

Mayor Patrick L. McCrory Mayor Pro Tem Susan Burgess
Michael Barnes John W. Lassiter
Nancy Carter Don Lochman
Andy Dulin James E. Mitchell, Jr.
Anthony Foxx Patrick Mumford
Patsy Kinsey Warren Turner

CITY COUNCIL ZONING AGENDA
Monday, March 20, 2006

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

6:00PM – Zoning Decisions/Hearings
Meeting Chamber

DINNER MEETING

Rezoning Update – March, April & May 2006
Debra Campbell, Planning Director

DECISIONS

1. **Petition No. 2005-85 (decision)** by *James & Patricia Sack* for a change in zoning of approximately 0.086 acres located to the southeast of Charles Avenue north of E. 35th Street from R-5 to UR-1(CD).

Commissioner Howard made a motion declaring the petition inconsistent with the adopted plans. Commissioner Cooksey seconded the motion. Commissioner Ratcliffe made a substitute motion affirming that the petition is consistent with transit station area principals. Sheild seconded the motion and the Zoning Committee voted 5-2 to adopt the consistency statement.

The Zoning Committee voted 5-2 to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee's recommendation.

Attachment No. 1

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-085.htm>

2. **Petition No. 2005-108 (decision)** by *Maxfield Bowen* for a change in zoning of approximately 1.24 acres located on the west side of Beatties Ford Road, south of McIntyre Avenue from R-4 to R-8MF(CD).

Upon a motion made by Howard and seconded by Ratcliffe the Zoning Committee unanimously found this petition to be consistent with adopted policy.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee's recommendation.

Attachment No. 2

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-108.htm>

3. **Petition No. 2006-06 (decision)** by *Charlotte-Mecklenburg Planning Commission* for a change in zoning of approximately 116.04 acres located south of John Belk Freeway and north of Kingston Avenue from B-1, B-2, I-1, I-2, O-2 and R-22 MF to TOD-M.

Commissioner Howard made a motion to find this request consistent with the South End Transit Station Area Plan. The motion was seconded by Ratcliffe and unanimously approved.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee's recommendation.

Attachment No. 3

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-006.htm>

4. **Petition No. 2006-12 (decision)** by *Charlotte-Mecklenburg Planning Commission* for a change in zoning of approximately 8.55 acres located west of South Boulevard and east of Youngblood Street from I-2 to TOD-M.

Petitioner is requesting a 60-day deferral of this petition.

Upon a motion made by Cooksey and seconded by Howard the Zoning Committee unanimously found this petition to be consistent with the adopted plans.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee's recommendation.

Attachment No. 4

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-012.htm>

5. **Petition No. 2006-14 (decision)** by *Merrifield Partners, LLC* for a change in zoning of approximately 12.83 acres located east of Sandy Porter Road, north of West Arrowood Road from R-3, B-1(CD) & O-1(CD) to B-1(CD), B-1(CD)SPA and O-1(CD)SPA.

Commissioner Sheild made a motion indicating that the petition is inconsistent with the Westside Strategic Plan. Commissioner Cooksey seconded the motion.

The Zoning Committee voted 5-2 to recommend **APPROVAL** of this petition as presented by staff.

Staff agrees with the minority of the Zoning Committee.

Attachment No. 5

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-014.htm>

6. **Petition No. 2006-16 (decision)** by *Charlotte-Mecklenburg Planning Commission* for adoption of a text amendment to the City of Charlotte Zoning Ordinance to bring the Zoning Ordinance into compliance with new Senate Bill 814 and Senate Bill 518 signed by Governor Easley on 9-22-05, to be effective 1-1-06. Changes effect the following:

- Purpose statement - Revised
- Protest petitions – new rules for calculating
- Protest petitions for amendments to an adopted conditional district – Shall not 1) change the types of uses permitted; 2) increase the approved density for residential development; 3) increase the total approved size of nonresidential development; or 4) reduce the size of any buffers or screening
- No use variances permitted.
- Conditions associated with a variance must be reasonably related to the condition or circumstance that gives rise to the need for a variance.
- The Planning Commission shall provide a written comment on the consistency of the rezoning to adopted plans.

