior size of the building; and• The proposed request will allow the existing institutional use to continue to serve the needs of the community; <p>By a 6-0 vote of the Zoning Committee (motion by Commissioner Nelson seconded by Commissioner Labovitz).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none">1. The proposed uses on the site plan have been listed as a homeless shelter, daycare, and administrative offices.2. The maximum square footage has been modified to 50,000 square feet.3. A note has been added specifying that the expansion area is interior to the existing building.4. The amount of open space to be provided has been labelled on the plan.5. A note has been added that the existing 69 parking spaces provided on site and along the project frontage on Spratt Street will satisfy the parking requirement.
--------------------------------	---

VOTE	Motion/Second: Nelson/Labovitz Yeas: Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan, Walker Nays: None Absent: None Recused: None
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ZONING COMMITTEE DISCUSSION	Staff reviewed the petition and noted that all the outstanding issues had been addressed. There was no further discussion of this petition.
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**

- The subject property was rezoned via Petition 1990-50 to O-6(CD) (office, conditional) to allow a “group home” for up to 180 residents, a childcare center for up to 75 children, and administrative offices, with a maximum building area of 38,000 square feet. In 1990, the Zoning Ordinance definition of a “group home” included homeless shelters. Since that time, the ordinance has been amended and “homeless shelters” are listed as a separate use.

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Interior expansion of the existing building to allow a maximum 50,000 square feet of building area.
 - Continued use of the building as a homeless shelter with office and accessory support services.
 - Existing building and site layout to remain.
 - Maximum building height of 64 feet.
 - Existing playground area.
 - Optional requests:
 - Allow existing vegetation, four-foot sidewalk along Oliver and Spratt Street, five-foot sidewalk along Statesville Avenue and planting strips to remain instead of the required eight-foot planting strips, and six-foot sidewalks.
 - All current parking on Spratt Street to remain.
 - Allow a ten percent reduction from the required 75 parking spaces to the existing count of 69 spaces.
 - **Public Plans and Policies**
 - The *Central District Plan* (1993) recognizes the existing institutional land use.
 - The petition is consistent with the *Central District Plan*.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No comments received.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** Not applicable.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site meets minimum ordinance standards.
-

OUTSTANDING ISSUES

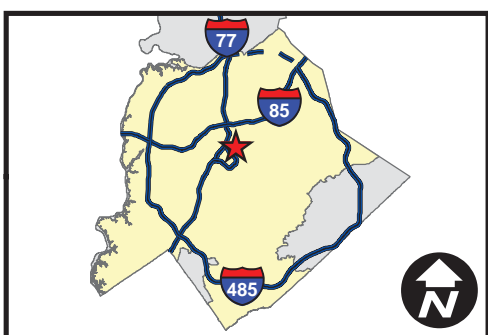
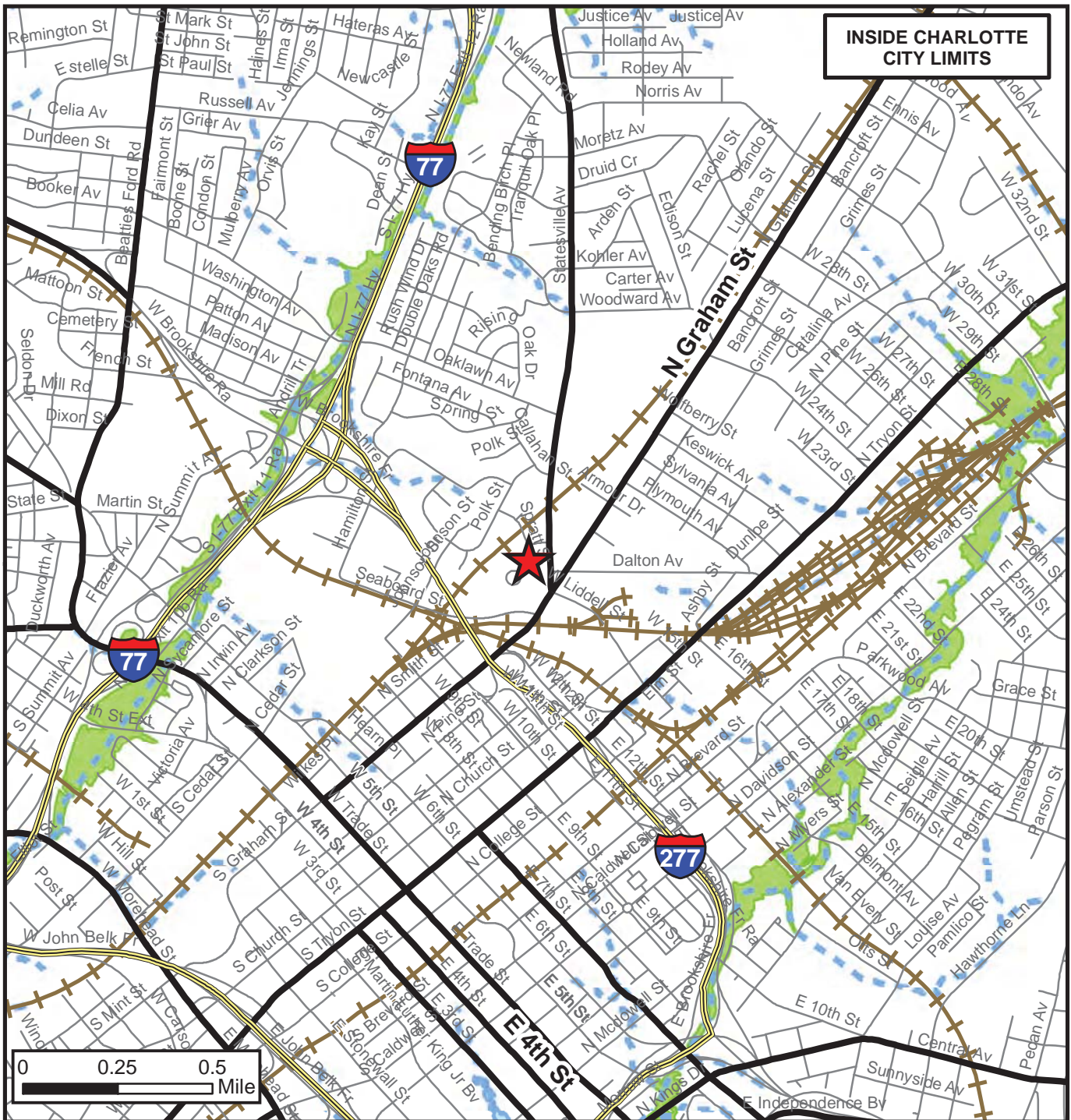
- No issues.
-

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

Planner: Solomon Fortune (704) 336-8326

Acresage & Location : Approximately 2.61 acres located on the west side of Statesville Avenue south of Oliver Street and east of Spratt Street.



★ Rezoning Petition: 2015-010

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

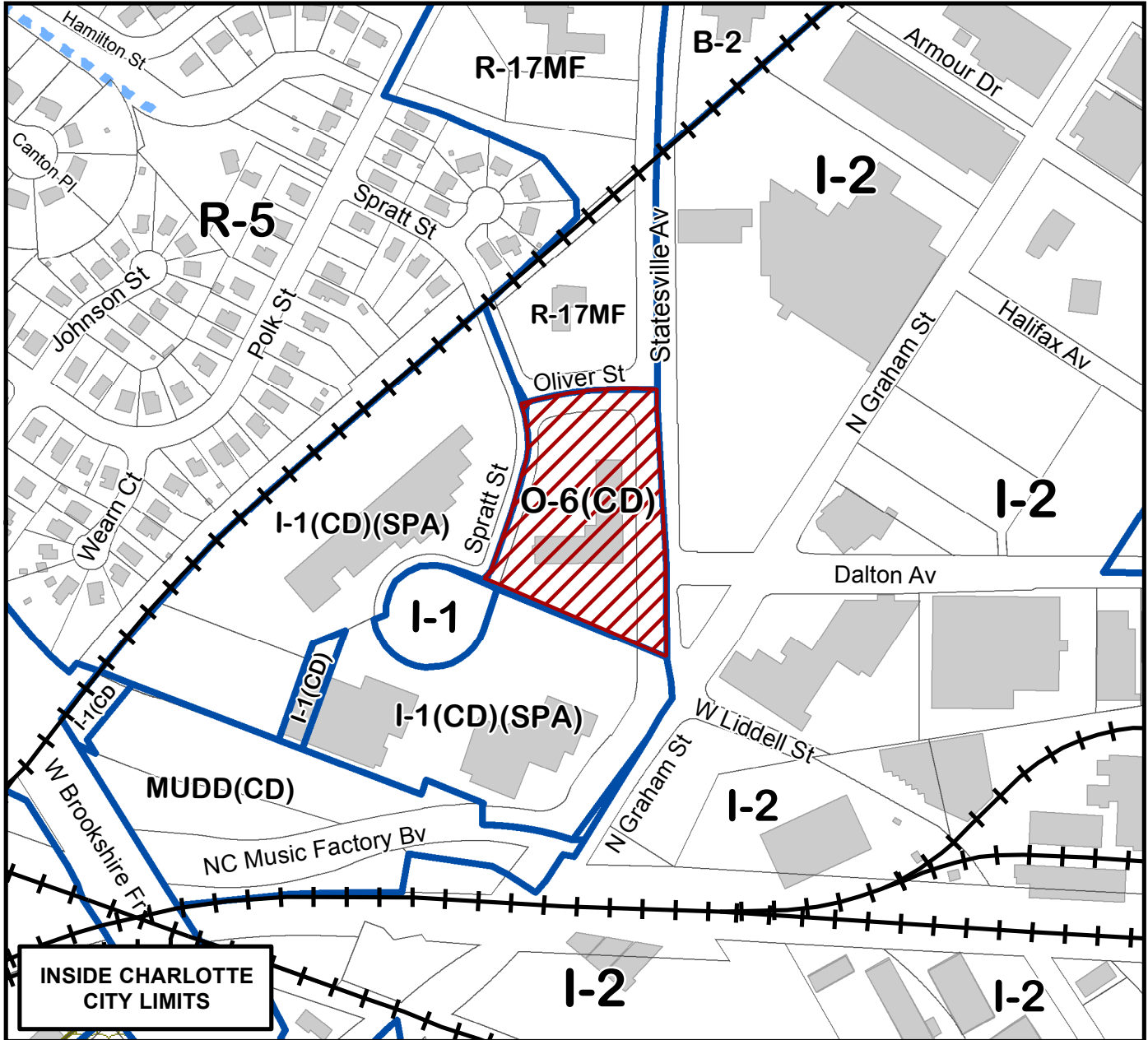
Petition #: **2015-010**

Petitioner: **The Salvation Army, A Georgia Corp.**

Zoning Classification (Existing): **O-6(CD)**
(Office, Conditional)

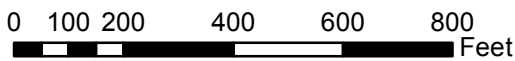
Zoning Classification (Requested): **MUDD-O**
(Mixed Use Development District, Optional)

Acreage & Location: Approximately 2.61 acres located on the south side of Oliver Street between Spratt Street and Statesville Avenue.



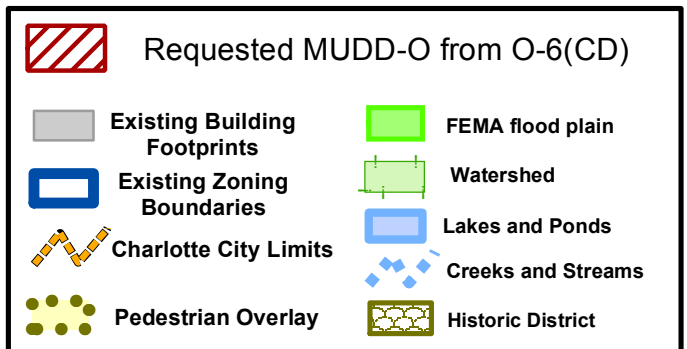
INSIDE CHARLOTTE CITY LIMITS

Map Produced by the Charlotte-Mecklenburg Planning Department, 12-4-2014.



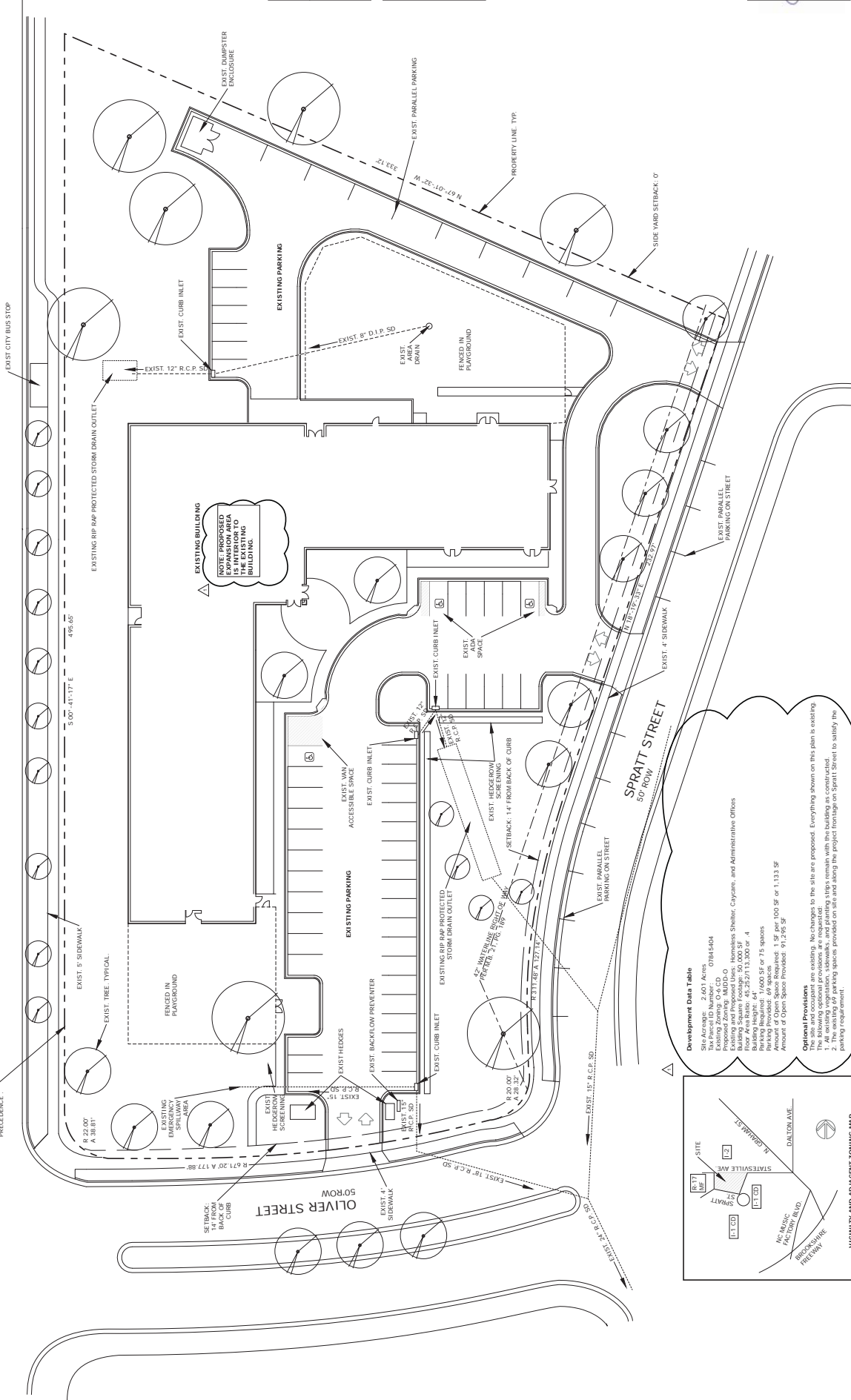
Zoning Map #(s)

88

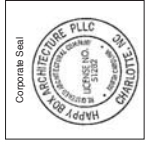


STATESVILLE AVENUE
100' ROW

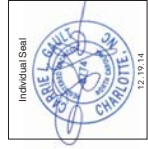
SETBACK: 14' FROM BACK OF CURB
NOTE: IF ROW FOR STATESVILLE
AVE. GREATER THAN IT TAKES
PRECEDENCE.



Issue Date:
10.31.14 Rezoning
12.19.14 Changes per
Rezoning Hearing



Salvation Army Center of Hope
534 Spratt Street
Charlotte, NC 28206



Rezoning Site Plan
RZ1
Job # 14-02



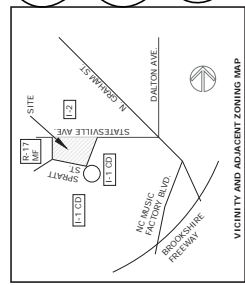
Development Data Table

Site Area: 2.61 Acres
Site Address: 534 Spratt Street
Existing Zoning: O-2, CD
Proposed Zoning: RZ1
Existing and Proposed Uses: Homeless Shelter, Daycare, and Administrative Offices
Building Square Footage: 50,000 SF
Building Height: 44' (max of 75' max)
Number of Units: 75
Parking Provided: 69 spaces
Amount of Open Space Required: 1.5F per 100 SF or 1,133 SF
Amount of Open Space Provided: 1,127 SF

Optional Provisions

The site and occupant are existing. No changes to the site are proposed. Everything shown on this plan is existing.

- All existing vegetation, sidewalk, and planting strips remain with the building as constructed.
- The existing 69 parking spaces provided on site and along the project frontage on Spratt Street to satisfy the parking requirements.



1 Rezoning Site Plan
RZ1 1" = 20'

REQUEST	Current Zoning: UR-2(CD) (urban residential, conditional) Proposed Zoning: UR-2(CD) SPA (urban residential, conditional, site plan amendment)
LOCATION	Approximately 1.21 acres located on the north side of East Woodlawn Road between Brandywine Road and Selwyn Avenue. (Council District 6 - Smith)
SUMMARY OF PETITION	The petition proposes to allow the construction of eight multi-family residential dwelling units for an increase in the total number of units on the site from 16 to 24, and an increase in density from 13.2 units per acre to 19.8 units per acre.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The proposed residential use is consistent with the <i>Central District Plan</i> , as amended by the previous rezoning, but the proposed density exceeds the recommended density of up to 17 units per acre. However, the site fronts a major thoroughfare and the proposal is a minor expansion of an existing development.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Park Selwyn, LLC Park Selwyn, LLC Jeff Brown, Keith MacVean, Moore & Van Allen
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 5

PLANNING STAFF REVIEW

- **Background**
 - The site plan approved with Petition 1999-034 and administratively amended in 1999 contains the following conditions:
 - Allowed the construction of 16 multi-family dwelling units in three buildings at a density of 13.2 units per acre.
 - Limits the maximum building height to 44 feet, 6 inches.
 - Provides parking at a rate of 1.5 spaces per unit.
 - Provides screening in the form of a six-foot high fence along the rear property line.
 - Specifies that the exterior building finish shall be a combination of brick and siding.
 - Preserves the lower/eastern portion of the site and floodplain as undisturbed open space.
 - Limits height of parking area lighting to ten feet and requires lighting to be designed to direct light away from or shield light from the residential area.
 - Places large maturing trees in the rear yard.
 - Specifies that rear building elevations shall consist of all masonry veneer and may be accented with siding on the perpendicular areas not facing Hassell Place residents.
 - Requires the lower/eastern portion of the site to be dedicated to Mecklenburg County Parks and Recreation and stipulates the dedication will occur prior to the issuance of any certificate of occupancy.
 - Commits to the construction and completion of the screening wall following the site work and grading prior to further development of the site.
 - Prohibits exterior construction work on Sundays.
- **Proposed Request Details**

The site plan amendment contains the following changes:

 - Increases the number of total dwelling units from 16 to 24 by allowing the construction of a fourth building containing eight units for an increase in density from 13.2 units per acre to 19.8 units per acre.
 - Removes the specified building height to allow height per the Zoning Ordinance standards and specifies that the building will have a three-story elevation as seen from Woodlawn Road.
 - Continues/extends the existing six-foot screening wall along the rear property line and commits to the construction of the wall prior to development of the new building.

- Provides building design, scale and architecture for the new building to match the existing buildings.
 - Shows that the lower/eastern portion of the site has been dedicated to Mecklenburg County Parks and Recreation and provides a reference to the Map book and page at which it is recorded in the Mecklenburg County Register of Deeds.
 - Removes the notes committing to the preservation of the lower/eastern portion of the site and floodplain as undisturbed open space.
 - Removes the note requiring the installation of residential type building sprinklers.
 - Removes the note requiring a minimum building separation of 14 feet.
 - **Existing Zoning and Land Use**
 - The site is currently used for multi-family residential, with 16 existing dwelling units.
 - The property to the north and east of the site is zoned R-3 (single family residential) and R-5 (single family residential) and is developed with single family homes, duplexes and a church. Property to the south is zoned R-17MF (CD) (multi-family residential, conditional) and developed with a 17-unit multi-family building for a density of 11.4 units per acre. Property to the west is zoned B-1 (neighborhood business) and developed with a mix of non-residential uses.
 - **Rezoning History in Area**
 - Petition 2014-028 rezoned property located at the southeast corner of Abbey Place and Hedgemore Drive from O-1 (office) to MUDD(CD) (mixed use development, conditional) to allow 150 residential dwelling units at a density of 89.2 units per acre with potential ground floor nonresidential uses in a mid-rise building.
 - **Public Plans and Policies**
 - The *Central District Plan*, as amended by rezoning petition 1999-034, recommends multi-family residential use at a density of 17 units per acre.
 - The petition is consistent with the *Central District Plan* recommendation for residential land use but inconsistent with the recommended density. However, the site is located on a major thoroughfare, and is a minor expansion of existing development.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Vehicle Trip Generation:**
Current Zoning: 100 trips per day.
Proposed Zoning: 140 trips per day.
 - **Connectivity:** Not applicable.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 12 students, while the development allowed under the proposed zoning will produce 18 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is six students.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - Minimized impacts to the natural environment by developing on an infill site.

OUTSTANDING ISSUES

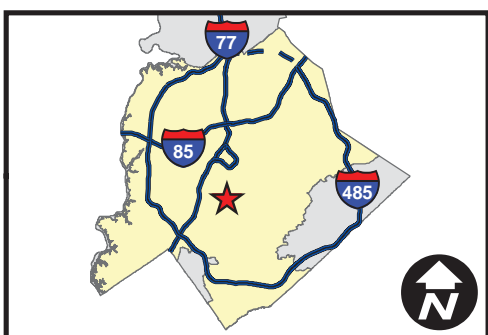
- The petitioner should:
 1. Provide and label a five-foot side yard between the proposed building and the area dedicated to Mecklenburg County Parks and Recreation.
 2. Show and label the temporary and permanent easements associated with the construction and maintenance of the building and the area dedicated to Parks and Recreation.
 3. Provide a note indicating that landscaping in the form of trees and shrubs will be replanted within the five-foot temporary easement and that the landscaping and large maturing trees will be extended, along the rear property line, across the 20 feet of easements.
-

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: John Kinley (704) 336-8311

Acresage & Location : Approximately 1.21 acres located on the north side of East Woodlawn Road between Brandywine Road and Selwyn Avenue.



- Rezoning Petition: 2014-078**
- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

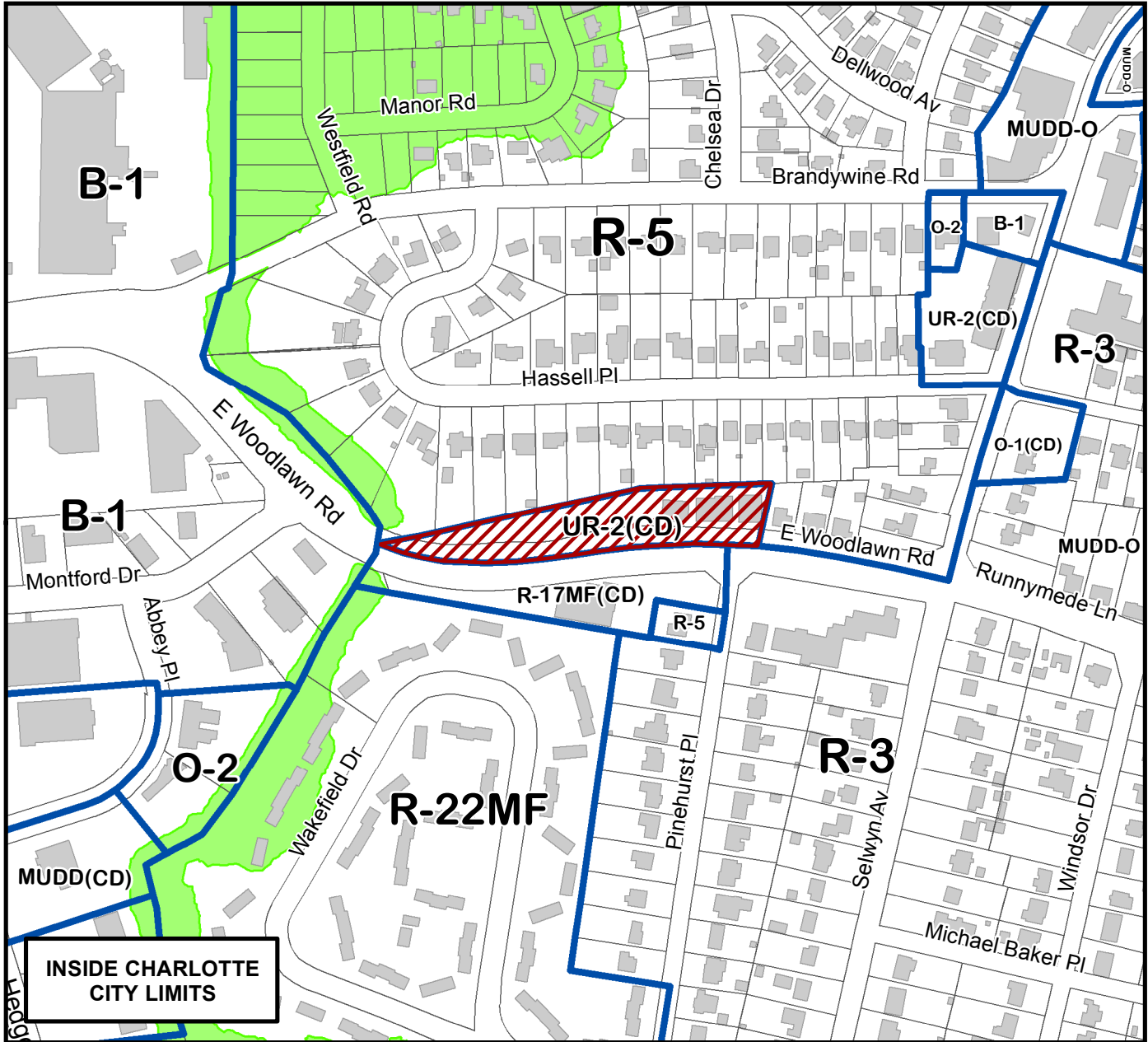
Petition #: **2014-078**

Petitioner: **Park Selwyn, LLC**

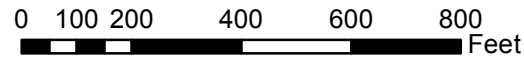
Zoning Classification (Existing): **UR-2(CD)**
(Urban Residential, Conditional)

Zoning Classification (Requested): **UR-2(CD) S.P.A.**
(Urban Residential, Conditional, Site Plan Amendment)

Acreage & Location: Approximately 1.21 acres located on the north side of East Woodlawn Road between Brandywine Road and Selwyn Avenue.

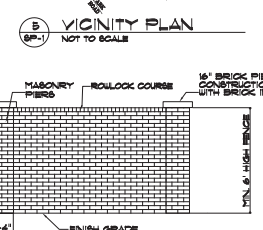
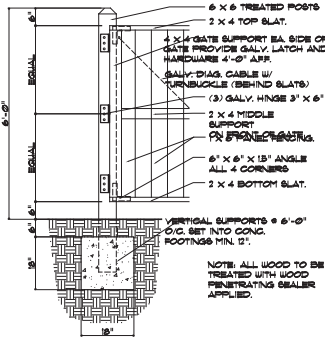
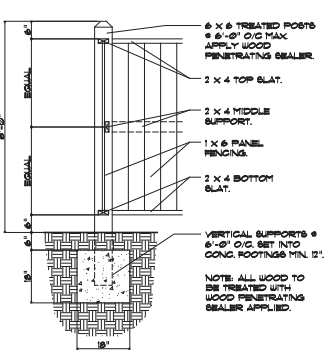


Map Produced by the Charlotte-Mecklenburg Planning Department, 12-4-2014.



Zoning Map #(s)
125

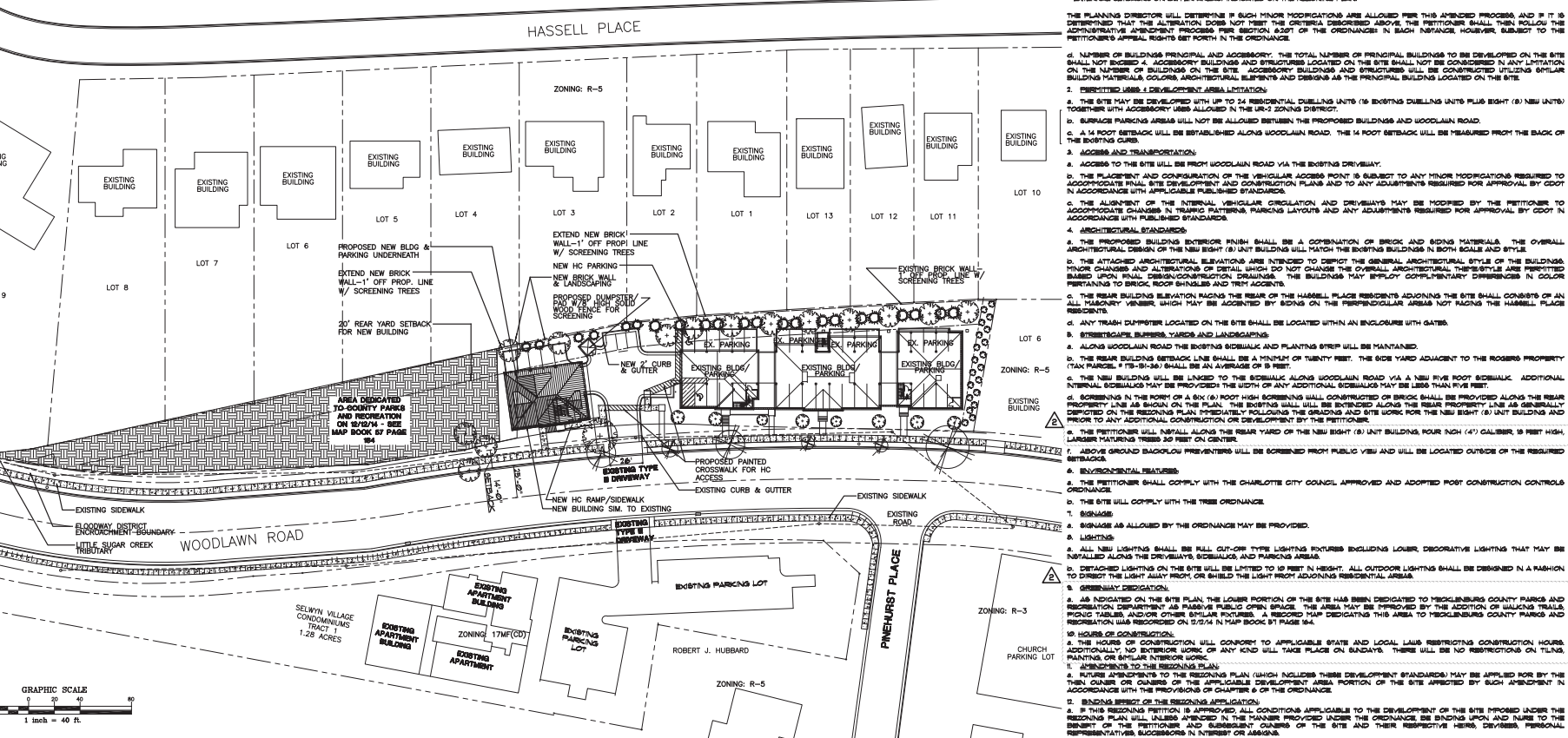
	Requested UR-2(CD)SPA from UR-2(CD)
	Existing Building Footprints
	Existing Zoning Boundaries
	Charlotte City Limits
	Pedestrian Overlay
	FEMA flood plain
	Watershed
	Lakes and Ponds
	Creeks and Streams
	Historic District



2 WOOD FENCE DETAIL
NOT TO SCALE

3 WOOD GATE DETAIL
NOT TO SCALE

4 SCREEN FENCE W/ MASONRY PIERS
NOT TO SCALE



SITE DATA SUMMARY:

OWNER: Park Selwyn LLC
P.O. Box 842
Charlotte, NC 28201

SITE ADDRESS: PARK SELWYN APARTMENTS
2600 EAST WOODLAWN ROAD
CHARLOTTE, NC

TOTAL ACREAGE: 1.21 ACRES

PARK 4 REZONED AREA: 0.44 ACRES

PARK GENERAL LLC AREA: 0.77 ACRES

TAX PARCEL #: 19-08-37

PARK SELWYN LLC DEVELOPMENT STANDARDS:

REZONING PETITION NO. 2014-000

PROPOSED ZONING: UR-2(CD) BY PARTITION # 86-034
UR-2(CD) MAP

EXISTING USES: 34 MULTI-FAMILY RESIDENTIAL DWELLING UNITS TO ADD 8 (8) MULTI-FAMILY RESIDENTIAL DWELLING UNITS TO THE SITE 1 A TOTAL OF 34 MULTI-FAMILY RESIDENTIAL UNITS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE UR-2 ZONING DISTRICT WILL BE ALLOWED ON THE SITE.

MANIPM BUILDING HEIGHT: AS ALLOWED BY THE ORDINANCE HEIGHT WILL BE MEASURED BY THE ORDINANCE THE NEW 8' (8) UNIT BUILDING WILL HAVE A THREE (3) STORY ELEVATION AS SEEN FROM WOODLAWN ROAD.

MANIPM FLOOR: THE SITE WILL NOT EXCEED A FLOOR AREA RATIO (FAR) OF 1.0

MANIPM REAR YARD: A MINIMUM OF 15 FEET REAR YARD SETBACK WILL BE PROVIDED.

MANIPM SIDE YARD: 50 FEET

SCREENING FOR PARKING: AS REQUIRED

SCREENING HEIGHT: 2'-6" H (EXCEPT WHERE MIN. BY O.C.)

GENERAL PROVISIONS: 6 FT. ADJUTING RESIDENTIAL AREA

1. SITE LOCATION: THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY PARK SELWYN LLC (PETITIONER) TO ACCOMMODATE THE DEVELOPMENT OF 34 MULTI-FAMILY RESIDENTIAL DWELLING UNITS ON APPROXIMATELY 1.21 ACRES SITES LOCATED ON THE NORTH SIDE OF WOODLAWN ROAD BETWEEN SELWYN AVENUE AND BRANDYDINE ROAD (THE SITE).

2. ZONING DISTRICT/ORDINANCE: DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE ORDINANCE). UNDER THE REZONING PLAN APPLICABLE PROVISIONS OF THE ORDINANCE, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-2 ZONING CLASSIFICATION SHALL GOVERN.

3. GRAPHICS AND ALTERATIONS: THE SCHEMATIC REPRESENTATIONS OF THE USES, PARKING AREAS, INDIVIDUAL STRUCTURES AND BUILDINGS, ORIGINALLY AND OTHER DEVELOPMENT MATTERS (COLLECTIVELY THE DEVELOPMENT SITE ELEMENTS) SET FORTH ON THE REZONING PLAN SHOULD BE REVISITED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LATEST REPRESENTATIONS OF THE DEVELOPMENT SITE ELEMENTS PROPOSED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVISITED AND APPROVED AS ALLOWED BY SECTION 6.02 OF THE ORDINANCE.

4. MINOR AND MAJOR MODIFICATIONS: THE PROVISIONS OF THE REZONING PLAN AND CONSTRUCTION PHASES. IT IS INTENDED THAT THE REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SUCH ALTERATIONS OR MODIFICATIONS FROM THE REZONING PLAN PERMITTED BY THE REZONING PLAN (IT IS UNDERSTOOD THAT IF A MODIFICATION IS INFORMALLY PERMITTED BY THE REZONING PLAN IT IS CONSIDERED A MINOR MODIFICATION FOR THE PURPOSES OF THESE DEVELOPMENT STANDARDS OR).

