

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

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***CITY COUNCIL ZONING AGENDA***  
***Monday, September 15, 2008***

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

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

***DINNER MEETING***

- ***Review of Agenda – Tammie Keplinger / Tom Drake***

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

## ***REZONING ACRONYMS***

<u><b>Zoning Districts</b></u>	<u><b>Overlay Districts</b></u>
<ul style="list-style-type: none"> <li>● <b>B-1</b> – neighborhood business district</li> <li>● <b>B-2</b> – general business district</li> <li>● <b>B-1SCD</b> – business shopping center district</li> <li>● <b>BD</b> – distributive business district</li> <li>● <b>BP</b> – business park district</li> <li>● <b>CC</b> – commercial center district</li> <li>● <b>I-1</b> – light industrial district</li> <li>● <b>I-2</b> – general industrial district</li> <li>● <b>INST</b> – institutional district</li> <li>● <b>MUDD</b> – mixed use development district</li> <li>● <b>MX-1</b> – mixed use district</li> <li>● <b>MX-2</b> – mixed use district</li> <li>● <b>MX-3</b> – mixed use district</li> <li>● <b>NS</b> – neighborhood services district</li> <li>● <b>O-1</b> – office district</li> <li>● <b>O-2</b> – office district</li> <li>● <b>O-3</b> – office district</li> <li>● <b>R-3</b> – single-family residential – up to 3 dwelling units per acre (dua)</li> <li>● <b>R-4</b> – single-family residential – up to 4 dua</li> <li>● <b>R-5</b> – single-family residential – up to 5 dua</li> <li>● <b>R-6</b> – single-family residential – up to 6 dua</li> <li>● <b>R-8</b> – single-family residential – up to 8 dua</li> <li>● <b>R-8MF</b> – multi-family residential – up to 8 dua</li> <li>● <b>R-12MF</b> – multi-family residential – up to 12 dua</li> <li>● <b>R-17MF</b> – multi-family residential – up to 17 dua</li> <li>● <b>R-22MF</b> – multi-family residential – up to 22 dua</li> <li>● <b>R-43MF</b> – multi-family residential – up to 43 dua</li> <li>● <b>R-MH</b> – residential manufactured housing</li> <li>● <b>RE-1</b> – research district</li> <li>● <b>RE-2</b> – research district</li> <li>● <b>RE-3</b> – research district</li> <li>● <b>TOD</b> – transit oriented development</li> <li>● <b>TOD-E</b> – transit oriented development – employment</li> <li>● <b>TOD-EO</b> – transit oriented development – employment - optional</li> <li>● <b>TOD-M</b> – transit oriented development – mixed use</li> <li>● <b>TOD-MO</b> – transit oriented development – mixed use – optional</li> <li>● <b>TOD-R</b> – transit oriented development – residential</li> <li>● <b>TOD-RO</b> – transit oriented development – residential - optional</li> <li>● <b>U-I</b> – urban industrial district</li> <li>● <b>UMUD</b> – uptown mixed use district</li> <li>● <b>UMUD-O</b> – uptown mixed use district - optional</li> <li>● <b>UR-1</b> – urban residential</li> <li>● <b>UR-2</b> – urban residential</li> <li>● <b>UR-3</b> – urban residential</li> </ul>	<ul style="list-style-type: none"> <li>● <b>CR/LWW</b> – Catawba River / Lake Wylie watershed</li> <li>● <b>CR/LWWCA</b> – Catawba River / Lake Wylie watershed – critical area</li> <li>● <b>CR/LWWPA</b> – Catawba River / Lake Wylie watershed – protected area</li> <li>● <b>HD-O</b> – historic district overlay</li> <li>● <b>HW</b> – hazardous waste overlay</li> <li>● <b>LNW</b> – Lake Norman watershed</li> <li>● <b>LNWCA</b> – Lake Norman watershed – critical area</li> <li>● <b>LNWPA</b> – Lake Norman watershed – protected area</li> <li>● <b>LLWW</b> – Lower Lake Wylie watershed</li> <li>● <b>LLWWCA</b> – Lower Lake Wylie watershed – critical area</li> <li>● <b>LLWWPA</b> – Lower Lake Wylie watershed – protected area</li> <li>● <b>MILW</b> – Mountain Island Lake watershed</li> <li>● <b>MILWCA</b> – Mountain Island Lake watershed – critical area</li> <li>● <b>MILWPA</b> – Mountain Island Lake watershed – protected area</li> <li>● <b>MH</b> – manufactured home overlay</li> <li>● <b>PED</b> – pedestrian overlay district</li> <li>● <b>PED-O</b> – pedestrian overlay district – optional</li> <li>● <b>TS</b> – transit supportive overlay district</li> </ul> <p style="text-align: center;"><u><b>Miscellaneous Acronyms</b></u></p> <ul style="list-style-type: none"> <li>● <b>CD</b> – conditional</li> <li>● <b>SPA</b> – site plan amendment</li> </ul>