- City Council shall adopt a statement describing whether its action is consistent with adopted plans and provide an explanation why the action taken is reasonable and in the public interest.
- Conditions established for conditional zoning districts shall be limited to those that address the conformance of the development and use of the site to city ordinances and official plans. Only conditions mutually agreeable to the City Council and petitioner may be incorporated into the petition.
- Planning Commission members and City Council members shall not vote on any matter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable impact on the member.

Upon a motion made by Howard and seconded by Cooksey, the Zoning Committee voted unanimously in finding this amendment consistent with state law and the Zoning Ordinance.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee's recommendation.

Attachment No. 6

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-016.htm>

7. **Petition No. 2006-18 (decision)** by *Charlotte-Mecklenburg Planning Commission* for adoption of a text amendment to the City of Charlotte Zoning Ordinance to modify several standards for planned multi-family developments:

- Add text to clarify that parking pads and driveways shall have a minimum length of 20' to be consistent with Section 12.206.
- Allow stoops to extend into the 15' area required when a private street and parking areas are near any side of a residential building used for entry. They may not extend closer than 5' to a private street and surface parking areas.
- Clarify the standards for planned multi-family and attached developments, a single multi-family or attached building on a lot with more than 12 units when dedication of land for an abutting park or greenway is made.
- Reduce the number of required loading spaces in UR-C for 25+ multi-family or attached units from 2 to 1 space.
- Eliminate the loading space requirement in UR-C for nonresidential uses with less than 50,000.
- Reduce the number of required loading spaces in MUDD and UMUD for 25-74 multi-family units from 2 to 1 space.
- Eliminate the requirement for 3 loading spaces in MUDD and UMUD for multi-family dwellings with 75+ units.

Upon a motion made by Cooksey and seconded by Carter, the Zoning Committee voted unanimously in finding this amendment consistent with state and local law.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee's recommendation.

Attachment No. 7

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-018.htm>

8. **Petition No. 2006-19 (decision)** by *Family Support Services, Inc.* for a change in zoning of approximately 9.78 acres located north of The Plaza and east of Glenfiddich Drive from R-4 to INST(CD).

A protest petition has been filed and is sufficient to invoke ¾ majority-voting rule.

Commissioner Sheild made a motion to find this petition consistent with the North East Area Plan. Commissioner Carter seconded the motion, which was approved unanimously.

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

- Building 1 will be used for administrative offices housing staff and office equipment.
- Building 2 will be used to provide supportive planning services, recreational activities.
- The new building will be owned by Family Support Services and managed by an independent management company and will be limited to senior housing.

Staff agrees with the Zoning Committee's recommendation.

Attachment No. 8

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-019.htm>

9. **Petition No. 2006-20 (decision)** by *Charlotte-Mecklenburg Planning Commission* for adoption of a text amendment to the City of Charlotte Zoning Ordinance to clarify that retail establishments in all zoning districts except NS, CC, MUDD(CD), UMUD(CD), B-1SCD, B-1(CD) and B-2(CD) are permitted to have accessory outdoor sales, subject to the standards of the underlying district. This was not clearly implied in the Zoning Ordinance.

One additional modification of 12.417 only allows "tractor trailers" to be located near loading docks, not "mobile storage containers".

Accessory outdoor sales in NS, CC, MUDD(CD), UMUD(CD), B-1SCD, B-1(CD) and B-2(CD) zoning districts shall meet a number of conditions, which remain unchanged in this amendment.

Upon a motion made by Cooksey and seconded by Carter, the Zoning Committee voted unanimously in finding this amendment consistent with the authority of the City under state and local law.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee's recommendation.

Attachment No. 9

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-020.htm>

10. **Petition No. 2006-21 (decision)** by *Young Properties of Charlotte, Inc.* for a change in zoning of approximately 1.12 acres located east of John Adams Road and I-85 from R-3 to R-12MF(CD).