5. MINOR AND MAJOR MODIFICATIONS: THE REZONING PLAN WILL BE MODIFIED AS FOLLOWS:

- MODIFICATIONS TO OVERLAY STRUCTURES GRAPHICALLY DEPICTED ON THE REZONING PLAN CLOSER TO ADJACENT PROPERTIES IN A RESIDENTIAL DISTRICT OR LARGER RESIDENTIAL SUBURBS, BUT NO CLOSER THAN THE EXTERNAL BUILDING LINE (IN THIS CASE THE EXTERNAL SETBACK OR BUFFER AREAS) INDICATED ON THE REZONING PLAN.

THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE APPEAL PROCESS PER SECTION 6.02 OF THE ORDINANCE IN EACH INSTANCE. HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.



C.L. Helt, Architect Inc.
1136 Greenwood Cliff
Charlotte, NC 28204
Ph: 704-342-1886
Ft: 704-343-0054
EMAIL: INFO@CLHETT.COM

Project:
PARK SELWYN PHASE II
FOR
PARK SELWYN, LLC
2008 E. WOODLAWN RD
CHARLOTTE, NC

Sheet Description:
SITE PLAN
REZONING PETITION
NO. 078

Drawn By:
GAMBELL

Checked By:
CRAG

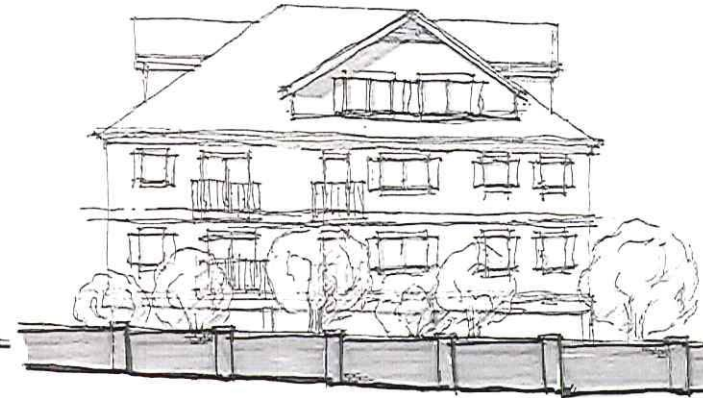
Revisions:

Date:
11/10/14

Sheet No.:
SP-1



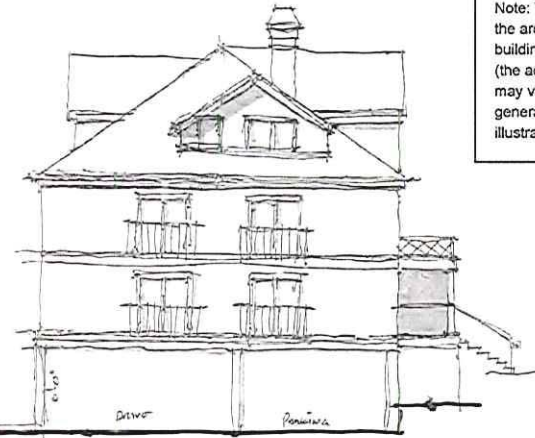
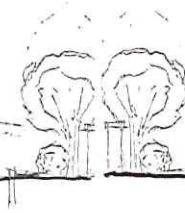
FRONT ELEVATION
10/24/2014



REAR ELEVATION



RIGHT ELEVATION



LEFT SIDE ELEVATION

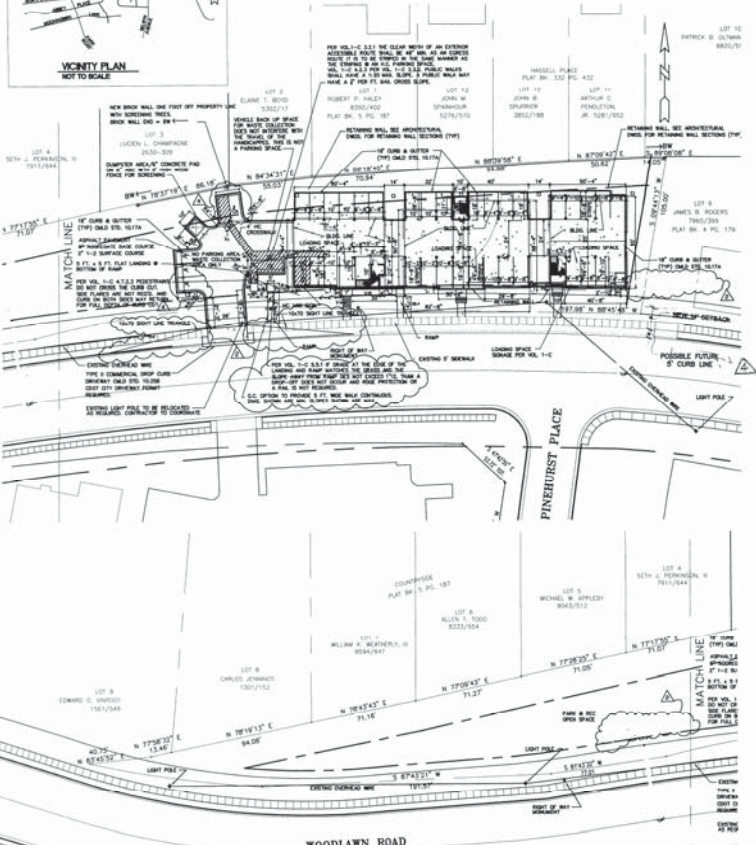
Note: These elevations are provided to reflect the architectural style and quality of the building that may be constructed on the Site (the actual building constructed on the Site may vary from these illustrations as long as the general architectural concepts and intent illustrated is maintained).



Previously
Approved
Site
Plan



CAROLINAS DESIGN GROUP, PLLC
 CIVIL ENGINEERING - LAND SURVEYING - LAND PLANNING
 1000 W. WOODLAWN ROAD, SUITE 200, CHARLOTTE, NC 28204
 PHONE: 704-366-4300 • FAX: 704-366-4301
 WWW.CAROLINASDESIGN.COM



- REZONING NOTES:**
1. THE PROPOSED SITE PLAN REPRESENTS A FIRM CONCEPT WITH REGARD TO THE ARRANGEMENT OF THE BUILDING, PARKING AND CIRCULATION PATTERNS. MINOR AND INCIDENTAL CHANGES ARE PERMITTED AS A MATTER OF RIGHT WHICH WOULD NOT ALTER THE BASIC RELATIONSHIP TO ADJACENT LAND. SUCH CHANGES SHOULD BE BASED UPON FINAL DESIGN AND CONSTRUCTION DRAWINGS, SITE AND TOPOGRAPHIC CONSTRAINTS, TREE PRESERVATION EFFORTS, ETC.
 2. THE PROPOSED DEVELOPMENT SHALL BE LIMITED TO A MULTI-FAMILY DEVELOPMENT BUILDING CONTAINING (3) UNITS WITH A MAXIMUM OF SIXTEEN DWELLINGS. INCIDENTAL ACCESSORY STRUCTURES NORMALLY ASSOCIATED WITH SUCH DEVELOPMENT ARE ALSO PERMITTED.
 3. THE PROPOSED DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE ZONING ORDINANCE REGULATIONS PERTAINING TO, BUT NOT LIMITED TO SUCH THINGS AS: OFF-STREET PARKING, SIGNAGE, YARD DIMENSIONS, TREE GRONDAZE, SCREENING, ETC.
 4. SCREENING IN THE FORM OF A SIX-FOOT HIGH SCREENING FENCE CONSTRUCTED OF WOOD AND BRICK PLASTERS SHALL BE PROVIDED ALONG THE REAR PROPERTY LINE AS SHOWN ON THE PLAN. VERTICAL BRICKS AND CEMENT SHALL BE PROVIDED FROM WOODLAWN ROAD BY WAY OF ONE DRIVEWAY CURB CUT. THE DRIVEWAY MAY SHIFT SLIGHTLY IF REQUIRED BY CHARLOTTE DEPARTMENT OF TRANSPORTATION REGULATIONS OR OTHER DESIGN NEEDS.
 5. THE PROPOSED BUILDING EXTERIOR FINISH SHALL BE A COMBINATION OF BRICK AND STONE MATERIALS. THE GENERAL ARCHITECTURAL DESIGN OF THE BUILDING SHALL BE "TRADITIONAL" IN NATURE (ALSO, REFER TO ARCHITECTURAL ELEVATIONS).
 6. THE LOWER PORTION OF THE SITE SHALL REMAIN AS UNDISTURBED OPEN SPACE EXCEPT FOR UTILITY CONNECTIONS AND/OR REQUIRED IMPROVEMENTS (SEE ALSO NOTE 10).
 7. ANY TRASH CHUTE LOCATED ON THE SITE SHALL BE LOCATED WITHIN AN ENCLOSEURE WITH GATES.
 8. THE MAXIMUM HEIGHT OF PARKING AREA LIGHTING SHALL BE TEN FEET. ALL OUTDOOR LIGHTING SHALL BE DESIGNED IN A FASHION TO DIRECT THE LIGHT AWAY FROM, OR SHIELD THE LIGHT FROM, RESIDENTIAL AREAS.
 9. THE PETITIONER SHALL INSTALL RESIDENTIAL TYPE BUILDING SPRINKLERS.
 10. 4" DIAMETER CALIPER 18"-OF HIGH LARGE MATURING TREES PLANTED AT 30'-OF O.C. THAT WILL BE APPLIED TO THE REQUIREMENTS OF THE TREE ORDINANCE. THESE TREES WILL BE PLACED IN THE REAR YARD.
 11. PER LOCAL APPROVAL, 3/16" O/S, SITE IS AMENDED TO SHOW 5' F. POSSIBLE FUTURE CURB LINE WITH A 14' SETBACK.
 12. THE PORTION OF THE REGULATED FLOODPLAIN ASSOCIATED WITH THE SITE SHALL REMAIN UNDISTURBED EXCEPT FOR ANY NECESSARY / REQUIRED UTILITY CONNECTIONS.
 13. THE REAR BUILDING SETBACK SHALL BE A MINIMUM OF TWENTY FEET, AND AVERAGE 24'-OF " THE SIDE YARD ADJACENT TO THE ROGGERS.
 14. THE REAR BUILDING ELEVATION FACING THE REAR OF THE HASSELL PLACE RESIDENTS ADJOINING THE SITE SHALL CONSIST OF AN ALL MASONRY VENEER, WHICH MAY BE ACCENTED BY BRICK OR OTHER SIMILAR FEATURES. THE SELECTION OF WALKING TRAILS, PONDIC TABLES, AND/OR OTHER SIMILAR FEATURES, THE SELECTION WILL OCCUR PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY ASSOCIATED WITH THE PROPOSED DEVELOPMENT.
 15. THE ATTACHED ARCHITECTURAL ELEVATIONS ARE INTENDED TO DEFINE THE GENERAL ARCHITECTURAL STYLE OF THE PROPOSED DEVELOPMENT. THE BUILDINGS MAY EMPLOY COMPLIMENTARY DIFFERENCES IN COLOR PERTAINING TO BRICK, ROOF SHINGLES AND OTHER FINISHES.
 16. AS INDICATED ON THE SITE PLAN, THE LOWER PORTION OF THE SITE SHALL BE DEDICATED TO GREENING COUNTY PARKS AND RECREATION DEPARTMENT AS PASSIVE PUBLIC OPEN SPACE. THE AREA MAY BE IMPROVED BY THE ADDITION OF WALKING TRAILS, PONDIC TABLES, AND/OR OTHER SIMILAR FEATURES. THE SELECTION WILL OCCUR PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY ASSOCIATED WITH THE PROPOSED DEVELOPMENT.
 17. THE THREE BUILDINGS SHALL BE SEPARATED BY A MINIMUM DISTANCE OF 14 FEET AS SHOWN.
 18. THE WALL SHALL BE BUILT AND COMPLETED IMMEDIATELY FOLLOWING THE GRADING AND SITEWORK FOR THE PROJECT, INCLUDING THE RETAINING WALLS OF THE APARTMENT BUILDINGS, AND PRIOR TO ANY ADDITIONAL CONSTRUCTION OR DEVELOPMENT BY PARK SELWYN, LLC, ON THE SITE.
 19. RESTRICTING CONSTRUCTION HOURS. ADDITIONALLY, NO EXTERIOR WORK OF ANY KIND WILL TAKE PLACE ON SUNDAYS. THERE WILL BE NO RESTRICTIONS ON TUNING, PAINTING, OR SIMILAR INTERIOR WORK.

- GENERAL SITE NOTES:**
1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
 2. SITE INFORMATION TAKEN FROM SURVEY BY DON ALLEN & ASSOCIATES P.A. DATED NOV. 1998.
 3. SEE ARCHITECTURAL PLANS FOR DETAILED BUILDING, SIDEWALK AND RAMP DIMENSIONS.
 4. CONTRACTOR TO COORDINATE ALL UTILITY RELOCATIONS, WATER LINES, STORM DRAINAGE, LIGHT POLES, POWER POLES, ETC., WITH APPROPRIATE UTILITY COMPANIES.
 5. CONTRACTOR TO COORDINATE WITH OWNER AND PROJECT ENGINEER FOR EXISTING BUILDING DEMOLISHING AND ANY OTHER STRUCTURES WHICH MAY BE ON PROJECT SITE.
 6. CONTRACTOR TO COORDINATE ALL CONSTRUCTION IN R.U.M.S WITH M.C.D.T. AND CITY OF CHARLOTTE.
 7. ALL TRAFFIC SIGNS, STRIPS, PAINTING, ETC., TO CONFORM TO THE PRINCIPLES OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (M.U.T.C.D.).
 8. ALL LANDSCAPING AREAS TO HAVE A MINIMUM WIDTH FROM BACK OF CURB TO BACK OF CURB, MINIMUM TOTAL AREA 200 SQUARE FEET PER LOT.
 9. ALL CONSTRUCTION TO CONFORM TO THE CHARLOTTE-MECKLENBURG LAND DEVELOPMENT STANDARDS MANUAL, DETAILS AND SPECIFICATIONS.



SITE SUMMARY:
 OWNER: PARK SELWYN II LLC
 2000 E. WOODLAWN RD.
 CHARLOTTE, NC 28207

TABULATIONS:
 TOTAL SITE AREA: 1.21 ACRES
 EXISTING ZONING: R-5
 PROPOSED ZONING: MULTIFAMILY RESIDENTIAL BLDGS (APARTMENTS)
 PROPOSED USE: 16 UNITS
 MAXIMUM NO. OF DWELLINGS: 16 UNITS
 PARKING REQUIRED: 31 SPACES 28' 0" X 11' 0" 1 HC @ 10 FT. X 18 FT.
 PARKING PROVIDED: 31 SPACES 28' 0" X 11' 0" 1 HC @ 10 FT. X 18 FT.
 1 VAN-HC @ 10 FT. X 18 FT.

MINIMUM SETBACKS:
 MINIMUM REAR YARD: 15' 0" FEET FROM PARK AND STREET LINE
 MINIMUM SIDE YARD: 10 FEET
 MINIMUM LOT WIDTH: 10 FEET
 MINIMUM FLOOR AREA RATIO: 1.0
 MAXIMUM GROUND COVER (GCOV): 25-47% FEET
 MAXIMUM HEIGHT (TOP OF ROOF): 44'-0" FEET (AT ENDS TO GARAGE ENTRY)
 AVERAGE HEIGHT: 27.5 FEET
 MAXIMUM HT. AT REAR ELEV.: 40 FEET FROM EXISTING GRADE TO TOP OF ROOF.
 SCREENING FOR PARKING: AS REQUIRED
 PLANTING STRIP: 2'-0" 4' COMPROMISED MIN. 5' O.C.
 SCREENING HEIGHT: 6 FT. HL. (SHIELDING Residential Area)

EXIST. IMPERVIOUS AREA = 0.00 ACRES
 PROP. IMPERVIOUS AREA = 0.40 ACRES

ATTACHED TO ADMINISTRATIVE APPROVAL
 DATE: April 1, 2002
 BY: MARTIN R. CRAMTON, JR.

CRAIG ENGINEERING SERVICES
 CIVIL ENGINEERING & LAND PLANNING SERVICES
 106 W. YERGEN AVENUE
 CAPITAL CITY SQUARE
 PHONE: (704) 944-2822



C.L. Helt, Architect Inc.
 1136 Greenwood Cliff
 Charlotte, NC 28204
 Ph. 704-342-1686
 Fx. 704-343-0054
 E-MAIL: CHELTH@AOL.COM

ARCHITECT'S PROJECT # 98267

Project #
Park Selwyn Phase II
2000 E. Woodlawn Rd.
Charlotte, N.C.

Sheet Description #
Site Plan

THIS DRAWING AND ITS COPIES ARE THE PROPERTY OF THIS PROJECT. THEY MAY NOT BE USED FOR ANY OTHER PROJECT WITHOUT THE SPECIFIC WRITTEN PERMISSION OF CHESTER LEROY HELT, ARCHITECT.

Drawn By:
 Hooker

Checked By:
 Craig

Revisions:
 Misc. 4/10/00
 Misc. 10/10/00
 Misc. 12/12/00
 Misc. 2/22/02

Date:
 4-04-00

Sheet No.
 C-1
 of C-5

CHARLOTTE-MECKLENBURG PLANNING COMMISSION
INTER-OFFICE COMMUNICATION

DATE: April 1, 2002
 TO: Robert Brandon
 Zoning Administrator
 FROM: Chad Spencer
 Land Development Planner

SUBJECT: Administrative Approval Re: Petition 79-34, Park Selwyn, LLC

Attached is a copy of the revised site plan for the above referenced pending petition located on the north side of Woodlawn Road just west of Selwyn Avenue. Also attached is a letter from C.L. Helt with C.L. Helt, Architect Inc. describing the requested administrative approval. This administrative approval eliminates the requirement for the additional right-of-way dedication 30' from centerline and would be withdrawn from the previously requested 5' from the right-of-way to the current standard of 14' from the existing or proposed back-of-curb. CDDT has determined that if Woodlawn Road is ever widened the curbline at this site would only need to move 5'. The elevations, which were part of the original package, are as follows:

Since these changes are allowed according to section 6.206 of the City Zoning Ordinance, I am administratively approving this revised plan. Please use this revised plan when evaluating requests for building permits and certificates of occupancy.

REQUEST	Current Zoning: UR-3(CD) (urban residential, conditional) Proposed Zoning: TOD-M (transit oriented development – mixed-use)
LOCATION	Approximately 15.50 acres located on the southeast corner at the intersection of West 30 th Street and Chick Godley Road. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to rezone approximately 15.50 acres to allow all uses in the TOD-M (transit oriented development – mixed-use) district.
STAFF RECOMMENDATION	Staff recommends approval of this petition. This petition is consistent with the <i>Blue Line Extension Station Area Plan – 36th Street Station</i> .
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	First Industrial B & L, LLC Charlotte-Mecklenburg Planning Department Tony Kuhn – Flywheel Group, LLC
COMMUNITY MEETING	Meeting is not required.

PLANNING STAFF REVIEW

- **Background**
 - In 2008 the subject property was rezoned from I-2 (general industrial) to UR-3(CD) (urban residential, conditional) for the development of 327 townhomes and flats with an option to add up to 44,000 square feet of ground floor office and retail (petition 2008-82). The overall density for the project was 20.45 units per acre.
- **Proposed Request Details**

This is a conventional rezoning petition with no associated site plan.
- **Existing Zoning and Land Use**
 - The site is generally surrounded by residential, commercial, and industrial development on properties zoned I-1 (light industrial), I-2 (general industrial), and MUDD(CD) (mixed use development, conditional).
- **Rezoning History in Area**
 - There have been numerous rezonings in the area to support the Blue Line Extension. The property located immediately to the south of the subject site was rezoned in 2007 to allow up to 340 multi-family residential units at a density of 33.1 dwelling units per acre. This project is currently under construction. The majority of recent rezonings in the area have occurred to the south along North Davidson Street to allow a mix of office, retail, and residential development.
- **Public Plans and Policies**
 - The *Blue Line Extension Station Area Plan – 36th Street Station* (2013) recommends transit supportive land uses for these parcels. A portion of the rezoning site is within 1/2 mile of the 36th Street Station on the LYNX Blue Line Extension.
 - This petition is consistent with the *Blue Line Extension Station Area Plans – 36th Street Station*.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** Based on the Housing Locational Policy, public funds for any residential development will require a waiver.
- **Charlotte Department of Solid Waste Services:** No comments received.
- **Transportation:** No issues.
 - **Vehicle Trip Generation:**
Current Zoning: 2600 trips per day.

Proposed Zoning: A wide range of trip generation is possible.

- **Connectivity:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** No comments received.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** This property is located in the Central Park Region and is on the Little Sugar Creek Greenway corridor as indicated on the 2008 Greenway Master Plan.
 - **Urban Forestry:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - There is no site plan associated with this conventional rezoning request.

OUTSTANDING ISSUES

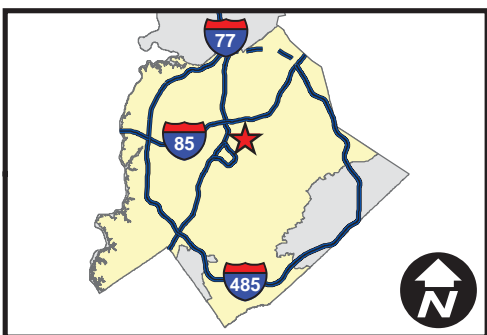
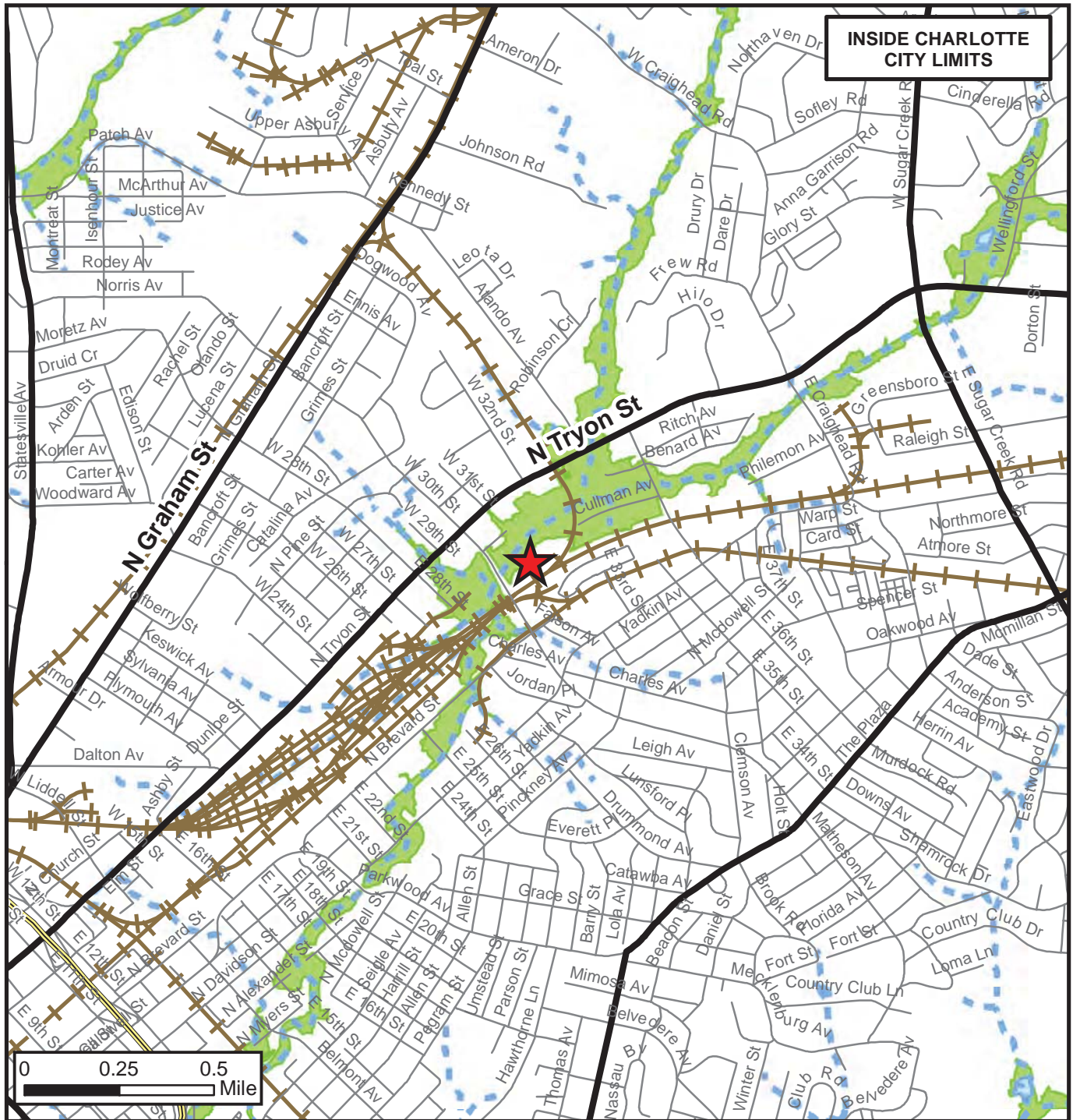
- No issues.
-

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Solomon Fortune (704) 336-8326

Acres & Location : Approximately 15.50 acres located on the southeast corner at the intersection of West 30th Street and Chick Godley Road.



	Rezoning Petition: 2014-100
	Major Roads
	Collector Roads
	Charlotte City Limits
	FEMA flood plain
	Watershed
	Lakes and Ponds
	Creeks and Streams

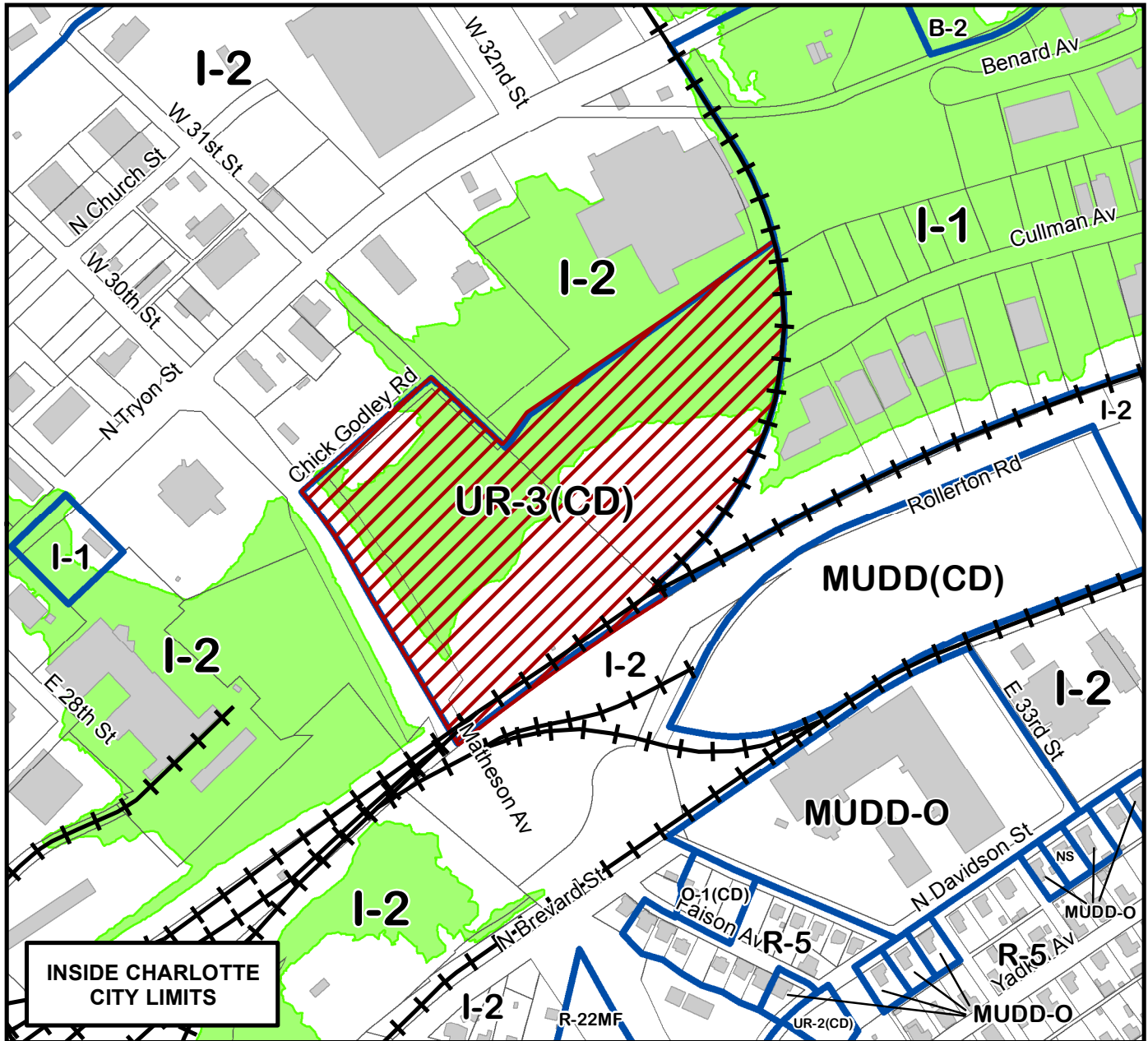
Petition #: **2014-100**

Petitioner: Charlotte-Mecklenburg Planning Department

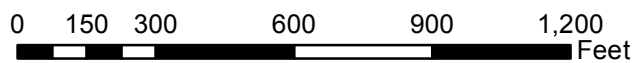
Zoning Classification (Existing): UR-3(CD)
(Urban Residential, Conditional)

Zoning Classification (Requested): TOD-M
(Transit Oriented Development, Mixed Use)

Acreage & Location: Approximately 15.50 acres located on the southeast corner at the intersection of West 30th Street and Chick Godley Road.

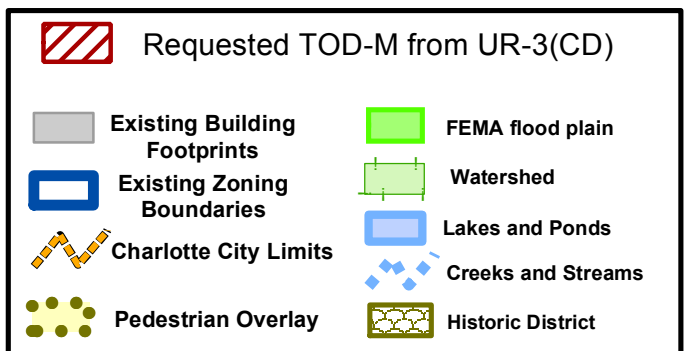


Map Produced by the Charlotte-Mecklenburg Planning Department, 8-29-2014.



Zoning Map #(s)

89



REQUEST	<p>Current Zoning: UR-C(CD)(PED) (urban residential - commercial, conditional, pedestrian overlay), B-1(PED) (neighborhood business, pedestrian overlay) and R-8 (single family residential)</p> <p>Proposed Zoning: MUDD-O(PED) (mixed use development, optional, pedestrian overlay) and MUDD-O (mixed use development, optional)</p>
LOCATION	<p>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. (Council District 1 - Kinsey)</p>
SUMMARY OF PETITION	<p>The petition proposes to allow a mixed use development including a 270,000-square foot building, a 187,450-square foot parking structure with up to 4,600 square feet of commercial uses on the street level, and up to eight single family attached dwelling units.</p>
STAFF RECOMMENDATION	<p>Staff does not recommend approval of this petition in its current form. The petition is consistent with the <i>Midtown Morehead Cherry Area Plan</i> land use recommendations for the majority of the site but inconsistent with the <i>Plan's</i> recommendations for building height, setbacks, streetscapes and residential use for a portion of the R-8 (single family) zoned land and density on Cherry Street. Although the land use is generally consistent, the deviations from the adopted <i>Plan</i> recommendations are too significant for staff to support the project as proposed.</p>
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	<p>Midtown Area Partners II, LLC and Stonehunt, LLC Midtown Area Partners II, LLC John Carmichael, Robinson Bradshaw & Hinson, P.A.</p>
COMMUNITY MEETING	<p>Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 6</p>

PLANNING STAFF REVIEW

- **Background**
 - Petition 2005-060 rezoned the portion of the site located between South Kings Drive and Cecil Street from B-1 (neighborhood business) to UR-C(CD) to allow up to 12,000 square feet of retail and restaurant uses and associated surface and structural parking.
 - Petition 2012-050 established the PED (pedestrian overlay district) over a majority of the site excluding the portion facing Cherry Street.
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

 - Divides the site into three development areas (A, B, and C).
 - Permitted uses, except as noted below, include single family attached dwelling units, multi-family dwellings, eating/drinking/entertainment establishments Type 1 and 2, hotels, art galleries, colleges/universities/commercial and trade schools, business and general offices, retail sales, service uses, private postal services, studios for artists, designers, photographers, musicians, sculptors, gymnasts, potters, wood and leather craftsmen, glass blowers, weavers, silversmiths and jewelry designers.
 - Development Area A:
 - Allows a maximum of 270,000 square feet of building area.
 - Maximum building height of 140 feet.
 - Multi-family residential limited to 300 units.
 - Maximum of 225 hotel rooms.
 - Requires ground floor uses located in the building to be devoted to non-residential use with primary street level access
 - Prohibits single family attached dwelling units.

- Development Area B:
 - Allows an 187,450-square foot structured parking facility, and up to 4,600 square feet of ground floor nonresidential uses facing South Kings Drive.
 - Maximum building height of 65 feet along South Kings Drive.
 - Prohibits residential dwellings, hotels, colleges/universities/commercial and trade schools, and private postal services.
- Development Area C:
 - Allows up to eight single family attached dwelling units and associated accessory uses.
 - Requires the dwelling units to be constructed prior to the issuance of a Certificate of Occupancy for the parking structure.
 - Dwelling units are required to be constructed along the frontage on Cherry Street adjacent to the structured parking facility, in order to provide a residential edge.
 - Maximum height of heated area of the single family attached dwelling units limited to 30 feet along Cherry Street and 40 feet for portions of the dwelling units located at least 16 feet from the back of the proposed sidewalk on Cherry Street.
- Abandonment of Cecil Street right-of-way, which would be converted into a private drive providing access to adjacent parcels and the parking structure.
- Direct vehicular access between Baxter Street and Luther Street via the proposed private drive (formerly Cecil Street) through the parking structure on Development Area B.
- Vehicular access (ingress/egress) to site via Luther Street.
- Pedestrian stair access from South Kings Drive to private drive.
- Preserves the existing CATS bus stop on South Kings Drive.
- Specifies that tree grates, seat walls and other pedestrian amenities and features may be provided in the setback along the site's frontage on South Kings Drive.
- Provides building perspectives, elevations, and site cross sections.
- Limits height of freestanding lighting to 20 feet, except those on the top level of the parking structure that will be limited to 30 feet.
- Requests the following optional provisions:
 1. Allow the maximum height of the building located in Development Area A to be increased from 120 feet to 140 feet. The *Plan* recommends a height plane of one-foot of building height increase per ten feet of distance from single family residential zoning.
 2. Eliminate the requirement for on-street parking along South Kings Drive. The MUDD (mixed use development) zoning district refers to the adopted streetscape plan which is part of the *Midtown Morehead Cherry Area Plan*, which recommends on-street parking.
 3. Allow a 24-foot setback along South Kings Drive at the first floor and 16-foot setback for all other floors in Development Area A. The MUDD (mixed use development) district refers to the adopted area plan, which recommends a building setback of 24 feet along South Kings Drive.
 4. Allow a 19-foot minimum setback for the structured parking facility along South Kings Drive. The MUDD (mixed use development) district refers to the adopted area plan, which recommends a building setback of 24 feet along South Kings Drive.
 5. Allow the setback, planting strip and sidewalk along the site's frontage on Luther Street that is depicted on the rezoning plan on sheet RZ1.1. The rezoning plan shows a 16-foot setback near the intersection of Luther Street and Cherry Street that increases in width towards South Kings Drive and a six-foot sidewalk and eight-foot planting strip with a one foot utility zone near the intersection of Luther Street and Cherry Street that increases in width towards South Kings Drive. The MUDD (mixed use development) district refers to the adopted area plan, which recommends a building setback of 16 feet with an eight-foot planting strip, six-foot sidewalk, and two-foot utility zone.
 6. Allow an eight-foot, six-inch setback with eight-foot sidewalk and no planting strip along Cecil Street. The MUDD (mixed use development) district refers to the adopted area plan which recommends a building setback of 16 feet with an eight-foot planting strip, six-foot sidewalk and two-foot utility zone; however, the *Plan* also recommends the consideration of the abandonment of Cecil Street if the abandonment is part of a redevelopment proposal that supports the transformation of Kings Drive into a pedestrian-friendly commercial district.
 7. Allow the setback along Cherry Street to be reduced to 16 feet. The adopted area plan recommends areas outside of the Pedestrian Overlay follow Zoning Ordinance standards; thus, a 32-foot setback would be required.
 8. Allow an eight-foot planting strip and an eight-foot sidewalk along the site's frontage on Baxter Street rather than an eight-foot planting strip, six-foot sidewalk and two-foot utility zone.