• **UR-C** – urban residential - commercial

***HISTORIC LANDMARKS***

	<p>01. (A) Hearing to consider designation of the property known as the “<b>Second Ward High School Gymnasium</b>” (listed under Tax Parcel Number 12507126 including the interior and exterior of the gymnasium building and approximately 1.4 acres of land that contain and surround the building as shown in “Exhibit A” and listed under Tax Parcel Number 12507126 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of May 1, 2008). The property is owned by the Charlotte-Mecklenburg</p>
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	<p>Board of Education, and is located at 700 E. Martin Luther King Jr. Boulevard in the City of Charlotte, North Carolina.</p> <p>(B) Adopt an ordinance designating the “<b>Second Ward High School Gymnasium</b>” as a Historic Landmark.</p> <p>Attachment 01</p>
	<p>02. Approve a resolution setting a public hearing for October 20, 2008 at 6:00 PM on the question of historic designation of the “Solomon and Shirley Levine House” and land as an Historic Landmark.</p> <p>Attachment 02</p>

## ***DECISIONS***

	<p>03. <b>Petition No. 2008-064 (decision) by Chad Frazer</b> for a change in zoning of approximately 1.40 acres located on the west side of Frazier Avenue between West 5<sup>th</sup> Street and Martin Street from R-5 to UR-1(CD).</p> <p>The Zoning Committee unanimously found this petition to be consistent with the <i>West End Land Use and Pedscape Plan</i> and to be reasonable and in the public interest. The Committee voted 4-1 to <b>APPROVE</b> this petition with the following modifications:</p> <ul style="list-style-type: none"> <li>• The petitioner has added <i>Rezoning Petition 2008-064</i> on the site plan.</li> <li>• The petitioner has revised the site plan to show only one (1) driveway proposed for Parcel ID 07819405.</li> <li>• The petitioner has revised the first site plan sheet to show existing driveways in the immediate vicinity.</li> <li>• The petitioner has added site distance triangles to the site plan.</li> <li>• The petitioner has added a note indicating intent to comply with the adopted post construction controls ordinance.</li> </ul> <p>Staff agrees with the decision of the Zoning Committee to approve the request.</p> <p>Attachment 03</p>
	<p>04. <b>Petition No. 2008-070 (decision) by Noda @ 27<sup>th</sup> Street, LLC</b> for a change in zoning of approximately 3.63 acres located in the block bounded by North Davidson Street, East 26<sup>th</sup> Street, East 27<sup>th</sup> Street and Yadkin Avenue from I-2 to MUDD-O.</p> <p>The Zoning Committee unanimously found this petition to be <u>inconsistent</u> <i>The Central District Plan</i> but consistent with <i>The Transit Station Area Principles</i> and reasonable and in the public interest. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition.</p>

	<p>Staff agrees with the recommendation of the Zoning Committee.</p> <p>Attachment 04</p>
<b>Deferral (one-month)</b>	<p>05. <b>Petition No. 2008-076 (decision) by Charles Hodges</b> for a change in zoning of approximately 2.78 acres located at the intersection of South Tryon Street and Ayrley Town Boulevard from MUDD-O to MUDD-O SPA.</p> <p>The Zoning Committee voted unanimously to recommend a <b>TWO-MONTH DEFERRAL</b> of this petition to the September Zoning Committee Meeting.</p> <p>Staff agrees with the recommendation of the Zoning Committee.</p> <p>Attachment 05</p>
<b>Protest (Sufficient)</b>	<p>06. <b>Petition No. 2008-080 (decision) by Lorenzo Cavaliere</b> for a change in zoning of approximately 2.34 acres located on the southwest corner of Providence Road West and Marvin Road from R-3 to INST(CD).</p> <p>The Zoning Committee voted 4:2 and found this petition to be <u>inconsistent</u> with the <i>South District Plan</i> and <u>not</u> reasonable or in the public interest. The Committee voted 5-1 to recommend <b>DENIAL</b> of this petition.</p> <p>Staff disagrees with the recommendation of the Zoning Committee.</p> <p>Attachment 06</p>
	<p>07. <b>Petition No. 2008-081 (decision) by Raley Miller Properties</b> for a change in zoning of approximately 9.62 acres located on the northeast corner of Ridge Road and Prosperity Church Road from R-3 to NS and UR-2(CD).</p> <p>The Zoning Committee unanimously found this petition to be <u>inconsistent</u> with the <i>Prosperity Church Road Villages Plan</i> but reasonable and in the public interest. The Committee unanimously recommended <b>APPROVAL</b> of this petition with the following modifications:</p> <ul style="list-style-type: none"> <li>• The petitioner will provide a left-turn lane into the northernmost east-west street concurrent with development of the residential portion of the project.</li> <li>• The petitioner will stub the northernmost east-west street to the eastern property line.</li> <li>• The petitioner will amend the conditional note on the site plan to state that first floor windows on non-residential buildings will not be internally obstructed.</li> <li>• The petitioner will amend the conditional note on the plan to state that vinyl will be used only for trim on residential units.</li> <li>• The petitioner will amend the site plan to indicate a portion of the site is to be rezoned to UR-2(CD), not UR-2.</li> </ul> <p>The petitioner will either align Prosperity Church and Ridge Roads; or, make the proposed entrance from Ridge Road right-in/right-out, thereby eliminating the need for a median (creating the mis-alignment).</p>