A motion was made by Sheild and seconded by Carter finding this petition consistent with the Northeast Area Plan. The Zoning Committee unanimously approved this motion.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee's recommendation.

Attachment No. 10

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-021.htm>

11. **Petition No. 2006-22 (decision)** by *Live Oak Development Partnership, LLC* for a change in zoning of approximately 4.91 acres located east of Sharon Road and south of Fairview Road from R-15MF(CD) to MUDD-O.

Two protest petitions have been filed and one is sufficient to invoke ¾ majority-voting rule.

Commissioner Cooksey made a motion to find this petition consistent with the South Park Area Plan. Commissioner Sheild seconded the motion, which was approved unanimously.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition. (Commissioners Carter and Howard were excused due to a conflict of interest.)

Staff agrees with the Zoning Committee's recommendation.

Attachment No. 11

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-022.htm>

12. **Petition No. 2006-23 (decision)** by *Piedmont Companies, Inc.* for a change in zoning of approximately 2.13 acres located east of Steele Creek Road and north of York Road from CC to CC(SPA).

Upon a motion made by Carter and seconded by Howard the Zoning Committee unanimously found this petition to be consistent with the adopted plans.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee's recommendation

Attachment No. 12

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-023.htm>

13. **Petition No. 2006-24 (decision)** by *Pulte Homes* for a change in zoning of approximately 37.46 acres north of Ardrey Kell Road and east of Lancaster Highway from R-3 to MX-2(Innovative).

A protest petition has been filed and was subsequently withdrawn.

Commissioner Carter made a motion to find this petition consistent with the South District Plan. Commissioner Sheild seconded the motion, which was approved unanimously.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee's recommendation

Attachment No. 13

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-024.htm>

14. **Petition No. 2006-25 (decision)** by *Bonnie Stafford & Sylvia Ponce* for a change in zoning of approximately 0.35 acres located south of Lantana Avenue and east of Sharon Amity Road from R-17MF to O-1(CD).

Commissioner Carter made a motion to find this petition consistent with the Transit Station Area Principles. Commissioner Howard seconded the motion, which was approved unanimously.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee's recommendation

Attachment No. 14

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-025.htm>

15. **Petition No. 2006-27 (decision)** by *Jeffery C. Ross* for a change in zoning of approximately 4.46 acres located at the intersection of Providence Road West and Community House Road from R-3 to UR-C(CD).

Upon a motion made by Ratcliffe and seconded by Sheild the Zoning Committee unanimously found this petition to be consistent with adopted policy.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee's recommendation

Attachment No. 15

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-027.htm>

16. **Petition No. 2006-28 (decision)** by *Southminster, Inc.* for a change in zoning of approximately 26.0 acres located east of Park Road and south of Smithfield Church Road from INST(CD) to INST(CD) SPA.

Upon a motion made by Sheild and seconded by Carter the Zoning Committee unanimously found this petition to be consistent with adopted plans.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee's recommendation

Attachment No. 16

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-028.htm>

17. **Petition No. 2006-29 (decision)** by *Theodore A. Greve* for a change in zoning of approximately 0.05 acres located north of N. Tryon Street and south of N. Church Street from I-2 to MUDD-O.

A motion was made by Cooksey; seconded by Carter; finding the proposed request consistent with the Transit Station Area Principles. The motion was unanimously approved.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee's recommendation

Attachment No. 17

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-029.htm>

18. **Petition No. 2006-30 (decision)** by *Royal Court, LLC* for a change in zoning of approximately 0.7 acres located southwest of E. John Belk Freeway and northeast of E. Morehead Street from MUDD to MUDD-O.

Ratcliffe made a motion declaring the petition consistent with the Central District Plan. Carter seconded the motion, which was approved unanimously.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee's recommendation

Attachment No. 18

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-030.htm>

19. **Petition No. 2006-31 (decision)** by *Boulevard Centro* for a change in zoning of approximately 1.12 acres located southwest of E. 7th Street and southeast of N. Caldwell Street from UMUD to UMUD-O.