- **Existing Zoning and Land Use**
 - The majority of the site is used for surface parking and a portion of the site contains two single family homes.
 - The property surrounding the site is zoned a mixture of B-1(PED) (neighborhood business, pedestrian overlay), R-22MF (multi-family residential), R-8 (single family residential), O-2(CD)(PED) (office, conditional, pedestrian overlay), UR-C(CD)(PED) (urban residential – commercial, conditional, pedestrian overlay) and MUDD-O (mixed use development, optional) and is used for a mixture of single family residential, multi-family residential, commercial, office and institutional uses.
- **Rezoning History in Area**
 - A number of rezonings have taken place to accommodate infill development and redevelopment for commercial and residential uses.
- **Public Plans and Policies**
 - The *Midtown Morehead Cherry Area Plan* (2012) recommends a mixture of residential, office and retail for the majority of the site along South Kings Drive, Baxter Street, Cecil Street, and Luther Street. The *Plan* recommends residential uses at eight units per acre for the portion of the site fronting Cherry Street south of Main Street.
 - The area plan recommends that as areas redevelop on the east side of South Kings Drive, a pedestrian-friendly environment with activation of buildings at street level should be provided.
 - The site plan diverges from the recommendations of the *Midtown Morehead Cherry Area Plan* and pedestrian overlay standards in regards to building heights, setbacks, streetscapes, and residential density along Cherry Street south of Main Street. Additionally, the parking structure encroaches into a portion of the area recommended for residential use.
 - The petition is inconsistent with the adopted plans for the following reasons:
 - The proposed building height is a 58-foot increase above the height recommended by the *Plan*.
 - The *Plan* recommends a 24-foot setback along South Kings Drive. The petition is proposing a setback of 24 feet at the ground floor, reduced to 16 feet for upper floors for Development Area A and a 19-foot setback for Development Area B.
 - The *Plan* recommends recessed on-street parking, an eight-foot curbed planter, and an eight-foot sidewalk along South Kings Drive. The rezoning proposes no on-street parking, an eight-foot planting strip, and a 16-foot sidewalk for Development Area A and an eight-foot planting strip and an 11-foot sidewalk for Development Area B. The sidewalk and planting strip along Kings Drive varies for Development Area B.
 - The *Plan* recommends an eight-foot planting strip and a six-foot sidewalk with a two-foot utility zone along Baxter Street. The petition proposed an eight-foot planting strip and an eight-foot sidewalk.
 - The *Plan* recommends setbacks along Cherry Street outside of the pedestrian overlay to comply with the Zoning Ordinance. The Zoning Ordinance requires a setback of 32 feet, which is greater than setbacks of the nearby homes on the street. The petition proposes a setback of 16 feet along Cherry Street.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** No issues.
 - **Vehicle Trip Generation:**
 - Current Zoning: 1,900 trips per day.
 - Proposed Zoning: 3,000 trips per day.
 - **Connectivity:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** No comments received.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte-Mecklenburg Utilities:** No issues.
- **Engineering and Property Management:** Submit a tree survey for all trees 2" or larger located in the right of way. Tree survey must show species and diameter. Parcel number 12522199 is located in the South Wedge per City Council's adopted Growth Framework and as a result is required to

provide on-site tree save. Show on-site tree save for this parcel on the site plan.

- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.
- **Urban Forestry:** No issues.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - Facilitates the use of alternative modes of transportation by preserving an existing CATS bus stop, and providing an improved pedestrian experience through the site and along South Kings Drive with the provision of wide sidewalks.
 - Minimizes impacts to the natural environment by building on an infill lot.

OUTSTANDING ISSUES

- The petitioner should:
 1. Address Engineering and Property Management issue.
 2. Specify the width of the sidewalk along S. Kings Drive in front of Development Area B.
 3. Highlight the rezoning site boundary on Sheet RZ1.1.
 4. Label the zoning boundary line on Sheet RZ1.1.
 5. Reduce the font size of the existing and proposed zonings on Sheet RZ1.1.
 6. Provide a note or information in the development data table related to the percentage of open space provided.
 7. Remove driveways from single family attached dwelling units, as no garages should not be permitted fronting Cherry Street; set back the units to be consistent with most of the homes along the street; and enlarge porches and entry space in front of units.
 8. Eliminate note Optional Provisions E.
 9. Specify architectural details for the screen wall along Cecil Street.
 10. Provide an elevation of the residential units fronting Cherry Street.
 11. Amend "View of street-grade pedestrian & retail colonnade" on sheet RZ1.3 to reflect the changes made to the proposed streetscape or remove the image.
 12. Provide a note clarifying the building materials, etc., for the single family attached units.
 13. Specify that the ends of attached dwelling units shall contain a combination of windows, doors or other architectural details on each floor to break up blank walls and provide architectural interest.
 14. Provide more detailed commitments for the treatment of blank walls above the minimum MUDD (mixed use development) requirements.
 15. Amend Notes A. Development Area A and B. Development Area B to say ground floor uses along South Kings Drive "shall" be devoted to non-residential uses with primary street level access to said uses.
 16. File for and complete the abandonment of Cecil Street prior to the rezoning decision.
 17. Reorder the development standards to read top to bottom, left to right.
 18. Increase the setback on South Kings Drive for all floors and the parking structure to 24 feet as specified in the *Midtown Morehead Cherry Area Plan*.
 19. Increase the setback on Cherry Street to be consistent with most other homes on the street to match the context of the neighborhood.
 20. Reduce the proposed height for Development Areas A. The *Midtown Morehead Cherry Area Plan* recommends heights follow the standards of the Pedestrian Overlay District.
 21. Add back all notes under the headings Environmental Features, Signs, Lighting and Binding Effect, which were provided with the previous version of the site plan.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review

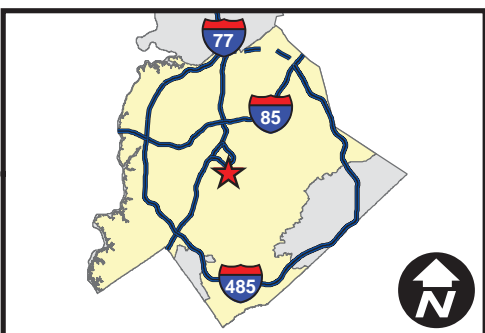
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: John Kinley (704) 336-8311

Petition #: **2014-109**

Vicinity Map

Acreage & Location : 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.



★ Rezoning Petition: 2014-109

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

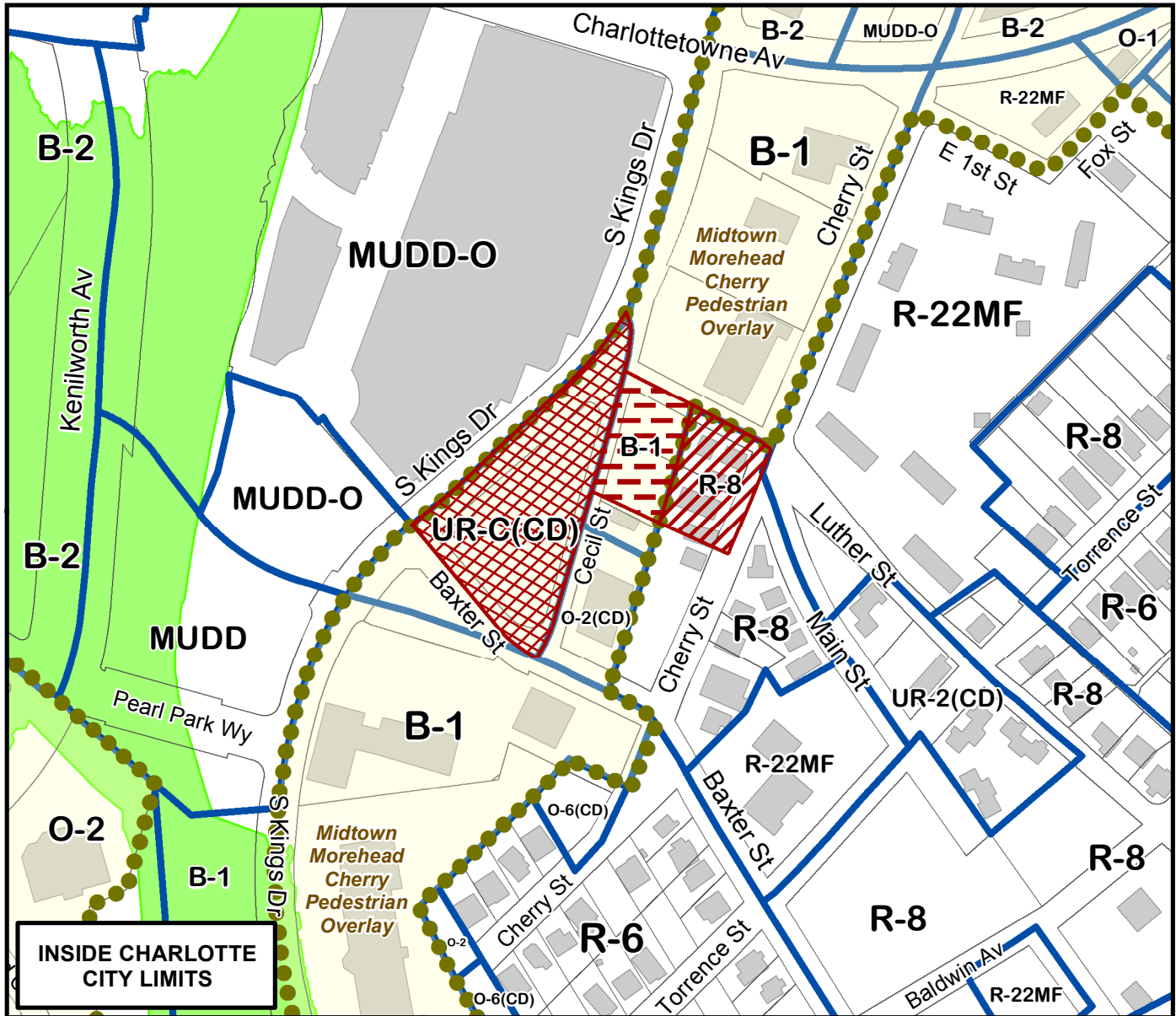
Petition #: **2014-109**

Petitioner: **Midtown Area Partners II, LLC**

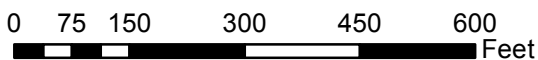
Zoning Classification (Existing): **R-8, UR-C(CD)(PED), & B-1(PED)**
(Single Family, Residential; Urban Residential, Commercial, Conditional, Pedestrian Overlay District; and Neighborhood Business, Pedestrian Overlay District)

Zoning Classification (Requested): **MUDD-O & MUDD-O(PED)**
(Mixed Use Development District, Optional and Mixed Use Development District, Optional, Pedestrian Overlay District)

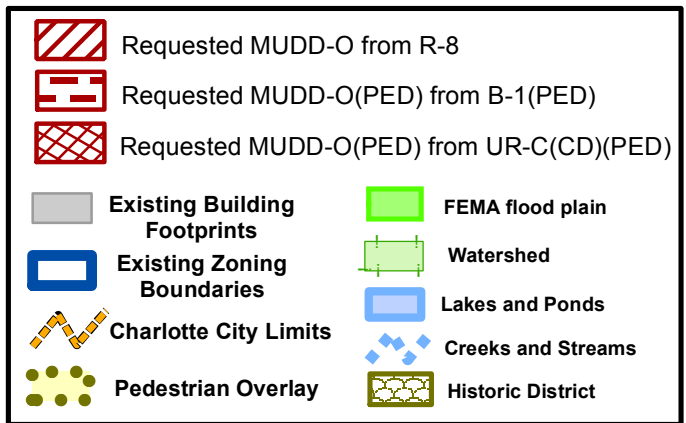
Acreage & Location: Approximately 1.99 acres located on the northeast corner of the intersection of Baxter Street and South Kings Drive and the south side of Luther Street between Cecil Street and Cherry Street.

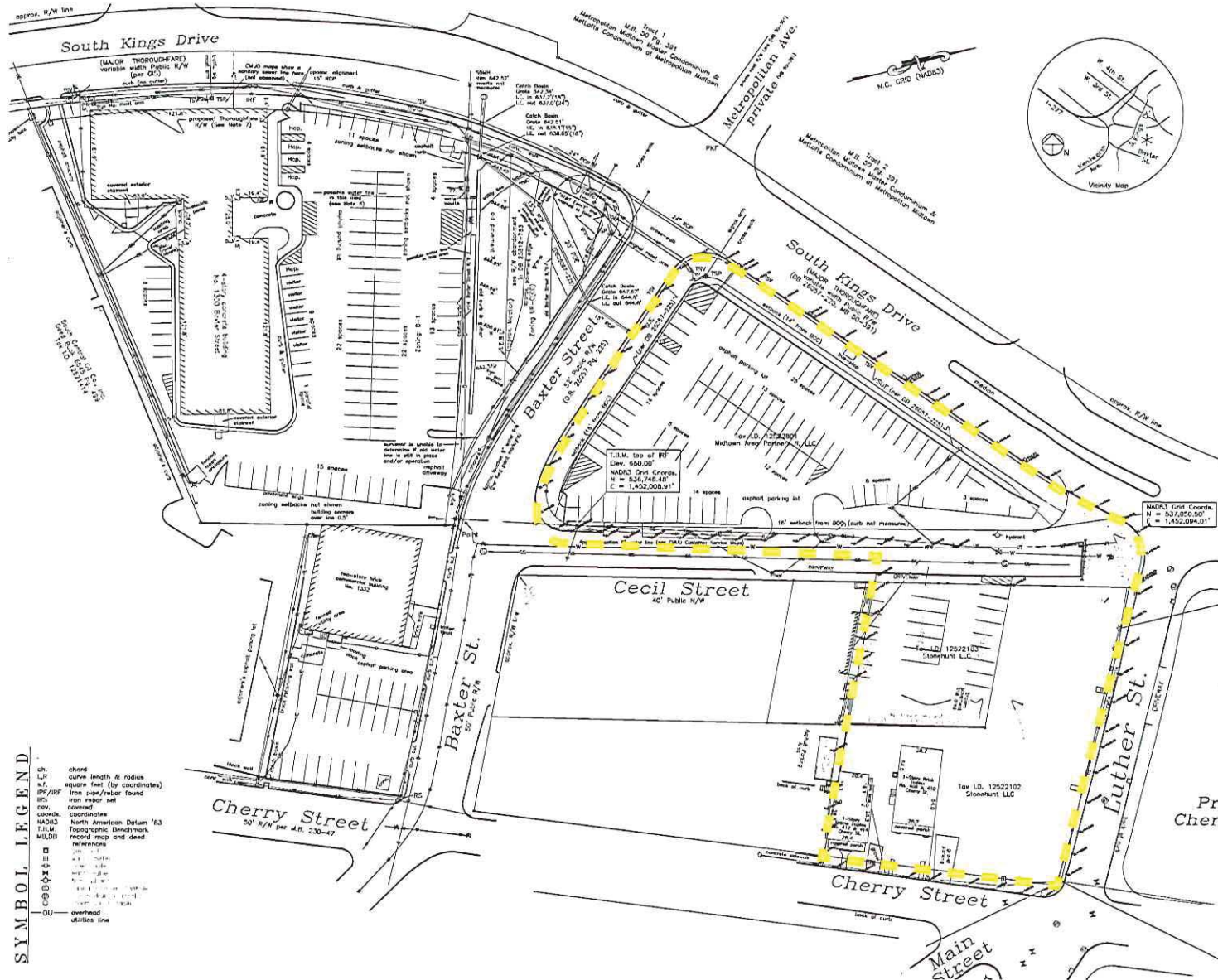


Map Produced by the Charlotte-Mecklenburg Planning Department, 12-4-2014.



Zoning Map #(s)
102, 111





THIS SURVEY IS CERTIFIED ONLY TO GOOD PROPERTIES:

that the compilation sketch is based upon my best knowledge, information and belief; that this map was drawn under my supervision from prior surveys made by me, that the boundary lines and physical improvements shown are based on prior surveys made by me and do not reflect a current boundary or physical survey.

The purpose of this map is to show spot elevations at top of curb along Cherry, Luther and Cecil Streets and South Kings Drive.

Certified only as to the curb elevations shown.

— PRELIMINARY —

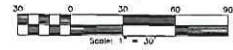
Andrew G. Zoutewelle
Professional Land Surveyor
NC License No. L-33911

- General Notes for Stonehill, LLC Parcels (Midtown Area Parcels, LLC parcel was not surveyed)
1. Source of title is recorded in Deed Book 20971, Page 784 (Parcel 1), and Deed Book 24095, Page 638 (Parcel 2).
 2. This property is composed of Tax ID No. 125-221-02 and part of Tax ID No. 125-221-01 (Parcel 1) & Tax ID No. 125-221-03 (Parcel 2).
 3. The survey was produced without the benefit of a Title Commitment. There may be restrictions, easements, and other matters of Title not shown hereon.
 4. No evidence of recent earthwork or building additions was observed.
 5. No proposed right-of-way change contemplated by the City of Charlotte was known.
 6. No evidence of the property being used as a solid waste dump, dump or sanitary landfill was observed.
 7. Coning is Full per Mecklenburg County G.L.S., said zoning district having the following standard setbacks:
Minimum Setback: 3' (as measured from the back of curb)
Minimum Sideyard: 3'
Minimum Rearyard: 20'
Minimum Building Height: 40'
 8. Any development of this property is subject to the approval of the City of Charlotte.
 9. There are 18 number of marked parking spaces, none of which are designated as handicapped-accessible.
 10. This survey does not reflect complete utility locations. Contractors should contact the NC One-Call Locating Center at 1-800-632-4949 before any design, digging or excavation is begun.
 11. Street address numbers are taken from Mecklenburg County GIS.
 12. Grid lines provided by Survey and Mapping Control, Fayetteville, N.C. All distances shown herein are horizontal ground distances. Combined Grid Factor = 0.00004618. Vertical datum is NAVD83. Horizontal datum is NAD83(70045002.0000).
 13. All curb elevations shown are at TOP of curb.

*** CAUTION ***
THERE MAY BE UTILITIES OTHER THAN THOSE SHOWN.
THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT SHOWN HEREON. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THEIR LOCATIONS.

CALL BEFORE YOU DIG
1-800-632-4949

Copyright 2013
CURB ELEVATION SURVEY
Property at S. Kings Drive,
Cherry Street & Luther Street
CHARLOTTE, MECKLENBURG COUNTY, N.C.
for GOODE PROPERTIES
Date of Map April 05, 2013



A.G. ZOUTEWELLE
SURVEYORS
1418 East Fifth St. Charlotte, NC 28204
Phone 704-372-8444 Fax 704-372-8355
Firm License Number C-1014

SYMBOL LEGEND

ch	chord
L/R	curve length & radius
M/F	square feet (by coordinates)
RP/RP	iron pipe/rod found
RS	iron rebar set
cov	covered
coor	coordinate
NAD83	North American Datum '83
T.B.M.	Topographic Benchmark
M.U.D.	record map and deed references
DU	overhead utility line

KINGS DRIVE MIXED USE PROJECT

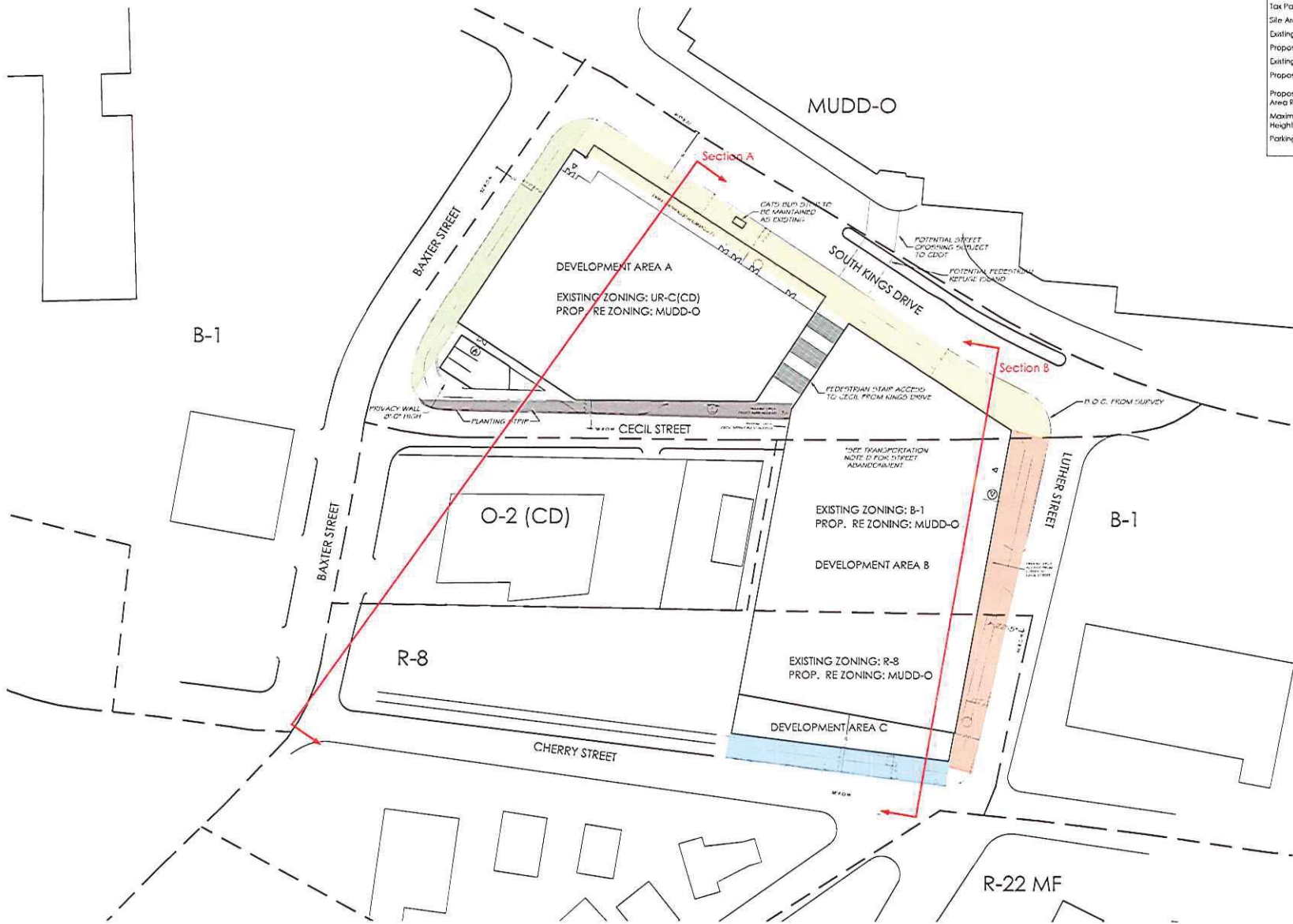
SITE SURVEY

December 2014

GOODE PROPERTIES



RZ1.0



Site Data Table	
Tax Parcel Nos.:	125-22B-01, 125-221-02, 125-221-03 and 125-221-99
Site Area:	Approximately 1.99 acres
Existing Zoning:	UR-C (CD) (PED), B-1 (PED) and R-8
Proposed Zoning:	MUDD-O (PED) and MUDD-O
Existing Uses:	Parking and single family residential
Proposed Uses:	A mixed use development that could contain office, retail, hotel and residential uses.
Proposed Floor Area Ratio:	.709
Maximum Building Height:	See Notes A, B and C of the Development Standards
Parking:	Per the Ordinance

- KINGS DRIVE SETBACK 28' TO BACK OF ARCADE
- 16' SETBACK TO DRIP LINE
- 22' SETBACK TO PARKING DECK
- BAXTER STREET SETBACK 16'
- LUTHER STREET SETBACK 16' TO 24' AT KINGS DRIVE
- CHERRY STREET SETBACK 16'
- CECIL STREET CONVERTED TO PRIVATE STREET

N.C. GRID (NAD83)

LEGEND

- Survey Boundary
- Proposed Street
- Easement
- Utility
- Other

Scale: 1" = 30'

KINGS DRIVE MIXED USE PROJECT

SITE PLAN

December 2014

GODDE PROPERTIES



RZ1.1

DEVELOPMENT STANDARDS	
<small>October 10, December 10, 2014</small>	
GENERAL PROVISIONS	
A.	These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Midtown Area Partners II, LLC to accommodate the development of a mixed use development that could contain office, retail, hotel and residential uses on that approximately 1.22-acre site generally bounded by South Kings Drive, Lather Street, Cherry Street and Huxler Street, which site is more particularly depicted on the Rezoning Plan hereinafter referred to as the "Site". <u>The Site is composed of three parcels of land designated as Tax Parcel Nos. 12C-272-01, 12C-271-02, 12C-271-03 and 12C-271-07.</u>
B.	The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance the "Ordinance", subject to the optional provisions set out below, the regulations established under the Ordinance for the Mixed Use Development District ("MUD") zoning district shall govern the development of the Site.
C.	The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the ultimate layout, location and size of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback and yard requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.
D.	The parcels of land that comprise the Site may be recombined into one parcel at the option of the Petitioner or further subdivided.
E.	<u>Pursuant to Section 1-110 of the Ordinance and Section 160A-397.1 of the North Carolina General Statutes, the Rezoning Plan, if approved, shall be valid for a period of 5 years, the full term and duration of the development, the level of investment, economic cycles and market conditions.</u>
F.	Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

<small>incidental or accessory uses associated therewith that are permitted under the Ordinance in the MUD) zoning district.</small>	
Development Limitations/Requirements	
A.	The maximum gross floor area of the building to be located on Development Area A shall be 270,000 square feet, and the maximum height of this building shall be 140 feet.
B.	<u>No multi-family dwelling units contained herein to be located in the building to be located on Development Area A shall be 400 dwelling units.</u>
C.	<u>No multi-family dwelling units contained herein to be located on Development Area A shall be 224 hotel rooms.</u>
D.	<u>Ground floor uses located in the building to be located on Development Area A along South Kings Drive shall be devoted to non-residential uses with primary street level access to such uses.</u>
E.	The maximum gross floor area of the structured parking facility to be located on Development Area D shall be 187,450 square feet, and the maximum height of the structured parking facility shall be <u>no more than 50 feet to 60 feet or more, whichever is less, on the Rezoning Plan.</u> The gross floor area of the commercial (non-residential) uses to be located on the ground or street level of the structured parking facility located on Development Area D facing South Kings Drive shall not be considered or counted when determining the maximum gross floor area of the structured parking facility.
F.	The maximum gross floor area of the commercial (non-residential) uses located on the ground or street level of the structured parking facility located on Development Area D facing South Kings Drive shall be 4,600 square feet.
G.	Single family attached dwelling units are required to be constructed on Development Area C along its frontage on Cherry Street adjacent to the structured parking facility as generally depicted on the Rezoning Plan to provide a residential edge to this portion of the Site. The maximum number of single family attached dwelling units <u>shall not be</u> constructed on Development Area C shall be <u>4 dwelling units.</u>
H.	<u>The single family attached dwelling units to be located on Development Area C shall be constructed prior to the issuance of a certificate of occupancy for the structured parking facility to be located on Development Area D.</u>

OPTIONAL PROVISIONS	
<small>Petitioner requests the approval of the following optional provisions shall apply to the development of the Site:</small>	
A.	The building to be located on that portion of the Site designated as "Development Area A" on the Rezoning Plan shall have a maximum height of 140 feet as provided below.
B.	On-street parking along the Site's frontage on South Kings Drive shall not be required.
C.	The minimum setback <u>along</u> South Kings Drive for the ground floor of the building to be located on Development Area A shall be 21 feet from the back of the existing curb. The minimum setback <u>along</u> South Kings Drive for all floors of such building above the ground floor shall be 10 feet from the back of the existing curb.
D.	The minimum setback <u>along</u> South Kings Drive for the structured parking facility to be located on Development Area D shall be <u>10</u> feet from the back of the existing curb.
E.	Setback <u>The</u> setback planting strip and sidewalk located along the Site's frontage on Lather Street that is more particularly depicted on the Rezoning Plan <u>shall be permitted.</u>
F.	In the event that a sidewalk is not shown on the Rezoning Plan, the <u>setback and sidewalk (without a planting strip) located along the Site's frontage on Cecil Street that is more particularly depicted on the Rezoning Plan shall be permitted.</u>
G.	<u>The minimum setback from Cherry Street shall be 16 feet from the back of existing curb.</u>
H.	<u>An 8 foot planting strip and an 8 foot sidewalk shall be installed along the Site's frontage on Huxler Street rather than on a foot planting strip, a foot sidewalk and a 2 foot utility zone.</u>
PERMITTED USES	
A.	Development Area A
The building to be located on Development Area A may be devoted only to the uses set out below (including any combination of such uses), together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the MUD) zoning district:	
(1)	Multi-family dwelling units;
(2)	Eating, drinking and entertainment establishments (Type 1 and Type 2), subject to the regulations of Section 12-546 of the Ordinance;
(3)	Hotels;
(4)	Art galleries;

TRANSPORTATION	
A.	Vehicle access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the Charlotte Department of Transportation.
B.	Off-street vehicular parking shall meet the minimum requirements of the Ordinance.
C.	Bicycle parking will be provided on the Site as required by the Ordinance.
D.	Petitioner shall be submitting to the City of Charlotte a <u>Petitioner is submitting to the City of Charlotte a</u> Petition to the City of Charlotte requesting that Cecil Street be abandoned by the City of Charlotte. In the event that this Petition is approved by City Council, Cecil Street shall be converted to a private drive serving the adjacent parcels of land and the structured parking facility to be located on Development Area B.
E.	The existing bus shelter located along the Site's frontage on South Kings Drive shall be retained provided, however, that with the approval of CATS and CDOT, the existing bus shelter may be relocated by the Petitioner to another location along the Site's frontage on South Kings Drive.
F.	Direct vehicular access from Lather Street to Cecil Street through the structured parking facility located on Development Area B shall be provided.
ARCHITECTURAL AND DESIGN STANDARDS	
A.	The maximum height of the building to be constructed on Development Area A shall be 140 feet.
B.	The maximum height of the structured parking facility to be constructed on Development Area B shall be <u>no more than 50 feet to 60 feet or more, whichever is less, on the Rezoning Plan.</u>
C.	The maximum height (heated area) of the single family attached dwelling units to be constructed on Development Area C shall be 30 feet along Cherry Street, and the maximum height may increase to 40 feet for those portions of the single family attached dwelling units located at least 16 feet from the back of the proposed sidewalk on Cherry Street.
D.	Development of the Site shall comply with the applicable urban design standards of Section 9-8506 of the Ordinance.
E.	All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.

(5)	Colleges, universities, commercial schools and schools providing adult training in any of the sciences, trades and professions;
(6)	Professional business and general offices;
(7)	Retail sales;
(8)	Services, including, without limitation, beauty shops and barber shops, spas and fitness centers;
(9)	Post offices, private postal services, and
(10)	Studios for artists, designers, photographers, musicians, sculptors, gymnasts, potters, wood and leather craftsmen, glass blowers, weavers, silversmiths, and designers of ornamental and precious jewelry.
Development Area D	
That portion of the Site designated as "Development Area D" on the Rezoning Plan shall be devoted primarily to a structured parking facility and to any incidental or accessory uses relating thereto as depicted on the Rezoning Plan.	
Notwithstanding the foregoing, that portion of the ground or street level floor of the structured parking facility facing South Kings Drive that is more particularly depicted on the Rezoning Plan may be devoted to the uses set out below (including any combination of such uses), together with any incidental or accessory uses relating thereto that are permitted under the Ordinance in the MUD) zoning district:	
(1)	Eating, drinking and entertainment establishments (Type 1 and Type 2), subject to the regulations of Section 12-546 of the Ordinance;
(2)	Retail Sales;
(3)	Art galleries;
(4)	Professional business and general offices;
(5)	Services, including, without limitation, beauty shops and barber shops, spas and fitness centers; and
(6)	Studios for artists, designers, photographers, musicians, sculptors, gymnasts, potters, wood and leather craftsmen, glass blowers, weavers, silversmiths, and designers of ornamental and precious jewelry.
Development Area C	
That portion of the Site designated as "Development Area C" on the Rezoning Plan may be devoted only to a maximum of 4 single family attached dwelling units, together with any	

F.	Dumpster and recycling areas will be enclosed on all four sides by an opaque wall or fence with one side being a hinged opaque gate. If one or more sides of a dumpster and recycling area adjoin a side wall or rear wall of the building, then the side wall or rear wall of the building may be substituted for the wall or fence along such side. Alternatively, such facilities may be located within or under one of the structures proposed to be constructed on Development Area A or Development Area B.
G.	Attached to the Rezoning Plan are conceptual, schematic images of the various exterior components and elements of the buildings and the structured parking facility to be constructed on the Site that are intended to depict the general conceptual architectural style, character and quality of the buildings and the structured parking facility. Accordingly, the buildings and structured parking facility to be constructed on the Site shall be designed and constructed so that the exterior components and elements of the buildings and the structured parking facility are substantially similar in appearance to the attached conceptual, schematic images with respect to architectural style, character and quality. Notwithstanding the foregoing, changes and alterations to the exterior components and elements of the buildings and the structured parking facility which do not materially change the overall conceptual architectural style, character and quality shall be permitted.
H.	<u>In addition to the design flexibility provided in paragraph C above, the exterior design and materials of the buildings to be located on Development Area A may be modified to accommodate the various uses that are permitted on the Site under this Rezoning Plan, which modifications may include, without limitation, the addition of balconies, overhangs and recesses.</u>
SETBACK AND YARDSCAPE	
A.	Subject to the optional provisions set out above, the development of the site shall comply with the setback, side yard and rear yard requirements of the MUD) zoning district.
B.	Subject to the optional provisions set out above, Petitioner shall install planting strips and sidewalks along the Site's public street frontages as generally depicted on the Rezoning Plan.
C.	<u>Tree plantings shall include other pedestrian amenities and features that are provided in the setback along the Site's frontage on South Kings Drive.</u>
ENVIRONMENTAL FEATURES	
A.	Development of the Site shall be in compliance with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
B.	The location, size, and type of storm water management systems are subject to review and approval as part of the full development plan submitted and are not implicitly approved.



GOODE PROPERTIES

MIDTOWN CENTER
KINGS DRIVE ELEVATION



GOODE PROPERTIES

MIDTOWN CENTER
ELEVATION GUIDE



GOODE PROPERTIES

MIDTOWN CENTER
PEDESTRIAN ACCESS FROM KINGS DRIVE TO CECIL STREET



GOODE PROPERTIES

MIDTOWN CENTER
VIEW OF STREET-GRADE PEDESTRIAN &
RETAIL COLONNADE





MIDTOWN CENTER
VIEW OF PARKING DECK + RETAIL
AT KINGS DRIVE AND LUTHER

GOODE PROPERTIES



- BELT COURSE AND MOLDING ARTICULATE EACH LEVEL OF BUILDING HEIGHT.
- FURTHER DIFFERENTIATION OF STRING-COURSE HEIGHT-DEPTH AND COLUMN WIDTH-DEPTH ARTICULATES UPPER STORIES AS DISTINCT PARTS OF BUILDING FORM
- 15 STORY BUILDING BASE SCALED TO PEDESTRIAN STREET ACTIVITY.
- PEDESTRIAN ARCADE (13' DEEP) GIVES PEDESTRIAN SPACE THAT EXCEEDS MINIMUM SETBACK REQUIREMENTS AND ORDINANCE RECOMMENDATIONS.
- ARCHITECTURAL 'CANOPY' ACCENTS 'CEILING' OF PEDESTRIAN SPACE.