Commissioner Carter made a motion to find this petition consistent with the Transit Station Area Principles. Commissioner Sheild seconded the motion, which was approved unanimously.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee's recommendation

Attachment No. 19

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-031.htm>

20. **Petition No. 2006-32 (decision)** by *Merrifield Partners, LLC* for a change in zoning of approximately 6.78 acres located southeast of Eastfield Road and west of Prosperity Church Road from R-3 to NS.

The Zoning Committee voted unanimously to recommend **A ONE-MONTH DEFERRAL** of this petition.

Staff agrees with the Zoning Committee's recommendation

Attachment No. 20

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-032.htm>

HEARINGS

21. Approve a resolution setting a public hearing for April 17, 2006 at 6:00 PM on the question of historic designation of the “**Samuel Neel House**” and land as an Historic Landmark.

Attachment No. 21

22. **Petition No. 2005-167 (hearing)**. Change in zoning from R-3, R-5(CD) and R-8MF(CD) to R-12MF(CD) and INST(CD) for approximately 55.03 acres located west of I-77 and east of Reames Road. *Petitioner: Charter Properties, Inc.*

A protest petition has been filed and is sufficient to invoke the 3/4 majority-voting rule, but has been subsequently withdrawn.

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 22

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-167.htm>

23. **Petition No. 2005-169 (hearing)**. Change in zoning from B-1(PED) and R-22MF(PED) to B-1(PED-O) and R-22MF(PED-O) for approximately 3.07 acres located northwest of Scott Avenue and southwest of East Boulevard. *Petitioner: Red Partners*

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 23

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-108.htm>

24. **Petition No. 2006-02 (hearing)**. Change in zoning from R-3 to UR-2(CD) for approximately 12.145 acres located west of Providence Road and south of Ardrey Kell Road. *Petitioner: John Gilchrist, East-West Partners Management*

A protest petition has been filed and is not sufficient to invoke the 3/4 majority-voting rule.

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 24

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-002.htm>

25. **Petition No. 2006-04 (hearing).** Change in zoning from R-3 to I-1(CD) for approximately 10.47 acres located north of Shopton Road east of Sandy Porter Road. *Petitioner: Terri and Stephen McGirt*

A protest petition has been filed and is not sufficient to invoke the ¾ majority-voting rule.

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 25

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-004.htm>

26. **Petition No. 2006-11 (hearing).** Change in the zoning map to add a HD-O (Historic District Overlay) to the existing R-5, R-3, R-22MF and R-6MF(CD) for approximately 15.0 acres located west of Providence Road and south of Dartmouth Place. *Petitioner: Homeowners of Hermitage Court*

Staff recommends approval of this petition.

Attachment No. 26

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-011.htm>

27. **Petition No. 2006-15 (hearing).** Change in zoning from R-3 to O-2(CD) for approximately 3.86 acres located south of Ballantyne Commons Parkway and northwest of Williams Pond Lane. *Petitioner: BrookeChase Properties, LLC*

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 27

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-015.htm>

28. **Petition No. 2006-26 (hearing).** Change in zoning from R-22MF and R-4 to MUDD-O for approximately 33.15 acres located north of East Independence Boulevard and west of Morningside Drive. *Petitioner: Graham Development, Inc.*

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 28

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-026.htm>

29. **Petition No. 2006-38 (hearing).** Change in zoning from R-3 to MX-1(Innovative) for approximately 54.72 acres located north of Lakeview Road and west of Interstate-77. ***Petitioner: Clarion Homes, LLC***

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 29

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-038.htm>

30. **Petition No. 2006-39 (hearing).** Change in zoning from R-3, R-4 and R-17MC to MX-2(LLW-PA) for approximately 59.22 acres located south of Freedom Drive and east of Toddville Road. ***Petitioner: Alpine Village***