DESIGN INTENTIONS

GOODE PROPERTIES



- 2' TO RETAIL FACADE
- PEDESTRIAN RETAIL ARCADE
- FOUNDATION SURFACES TO BE CLAD IN STONE WITH FOLIAGE TO COVER
- ACCENT WALL TO CONCEAL SHORT TERM PARKING

MIDTOWN CENTER
BAXTER STREET ELEVATION

GOODE PROPERTIES





GOODE PROPERTIES

MIDTOWN CENTER
CECIL STREET ELEVATION
OCTOBER 2014



GOODE PROPERTIES

MIDTOWN CENTER
VIEW OF OFFICE AND PARKING DECK
AT CECIL STREET



GOODE PROPERTIES

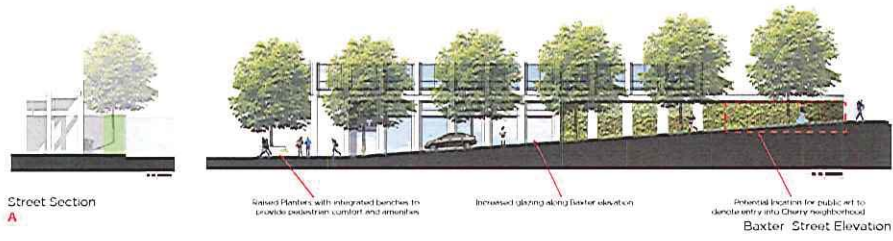
MIDTOWN CENTER
VIEW OF PARKING DECK + RETAIL
AT UPPER KINGS DRIVE



GOODE PROPERTIES

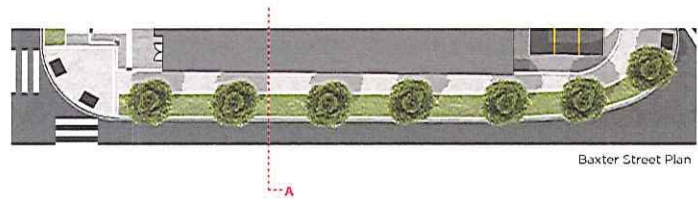
MIDTOWN CENTER PARKING DECK
VIEW ALONG LUTHER STREET





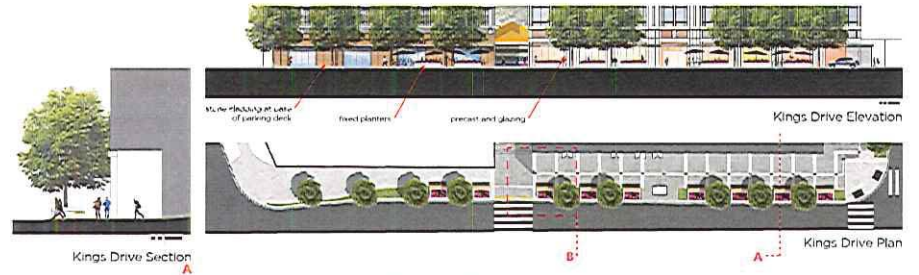
Street Section A

Baxter Street Elevation



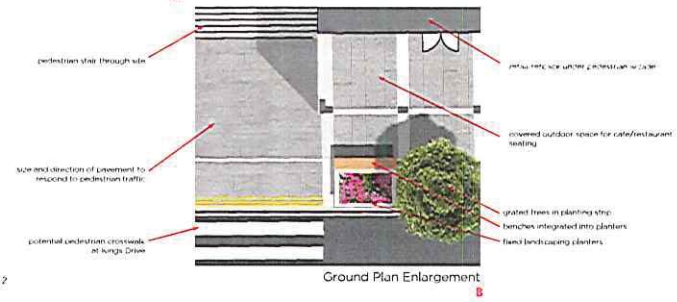
Baxter Street Plan

South Kings Drive Mixed Use Project Supplemental Document



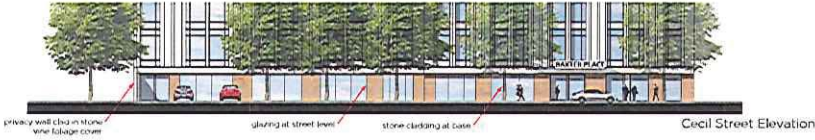
Kings Drive Section A

Kings Drive Plan

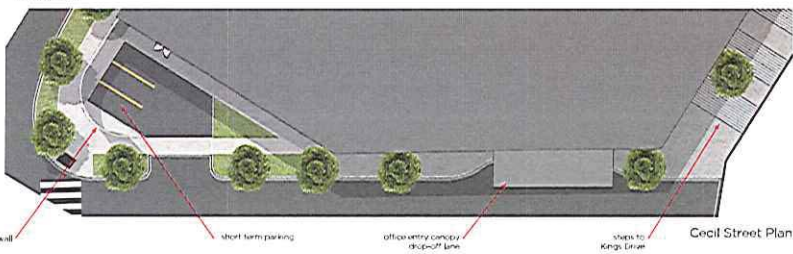


Ground Plan Enlargement

South Kings Drive Mixed Use Project Supplemental Document

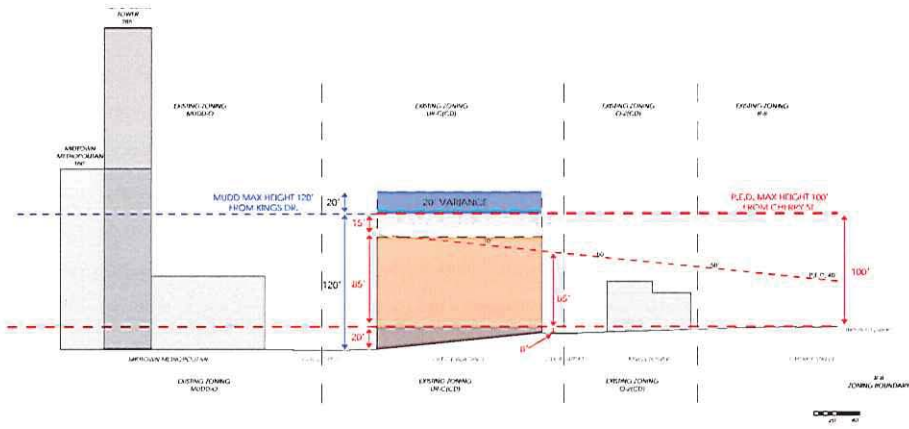


Cecil Street Elevation



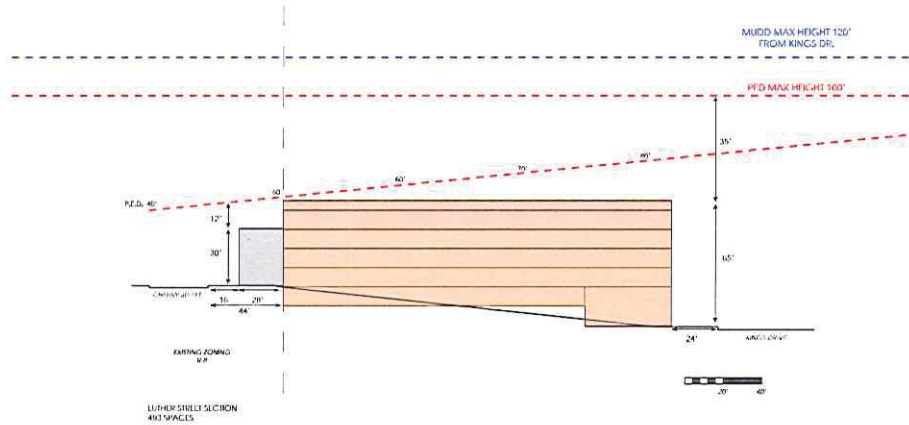
Cecil Street Plan

South Kings Drive Mixed Use Project Supplemental Document



GOODE PROPERTIES

PED OVERLAY DISTRICT ANALYSIS
KINGS DRIVE

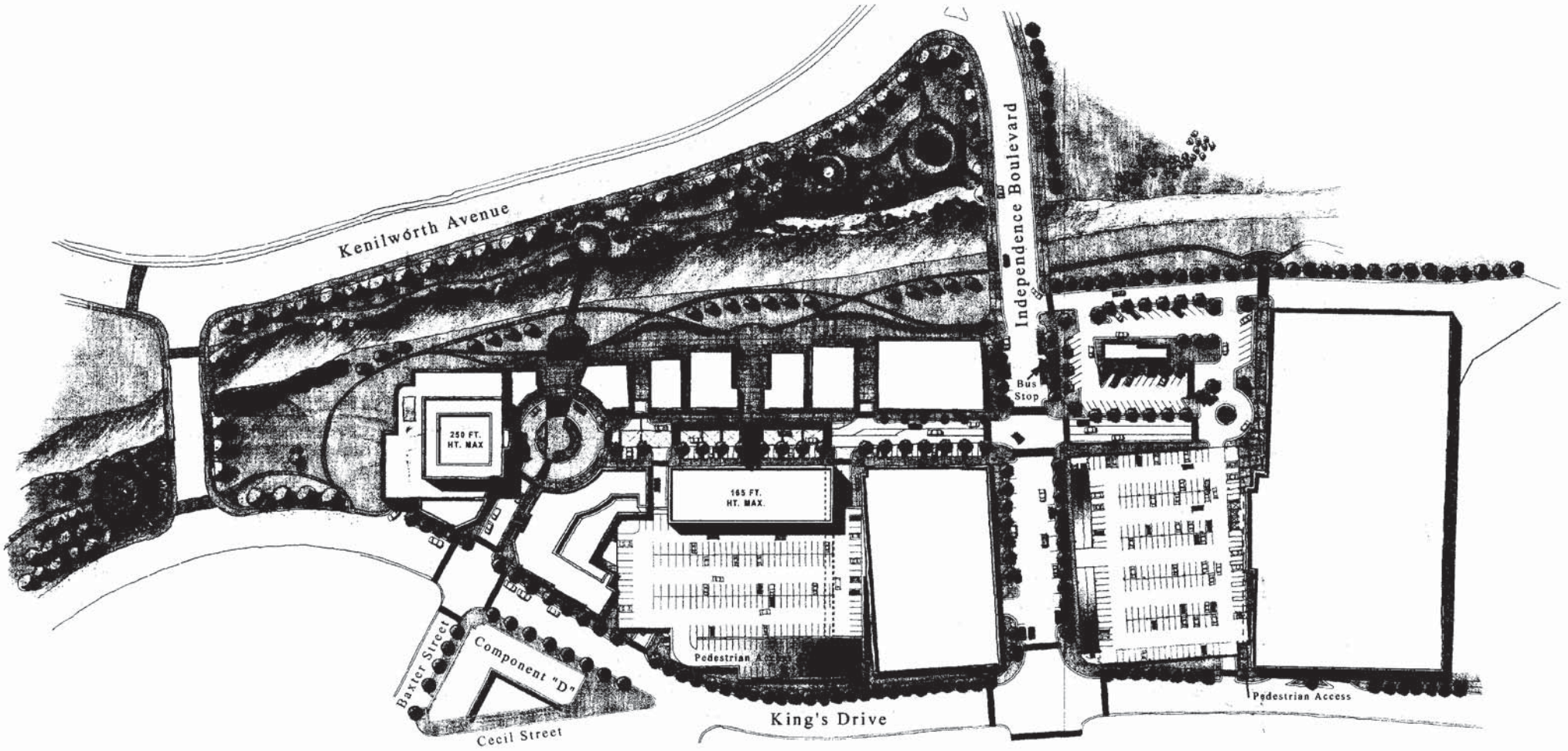


GOODE PROPERTIES

PED OVERLAY DISTRICT ANALYSIS
LUTHER STREET



Previously
Approved
Site
Plan



APPROVED BY CITY COUNCIL
 DATE 5/16/05
 2005-060

CONCEPTUAL SCHEMATIC SITE PLAN
 IN ACCORDANCE WITH THE DEVELOPMENT STANDARDS, THIS SCHEMATIC SITE PLAN THAT ACCOMPANIES THE TECHNICAL DATA SHEET IS SCHEMATIC IN NATURE AND THE EXACT ALIGNMENT OF STREETS, ACCESS POINTS, THE CONFIGURATION AND PLACEMENTS OF PARKING AND SERVICE AREAS AND THE PRECISE LOCATION, HEIGHTS AND MASSES OF THE BUILDINGS AND PARKING AREAS, SERVICE AREAS AND OTHER INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES OF THE PROJECT.



COLLETT'S
 ASSOCIATES

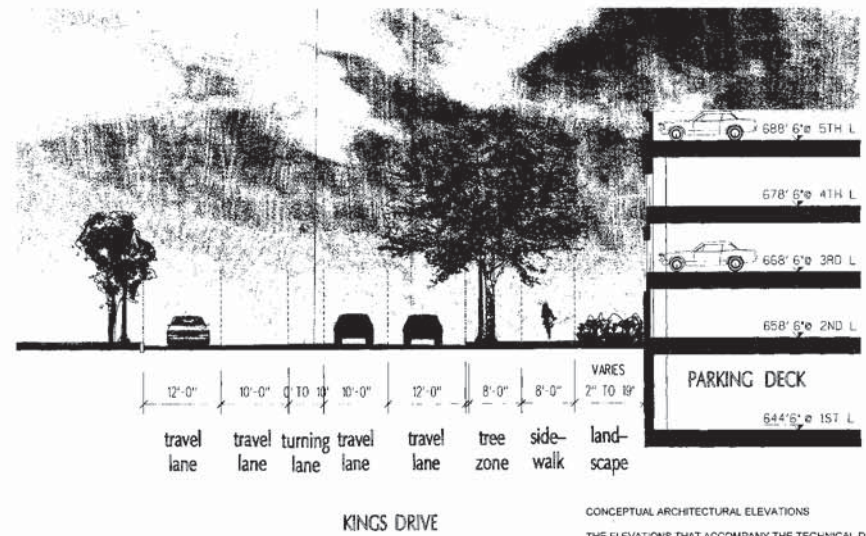
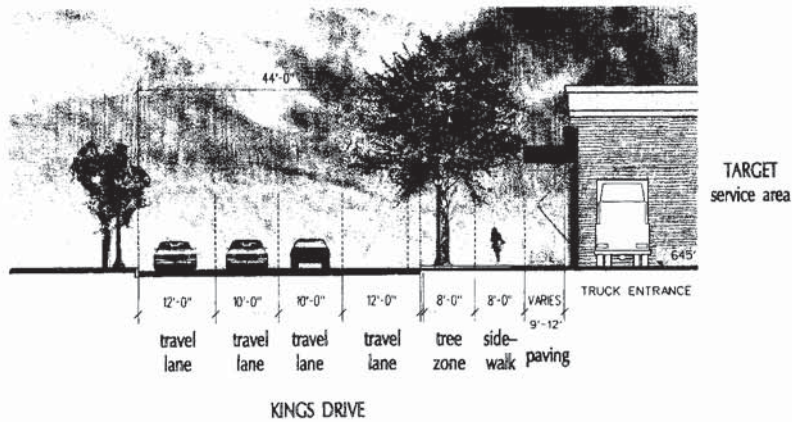
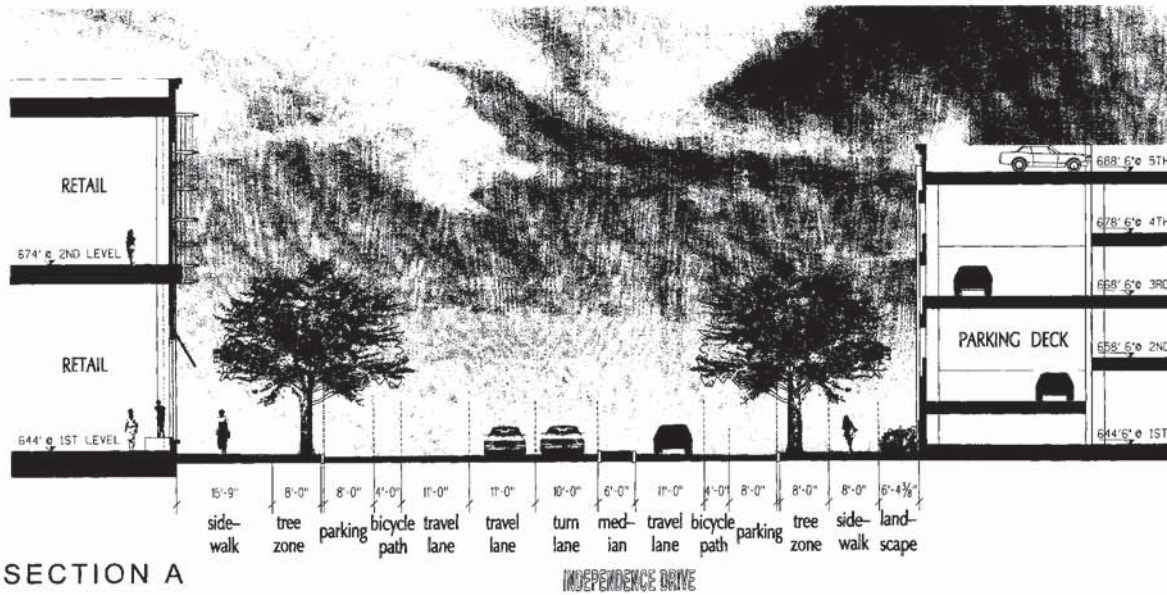
MIDTOWN MIXED USE

Charlotte, North Carolina

April 18, 2005



COOPER CARRY



CONCEPTUAL ARCHITECTURAL ELEVATIONS

THE ELEVATIONS THAT ACCOMPANY THE TECHNICAL DATA SHEET ARE CONCEPTUAL IN NATURE AND ARE PRELIMINARY GRAPHIC REPRESENTATIONS OF THE TYPES OF ARCHITECTURAL DESIGNS AND QUALITY OF DEVELOPMENT PROPOSED FOR PORTIONS OF THE SITE, IT BEING UNDERSTOOD THAT MODIFICATIONS MAY BE MADE DURING THE DESIGN/DEVELOPMENT AND CONSTRUCTION OF THE PROJECT.



COLLETTI & ASSOCIATES

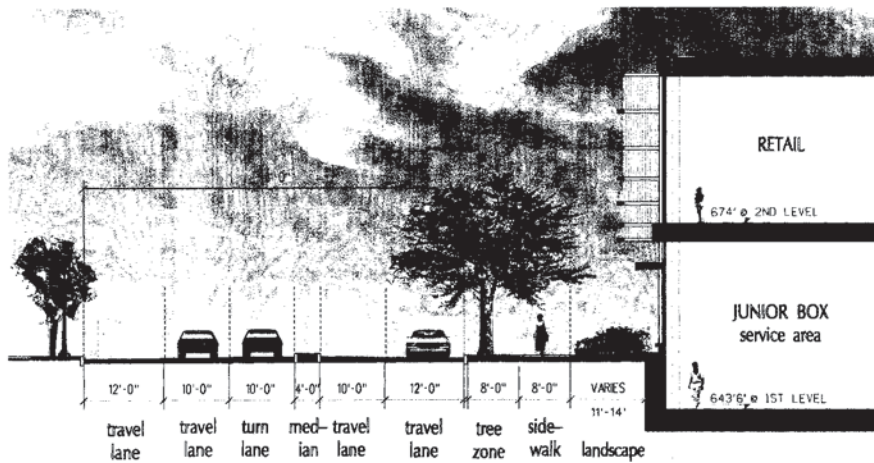
MIDTOWN MIXED USE

Charlotte, North Carolina

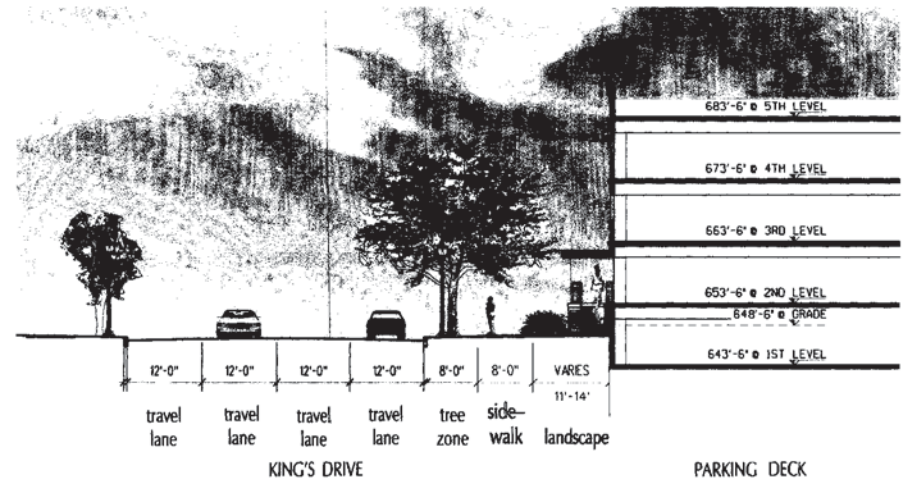
18 April 2005

COOPER CARRY

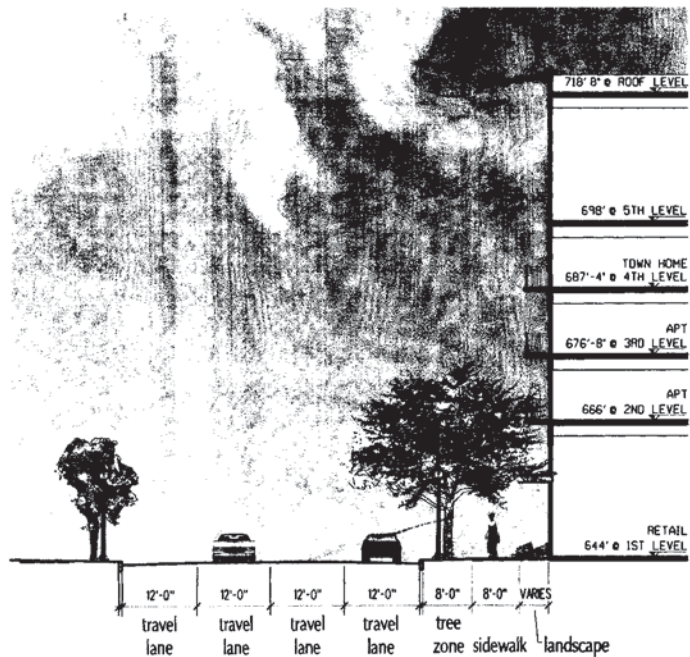




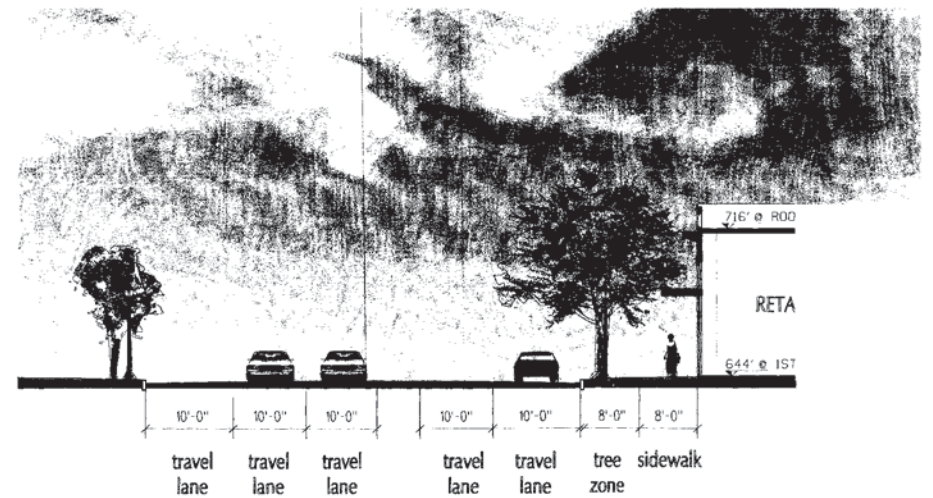
KING'S DRIVE
SECTION D



SECTION E
(STREET WIDTH TO BE DETERMINED)



SECTION F
(STREET WIDTH TO BE DETERMINED)



SECTION G
(STREET WIDTH TO BE DETERMINED)

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COLLETT &
ASSOCIATES

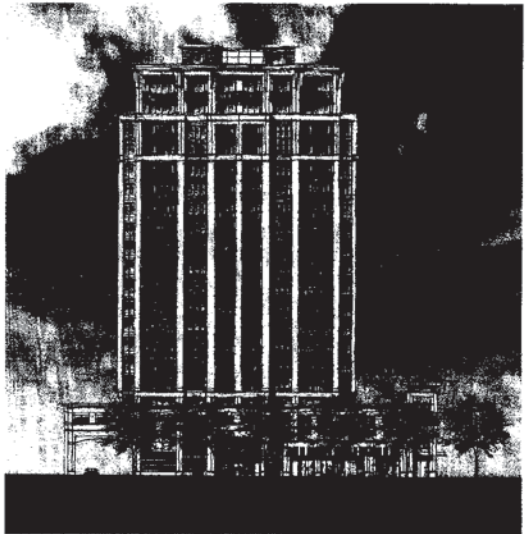
MIDTOWN MIXED USE

Charlotte, North Carolina

18 April 2005

COOPER CARRY





CONCEPTUAL ARCHITECTURAL ELEVATIONS

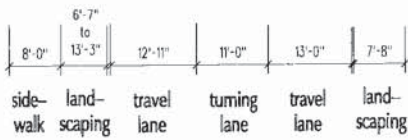
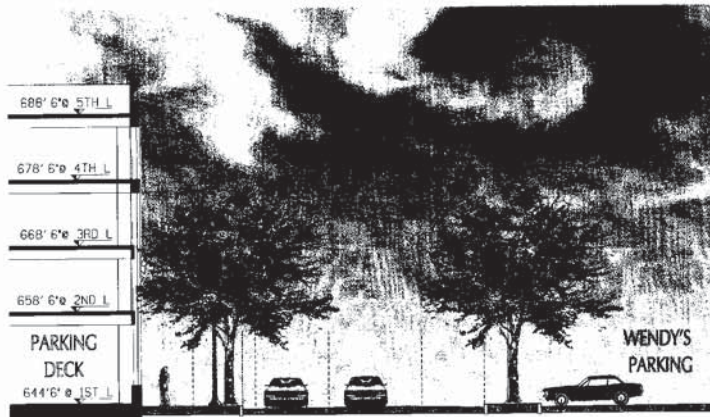
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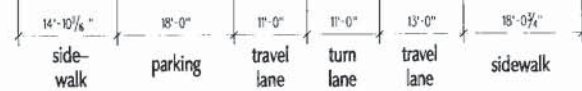
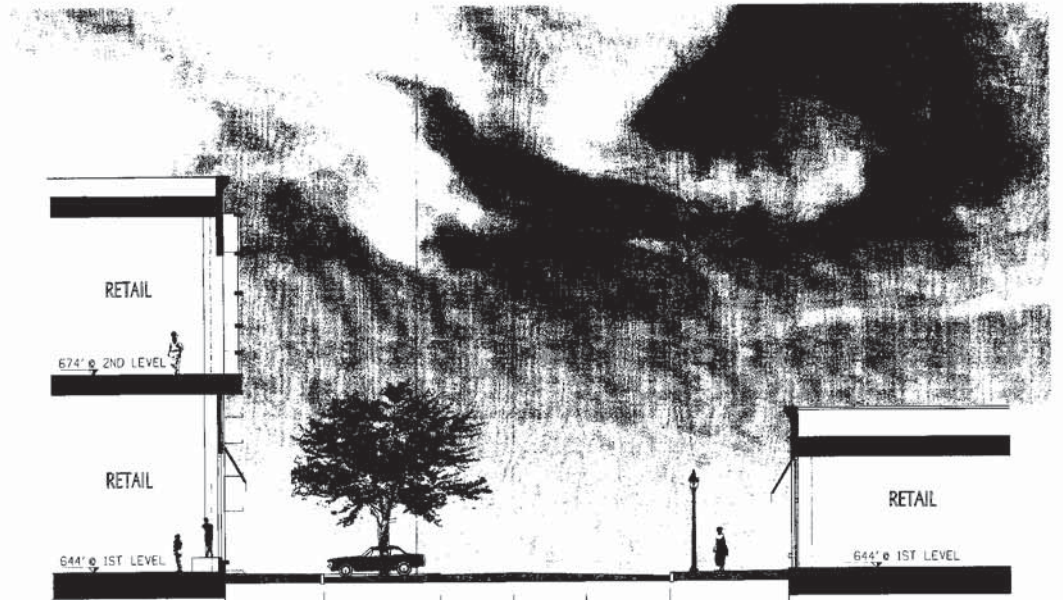
COLLETTE & ASSOCIATES

MIDTOWN MIXED USE
Charlotte, North Carolina
18 April 2005





MAIN STREET
SECTION



MAIN STREET
SECTION

CONCEPTUAL ARCHITECTURAL ELEVATIONS
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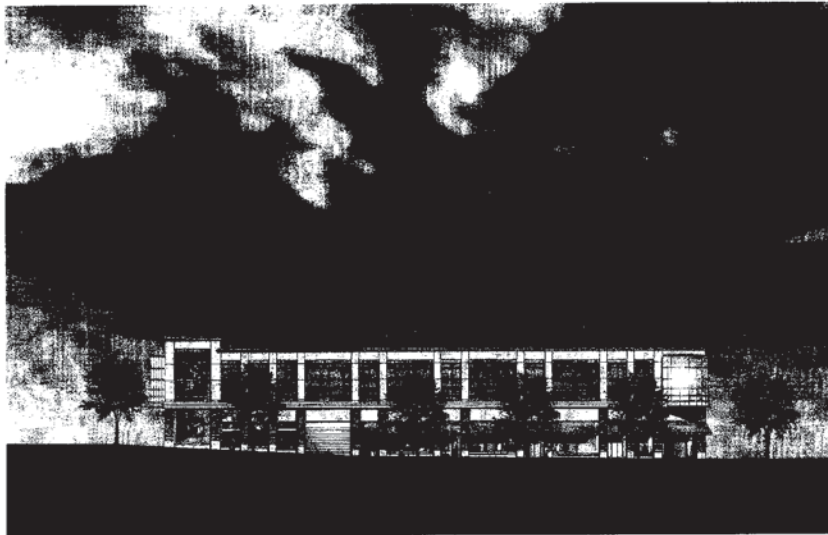


COLLETTA & ASSOCIATES

MIDTOWN MIXED USE
Charlotte, North Carolina
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COOPER CARRY



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COLLETTI &
ASSOCIATES

MIDTOWN MIXED USE

Charlotte, North Carolina

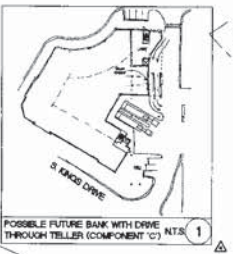
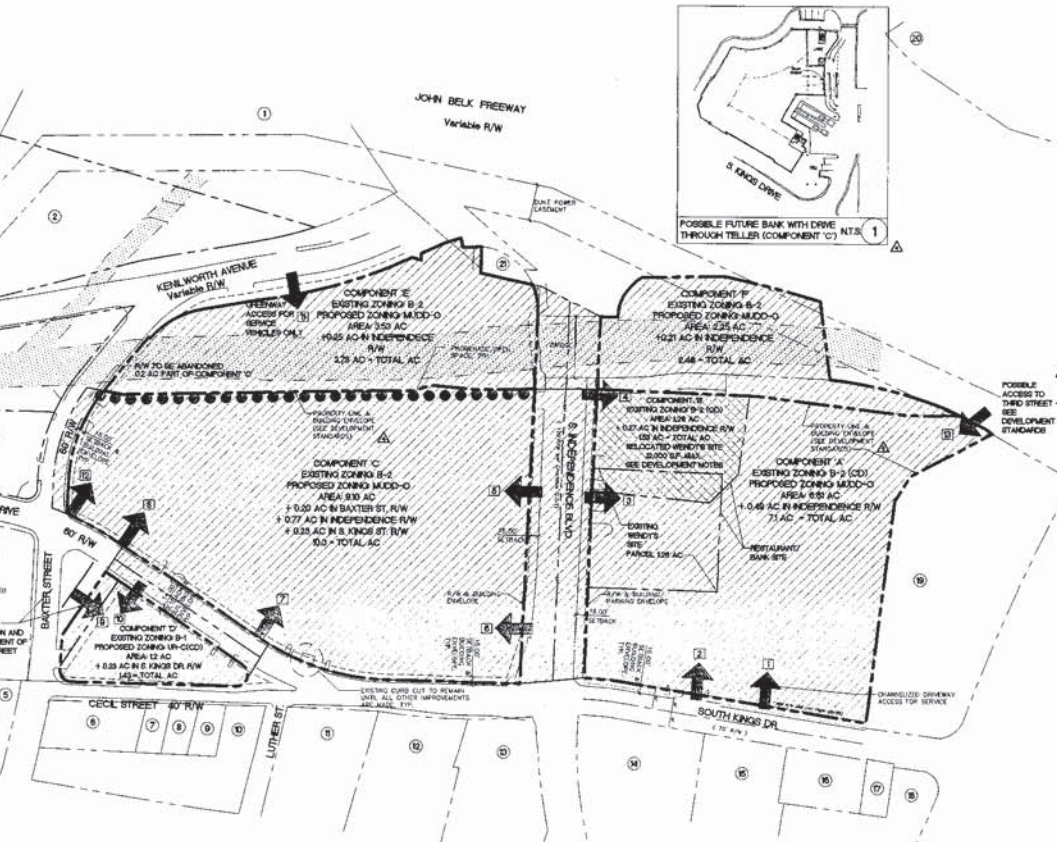
18 April 2005



COOPER CARRY
201104

ADJACENT PROPERTY OWNERS

- 1. MECKLENBURG COUNTY 400 EAST FOURTH STREET CHARLOTTE, NC 28202 PARCEL ID: #1320248
2. THE ASIAN (KOREAN) HERALD, INC. 1326 BAXTER ST., STE. 200 CHARLOTTE, NC 28204-3967 PARCEL ID: #1320242
... (list continues with 29 other adjacent owners)



SITE SUMMARY: EXISTING ZONING B-1 AND B-2(CD) PROPOSED ZONING MIDD-O AND UR-C(CD) PARCEL AREA TOTAL APPROX. APPROX. AREA NET USE INCL. APPROX. AREA COMPONENT 'A' 185 AC 153 AC COMPONENT 'B' 128 AC 103 AC COMPONENT 'C' 61 AC 140 AC COMPONENT 'D' 12 AC 3.78 AC COMPONENT 'E' 225 AC 248 AC COMPONENT 'F' 225 AC 248 AC (APPROX. 124 AC)

- MAXIMUM BUILDING SF: SEE DEVELOPMENT STANDARDS FOR LOT OF PERMITTED USES, ALLOCATIONS, COMBINATION RIGHTS AND ADDITIONAL INFORMATION
COMPONENT 'A' UP TO 300,000 SF. OF COMMERCIAL USES (RETAIL/RESTAURANT)
COMPONENT 'B' UP TO 12,000 SF. (RETAIL/RESTAURANT/BANK/OFFICE)
COMPONENT 'C' UP TO 45,000 SF. OF COMMERCIAL USES (RETAIL/RESTAURANT/OFFICE)
COMPONENT 'D' UP TO 12,000 SF. OF COMMERCIAL USES (RETAIL/RESTAURANT)
COMPONENT 'E AND F' (SEE DEVELOPMENT STANDARDS)



200 South Tryon Street Suite 1400 Charlotte, North Carolina 28202 Tel: 704.376.1535 Fax: 704.376.7851 www.colejonesstone.com

PETITIONERS: PAPPAS PROPERTIES DEVELOPMENT, LLC 4228 CONGRESS STREET, SUITE 405 CHARLOTTE, NC 28209

MIDTOWN MIXED-USE VILLAGE

TECHNICAL DATA SHEET

FOR PUBLIC HEARING - PETITION NUMBER 2005-060 Project No. 3214 Issued 8/15/05

- Revised
1. 8/15/05 REVISION TO INCLUDE COUNTY PARCEL AND POLYGRAPHY DATA FROM 2005
2. 8/15/05 REVISION PLAN A - 10105
3. 8/15/05 REVISION PLAN B - 10105 PER PARCEL
4. 8/15/05 TO CORRECT PLAN B, 10105 TO MATCH PLAN A
5. 8/15/05 TO CORRECT PLAN B, 10105 TO MATCH PLAN A



RZ1.0 of 2

The drawings are prepared and used under the supervision and control of the Professional Engineer and Professional Surveyor. The Professional Engineer and Professional Surveyor are not responsible for the accuracy of the information shown on these drawings unless it is specifically stated on the drawings. The Professional Engineer and Professional Surveyor are not responsible for the accuracy of the information shown on these drawings unless it is specifically stated on the drawings.

DATE PLOTTED: 8/15/05 10:00 AM

REQUEST	<p>Current Zoning: 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)</p> <p>Proposed Zoning: MUDD-O (mixed use development district, optional) and MUDD-O(HD-O) (mixed use development district, optional, historic district overlay)</p>
LOCATION	<p>Approximately 4.54 acres located at the southeast corner of the intersection of The Plaza and Belvedere Avenue (Vanlandingham Estate).</p> <p>(Council District 1 - Kinsey)</p>
SUMMARY OF PETITION	<p>The petition proposes to allow a spa, up to 19 single family attached dwelling units and a private neighborhood pool and swim club, in addition to the existing hotel and event facility.</p>
STAFF RECOMMENDATION	<p>Staff does not recommend approval of this petition in its current form. The <i>Central District Plan</i> recognized the estate as a historic landmark. The <i>Plan</i>, as amended by the previous rezoning, recommends retail for the B-2(CD) (general business, conditional) portion of the site; however, the intent from the previously approved rezonings was to preserve the historical character of the estate by allowing the reuse of the historic home for a small hotel with an events facility. The <i>Central District Plan</i> also recommends single family residential use for the portion of the site zoned R-5 (single family). The continued use for a hotel and events facility with the addition of the spa is consistent with the <i>Plan</i>. The proposal for the addition of the pool and residential is inconsistent with the <i>Central District Plan</i> for the B-2(CD) (general business, conditional) portion of the site and inconsistent with the R-5 (single family) portion of the site; however, the proposed residential density is supported by the <i>General Development Policies</i>.</p> <p>Although some aspects of the proposal are consistent with adopted policy, the overall proposal represents a significant increase in the intensity of the uses on the site. Staff does not recommend approval of the petition in its current form because of the following issues:</p> <ol style="list-style-type: none"> 1. Parking for the site is limited, especially on-site. The combination of residential dwelling units, guests at the hotel, guests attending events, and pool/swim club use is a concern in terms of parking demand and impacts to the surrounding neighborhood. 2. The site design for the proposed residential units is not consistent with context of the surrounding neighborhood they are inwardly oriented with garages facing adjacent residential development. In addition, the building massing and articulation is inconsistent with the surrounding neighborhood.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	<p>Unique Southern Estates, LLC; Mark A. Maddalon Unique Southern Estates, LLC John Carmichael</p>
COMMUNITY MEETING	<p>Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 33.</p>

PLANNING STAFF REVIEW

- **Background**
 - Petition 1987-050 rezoned the Vanlandingham Estate to B-2(CD) (general business, conditional) to allow functions to include, but not limited to, weddings and wedding receptions, small dinner parties, corporate meetings and social functions, birthday parties and other special events. Conditions on the approved site plan committed to maintenance of the house and grounds in

accordance with their designation as a national historic landmark, with no subdivision of the property. Other commitments pertained to adherence with the City's Noise Control Ordinance, interior and exterior alterations, temporary structures, parking on the grounds, vegetation along the property line adjacent to residential properties, signage, permanent and temporary exterior lighting, occupation of the property by owner or agent, and an agreement with Holy Trinity Church for overflow parking.

- In 1998, the City Council denied a site plan amendment (1998-030) to add 14 rooms for overnight guests, make additions to the main house and carriage house, and allow up to 15 "special events" per year.
- In 2000, a site plan amendment (2000-017) was approved to modify the conditional plan governing the Vanlandingham Estate. The approval allowed the operation of a hotel in the style of a bed and breakfast, an addition of a garden room to the main house, a new greenhouse, and a condition that all events except one per year were are limited to a maximum of 325 guests.

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows the main house, carriage house porch and grounds to continue to be used for conferences, meetings, private events catered by the owner of the main house, social events sponsored by non-profit and charitable organizations, neighborhood and community events to which the public is invited and food and beverages (non-alcoholic and alcoholic) may be served.
- Allows the continued use of a hotel with a maximum of nine rooms for overnight lodging of guests (five in the main house and four in the carriage house), including the serving of breakfast, other meals from time to time, and beverages to guests.
- Allows the addition of up to 19 for-sale single family attached dwelling units to be added to the perimeter of the site. The site plan shows two, five-unit buildings along the southern edge of the site that is currently zoned R-5 (single family) and occupied by two single family homes. A six-unit and a three-unit building are shown along Thurmond Place to the north and south of the existing carriage house.
- Allows the addition of a spa to be located in the main house.
- Allows the addition of a private neighborhood pool and swim club with associated accessory uses and structures which will be operated on a membership basis.
- Restricts the site from functioning as a public restaurant.
- Prohibits on-site food preparation for off-site sales or consumption including off-site catering.
- Requires amplified music on the site to end by 10:30 p.m. on weekdays and 11:00 p.m. on weekends.
- Specifies standards for the location, setup and dismantling of temporary structures such as stages and event tents.
- Existing driveways into the site will remain. An additional drive will be provided from The Plaza to Nassau Boulevard, along the southern edge of the site to provide access to the residential units and parking. Three additional drives are also proposed along Thurmond Place to provide direct access to the garages of three residential units south of the existing carriage house. The remainder of the residential units along Thurmond Place will be accessed internally.
- Provides a total of 160 parking spaces (88 on-site, 24 on-street along Belvedere Avenue and Thurmond Place, and commits to 48 off-site spaces located within 1,600 feet of the site.)
- Specifies that events with more than 40 guests will have at least one parking attendant, events with more than 75 guests will have at least two attendants, and events with more than 200 guests will have at least one off-duty police officer. The swim club/pool is exempted from these requirements except that when a swim meet is held then at least two parking attendants will be provided.
- Specifies that architectural and design standards will be subject to the review and approval of the Landmarks Commission and the Historic District Commission.
- Provides a four-foot tall hedge screening between the pool and Belvedere Avenue and ten-foot wide landscape screening between the proposed private drive and the neighborhood church and single family residential property to the south.
- Limits the height of new detached lighting to 20 feet.
- Optional Provisions include the following allowance:
 - A. Parking located between the buildings and the adjacent public streets as depicted on the rezoning plan.
 - B. Parking between single family attached units 11, 12, and 13 and Thurmond Place.
 - C. The existing sidewalks and planting strips located along the public street frontages to remain.
 - D. Existing screening hedges located in portions of the setbacks to remain.

- **Existing Zoning and Land Use**

- The site is developed with the Vanlandingham Estate (built in 1913), which currently functions

as a hotel and events facility, and a single family residence. The property is surrounded by primarily single family residential neighborhoods, with some multi-family development, institutional, office and retail uses on properties in various zoning districts. The majority of the rezoning site and nearby parcels are located within the Plaza-Midwood Historic District.

- **Rezoning History in Area**

- There have been no recent rezonings in the immediate area.

- **Public Plans and Policies**

- The *Central District Plan* (1993) as amended by rezoning petition 2000-017 recommends retail for the majority of the site. The purpose of the retail land use designation and zoning was to allow the reuse of the existing historic site for a bed and breakfast style hotel with an events facility while also protecting the surrounding single family neighborhood. The *Plan* recommends single family uses for the 0.46 acre portion at the southern edge of the site zoned R-5 (single family).
- The *General Development Policies (GDP)* support residential density over 17 dwelling units per acre. The proposed density of 14 dwelling units per acre, for the portions of the site to be residential use, meets the *General Development Policies (GDP)* for the density.

Assessment Criteria	Density Category Over 17 DUA
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	Medium (2)
Connectivity Analysis	High (5)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
Total Points Needed: 14	Total Points: 14

- The proposed neighborhood pool and single family attached dwellings are inconsistent with the *Central District Plan*; however, the density of the single family attached dwellings is supported by the *General Development Policies*.
- The proposed development represents a significant increase in the intensity of the uses on the site. The proposal could be appropriate for consideration provided issues related to site design and parking are addressed.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:**
 1. Revise the site plan so that proposed single family attached lots 11-13 along Thurmond Place are either "rear loaded" and face Thurmond Place or removed from the petition entirely. The current design creates too many driveways along Thurmond Place.
 2. Remove the existing holly hedges to prevent a sight distance obstruction and safety concern for vehicles and pedestrians at driveway locations along Thurmond Place.
 3. Improve the proposed off-site parking to meet the minimum dimensional requirements set forth in the Charlotte Land Development Standards Manual. Several apparent issues include: Not all drive aisles appear to meet the required minimum 23' width for two-way traffic. A setback line is not depicted or labeled on the plan (parking stalls and/or vehicular maneuvering cannot occur within the setback - Zoning Code 12.206). The driveway does not appear to meet the minimum 26' width. The first parking stall within lot is depicted approximately 24' from the curb line of The Plaza. CDOT will require that this driveway and parking lot be configured such that there be no parking within measured from the back of the driveway apron (e.g. back of sidewalk) a minimum distance of 25' into the site. The driveway should be paved through the setback at a minimum.
- **Vehicle Trip Generation:**
 - Current Zoning: 260 trips per day.
 - Proposed Zoning: 240 trips per day.
- **Connectivity:** No issues.
- **Charlotte Fire Department:** No comments received.

- **Charlotte-Mecklenburg Historic Landmarks:** No comments received.
 - **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate one student, while the development allowed under the proposed zoning will produce one students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 0 students.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - Minimizes impacts to the natural environment by developing on an infill site.

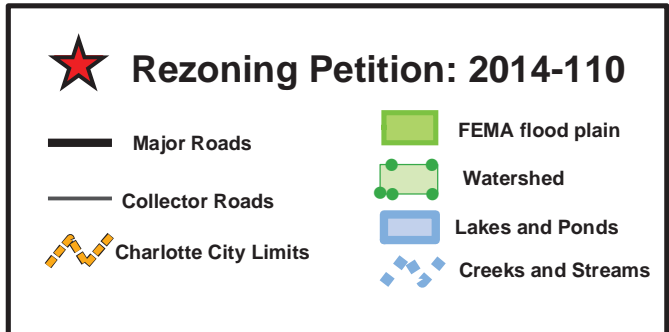
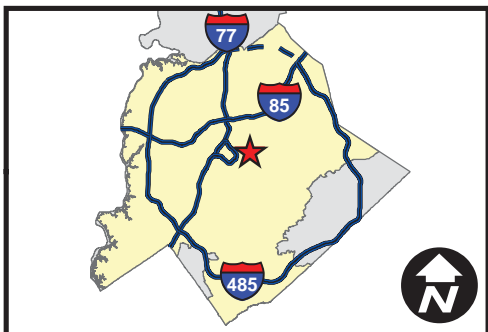
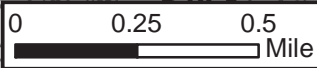
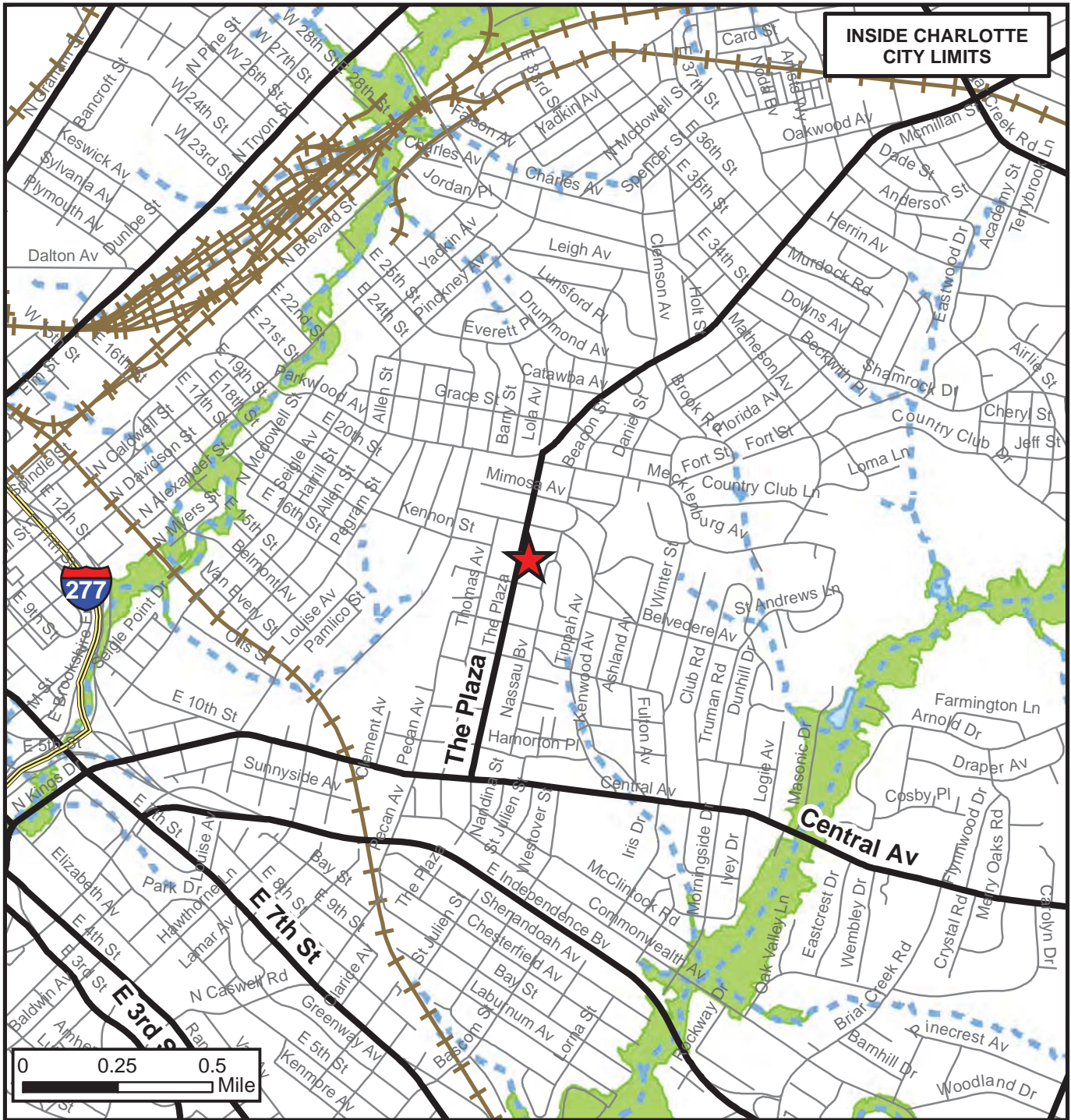
OUTSTANDING ISSUES

- The petitioner should:
 1. Address CDOT issues.
 2. Provide a note restricting overlap in swimming pool hours with events at the house and grounds.
 3. Limit events and swim club use or provide additional parking.
 4. Remove the off-site parking details from the site plan and provide a note committing to at least 48 off-site parking spaces that meet the standards of Section 9.8507 Parking Standards (6) in the Zoning Ordinance.
 5. Provide rear loaded garages for units at the southern end of Thurmond Avenue or change the building design to reduce the number of driveways and orient the units to the street.
 6. Break up the attached units along Thurmond north of the carriage house into multiple buildings. These could be duplexes, triplexes, and/or quadraplexes. Size, scale, and design of these residential structures should be similar to the existing carriage house and buildings should be oriented to the street.
 7. Provide pedestrian connections from the proposed residential units to the public sidewalk.
 8. Provide the required 10-foot buffer at the rear of the off-site parking lot and provide the required five-foot wide screening to the north and south, and along The Plaza.
 9. Eliminate Optional Provisions Note B. to reflect a rear loaded garage condition or amend the note to reflect a change in the design of the building.
 10. Amend existing and proposed zoning to include the historic district overlay designation.
-

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Acresage & Location : Approximately 4.54 acres located on the southeast corner of the intersection between The Plaza and Belvedere Avenue.



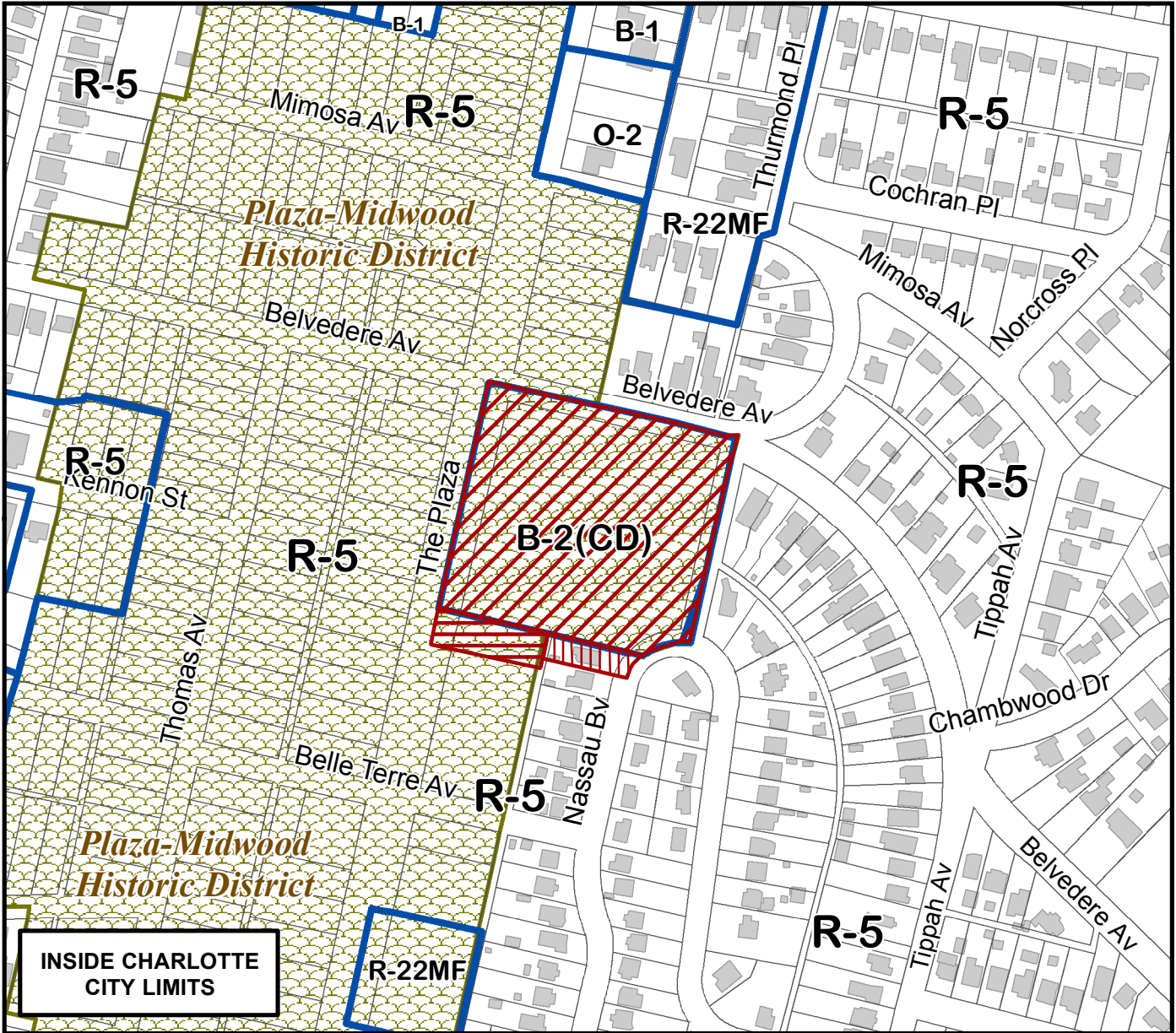
Petition #: **2014-110**

Petitioner: **Unique Southern Estates, LLC**

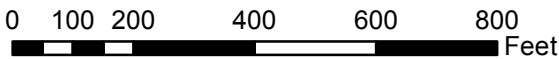
Zoning Classification (Existing): **R-5, R-5(HD-O) & B-2(CD)(HD-O)**
(Single Family, Residential; Single Family, Residential, Historic District Overlay, and General Business, Conditional Historic District Overlay)

Zoning Classification (Requested): **MUDD-O & MUDD-O(HD-O)**
(Mixed Use Development District, Optional and Mixed Use Development District, Optional, Historic District Overlay)

Acreage & Location: Approximately 4.54 acres located on the southeast corner of the intersection between The Plaza and Belvedere Avenue.

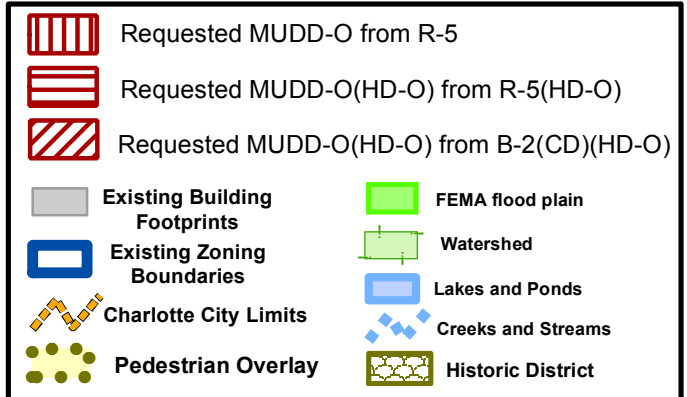


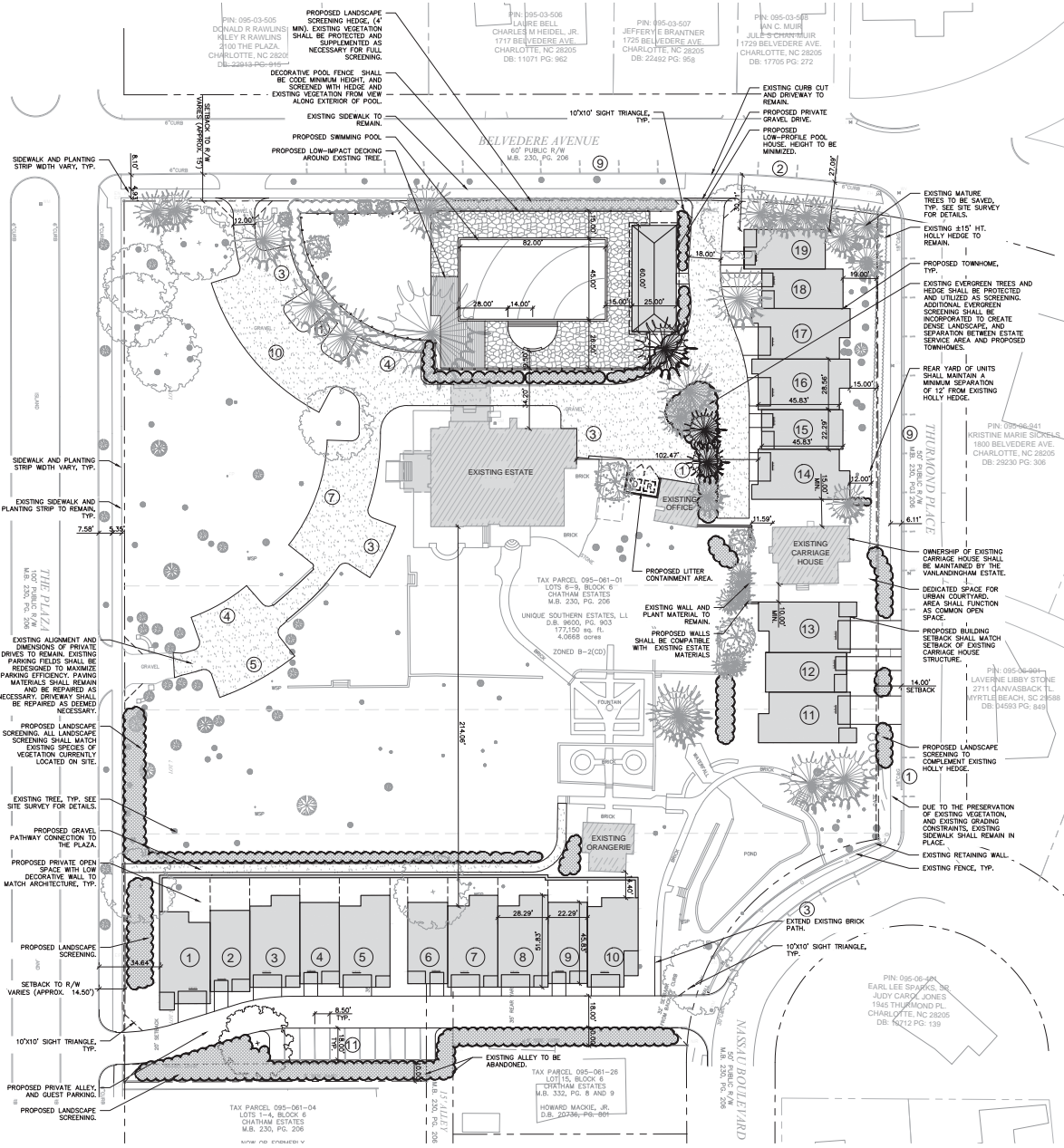
Map Produced by the Charlotte-Mecklenburg Planning Department, 1-5-2015.



Zoning Map #(s)

101

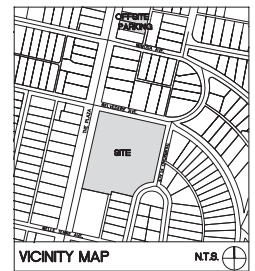




REZONING SUMMARY	
RETENTION:	BILLY MADDALON 2010 THE PLAZA CHARLOTTE, NC 28205
PROPERTY OWNER:	BILLY MADDALON 2010 THE PLAZA CHARLOTTE, NC 28205
REZONING SITE AREA:	TOTAL: 4.521 AC
TAX PARCEL #:	095-06-101A 095-06-101B 095-06-102 095-06-126
EXISTING ZONING:	R-2 (C) R-5
PROPOSED ZONING:	MUDD-D
EXISTING USE:	HOTEL/ SINGLE FAMILY DETACHED
PROPOSED USE:	HOTEL/ SINGLE FAMILY ATTACHED/ SINGLE FAMILY DETACHED
NUMBER OF UNITS:	UP TO 19 NEW SINGLE FAMILY ATTACHED 1 EXISTING HOTEL/EVENT FACILITY
MINIMUM SETBACK:	EXISTING RIGHT-OF-WAY OR 54' FROM BACK OF CURB, WHICHEVER IS GREATER.
MINIMUM REQUIRED PARKING:	EXISTING SETBACK ALONG THURMOND PL SHALL MATCH SETBACK OF EXISTING STRUCTURE.
TOTAL:	160 SPACES (SEE TRANSPORTATION NOTE A (SHEET 208))
PROPOSED PARKING:	24 SPACES
ON STREET PARKING:	88 SPACES (INCLUDES DESIGNATED BIKEWAY PARKING, PARKING, RETIRED TO UNITS, & AVAILABLE GUEST PARKING AS DETERMINED BY OWNER)
PROPOSED ON SITE PARKING:	48 SPACES (SEE TRANSPORTATION NOTE A)
OFF SITE PARKING:	160 SPACES

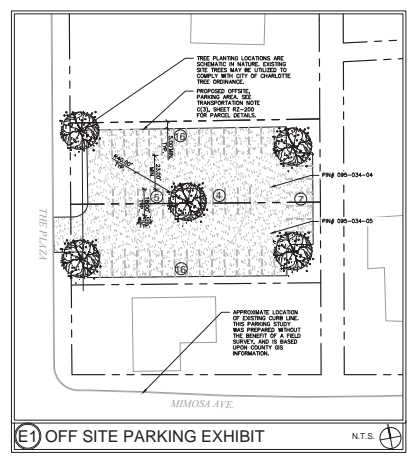
1. SEE SHEET RZ-200 FOR DEVELOPMENT STANDARDS

2. SEE SHEET RZ-200 FOR ZONING EXHIBIT.



SURVEY DISCLAIMER
BOUNDARY SURVEY, ISSUE DATE AUGUST 14, 2014, PROVIDED BY R.B. PHARR & ASSOCIATES, P.A., 420 HAWTHORNE LANE, CHARLOTTE, NC 28204, (336) 782-3796

LEGEND	
	PROPOSED GRAVEL SURFACE
	PROPOSED BUILDING ENVELOPE
	EXISTING BUILDING ENVELOPE
	PROPOSED POOL DECK
	PROPOSED LANDSCAPE SCREENING
	EXISTING TREE
	SIGNIFICANT EXISTING TREE TO BE PROTECTED WITHIN PROJECT AREA
	SIGNIFICANT PROPOSED TREE WITHIN PROJECT AREA



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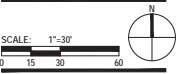
BILLY MADDALON
2010 The Plaza
Charlotte
North Carolina 28205

VANLANDINGHAM ESTATE
2010 The Plaza
Charlotte
North Carolina 28205

CONDITIONAL REZONING PLAN
PETITION # 2014-110

Project No.
4344.00
Issued
08/25/14

Revised
12/09/14 - CITY OF CHARLOTTE COMMENTS



RZ-100

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DEVELOPMENT STANDARDS

December 19, 2014

GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Unique Southern Estates, LLC for an approximately 4.54 acre site located at the southeastern corner of the intersection of The Plaza and Belvedere Avenue, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The purpose of this rezoning request is to accommodate the development of up to 19 for sale single family attached dwelling units along portions of the perimeter of the Site and a private neighborhood pool and swim club operated on a membership basis, and to maintain the existing Estate structures for use as a hotel and conference and event facility and other uses.
- B. The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Subject to the optional provisions set out below, the regulations established under the Ordinance for the Mixed Use Development District shall govern the development of the Site.
- C. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback and yard requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.
- D. Internal sidewalks generally depicted on the Rezoning Plan may be altered provided that such alterations do not materially change the design intent generally depicted on the Rezoning Plan.
- E. The parcels of land that comprise the Site may be recombined into one parcel at the option of the Petitioner.
- F. The Site is located in the Plaza Midwood Historic District and the Site and the existing principal structure (the "Main House") has been designated as a historic landmark by the Charlotte City Council. Additionally, the Site has been designated as a National Historic Landmark.
- G. Future amendments to the Rezoning Plan and to these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.07 of the Ordinance.

OPTIONAL PROVISIONS

The following optional provisions shall apply to the development of the Site:

- A. Parking located between the buildings located on the Site and the adjacent public streets as more particularly depicted on the Rezoning Plan.
- B. Parking located between those single family attached dwelling units designated as Units 11, 12 and 13 on the Rezoning Plan and Thurmond Place.
- C. The existing sidewalks and planting strips located along the Site's public street frontages shall remain in place.
- D. As depicted on the Rezoning Plan, screening hedges located in portions of the setback.

PERMITTED USES

- A. The Site may be devoted only to the uses set out below and to any incidental or accessory uses associated therewith that are permitted under the Ordinance in the MUDD zoning district.
- (1) A maximum of 19 for sale single family attached dwelling units, provided, however, that the for sale single family attached dwelling units may only be located on the perimeter portions of the Site as generally depicted on the Rezoning Plan.
- (2) A hotel with a maximum of 9 rooms for the overnight lodging of guests (5 rooms in the Main House and 4 rooms in the structure known as the "Carriage House") and the grounds may also be used for the following purposes:
 - (a) Conferences and meetings;
 - (b) Private events that are catered by the owner of the Main House from the Main House which shall include, but not be limited to, weddings and wedding receptions, dinner parties, corporate meetings, social gatherings and events, symposia, seminars, birthday parties, family reunions and other types of events;
 - (c) Social gatherings and other special events sponsored by a not-for-profit or charitable organization; and
- (4) Events held for the surrounding neighborhoods and the community at large to which the public is invited. Food and beverages (non-alcoholic and alcoholic) may be served at the above described events and functions.
- (4) A spa located within the Main House.
- (5) A private neighborhood pool and swim club and accessory uses (including a snack bar, locker room and restroom facilities) operated on a membership basis.

USE RESTRICTIONS

- A. Notwithstanding anything contained herein to the contrary, the use limitations and restrictions set out below shall apply to the Site.
 - (1) In no event shall the Site function as a public restaurant.
 - (2) No on-site food preparation for off-site food sales or consumption, including off-site catering services, shall be allowed.
 - (3) The Site shall comply with the City of Charlotte Noise Ordinance.
 - (4) All amplified music on the Site must end by 10:30 PM on weekdays and 11:00 PM on weekends.
 - (5) Temporary structures such as stages and event tents will be located at least 40 feet from the right of way along The Plaza and Belvedere Avenue and 20 feet from the right of way of Thurmond Place and the southwest property line. All temporary structures shall be erected no sooner than 24 hours prior to events and dismantled no later than 24 hours following events, and in no case shall they be erected or dismantled before 8:00 AM or after 9:00 PM. The prohibitions against temporary structures being located within 40 feet from the right of way along Belvedere Avenue shall not apply to pool furniture and pool umbrellas and tents.

TRANSPORTATION

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the Charlotte Department of Transportation.
- B. The Site shall comply with the minimum parking requirements of the Ordinance. Notwithstanding the foregoing, a minimum of 160 parking spaces shall be provided for the permitted uses on the Site in the manner provided below in paragraph C.
- C. The 160 parking spaces shall be comprised of the following:
 - (1) A minimum of 88 parking spaces located on the Site.
 - (2) A minimum of 24 on-street parking spaces located on Belvedere Avenue and Thurmond Place adjacent to the Site and located on the same side of the street as the Site pursuant to Section 9.8507(5) of the Ordinance.
 - (3) Pursuant to and in accordance with the requirements of Section 9.8507(6) of the Ordinance, a minimum of 48 off-site parking spaces located on those parcels of land designated as Tax Parcel Nos. 095-034-05 and 095-034-04 (the "Off-Site") shall be provided to meet the minimum parking requirements of the Ordinance.
- D. A parking attendant shall be provided to direct guests to on-site or off-site parking for each event for which more than 40 guests are expected. At least 2 parking attendants shall be provided for each event for which more than 75 guests are expected. At least 1 off-duty police officer shall be provided for each event for which more than 200 guests are expected.
- E. The requirements set out in paragraph D above shall not apply to the private neighborhood pool and swim club, provided, however, that 2 parking attendants shall be provided when a swim meet is held at the private neighborhood pool and swim club.

ARCHITECTURAL AND DESIGN STANDARDS

As noted above, the Site is located in the Plaza Midwood Historic District and the Site and the Main House have been designated as a historic landmark by the Charlotte City Council. As a result, the exterior portions of the for sale single family attached dwelling units and the other improvements proposed to be constructed on the Site are subject to the review and approval of the Historic District Commission and the Landmarks Commission, and a certificate of appropriateness must be issued by the Historic District Commission and the Landmarks Commission prior to the issuance of building permits or other approvals authorizing the construction of such improvements. Accordingly, the design, character and quality of the improvements proposed to be constructed by the Petitioner will be required to meet the standards of the Historic District Commission and the Landmarks Commission.

SETBACK AND YARDS/STREETSCAPESCREENING

- A. Subject to any optional provisions, development of the Site shall comply with the setback, side yard and rear yard requirements of the MUDD zoning district.
- B. The existing sidewalks and planting strips located along the Site's public street frontages shall remain in place.
- C. The private neighborhood pool shall be screened from Belvedere Avenue by a minimum 4 foot tall hedge as depicted on the Rezoning Plan.
- D. The private neighborhood swimming pool shall be enclosed by a fence that meets the requirements of the applicable codes and ordinances.

ENVIRONMENTAL FEATURES

- A. Development of the Site shall be in compliance with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
- B. Development of the Site shall comply with the City of Charlotte Tree Ordinance.