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 30

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-039.htm>

31. **Petition No. 2006-41 (hearing).** Change in zoning from B-1(CD)LLW-PA and R-3LLW-PA to BD(CD)LLW-PA and O-1(CD)LLW-PA for approximately 4.53 acres located south of Tuckaseegee Road and east of Little Rock Road. ***Petitioner: Landmark Development Partners, LLC***

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 31

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-041.htm>

32. **Petition No. 2006-42 (hearing).** Change in zoning from R-15MF(CD) and O-2 to MUDD-O for approximately 7.1 acres located south of Fairview Road and east of Sharon Road. ***Petitioner: Pappas-Tate, LLC***

Staff recommends deferral of this petition until the review of the Traffic Impact Study is further along.

Attachment No. 32

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-042.htm>

33. **Petition No. 2006-43 (hearing).** Change in zoning from NS to NS(SPA) for approximately 13.7 acres located east of Prosperity Church Road and south of Eastfield Drive. ***Petitioner: Cambridge-Eastfield, LLC***

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 33

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-043.htm>

34. **Petition No. 2006-44 (hearing).** Change in zoning from CC to CC(SPA) for approximately 8.17 acres located west of Steele Creek Road and north of York Road. ***Petitioner: Merrifield Partners***

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 34

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-044.htm>

35. **Petition No. 2006-46 (hearing).** Change in zoning from NS to MUDD-O for approximately 0.45 acres located southwest of E. 35th Street and northwest of N. Davidson Street. ***Petitioner: Fat City Investment Associates, LLC***

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 35

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-046.htm>

36. **Petition No. 2006-49 (hearing).** Change in zoning from UMUD to UMUD-O for approximately 0.85 acres located northeast of W. 6th Street and northwest of N. Graham Street. ***Petitioner: Capstone-Fourth Ward, LLC***

Petitioner is requesting a decision of this petition on the same night of the hearing.

Staff recommends approval of this petition.

Attachment No. 36

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-049.htm>

37. **Petition No. 2006-33 (hearing).** Change in zoning from I-2 to TOD-M for approximately 4.783 acres located south of the intersection of Hawkins Street and Rampart Street. ***Petitioner: Charlotte-Mecklenburg Planning Commission***

Staff recommends approval of this petition.

Attachment No. 37

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-033.htm>

38. **Petition No. 2006-35 (hearing).** Change in zoning from I-1, I-2, B-1, B-2, O-1, O-2, R-17MF and R-22MF for approximately 83 acres located along Beatties Ford Road south of Interstate-85 and west of Interstate-77. *Petitioner: Charlotte-Mecklenburg Planning Commission*

Staff recommends approval of this petition.

Attachment No. 38

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-035.htm>

39. **Petition No. 2006-34 (hearing).** Change in zoning from I-1, I-2, B-1, B-2, O-1, O-2, R-17MF and R-22MF to (I-1, I-2, B-1, B-2, O-1, O-2, R-17MF and R-22MF (PED)) for approximately 310.3 acres located along Beatties Ford Road and south of Interstate-85 and west of Interstate-77. *Petitioner: Charlotte-Mecklenburg Planning Commission*

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 39

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-034.htm>

40. **Petition No. 2006-36 (hearing).** Change in zoning from I-2 to TOD-M for approximately 0.89 acres located north of W. Tremont Avenue and west of Hawkins Street. *Petitioner: Charlotte-Mecklenburg Planning Commission*

Staff recommends approval of this petition.

Attachment No. 40

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-036.htm>

41. **Petition No. 2006-37 (hearing).** Change in zoning from I-2 to I-2(CD) for approximately 1.52 acres located south of the intersection of W. Brookshire Freeway and Interstate-77. *Petitioner: Charlotte-Mecklenburg Planning Commission*

Staff recommends a 30-day deferral of this petition.

Attachment No. 41

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2006+Petitions/2006-037.htm>

Appendix: Residential Location and Design Assessment Matrix (G.D.P.)