SIGNS

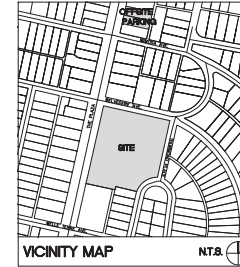
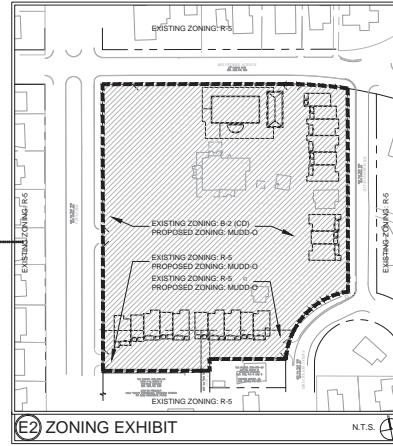
All signs installed on the Site shall comply with the requirements of the Ordinance.

LIGHTING

- A. All new freestanding lighting fixtures installed on the Site (excluding street lights and lower, decorative lighting that may be installed along the driveways, sidewalks and parking area) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
- B. The maximum height of any newly installed freestanding lighting fixtures on the Site shall be 20 feet.
- C. Any new lighting fixtures attached to the structures on the Site shall be decorative, capped and downwardly directed.

BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- B. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
- C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.



SURVEY DISCLAIMER
BOUNDARY SURVEY, ISSUE DATE AUGUST 14, 2014. PROVIDED BY R.B. PHARR & ASSOCIATES, P.A., 420 HAWTHORNE LANE, CHARLOTTE, NC 28254, (336) 782-3796



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North Carolina 28205

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CONDITIONAL REZONING NOTES

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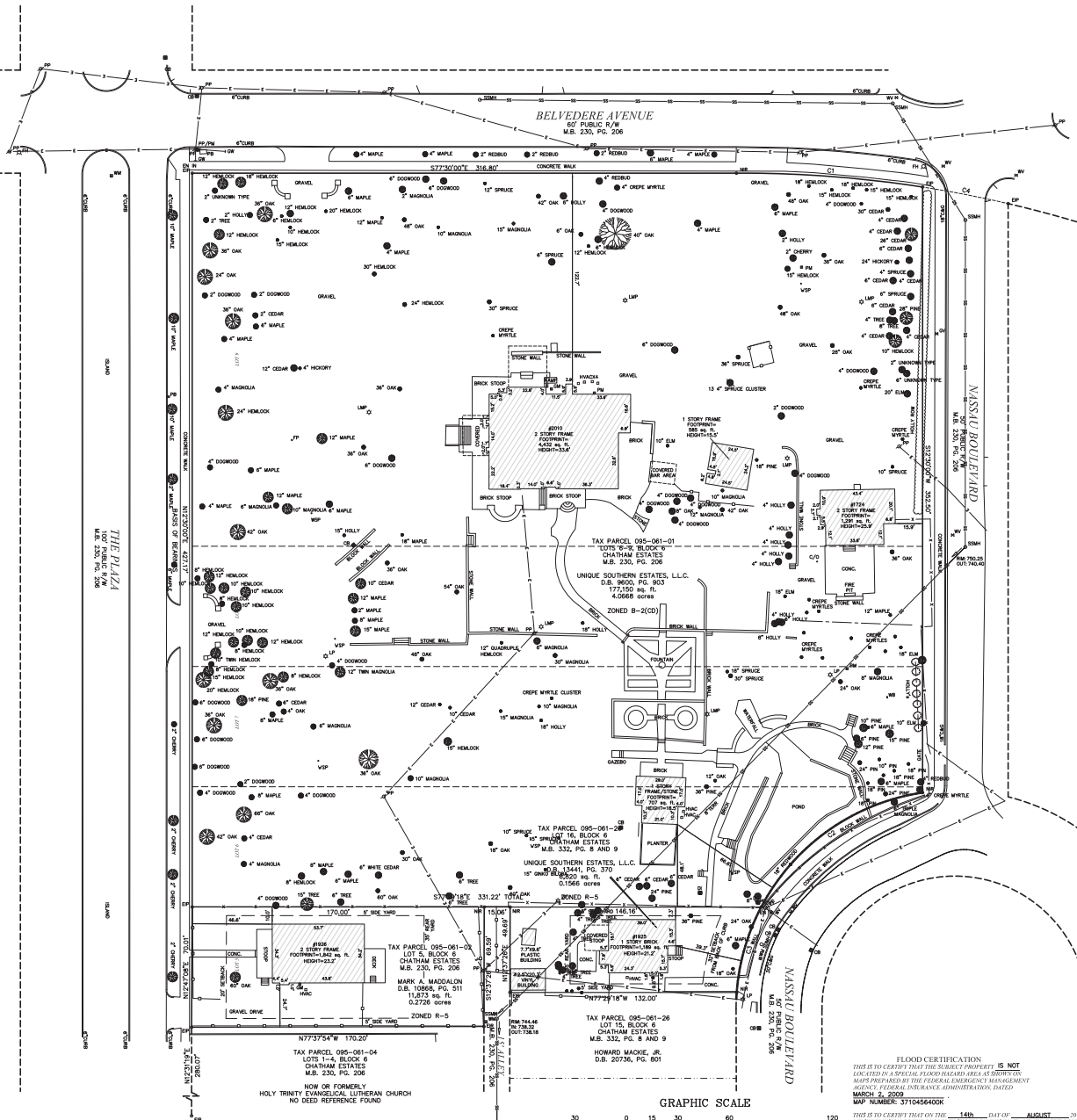
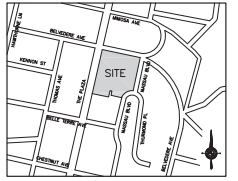
Revised
12/19/14 - CITY OF CHARLOTTE COMMENTS



RZ-200

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- NOTES:**
1. THIS PLAN IS NOT FOR RECORDATION AS PER G.S. 47-38 AS AMENDED.
 2. ALL CORNERS MONUMENTED AS SHOWN.
 3. NO RECOVERABLES MONUMENT LOCATED WITHIN 2000 FEET OF SUBJECT PROPERTY.
 4. THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREIN ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE, OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANIES BEFORE CONSTRUCTION.
 5. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT & PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
 6. ELEVATIONS BASED ON N.G.S. MONUMENT "MCDBWELL", ELEVATION 6 (61.79 FEET MVD 88).
 7. BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
 8. THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERGROUND UTILITIES SHOWN ON THIS SURVEY PLAN DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.

ZONING:
 TAX PARCELS 095-061-01 THROUGH 095-061-04
 ZONING RESTRICTIONS AS PER ZONING ORDINANCE:
 SUBJECT PROPERTY ZONED: B-2(CD)
 FOR FURTHER INFORMATION CONTACT THE
 CHARLOTTE-MECKLENBURG ZONING DEPARTMENT
 AT 704.336.3166

TAX PARCELS 095-061-05 THROUGH 095-061-08
 ZONING RESTRICTIONS AS PER ZONING ORDINANCE:
 SUBJECT PROPERTY ZONED: B-1
 SETBACKS SHOWN HEREON FOR RESIDENTIAL USE
 MINIMUM SETBACK: 30 FT. ALONG DESIGNATED
 THRUWAY SIDE
 15 FT. FROM FUTURE OR
 EXISTING BACK OF CURB
 MINIMUM SIDE YARD: 5 FT.
 MINIMUM REAR YARD: 5 FT.
 MAXIMUM BUILDING HEIGHT: 40 FT.
 FOR FURTHER INFORMATION CONTACT THE
 CHARLOTTE-MECKLENBURG ZONING DEPARTMENT
 AT 704.336.3166

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	680.64'	108.77'	108.66'	S73°14'53"E
C2	123.50'	118.53'	118.19'	S67°00'00"W
C3	127.30'	52.08'	51.30'	S28°31'14"W
C4	680.64'	50.75'	50.74'	N65°51'44"W

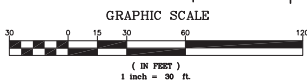
TOTAL AREA
 195,845 sq. ft.
 4,496.0 acres



REVISIONS		SURVEY PREPARED FOR:	
09-29-14	SAIDMUN SEWER REVISIONS	COLEJENEST & STONE	
11-12-14	REV. REVISIONS UPDATED	210 & 1926 THE PLAZA; 1925 NASSAU BLVD. CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC MAP REFERENCE: 230-206 AND 322-8 & 9 DEED REFERENCE: 9600-903; 10868-511; AND 13441-370 TAX PARCEL NO. 095-061-01; 095-061-02; AND 095-061-36	
R.B. PHARR & ASSOCIATES, P.A. SURVEYING & MAPPING 420 HAWTHORNE LANE, CHARLOTTE, NC 28204 TEL: 704.378-2186		FILE NO. 14-46258	
SCALE:	DATE:	FILE NO.:	DATE:
1" = 30'	AUGUST 14, 2014	JOB NO. 81758	

- LEGEND:**
- CB - CATCH BASIN
 - CG - CURB & GUTTER
 - CP - CALCULATED POINT
 - CD - CURED ROAD
 - EP - EXISTING IRON PIPE
 - ER - EXISTING IRON ROAD
 - EN - EXISTING NAIL
 - FP - FENCE
 - GR - GUY WIRE
 - LP - LIGHT POLE
 - MB - MAP BOOK
 - NCS - NATIONAL GEODETIC SURVEY
 - NSR - NON IRON ROD
 - PR - POWER POLE
 - PP - POWER POLE
 - PP - POWER POLE
 - RS - RIGHT-OF-WAY
 - SOBH - STORM DRAINAGE MANHOLE
 - SSBH - SANITARY SEWER MANHOLE
 - WM - WATER METER
 - WB - WATER STREET
 - WT - WATER TANK
- PROPERTY LINE (NOT SURVEYED)
 RIGHT-OF-WAY (NOT SURVEYED)
 SETBACK
 METAL FENCE
 WOOD FENCE
 OVERHEAD ELECTRIC

- UTILITIES:**
- POWER
 IN-PLACE POWER ENERGY
 1-800-777-8000
 - TELEPHONE
 BELL SOUTH TELECOMMUNICATIONS
 1-888-777-6309
 - WATER & SEWER
 CHAR. AREA UTIL. DEPT. (CAUD)
 (704) 336-2564 WATER
 (704) 337-6064 SEWER
 - GA5
 PIEDMONT NATURAL GAS CO.
 1-800-757-7000
 - CABLE TELEVISION
 TIME WARNER CABLE
 1-800-955-2521



FLOOD CERTIFICATION
 THIS IS TO CERTIFY THAT ON THE 14th DAY OF AUGUST 2014 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAN AND THAT THE DATA AND IMPROVEMENTS IF ANY, ARE AS SHOWN HEREON. THIS PLAN MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA. BOARD OF NORTH CAROLINA AND THE BOARD OF PROFESSIONAL ENGINEERS IN A STATE OF CONCORD OF ONE HUNDRED THIRTY-SIX THOUSAND FEET OF PERIMETER SURVEYED NOR TEN SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.
 MAP NUMBER: S110454400
 SIGNED: [Signature]

Previously
Approved
Site
Plan



REQUEST	Current Zoning: R-12MF (multi-family residential) Proposed Zoning: O-1(CD) (office, conditional)
LOCATION	Approximately 0.65 acres located on the east side of West Sugar Creek Road between North Tryon Street and Penny Way. (Council District 4 - Phipps)
SUMMARY OF PETITION	The petition proposes the reuse of a 1,603-square foot existing structure to allow general office uses.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. This petition is inconsistent with the <i>Northeast District Plan</i> , which recommends multi-family residential land use; however, the conditional plan proposes to retain the existing single family home for office uses and the site will retain the existing residential character.
PROPERTY OWNER	Dona M. Patterson
PETITIONER	Dona M. Patterson
AGENT/REPRESENTATIVE	None
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1

PLANNING STAFF REVIEW

- **Background**
 - A conventional rezoning request (Petition 2009-075) for office uses was filed for the subject site in 2009. A public hearing was held for the petition and the Zoning Committee made a recommendation of denial, but several members commented that they could support the rezoning if a conditional request was submitted. The petitioner made a request to indefinitely defer the petition to have a conditional site plan developed. The petitioner has requested that petition 2009-075 be withdrawn.
 - **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

 - Reuse of a 1,603-square foot existing structure to allow general office uses.
 - A maximum building height of 40 feet.
 - A 12-foot Class "C" buffer abutting residential zoning.
 - A note that any new structure will be residential in character.
 - Blank walls of more than 15 feet in length are prohibited and will be broken up by using doors and windows.
 - Detached lighting will be limited to 15 feet in height.
 - Existing sidewalk along West Sugar Creek Road will remain.
 - **Existing Zoning and Land Use**
 - The subject property is currently zoned R-12MF (multi-family residential) and occupied by a single family structure. The surrounding properties to the north and east are currently zoned R-12MF (multi-family residential) and are undeveloped. The properties to the south and west are currently zoned R-17MF (multi-family residential) and developed with a religious structure and a cemetery.
 - **Rezoning History in Area**
 - There have been no rezonings in the immediate area in recent years.
 - **Public Plans and Policies**
 - The *Northeast District Plan* (1996) recommends multi-family residential uses for the subject property.
 - This petition is inconsistent with *Northeast District Plan*.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** The petitioner should indicate on the site plan one-way traffic flow patterns and add a note that pavement markings for each driveway will be provided to show one-way traffic flow.
 - **Vehicle Trip Generation:**
Current Zoning: 170 trips per day.
Proposed Zoning: 60 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - Minimizes impacts to the natural environment by reusing an existing structure.

OUTSTANDING ISSUES

- The petitioner should:
 1. File a variance and receive approval prior to City Council decision on this petition to allow the encroachment of the existing structure into the required 12' foot buffer.
 2. Add a note that the existing structure shall remain and remove any reference to a new structure.
 3. Remove Note 5 from the site plan.
 4. Remove Note 1 from the site plan.
 5. Modify Note 10 to read: "Attached and detached lighting will be downwardly directed. Detached lighting will be limited to a height of 15 feet."
 6. Amend the site data table to reflect the current use as "single-family residence."
 7. Show and label the required five-foot sidewalk from the existing structure to the public sidewalk system.
 8. Show possible dumpster location.
 9. Address transportation comments.
-

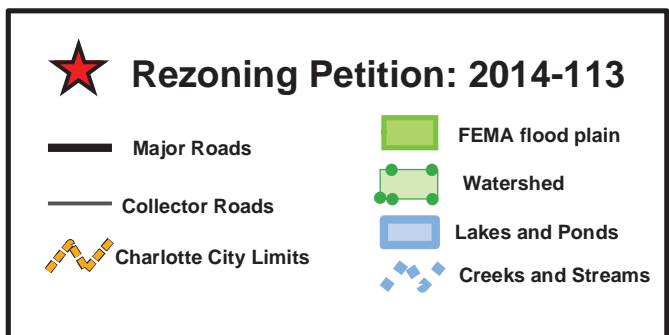
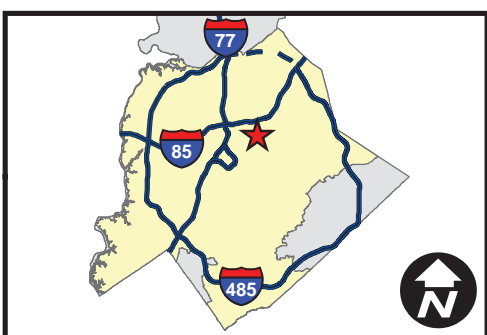
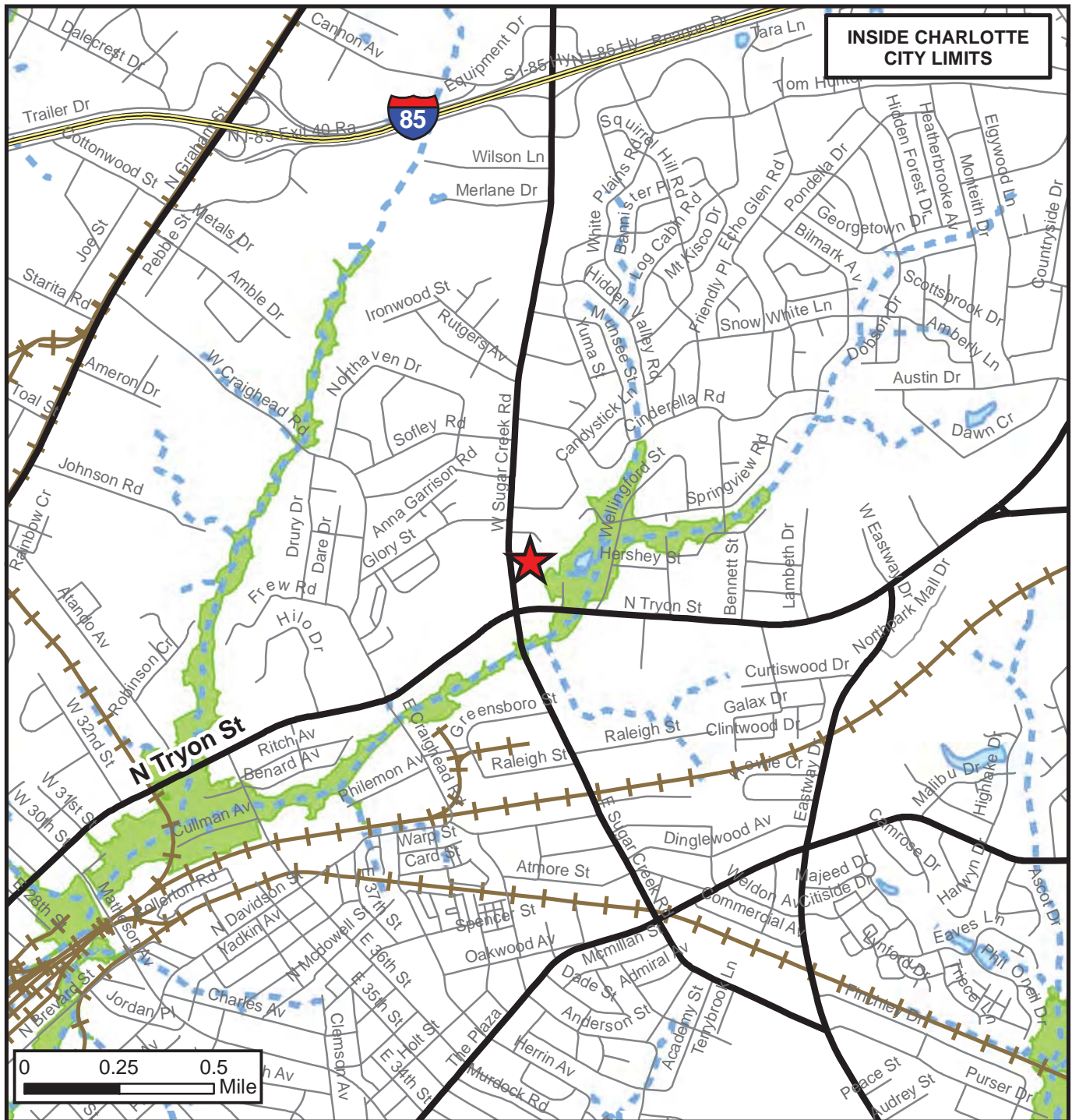
Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review

- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Solomon Fortune (704) 336-8326

Acreage & Location : Approximately 0.65 acres located on the east side of West Sugar Creek Road between Penny Way and North Tryon Street.



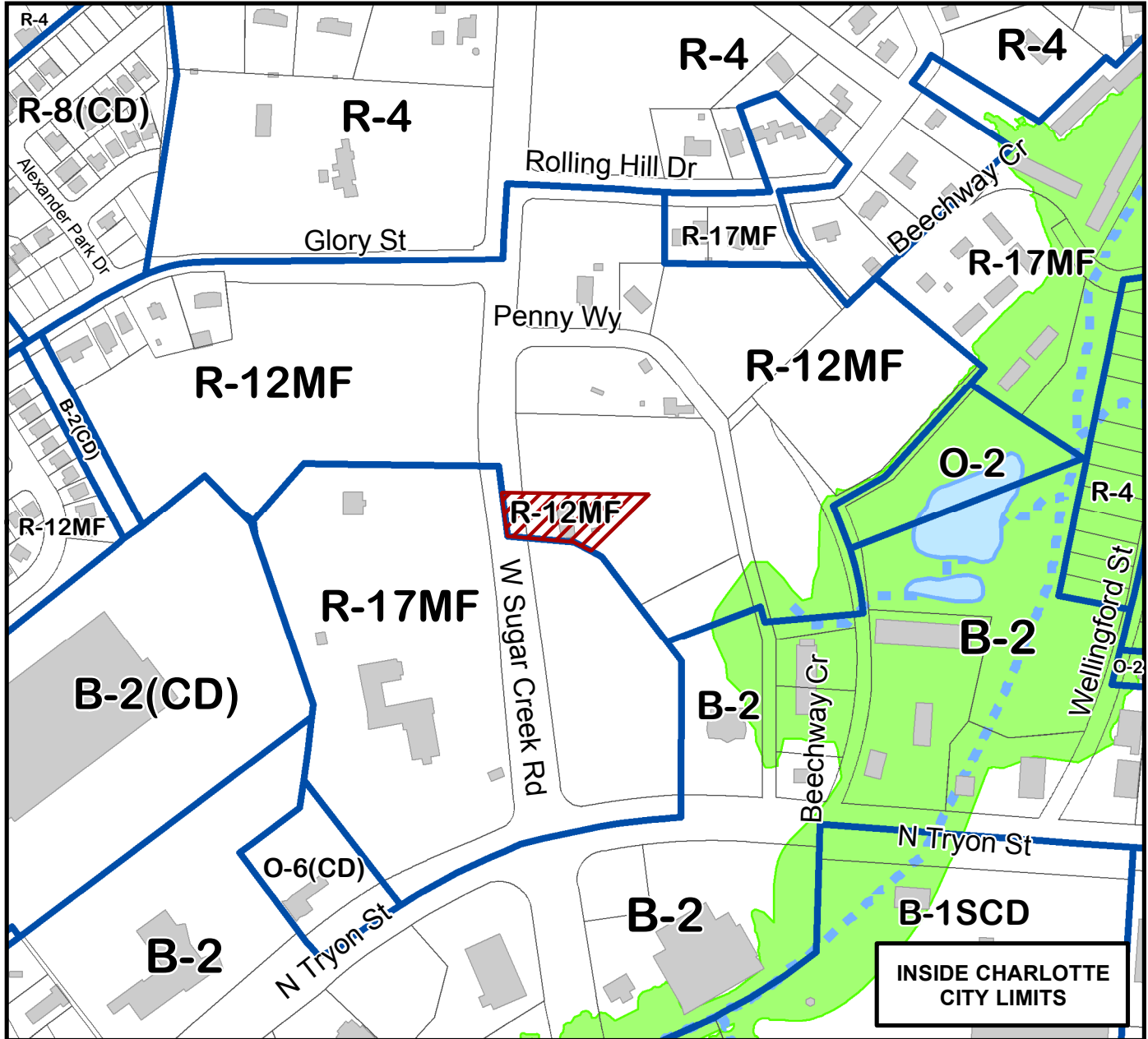
Petition #: **2014-113**

Petitioner: **Dona M. Patterson**

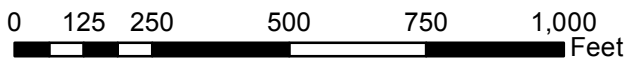
Zoning Classification (Existing): **R-12MF**
(Multi-Family, Residential)

Zoning Classification (Requested): **O-1(CD)**
(Office, Conditional)

Acreage & Location: Approximately 0.65 acres located on the east side of West Sugar Creek Road between Penny Way and North Tryon Street.

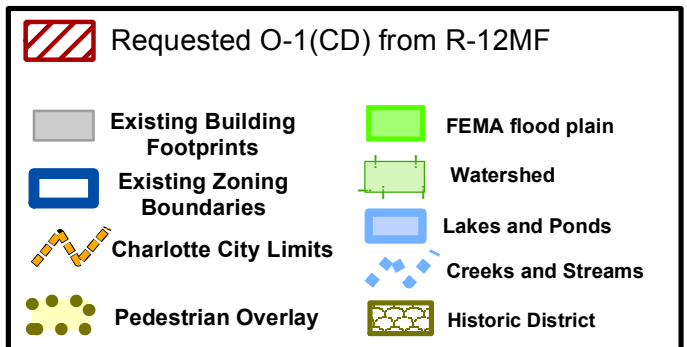


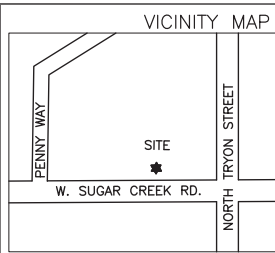
Map Produced by the Charlotte-Mecklenburg Planning Department, 10-22-2014.



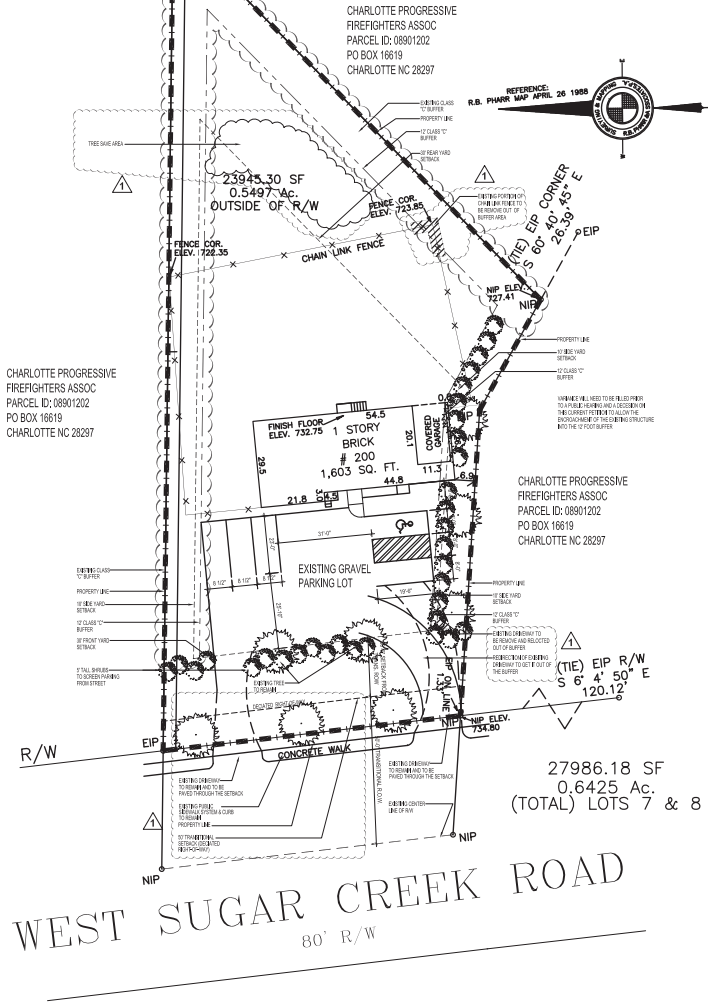
Zoning Map #(s)

78





NOT TO SCALE



- SITE DATA PARCEL-ID: 08901202**
- EXISTING ZONING: R-12 (MULTI-FAMILY)
PROPOSED ZONING: R-1, (R2)
CURRENT USE: OFFICE BUILDING
PROPOSED USE: GENERAL OFFICE
- MINIMUM SIDEWALK FOOTPATH: 4'-0" (1,000 SQ. FT.)
SITE AREA: 64,225 SQ. FT.
- AREA TO BE REZONED: []
EXISTING CHAIN LINK FENCE: []
PROPERTY LINE: []
SETBACK LINE: []
BLDG SET BACK LINE: []
PLANTING STRIP: []
- A FIRE HYDRANT IS LOCATED WITHIN 750' OF THE MOST REMOTE CORNER OF A BUILDING AS THOSE DIMENSIONS (SEARCHED FOR HYDRANT) IS APPROX. 180' AWAY FROM THE PROPERTY.
- General Notes**
- ANY NEW STRUCTURE SHALL BE RESIDENTIAL IN CHARACTER AND THAT THE PROPOSED STRUCTURE WILL HAVE WINDOWS, DOORS, AND BLIND UP LINE CORNER OF BLANK WALLS. BLANK WALLS WILL NOT BE LONGER THAN 12 FEET.
 - No storm water detention in buffer or setbacks.
 - All the new utilities to be underground.
 - Throughout this rezoning petition, the terms "Petitioner" shall, with respect to the site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the owner or owners of the site who may be brought into the site.
 - 25 percent of the area contains required 25 percent for commercial uses.
 - The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, standards, policies, and appropriate design standards all apply to the site and development with the rezoned property. For example, those that require buffers, regulate streets, sidewalks, trees, stormwater, and site development, etc. All apply to the site and development with the rezoned property. For example, those that require buffers, regulate streets, sidewalks, trees, stormwater, and site development, etc. All apply to the site and development with the rezoned property. For example, those that require buffers, regulate streets, sidewalks, trees, stormwater, and site development, etc. All apply to the site and development with the rezoned property.
 - If an adjacent property zoning changes to a district that would not require a buffer, the buffer required for this property may be reduced or eliminated to meet the proper requirement for that zoning district.
 - The Petitioner will comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
 - The Building height will not exceed 40'
- Ached and detached lighting shall be limited to 15 feet and all fixtures will be fully shielded and full cutoff fixtures.
 - The dimensions of the site shall be controlled by the standards specified on this Site Plan and by the standards of the City of Charlotte zoning Ordinance. The development shown by this plan is intended to reflect the general arrangement of the proposed use on the site, but the exact details of the configuration and placement of site elements may be altered or modified within the limits prescribed by the ordinance as specified in section 15.02.02. All modifications, their and location changes or their extent do not alter the basic overall layout and/or the relationship to adjoining sites are permitted as a matter of right for the petitioner/developer.
 - All proposed development on the site shall comply with applicable ordinance requirements regarding such things as the number and arrangement of off-street parking, setbacks, yard dimensions, signage, screening, site access, landscaping, tree protection, etc.
 - VEHICULAR ACCESS shall be limited to the two shown on this plan. The exact location may vary from depicted, but shall comply with all applicable design/technical requirements of the Charlotte Department of Transportation.
 - No dumpster to be used roll out container.

1 SITE PLAN

SCALE: 1"=20'-0"

2 GENERAL NOTES & LEGEND

SCALE: NTS

PETITIONER: 2014-113

AMERICAN ARCHITECTURE
COLLABORATIVE, LLC
115 S. TRYON STREET
CHARLOTTE, NC 28203
TEL: 704.333.4477
FAX: 704.333.4477

REVISIONS:

NO.	DATE	DESCRIPTION
1	11-12-14	ISSUE FOR PERMIT

REZONING PETITION FOR
FAMILY OUTREACH &
COUNSELING CENTER, INC.
300 W. SUGAR CREEK RD.
CHARLOTTE, N.C. 28213

DATE: SEPT 2, 2014
SCALE:
DRAWN BY:
CHECKED BY:
JOB NO.: 10-2014
CAD FILE: FAMILY

Petition Number 2014-115

A Community Meeting
Report has not been
submitted for this
petition; therefore, it
may not go to public
hearing and should be
deferred to
February 16, 2015

REQUEST	Current Zoning: R-22MF (multi-family) and B-2 (general business) Proposed Zoning: B-2(CD) (general business, conditional) and MUDD-O (mixed used development, optional)
LOCATION	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. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to rezone approximately 20.32 acres to allow a coliseum, indoor recreation, hotel, retail, eating/drinking/entertainment establishments, and surface parking.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is consistent with the <i>Independence Boulevard Area Plan</i> .
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	City of Charlotte City of Charlotte (Neighborhood and Business Services) N/A
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 32.

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 300,000 square feet gross floor area for the existing coliseum and auditorium; plus 260,000 square feet gross floor area for MUDD (mixed use development) uses including but not limited to eating/drinking/entertainment establishments, retail, indoor recreation, hotel, office and personal service uses for a total of 560,000 of gross floor area on the site. The site plan defines personal service as uses that primarily provide or sell a service to customers, where the sale of products and merchandise is ancillary.
- Excludes loading docks and parking decks from the gross floor area limitations.
- Allows a surface parking lot on the B-2(CD) (general business, conditional) portion of the site. Parking will also be provided on and off site.
- Allows a maximum building height of 120 feet including roof top mechanical equipment and architectural features.
- Limits the total number of buildings on the site to eight, not including the existing coliseum and auditorium and accessory buildings.
- Improves, to public street standards, the right-of-way on Washburn Avenue from Chipley Avenue to the edge of the property.
- Proposes the abandonment of an unopened right-of-way located between Arena Boulevard and the proposed private street from the south side of Arena Boulevard to the southern edge of the property.
- Allows the coliseum and auditorium to utilize parking even if other improvements/buildings associated with the site are not substantially complete.
- Provides access to the site via Television Place, Chipley Avenue, Arena Boulevard, and Independence Boulevard.
- Proposes a private street running from north to south through the site from Television Place to Arena Boulevard and a pedestrian plaza running east to west through the site from the coliseum to Arena Boulevard.
- Specifies architectural design and provides architectural character images to demonstrate the intended design of plaza entry facades facing the pedestrian plaza and urban edge facades facing the streets.
- Describes screening for parking decks and service areas.
- Specifies allowable building materials to include brick, stone, finished precast concrete, decorative concrete masonry units, metal panels, glazing, stucco, and tile cladding and prohibits vinyl siding and unfinished concrete masonry units.

- Provides planting strips and sidewalks along Independence Boulevard (as deemed by CDOT and NCDOT), Area Boulevard, the proposed private street and the east side of the improved Washburn Avenue right-of-way and the south side of Chipley Avenue.
- Provides a 50.75-foot wide Class "B" buffer, with a fence or berm abutting R-4 (single family) zoning.
- Requests the following optional provisions:
 1. Allow up to two detached digital marquee signs for the site with 36 square feet of sign area and up to ten feet in height.
 2. Allow wall signs to have up to 500 square feet of sign area per wall or 10% of the wall area to which they are attached, whichever is less.
 3. Allow existing signage square footages to be maintained, but not exceeded. Additional signage for new development allowed per the Ordinance and optional provisions.
 4. Allow vehicular maneuvering, parking entrances and service areas adjacent to a proposed building and along the private street as depicted on the site plan.
 5. Allow parking between the building and the street at limited and strategic locations as depicted on the site plan.
 6. Allow first floor street walls on an indoor recreation building facing a street to have blank walls exceeding 20 feet in length but not to exceed 60 feet. These walls are to be architecturally articulated to break up the building mass with texture, color, patterns, banners, or signage.
 7. Allow banners to be located on buildings and light poles.
- **Existing Zoning and Land Use**
 - The site is currently used for institutional uses including a coliseum and auditorium, with surface parking.
 - Properties north of the site are zoned B-2 (general business) and B-1 (neighborhood business) and developed with an exposition center, television station and undeveloped land. East of the site, properties are zoned B-2 (general business) and developed with a mixture of vacant buildings, office, personal service and retail uses. Parcels south of the site are zoned B-2 (general business) with a hotel and restaurant and R-4 (single family residential) with single family homes. Property west of the site is zoned R-22MF (multi-family) with a mixture of undeveloped land, single family homes and multi-family residential.
- **Rezoning History in Area**
 - There have been no rezonings in the immediate area in recent years.
- **Public Plans and Policies**
 - The *Independence Boulevard Area Plan* (2011) supports the 2030 Transit System Plan by identifying this area as a future rapid transit station named the Briar Creek Transit Station Area. The *Plan* recommends institutional uses at The Park and Bojangles Coliseum but also supports incorporation of a mixture of residential, office and/or retail or transit-oriented mixed used (TOD-M) over time.
 - The petition is consistent with the Briar Creek Transit Station Area section of the *Independence Boulevard Area Plan*.
 - This petition also meets recommendations of the *Plan* by providing pedestrian connections throughout the site, active ground floor uses, parking that is broken down into smaller blocks and parking shared with other uses.
 - The petition supports the *Strategic Focus Area Plan for the Economic Development and Global Competitiveness Committee* by implementing the Bojangles/Ovens Area Redevelopment Plan and provides a location for amateur sports.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** No issues. This site does not trigger a traditional traffic impact study; however, the reconfiguration of the property will have an impact on the operation of the existing facilities during large events. The City is engaged with a traffic consultant to develop a traffic management plan for these events. The traffic management plan has been received by CDOT and is under review with NCDOT.
 - **Vehicle Trip Generation:**
Current Zoning: 3,300 trips per day.
Proposed Zoning: 4,000 trips per day.

- **Connectivity:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte-Mecklenburg Utilities:** No issues.
- **Engineering and Property Management:** Submit a tree survey showing all trees 2 inches in diameter or greater located in City right-of-way and all trees 8 inches in diameter or greater located in setbacks abutting all public roads adjacent to the entire site.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - Minimizes impacts to the natural environment by developing on an infill site.

OUTSTANDING ISSUES

- The petitioner should:
 1. Address Engineering and Property Management issue.
 2. Update all zoning boundary lines to reflect not only the existing zoning but the proposed zoning. (Example: R-22MF to B-2(CD), B-2 to MUDD-O) on sheet RZ1.0.
 3. Show zoning boundary lines down the streets and right-of-ways where not currently shown and label either side of the lines appropriately, as under outstanding issue 2, on sheet RZ1.0.
 4. Remove the pattern shading from the entire right-of-way of Washburn Avenue as this right-of-way is proposed to be improved and should be shown like the other streets on sheet RZ1.0.
 5. Label the urban edges in the northern portion of Tract 1 on sheet RZ1.0.
 6. Breakdown the proposed uses in the Development Data on sheet RZ2.0 to reflect that MUDD-O uses will be allowed on Tract 1 and 2 and a surface level parking lot will be allowed on Tract 3.
 7. Amend the proposed maximum gross square feet of development in the development data to say "Addition of up to..."
 8. Correct typographical errors with the word "features" in the last sentence of Maximum building height in the Development Data and the underlined period after "CDOT/NCDOT Standards" of Note 5.a.
 9. Indent the second paragraph of Note 2.b. on sheet RZ2.0.
 10. Amend Note 2.h. on sheet RZ2.0 to specify that "light poles" does not include utility poles and public street light poles.
 11. Provide Note 3.b. under Permitted uses and development limitations to indicate the use for Tract 3.
 12. Amend Note 5.c. under Transportation to clearly explain if use of the parking will be allowed if the other improvements/buildings associated with the site have not begun.
 13. Amend Note 6.d under Access to include Chipley Avenue.
 14. Provide a note under the headings of Transportation Improvements and Access and Streetscape, Buffers, Landscaping and Utility Structure Setbacks related to the widening, planting strip and sidewalk improvements to the Washburn Avenue right-of-way.
 15. Provide a note under Streetscapes, Buffers, Landscaping, and Utility Structure Setbacks related to sidewalk and planting strip improvements to Chipley Avenue.
 16. Provide a note on sheet RZ2.0 stating that all parking will be screened from public and private streets.
 17. Add architectural character images to a new sheet of the site plan and reference the sheet under the heading Architectural Guidelines.
 18. Align the proposed sidewalk crossing in the southeast corner of the parking lot between the proposed private street and the arena/auditorium to align with the existing east/west sidewalk between the arena and auditorium on sheet RZ3.0.
 19. Show the improvement to Washburn Avenue extending to the property line or amend the label

on sheets RZ1.0 and 3.0.
20. Delete Note 9 in its entirety.

Attachments Online at www.rezoning.org

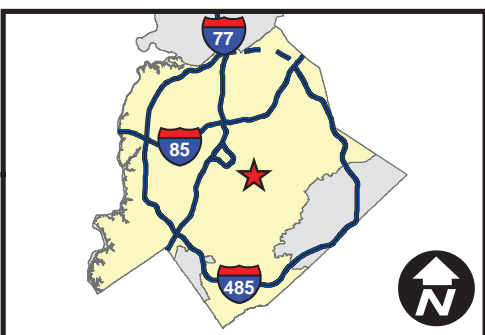
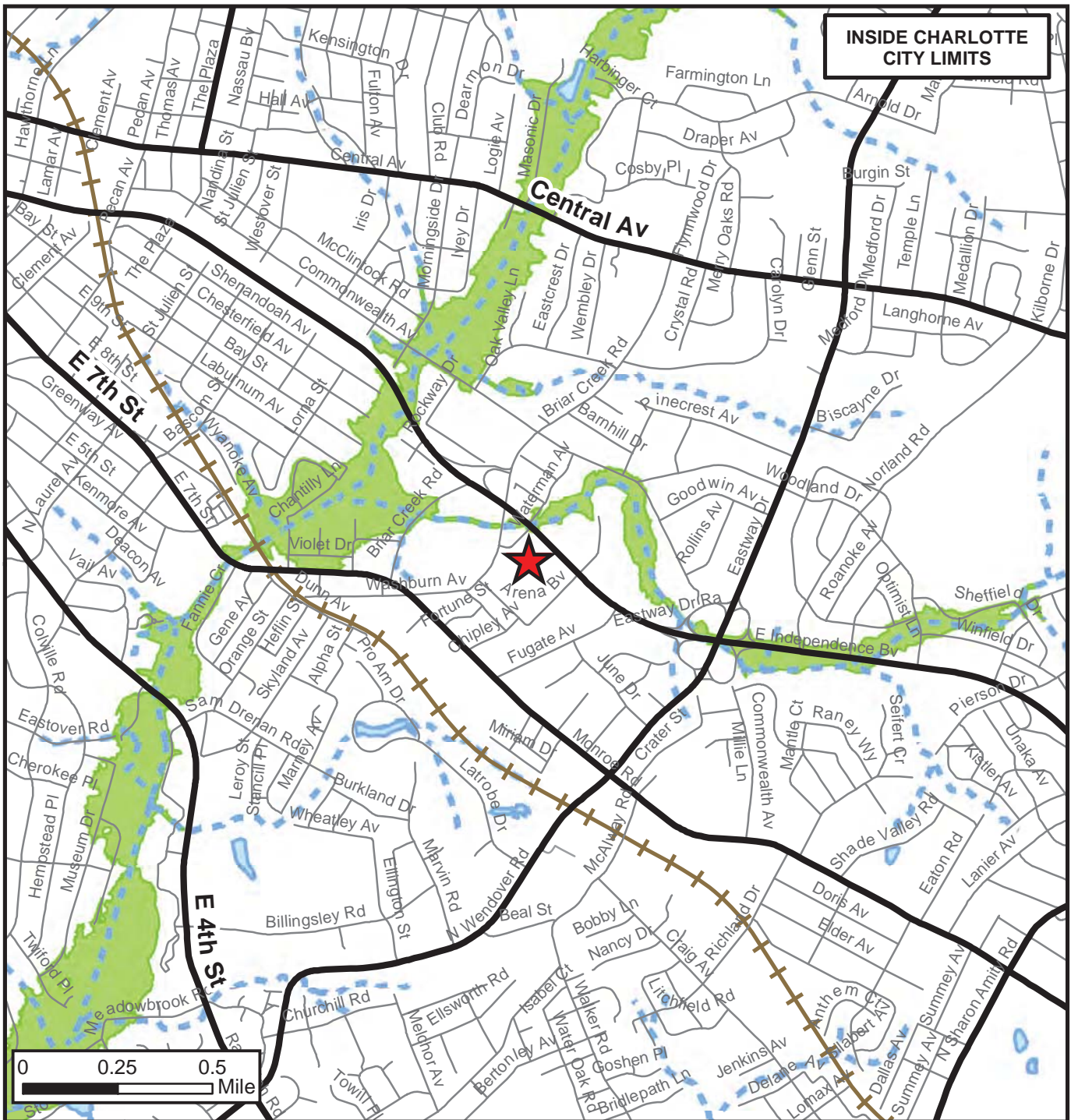
- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: John Kinley (704) 336-8311

Petition #: **2014-119**

Vicinity Map

Acreage & Location : 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.



	Rezoning Petition: 2014-119		FEMA flood plain
	Major Roads		Watershed
	Collector Roads		Lakes and Ponds
	Charlotte City Limits		Creeks and Streams

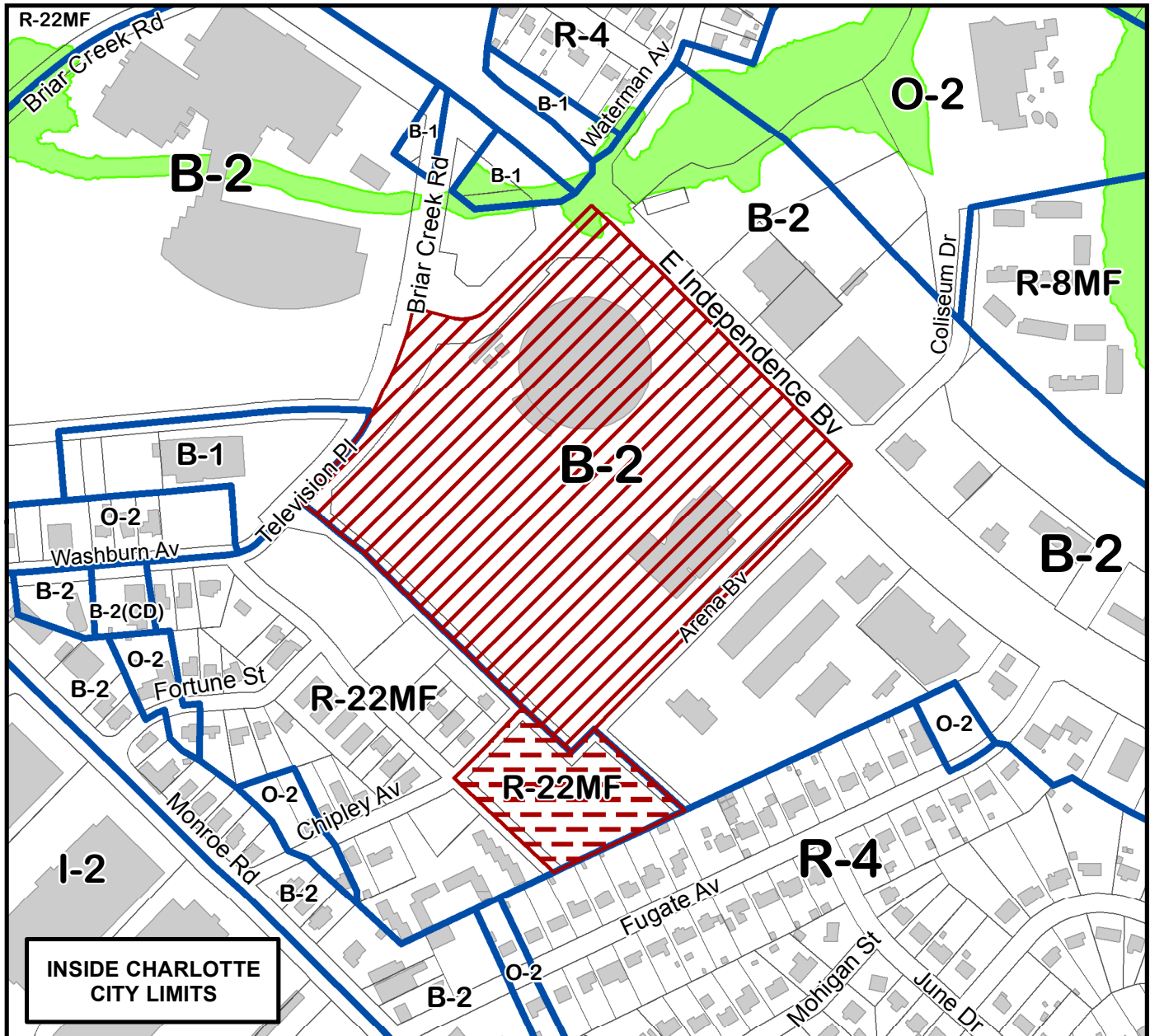
Petition #: **2014-119**

Petitioner: **City of Charlotte (Neighborhood & Business Services)**

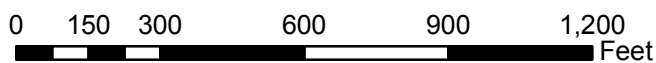
Zoning Classification (Existing): **R-22MF & B-2**
(Multi-Family, Residential and General Business)

Zoning Classification (Requested): **B-2(CD) & MUDD-O**
(General Business, Conditional and Mixed Use Development District, Optional)

Acreeage & Location: 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.



Map Produced by the Charlotte-Mecklenburg Planning Department, 1-5-2015.



Zoning Map #(s)

112

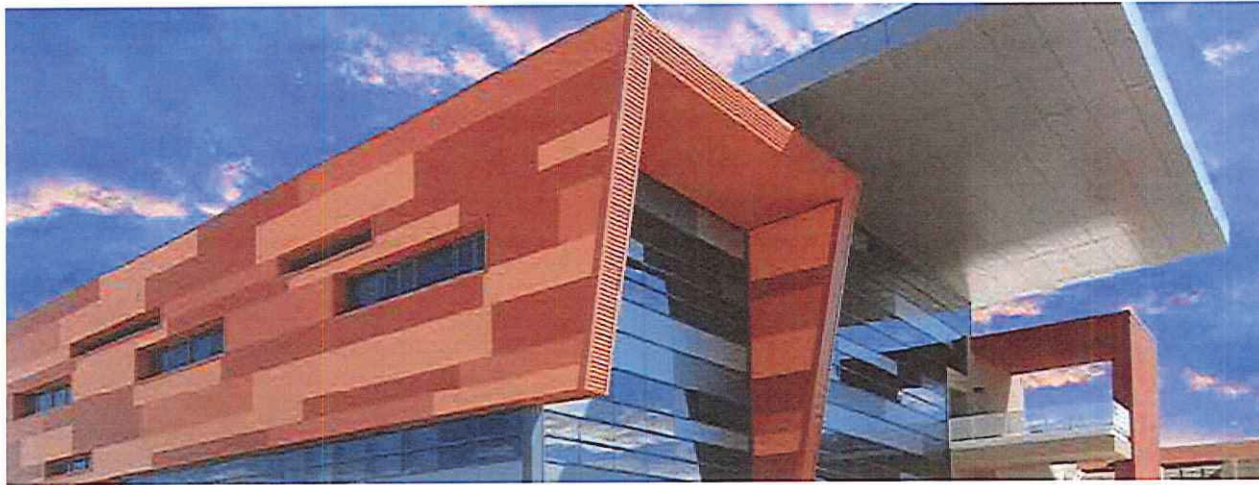
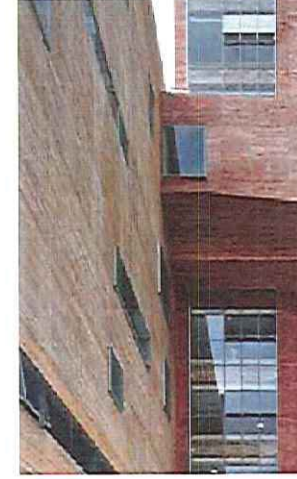
	Requested MUDD-O from B-2		FEMA flood plain
	Requested B-2(CD) from R-22MF		Watershed
	Existing Building Footprints		Lakes and Ponds
	Existing Zoning Boundaries		Creeks and Streams
	Charlotte City Limits		Historic District
	Pedestrian Overlay		

URBAN EDGE

DEVELOPMENT NOTES

On the area of the building labeled Urban Edge on the Rezoning Plan the following architectural guidelines shall be applied: deliver aesthetic continuity by providing the following treatments at the pedestrian level to enhance the pedestrian experience: (i) layers of plantings at grade; and (ii) attractive and interesting louvers screening the parking deck openings; and (iii) break up the mass of the large building with texture, color, patterns, banners, or signage.

Character imagery is intended to illustrate a conceptual site plan. The building configuration, parking, and access points are subject to final engineering and will be finalized during permitting of the project.

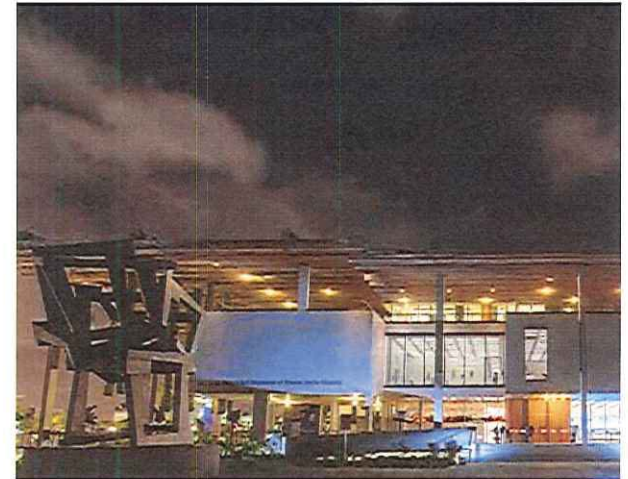


PLAZA ENTRY

DEVELOPMENT NOTES

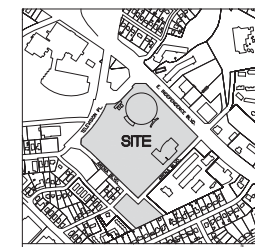
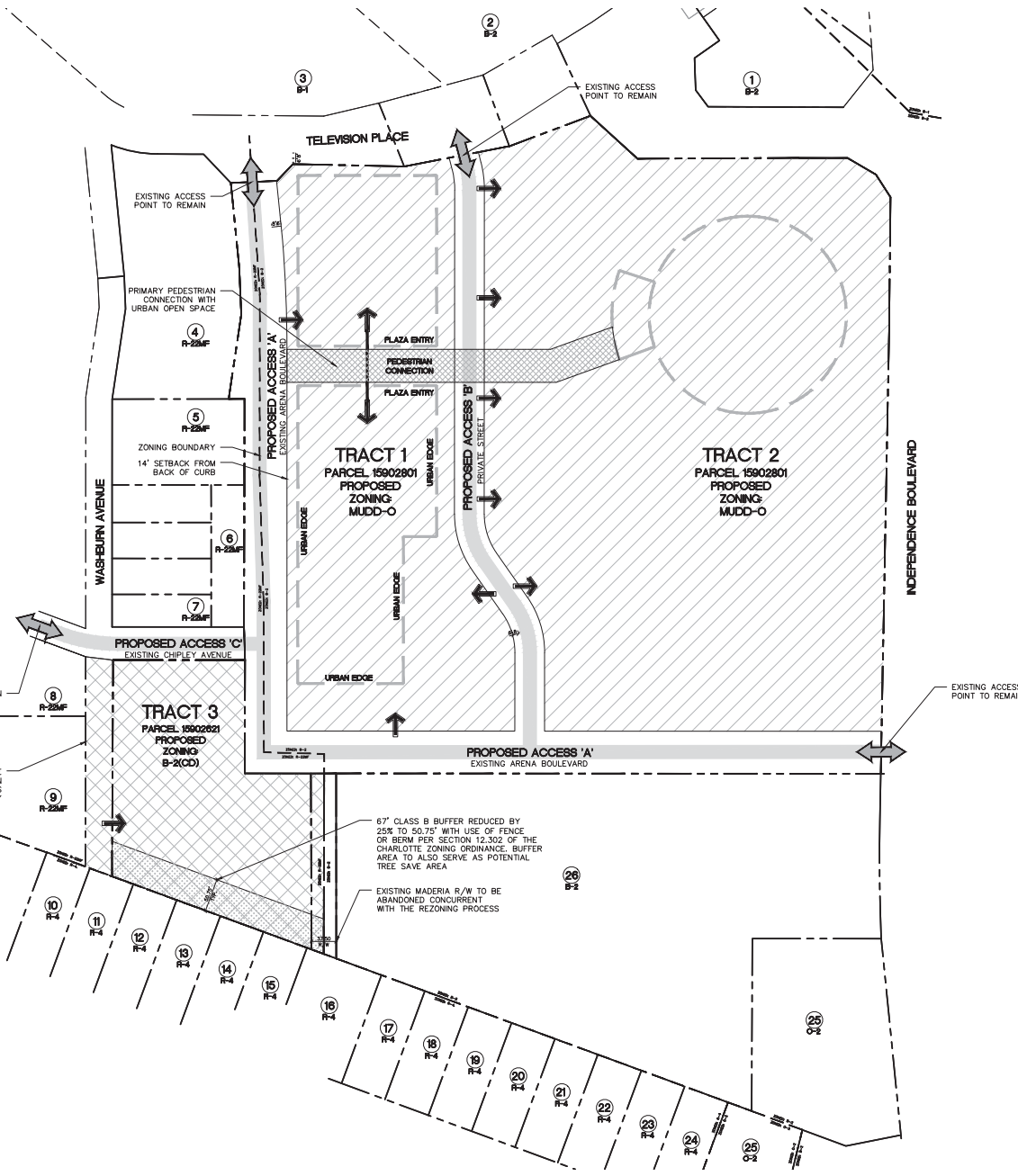
On the area of the building labeled Plaza Entry on the Rezoning Plan the following architectural guidelines shall be applied: provide an open, inviting and dynamic arrival experience through the use of; large percentage of glass, decorative pavers, stylish canopy with lighting, landscape planters and a mix of materials to designate an arrival space. The service side of the building may not be located along the Plaza Entry frontage.

Character imagery is intended to illustrate a conceptual site plan. The building configuration, parking, and access points are subject to final engineering and will be finalized during permitting of the project.



ADJACENT PROPERTY OWNERS

1. THE PARK MINISTRIES INC
600 BEATTIES FORD ROAD
CHARLOTTE, NC 28219
PARCEL ID: 15902971
2. THE PARK MINISTRIES INC
600 BEATTIES FORD ROAD
CHARLOTTE, NC 28219
PARCEL ID: 15902970
3. STAR CITY DEVELOPMENT CO INC
PO BOX 32488
CHARLOTTE, NC 28232
PARCEL ID: 15902522
4. STAR CITY DEVELOPMENT CO INC
PO BOX 32488
CHARLOTTE, NC 28232
PARCEL ID: 15902501
5. STAR CITY DEVELOPMENT CO INC
PO BOX 32488
CHARLOTTE, NC 28232
PARCEL ID: 15902502
6. STAR CITY DEVELOPMENT CO INC
PO BOX 32488
CHARLOTTE, NC 28232
PARCEL ID: 15902503
7. STAR CITY DEVELOPMENT CO INC
PO BOX 32488
CHARLOTTE, NC 28232
PARCEL ID: 15902504
8. BIRCH FOREST LLC
PO BOX 47194
CHARLOTTE, NC 28247-1904
PARCEL ID: 15902679
9. MULTI-FAMILY (MULTIPLE OWNERS)
JAMES AND ANN ROWELL
7007 TRINIDAD ROAD
CHARLOTTE, NC 28211
PARCEL ID: 15902815
10. CARL GODMAN AND MENDY SKINNER
701 FUGATE AVENUE
CHARLOTTE, NC 28205
PARCEL ID: 15902816
11. DESHAH THOMAS
708 FUGATE AVENUE
CHARLOTTE, NC 28205-7009
PARCEL ID: 15902817
12. JEFFERSON FERRISS
715 FUGATE AVENUE
CHARLOTTE, NC 28205-7009
PARCEL ID: 15902818
13. ROBERT NIXON
721 FUGATE AVENUE
CHARLOTTE, NC 28205
PARCEL ID: 15902819
14. ROBERT NIXON
727 FUGATE AVENUE
CHARLOTTE, NC 28205
PARCEL ID: 15902820
15. CANDACE HOWORTH
801 FUGATE AVENUE
CHARLOTTE, NC 28205-7010
PARCEL ID: 15902793
16. STEPHEN HOWORTH
809 FUGATE AVENUE
CHARLOTTE, NC 28205
PARCEL ID: 15902794
17. KIMBERLEE SCHULTZ
815 FUGATE AVENUE
CHARLOTTE, NC 28205-7010
PARCEL ID: 15902795
18. SAMUEL MANGUM
821 FUGATE AVENUE
CHARLOTTE, NC 28205
PARCEL ID: 15902796
19. JOSEPH BARBEE
901 FUGATE AVENUE
CHARLOTTE, NC 28205
PARCEL ID: 15902797
20. EQUITY TRUST CO
1323 THOMAS AVENUE
CHARLOTTE, NC 28215
PARCEL ID: 15902798
21. MARK BUCHHART
915 FUGATE AVENUE
CHARLOTTE, NC 28205-7011
PARCEL ID: 15902799
22. NANCY EDWARDS
921 FUGATE AVENUE
CHARLOTTE, NC 28205
PARCEL ID: 15902710
23. JOYCE CONNORS
927 FUGATE AVENUE
CHARLOTTE, NC 28205
PARCEL ID: 15902711
24. GOLDEN AGE PROPERTIES LLC
3034 E INDEPENDENCE BLVD
CHARLOTTE, NC 28205
PARCEL ID: 15902713
25. CITY OF CHARLOTTE
600 E FOURTH STREET
CHARLOTTE, NC 28202



VICINITY MAP
NTS

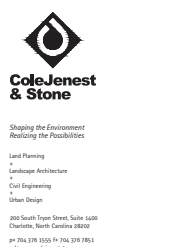
SURVEY DISCLAIMER
ALTA SURVEY, ISSUE DATE: JUNE 02, 2014. PROVIDED BY THE SURVEY COMPANY, INC., 4105-B STUART ANDREW BOULEVARD, CHARLOTTE, NC 28217, (704) 561-9970.

LEGEND

- ACCESS POINT
- INTERNAL ACCESS
- ZONING BOUNDARY
- ADJACENT PROPERTY OWNER & ZONING
- PROPOSED ZONING: MUD-O
- PROPOSED ZONING: B-2 (CD)
- PROPOSED CLASS B BUFFER

REZONING SUMMARY

PETITIONER:	CITY OF CHARLOTTE NEIGHBORHOOD AND BUSINESS SERVICES 600 EAST TRADE STREET CHARLOTTE, NC 28202
PROPERTY OWNER:	CITY OF CHARLOTTE NEIGHBORHOOD AND BUSINESS SERVICES 600 EAST TRADE STREET CHARLOTTE, NC 28202
REZONING SITE AREA:	PARCEL 15902801(B-2): 18.83 ± ACRES PARCEL 15902821(R-22MF): 1.49 ± ACRES TOTAL ACREAGE: 20.32 ± ACRES
TAX PARCEL RL:	15902801, 15902821
EXISTING ZONING:	15902801 (B-2) 15902821 (R-22MF)
PROPOSED ZONING:	15902801 (MUD-O) 15902821 (B-2) (CD)
EXISTING USES:	COLLEGIUM, AUDITORIUM, AND ASSOCIATED SURFACE PARKING
PROPOSED USES:	PER MUD-O ORDINANCE STANDARDS
MAX. GROSS SF OF DEVELOPMENT:	UP TO 560,000 SQUARE FEET OF GROSS FLOOR AREA OF MUD-O PERMITTED USES, PROVIDED, HOWEVER, THE ENCLOSED LOADING DOCK AND PARKING DECK SHALL NOT BE PART OF THE GROSS FLOOR AREA FOR THIS PROVISION. THE EXISTING GROSS FLOOR AREAS BOJANGLES' COLLEGIUM AND OVENS AUDITORIUM ARE INCLUDED IN THIS FIGURE. SEE DEVELOPMENT STANDARDS, SHEET R22.0.
MINIMUM SETBACK:	14' MINIMUM FROM BACK OF EXISTING OR PROPOSED CURB, WHICHEVER IS GREATER, OR AS SPECIFIED IN A CITY COUNCIL ADOPTED STREETCARE PLAN FOR THE STREETS THAT THE PROJECT ABUTS.
URBAN OPEN SPACE:	PER MUD-O ORDINANCE STANDARDS
MAX. BUILDING HEIGHT:	AS ALLOWED BY THE ORDINANCE
REQUIRED PARKING:	PER MUD-O ORDINANCE STANDARDS
PROVIDED PARKING:	1,818 SPACES (SEE DEVELOPMENT STANDARDS, SHEET R22.0)



CITY OF CHARLOTTE
600 East Trade Street
Charlotte, NC 28202

BOJANGLES' REDEVELOPMENT

2700 East Independence Boulevard
Charlotte, NC 28205

TECHNICAL DATA SHEET

Project No.
4355.00

Issued
09/25/14

Petition Number
2014-119

Revised
12/19/14 - PER CITY OF CHARLOTTE COMMENTS

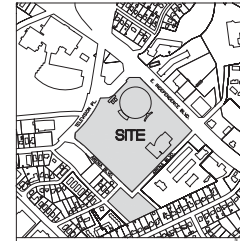
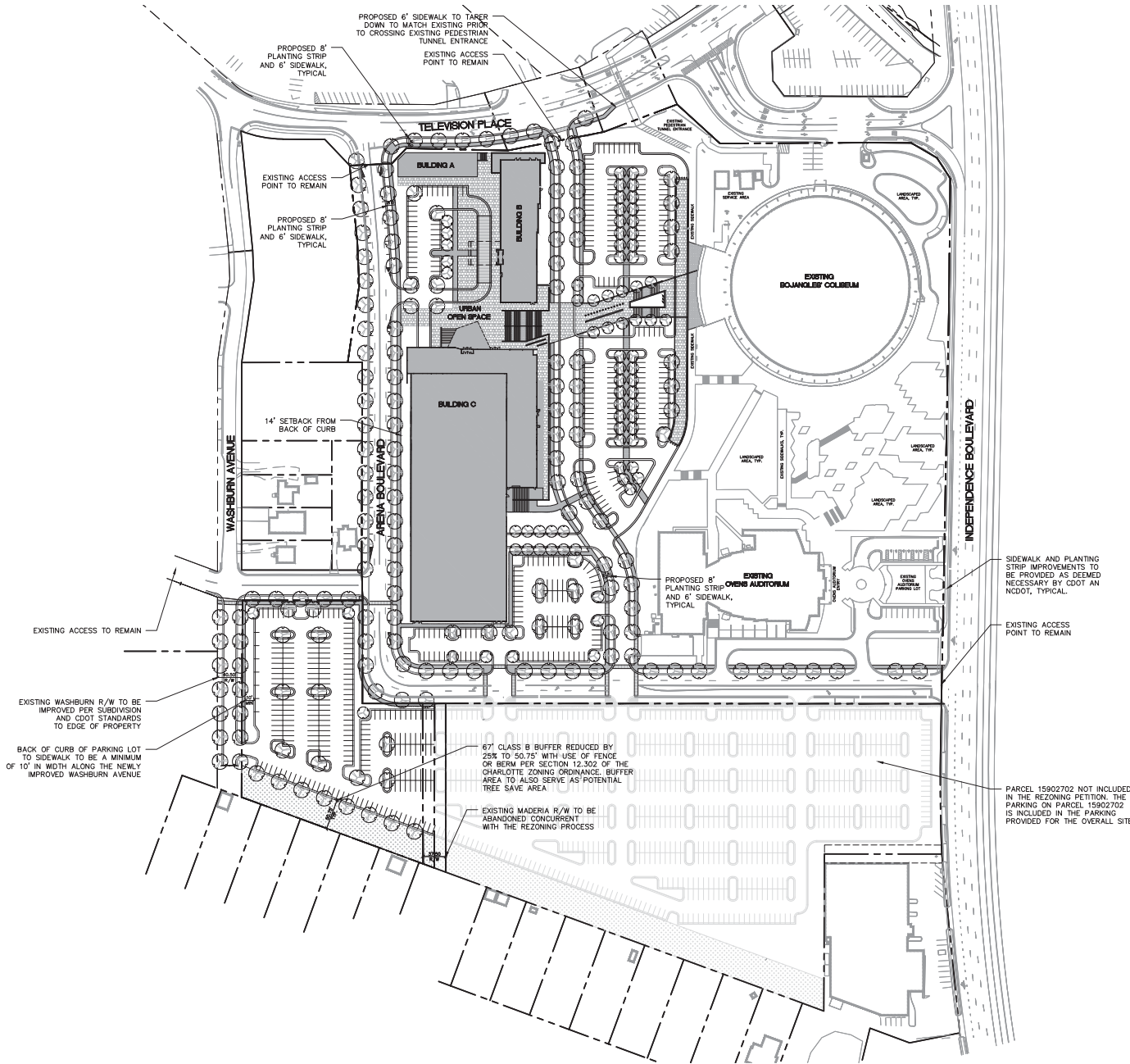
SCALE: 1"=80'

0 40' 80' 160'

RZ1.0

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VICINITY MAP N.T.S.

SURVEY DISCLAIMER
 A LTA SURVEY. ISSUE DATE: JUNE 02, 2014. PROVIDED BY THE SURVEY COMPANY, INC., 4105-B STUART ANDREW BOULEVARD, CHARLOTTE, NC 28217, (704) 561-9970.

LEGEND

SYMBOL	DESCRIPTION
[Patterned Box]	PROPOSED URBAN OPEN SPACE
[Patterned Box]	PROPOSED SIDEWALK
[Patterned Box]	PROPOSED CURB AND GUTTER PER CDOT
[Patterned Box]	PROPOSED CLASS B BUFFER



ColeJenest & Stone
 Shaping the Environment
 Realizing the Possibilities

Land Planning
 Landscape Architecture
 Civil Engineering
 Urban Design

300 South Tryon Street, Suite 1400
 Charlotte, North Carolina 28202
 PH: 313.219.1000 F: 704.278.9101
 www.colejenestandstone.com

CITY OF CHARLOTTE

600 East Trade Street
 Charlotte, NC 28202

BOJANGLES' REDEVELOPMENT

2700 East Independence Boulevard
 Charlotte, NC 28205

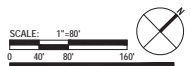
CONCEPTUAL SITE PLAN

Project No.
4355.00

Issued
09/23/14

Petition Number
2014-119

Revised
12/18/14 - PER CITY OF CHARLOTTE COMMENTS



RZ3.0

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REQUEST	Text amendment to Section 12.502
SUMMARY OF PETITION	The petition proposes to: 1) delete the street frontage and primary access requirements for childcare centers located in non-residential districts; 2) clarify street frontage and primary access requirements for childcare centers located in a residential zoning district; and 3) correct the list of zoning districts in which childcare centers are currently permitted.
STAFF RECOMMENDATION	Staff recommends approval of this petition. The petition is consistent with the <i>Centers, Corridors and Wedges Growth Framework</i> goal to ensure a diverse, growing and adaptable economy.
PETITIONER AGENT/REPRESENTATIVE	Charlotte Montessori School David Powlen, Little Diversified Architectural Consulting
COMMUNITY MEETING	Meeting is not required.

PLANNING STAFF REVIEW

- **Background**

- Childcare centers for between thirteen (13) and seventy-nine (79) children are permitted, with prescribed conditions, in R-9MF, R-12MF, R-17MF, R-22MF, and R-43MF (multi-family), UR-2, UR-3, UR-C (urban residential), INST (institutional), RE-1, RE-2, and RE-3 (research), O-1, O-2, O-3 (office), MX-2 and MX-3 (mixed use), B-1 (neighborhood business), B-2 (general business), BD (distributive business), NS (neighborhood services), MUDD (mixed use development), UMUD (uptown mixed use), TOD-R, TOD-E, and TOD-M (transit oriented development), U-I (urban industrial) and I-1 (light industrial) zoning districts.
- One of the prescribed conditions for childcare centers, as a principal use, is that the use is required to have frontage on a collector street or a minor or major thoroughfare. However, primary access may be provided by a local residential street that directly intersects a collector street, minor thoroughfare, or major thoroughfare, or by a collector street, a minor thoroughfare, or a major thoroughfare.

- **Proposed Request Details**

The text amendment contains the following provisions:

- Deletes the street frontage and primary access requirements for childcare centers located in non-residential districts.
- Clarifies that street frontage and primary access requirements for childcare centers only applies when the use is located in a residential district.
- Corrects zoning districts in which childcare centers are currently permitted.

- **Public Plans and Policies**

- This petition is consistent with the *Centers, Corridors and Wedges Growth Framework* goal to ensure a diverse, growing and adaptable economy.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** No issues.
 - **Vehicle Trip Generation:** Not applicable.
 - **Connectivity:** Not applicable.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** Not applicable.

- **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

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

OUTSTANDING ISSUES

- No issues.
-

Attachments Online at www.rezoning.org

- Application
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

Planner: Sandra Montgomery (704) 336-5722

TEXT AMENDMENT SUMMARY: Childcare Centers - Street Frontage and Primary Access Requirements

1-12-15

2015-002

Purpose/Background: The purpose of this text amendment is to 1) delete the street frontage and primary access requirements for childcare centers located in non-residential districts; 2) clarify that the street frontage and primary access requirements for childcare centers only applies when the use is located in a residential zoning district; and 3) corrects the list of zoning districts in which childcare centers are currently permitted.

	Current Regulations	Proposed Regulations	Rationale
Zoning Districts	<ul style="list-style-type: none"> Childcare centers for between thirteen (13) and seventy-nine (79) children, are permitted, with prescribed conditions in in R-9MF, R-12MF, R-17MF, R-22MF, and R-43MF (multi-family), UR-2, UR-3, UR-C (urban residential), INST (institutional), RE-1, RE-2, and RE-3 (research), O-1, O-2, O-3 (office), MX-2 and MX-3 (mixed use), B-1 (neighborhood business), B-2 (general business), BD (distributive business), NS (neighborhood service), MUDD (mixed use development), UMUD (uptown mixed use), TOD-R, TOD-E, and TOD-M (transit oriented development), U-I (urban industrial) and I-1 (light industrial) zoning districts. 	<ul style="list-style-type: none"> Corrects the list of permitted districts to match those where the use is currently permitted, with prescribed conditions 	N/A
Street Frontage Requirements	<ul style="list-style-type: none"> Childcare centers, as a principal use, are required to have frontage on a collector street or a minor or major thoroughfare. 	<ul style="list-style-type: none"> Deletes the frontage requirement for childcare centers located in non-residential zoning districts. Clarifies that the requirement only applies to childcare centers located in a residential district. 	<ul style="list-style-type: none"> Provides additional flexibility
Primary Access to the Site	<ul style="list-style-type: none"> Primary access may be provided by a collector street, minor thoroughfare, or major thoroughfare, or by a local residential street that directly intersects a collector street, minor thoroughfare, or major thoroughfare. 	<ul style="list-style-type: none"> Deletes the primary access requirement for childcare centers located in non-residential zoning districts. Clarifies the requirement only applies to childcare centers located in residential district. 	<ul style="list-style-type: none"> Provides additional flexibility

Petition #: 2015-002

Petitioner: Charlotte Montessori School

AN ORDINANCE AMENDING APPENDIX A
ORDINANCE NO. _____

OF THE CITY CODE - ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

A. CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

1. PART 5: SPECIAL REQUIREMENTS FOR CERTAIN USES

- a. Amend Section 12.502, "Adult care homes, adult care centers, childcare centers, childcare centers in a residence, family childcare homes, and large childcare centers", subsection (3) "Childcare centers" by amending the first paragraph to correct the zoning districts in which the use is currently allowed. The revised text shall read as follows:

(3) Childcare centers

Childcare centers for between thirteen (13) and seventy-nine (79) children, licensed by the North Carolina Department of Health and Human Services, may be established in all multi-family districts, UR-2, UR-3, UR-C, INST, all research, all office, NS, B-1 and B-2, BD, MUDD, UMUD, ~~MX-1~~, MX-2, MX-3, TOD-R, TOD-E, and TOD-M, U-I, and I-1 districts, according to the requirements listed below. Childcare centers are also permitted as an accessory to uses permitted in the I-2 district, religious institutions, elementary, junior and senior high schools, and government buildings, and are exempt from the requirements listed below.

- b. Amend Section 12.502, "Adult care homes, adult care centers, childcare centers, childcare centers in a residence, family childcare homes, and large childcare centers", subsection (3) "Childcare centers" by amending subparagraph (d). All remaining subparagraphs shall remain unchanged. The new subparagraph shall read as follows:

- (d) In residential districts, childcare centers must have frontage on a collector street or a minor or major thoroughfare. Primary access to the center may be provided by way of a local residential street that directly intersects a collector street or a minor or major thoroughfare.

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

City Attorney

I, _____ City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 20____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of _____, 20__.

REQUEST	Current Zoning: INST(CD) (institutional, conditional) Proposed Zoning: INST(CD) SPA (institutional, conditional, site plan amendment)
LOCATION	Approximately 108.86 acres located on the south side of Choate Circle and at the southern intersection of Moss Road and Choate Circle. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes a site plan amendment to allow the addition of a cell tower up to 210-foot on the site along with other minor changes.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is consistent with the Steele Creek Area Plan.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	SIM USA, Inc. SIM USA Jonathan L. Yates
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 2.

PLANNING STAFF REVIEW

• Background

- Rezoning petition 1996-027C rezoned the subject property from INST (CD) (institutional, conditional) and R-3 (single family residential) to INST (CD) (institutional, conditional) and INST (CD) SPA (institutional, conditional, site plan amendment) for the Gordon-Conwell Theological Seminary. The property included approximately 108 acres which was divided into two tracts with the following conditions:
 - Uses limited to corporate headquarters, training facilities, service facilities and housing facilities, a seminary and associated accessory uses.
 - Limits nonresidential buildings to 275,000 square feet on Tract I and limits buildings on Tract II to 31,000 square feet.
 - Allows up to 150 independent residential living units in the form of multi-family units as an integral part of the missionary headquarters and not owned by a third party.
 - Specifies transportation commitments related to right-of-way dedication, widening, left-turn lane, and sidewalk and planting strip along Choate Circle.
 - Specifies that buffer areas are to remain as open space, except to accommodate walls, fences, drainage, utilities, pedestrian pathways, and bicycle pathways.
 - Commits to the maintenance of existing natural vegetation within the setback along Choate Circle.
 - Prohibits buildings from being constructed within the floodplain except those depicted on the site plan.
 - Limits lighting to a maximum height of 20 feet.
 - Limits the maximum building height to two stories or 40 feet in height.
- In 2006, Tract II, approximately 19 acres, was subsequently rezoned by petition 2006-142 to increase the maximum building square footage from 31,000 square feet to 121,000 square feet and to prohibit the reduction of buffers on Tract II.

• Proposed Request Details

The site plan amendment contains the following changes:

1. Adds a 210-foot tall monopole communications tower to the allowed uses for Tract I. This use is in addition to the corporate headquarters, training facilities, services facilities and housing facilities.
2. Specifies that buildings in Tract I may not exceed an aggregate of 275,000 square feet including any proposed equipment shelters in the communications tower compound.
3. Adds a note specifying that the communication tower will only be illuminated as required by the Federal Communications Commission or other agency of jurisdiction.
4. Adds a note specifying that the tower will be constructed of painted or unpainted galvanized

steel according to the applicable standards of the Federal Aviation Authority or other agencies. No advertising shall be attached to the tower.

5. Adds a note limiting the maximum height of the tower to 210 feet.
 6. Amends Transportation note 4 to increase the required sidewalk from four feet to six feet.
 7. Removes a note specifying that no buffers, except the buffer area to be established along the western margin of Tract II may be reduced in width.
- **Existing Zoning and Land Use**
 - The site is currently used for a corporate headquarters, with training facilities and associated accessory uses.
 - Property to the south is located in South Carolina, zoned commercial and is vacant. Property to the north and east is zoned I-1 (light industrial) and I-2 (general industrial) and developed with industrial uses. Properties to the west are zoned R-3 (single family) and developed with single family uses.
 - **Rezoning History in Area**
 - There have been no rezonings in the immediate area in recent years.
 - **Public Plans and Policies**
 - The *Steele Creek Area Plan* (2012) recommends institutional uses. Communication towers are a permitted use in the institutional district. The proposed communications tower is located over 1/3 of a mile from the nearest single family homes and approximately 1/3 of a mile from the nearest public street.
 - The petition is consistent with the *Steele Creek Area Plan*.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** Amend Note 3 to eliminate "...within a reasonable period of time after the Charlotte Department of Transportation has determined that any such left turn lane is warranted by reason of increased traffic volumes" and replace with the following: "...upon future development of said Tracts (excluding the communications tower installation)."
 - **Vehicle Trip Generation:** The proposed communications tower will result in less than 10 daily generated trips.
 - **Connectivity:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte-Mecklenburg Utilities:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** Provide greenway easements for Polk Ditch, Walker Branch and Steele Creek on this property per the attached preliminary surveys dated 07.26.06 that need to be recorded and remain undisturbed for future greenway development.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - Minimizes impacts to the natural environment by preserving areas within the floodplain.

OUTSTANDING ISSUES

- The petitioner should:
 1. Address the CDOT issue.

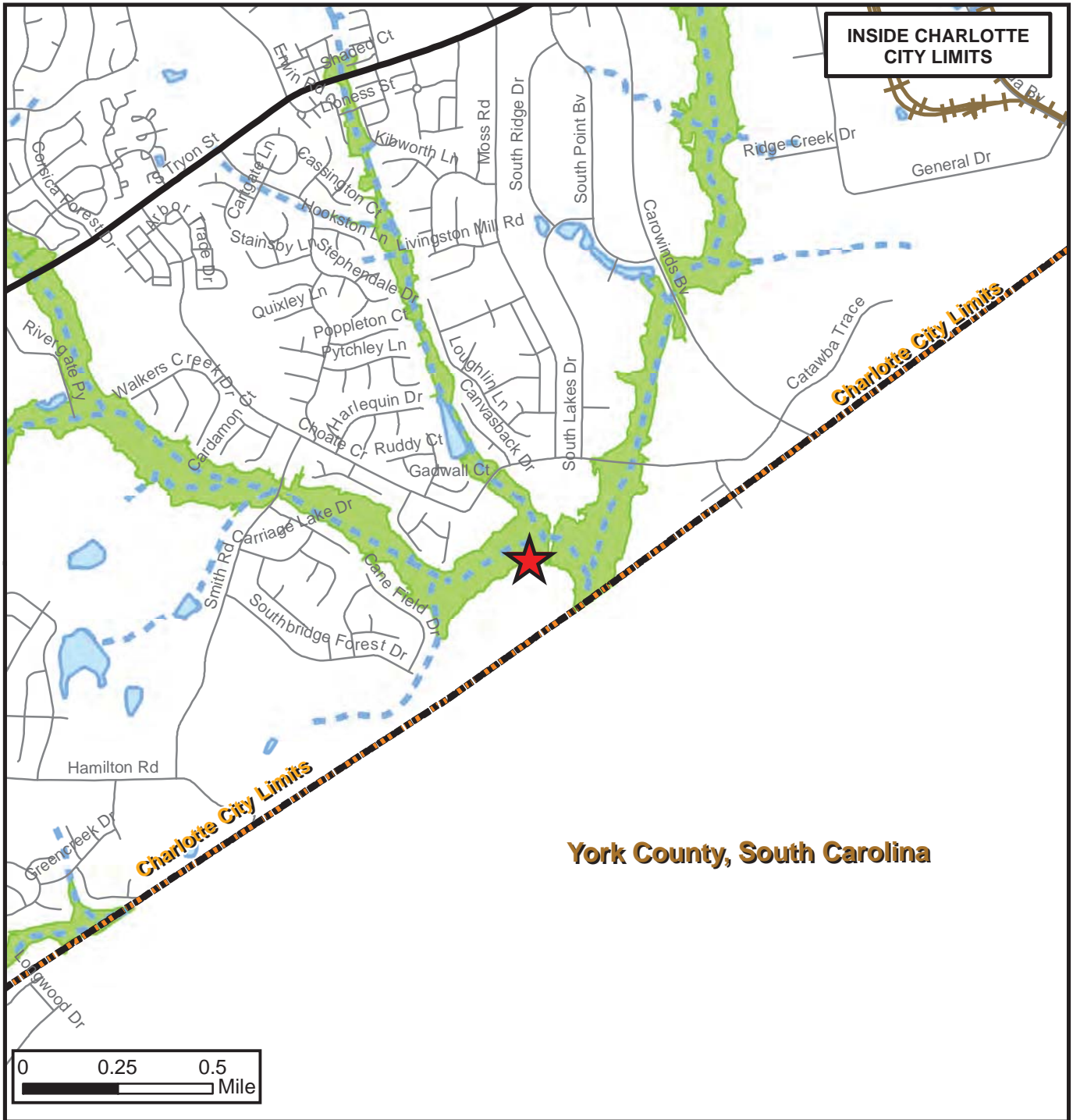
2. Address the Park and Recreation issue.
 3. Provide the six-foot sidewalk and eight-foot planting strip along Choate Circle as specified in the previously approved plan.
 4. Amend Transportation note 4. to remove the words "contemporaneously with, and in sequences keyed to, new development taking place on each such Tract (excluding the communications tower installation), but in all events, no later than the fifth anniversary of the date on which this Rezoning Petition is approved by Charlotte City Council" and replace with "prior to the issuance of a certificate of occupancy for the telecommunications tower".
 5. Remove all references to Tract II. Gray the area of Tract II and label "Not included in rezoning." Amend the application and site plan data to reflect the reduced acreage. Tract II was amended by rezoning petition 2006-142.
 6. Provide a note that prohibits all buffers from being reduced.
 7. Amend Note 2 under Permitted Development within the Site by replacing "a 200-foot monopole communications tower" with "up to a 210-foot monopole communications tower."
 8. Amend the definition of the term "Petitioners" to reflect a singular petitioner.
-

Attachments Online at www.rezoning.org

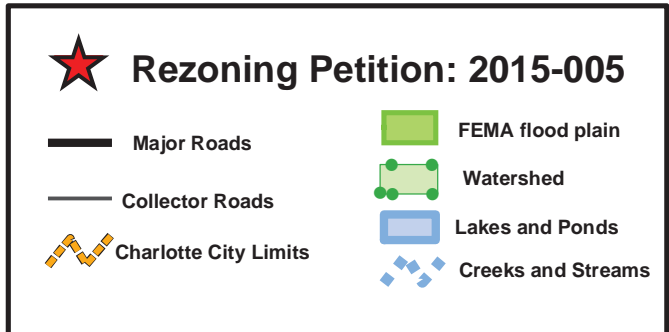
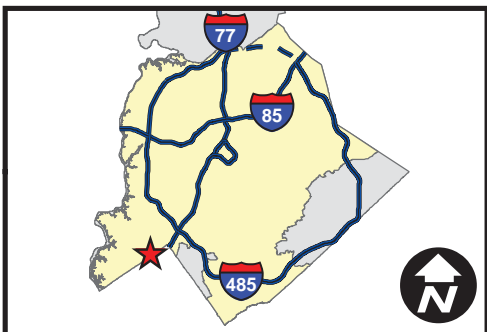
- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

Planner: John Kinley (704) 336-8311

Acreage & Location : Approximately 108.86 acres located on the south side of Choate Circle and at the southern intersection of Moss Road and Choate Circle.



York County, South Carolina



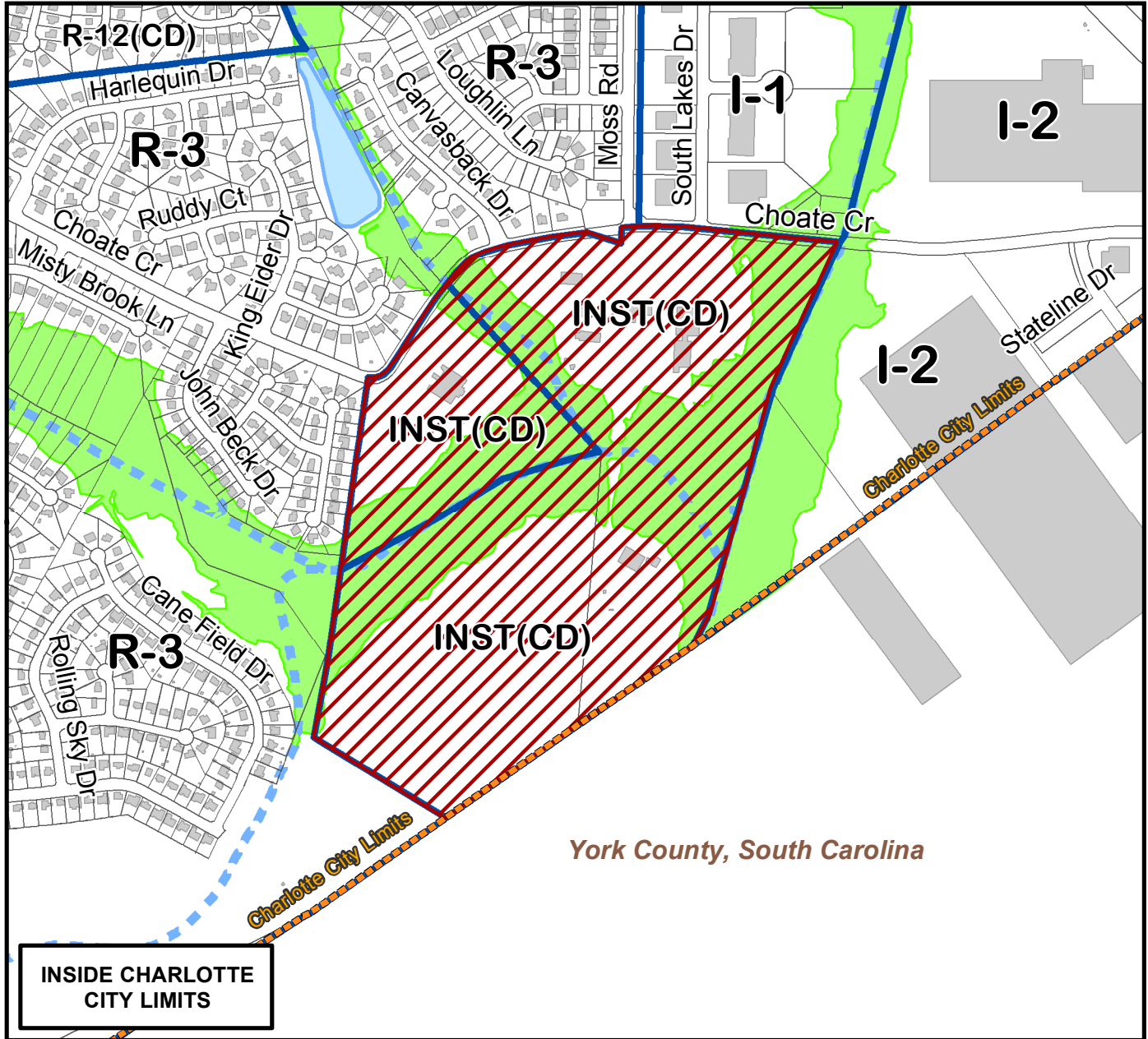
Petition #: **2015-005**

Petitioner: **SIM USA**

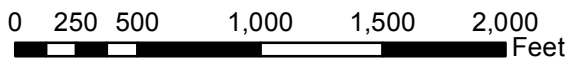
Zoning Classification (Existing): **INST(CD)**
(Institutional, Conditional)

Zoning Classification (Requested): **INST(CD) SPA**
(Institutional, Conditional, Site Plan Amendment)

Acreage & Location: Approximately 108.86 acres located on the south side of Choate Circle and at the southern intersection of Moss Road and Choate Circle.

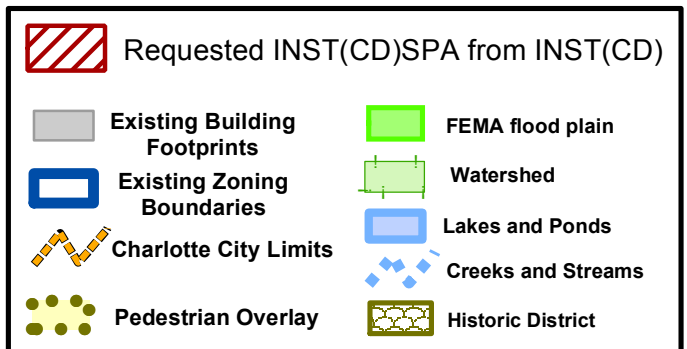


Map Produced by the Charlotte-Mecklenburg Planning Department, 10-31-2014.



Zoning Map #(s)

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Previously
Approved
Site
Plan

Petition Number 2015-007

A Community Meeting
Report has not been
submitted for this
petition; therefore, it
may not go to public
hearing and should be
deferred to
February 16, 2015



Note: The petitioner is requesting a deferral of this petition to February 16, 2015.

REQUEST	Current Zoning: NS (neighborhood services) Proposed Zoning: NS SPA (neighborhood services, site plan amendment)
LOCATION	Approximately 10.01 acres located on the southwest corner at the intersection of Idlewild Road and Wyalong Drive. (Council District 5 - Autry)
SUMMARY OF PETITION	The petition proposes a site plan amendment to allow a minor increase in building square footage, and to amend development standards regarding the number, placement, and type of eating/drinking/entertainment establishments and associated drive-through windows allowed on the site.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is consistent with the <i>Eastside Strategy Plan</i> , as amended by a previous petition.
PROPERTY OWNER	Mintworth DEI, LLC
PETITIONER	Mintworth DEI, LLC
AGENT/REPRESENTATIVE	John Carmichael, Robinson Bradshaw & Hinson, P.A.
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 10

PLANNING STAFF REVIEW

• Background

- Rezoning petition 2003-044 rezoned the subject property as part of 46.6 acres consisting of Parcels A and B, from R-4 (single family residential), R-17MF (multi-family residential) and B-1 (neighborhood business) to R-8(CD) (single family residential, conditional) and NS (neighborhood services) to allow 90,000 square feet of retail or restaurant uses, 30,000 square feet of office space and 135 single family detached dwelling units. Two detached single story retail buildings are shown along Idlewild Road. The approved rezoning permitted three freestanding buildings with drive-through facilities, one of which may be a bank, one may be a Chick-Fil-A restaurant, and one may be any other retail or office use. Prohibited uses include convenience stores, car washes, automobile service stations, and restaurants with drive-through facilities, with the exception of a Chick-Fil-A restaurant.
- Rezoning Petition 2004-038 rezoned 22.02 acres consisting of Parcels A and C, from B-1 (neighborhood business) and NS (neighborhood services) to NS (neighborhood services) and NS SPA (neighborhood services, site plan amendment), to allow a total of 92,550 square feet of retail or restaurant uses, and 30,000 square feet of office uses. Two detached single story retail buildings are shown along Idlewild Road at 3,000 and 4,000 square feet respectively. Parcel C allowed the existing buildings and uses to remain as grandfathered, along with an expansion of up to 432 square feet. Permitted and prohibited uses and freestanding drive-through building limitations were carried over from the previous rezoning.

• Proposed Request Details

The site plan amendment contains the following changes:

- Replaced the term "restaurant" with "eating, drinking and entertainment establishments, Type 1 and 2."
- Identified an area of the site on which the Idlewild Road Freestanding Buildings will be located, referred to as Idlewild Road Building Envelope.
- Amended permitted uses to include personal services and eating/drinking/entertainment establishments Type 1 and 2.
- Specified that two uses on the site may have accessory drive-through windows, and both uses may be eating/drinking/entertainment establishments Type 1 and 2.
- Removes the restriction that a drive-through restaurants must be a Chick-Fil-A.
- Specified that accessory drive-through windows may only be located within the Idlewild Road Building Envelope, that both uses may be an eating/drinking/entertainment establishment (Type

- 1 or 2), or may be associated with a bank or financial institution.
- Amended maximum development area allowed on the site to 79,250 square feet of gross floor area.
- Excluded areas devoted to surface parking from being counted toward the maximum allowed gross floor area.
- Increased allowed square footage within Idlewild Road Building Envelope from 7,000 to 9,500 square feet. The maximum size of an eating/drinking/entertainment establishment located within the Idlewild Road Building Envelope is 4,000 square feet. However, if both buildings located within the Idlewild Road Building Envelope are devoted to an eating/drinking/entertainment establishment, the combined maximum size of the two buildings shall be 7,500 square feet. If one building is devoted to an eating/drinking/entertainment establishment and the other to bank or financial institution then the maximum size of the building devoted to a bank or financial institution is 5,500 square feet.
- Added note that any drive-through window located within the Idlewild Road Building Envelope shall not be located on the side of the building that directly fronts Idlewild Road.
- Added note that service areas associated with buildings located within the Idlewild Road Building Envelope shall not directly front Idlewild Road.
- Noted that internal sidewalks, pedestrian connections, and sidewalk connections to the adjoining public streets shall be provided as generally depicted on the site plan.
- Noted that the existing sidewalks and planting strips along Margaret Wallace Road, Idlewild Road, Wyalong Drive, and Mintworth Avenue will remain in place except that a portion of the sidewalk along Idlewild Road shall be relocated, in coordination with the City of Charlotte Urban Forestry staff.
- Added note that the streetscape treatment along Margaret Wallace Road and Idlewild Road will include large maturing trees and supplemental shrubbery, which may be located within the right-of-way and/or within easements.
- Outdoor dining and courtyard areas may be located within the established setback along Margaret Wallace Road and Idlewild Road.
- Vehicular drives may be located between the Idlewild Road freestanding buildings and Idlewild Road.
- Added Note C under Binding Effect of the Rezoning Documents and Definition as follows: Any reference to the ordinance herein shall be deemed to refer to the requirements of the ordinance in effect as of the date this rezoning petition is approved.
- **Existing Zoning and Land Use**
 - The subject property is currently developed with a retail shopping center. Surrounding properties are developed with single family and multi-family residential dwellings, manufactured housing, retail and office uses in R-8(CD) (single family residential, conditional), R-17MF (multi-family residential), R-MH (manufactured housing), and NS (neighborhood services) zoning districts. To the north and east are scattered residential, office, retail uses, and undeveloped acreage in the Towns of Matthews and Mint Hill.
- **Rezoning History in Area**
 - Petition 2011-16 rezoned 0.26 acres located on the west side of Margaret Wallace Road near the intersection with Idlewild Road from B-1 (neighborhood business) to NS (neighborhood services) to allow the construction of a convenience store.
- **Public Plans and Policies**
 - The *Eastside Strategy Plan* (2001) recommends retail uses on the subject property, as amended by the previous rezoning on the site.
 - The request is consistent with the *Eastside Strategy Plan*.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** No issues.
 - **Vehicle Trip Generation:**
 - Current Zoning: 3,200 trips per day.
 - Proposed Zoning: 4,800 trips per day.
 - **Connectivity:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** This site plan amendment will not impact the number of

students attending local schools.

- **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No comments received.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site meets minimum ordinance standards.

OUTSTANDING ISSUES

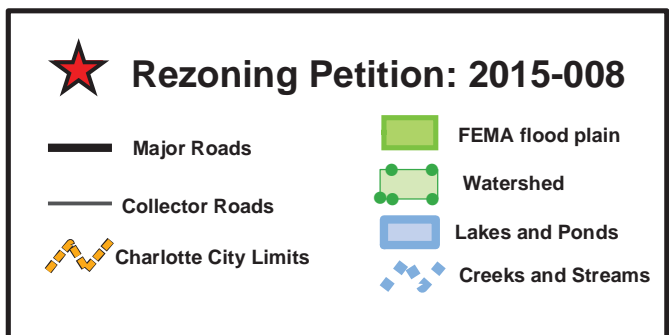
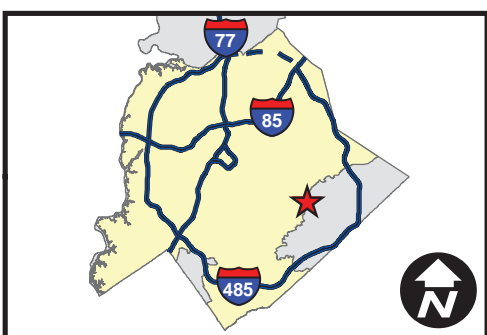
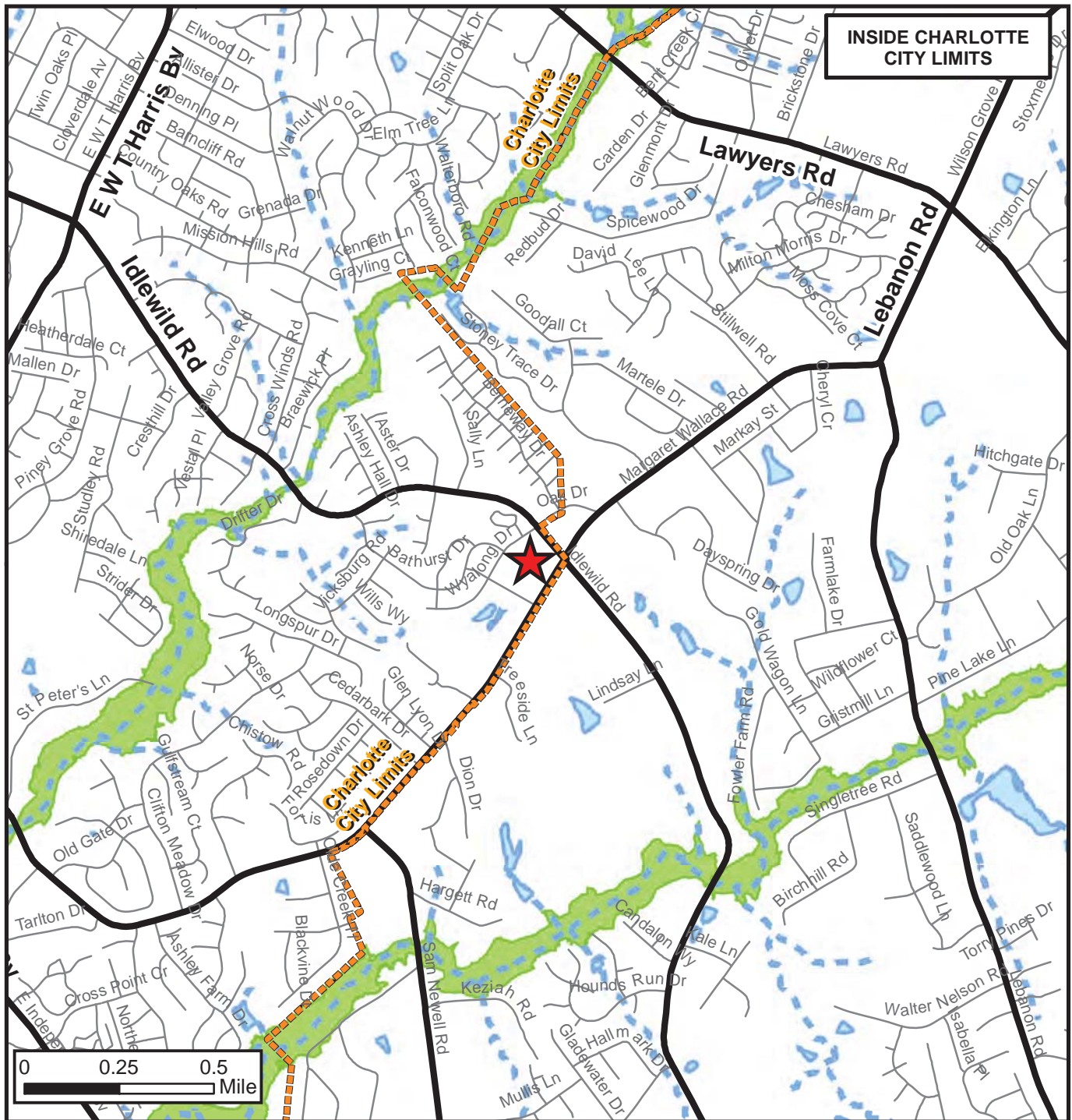
- The petitioner should:
 1. Define personal services as referenced in Note 1 under Permitted Uses.
 2. Add a note under General Provisions that prior to the Council's decision on this rezoning petition, the petitioner shall file with the Planning Department a request for an administrative amendment to the approved rezoning plan relating to Petition 2004-038 to amend the remaining development rights. Specify the maximum gross floor area allowed on the remaining portion of the 2004 rezoning site, parking standards, and the maximum number of drive-through service windows allowed on the site.
 3. Identify back of house or service areas for the drive-through uses.
 4. Provide elevations to depict primary building orientation, pedestrian access, and how service areas will be designed.
 5. Amend Note 1 under Architectural Standards to add the following: "Buildings constructed along Margaret Wallace Road and Idlewild Road will contain clear glass windows facing the street. All sides of the buildings shall avoid expanses of blank wall 20 feet or greater. All elevations shall be treated with some combination of fenestration, building articulation, landscaping and specially designed architectural elements."
 6. Amend Note 2 under Architectural Standards to add the following: "Dumpster and recycling areas will be enclosed on all four sides by an opaque wall that is constructed of materials complementary to the primary use."
 7. Amend Note A1 under Development Limitations to delete surface parking from the second sentence.
 8. Delete Note C under Binding Effect of the Rezoning Documents and Definition. Conditional petitions automatically adhere to the Zoning Ordinance in effect at the time of approval but the site must comply with current regulations for other codes and ordinances.
-

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

Planner: Sonja Sanders (704) 336-8327

Acreage & Location : Approximately 10.01 acres located on the southwest corner at the intersection of Idlewild Road and Wyalong Drive.



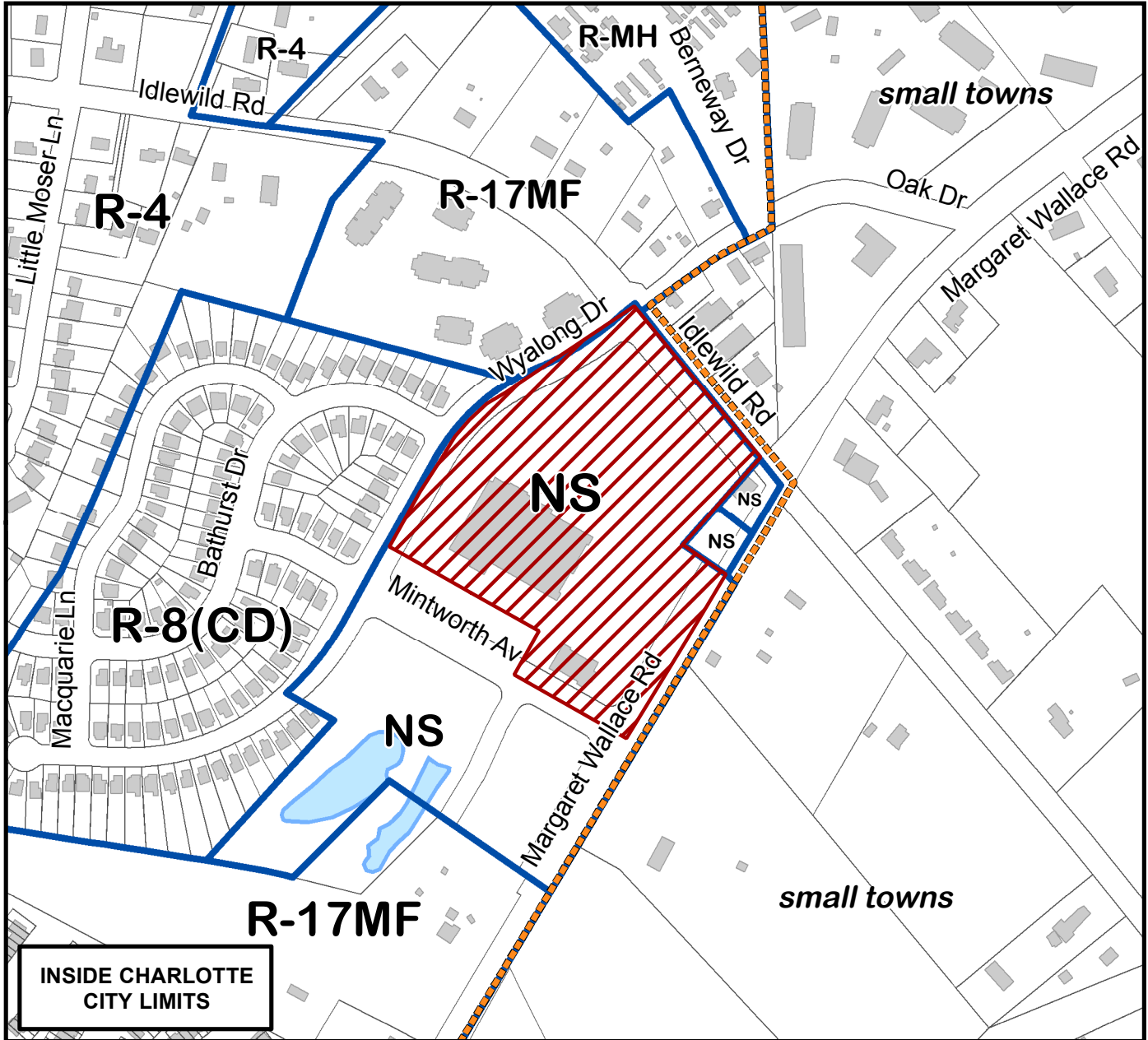
Petition #: **2015-008**

Petitioner: **Mintworth DEI, LLC**

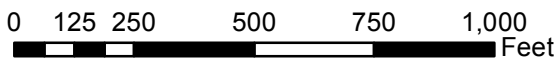
Zoning Classification (Existing): **NS**
(Neighborhood Services)

Zoning Classification (Requested): **NS (SPA)**
(Neighborhood Services, Site Plan Amendment)

Acreage & Location: Approximately 10.01 acres located on the southwest corner at the intersection of Idlewild Road and Wyalong Drive.



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Zoning Map #(s)

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