	<p>Staff maintains its non-support for the non-residential component of the project as it is inconsistent with the <i>Prosperity Church Road Villages Plan</i>.</p> <p>Attachment 07</p>
	<p>08. <b>Petition No. 2008-084 (decision) by Northside Baptist Church</b> for a change in zoning of approximately 110.95 acres located on the north side of Equipment Drive between Jeremiah Road and Mineral Springs Road from INST(CD) to INST(CD) SPA.</p> <p>The Zoning Committee unanimously found this petition to be consistent with the <i>Northeast District Plan</i> and reasonable and in the public interest. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ul style="list-style-type: none"> <li>• The type of tower will be monopole;</li> <li>• The proposed height is 160-feet; and,</li> <li>• The site will comply with Section 12-108 of the Zoning Ordinance which regulates communication towers.</li> <li>• The driveway will intersect Equipment Drive perpendicularly through the setback area.</li> <li>• The parking and driveway will moved outside the buffer area.</li> <li>• The existing zoning of I-1 (CD).</li> <li>• The proposed zoning of I-1 (CD) SPA.</li> <li>• The acreage is 110.95.</li> </ul> <p>Staff agrees with the recommendation of the Zoning Committee.</p> <p>Attachment 08</p>
	<p>09. <b>Petition No. 2008-086 (decision) by Citiline Resortline Properties of the Carolinas, LLC</b> for a change in zoning of approximately 2.43 acres located on both sides of Victoria Avenue north of West 4<sup>th</sup> Street Extension and also on the east side of South Irwin Avenue north of West 4<sup>th</sup> Street Extension from UR-1 and UR-2 to MUDD-O.</p> <p>The Zoning Committee unanimously found this petition to be consistent with the <i>Third Ward Land Use and Urban Design Plan</i> and reasonable and in the public interest. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ul style="list-style-type: none"> <li>• The proposed maximum square footage has been increased from 400,000 to 440,000.</li> </ul>

	<ul style="list-style-type: none"> <li>• The proposed number of residential units has been decreased from 500 to 380.</li> <li>• The proposed number of hotel room has decreased from 400 to 250.</li> <li>• The petitioner has modified the note regarding height to indicate parapets will be included in calculating building height.</li> <li>• The petitioner has corrected the lighting note to indicate fixtures will be shielded with full cut-off.</li> <li>• The petitioner has addressed CDOT comments.</li> </ul> <p>Staff agrees with the recommendation of the Zoning Committee.</p> <p>Attachment 09</p>
	<p>10. <b>Petition No. 2008-091 (decision) by Couchell Investment Company</b> for a change in zoning of approximately 7.13 acres located on the east side of Statesville Road between West W.T. Harris Boulevard and Metromont Parkway from I-2 to I-1.</p> <p>The Zoning Committee, by a 5-1 vote, found this petition to be <u>inconsistent</u> with the <i>North Lake Area Plan</i> and <u>not</u> reasonable and in the public interest. The Committee voted 5-1 to recommend <b>DENIAL</b> of this petition.</p> <p>Staff agrees with the recommendation of the majority of the Zoning Committee.</p> <p>Attachment 10</p>
	<p>11. <b>Petition No. 2008-100 (decision) by Vernell Belin</b> for a change in zoning of approximately 0.93 acres located on the north side of Joyce Drive between Kildare Drive and Milton Road from R-8MF to UR-C(CD).</p> <p>The Zoning Committee unanimously found this petition to be consistent with the <i>East District Plan</i> and reasonable and in the public interest. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition, with the following modifications:</p> <ul style="list-style-type: none"> <li>• The building addition area and total building has been properly calculated.</li> <li>• The Parking area has been modified to reflect the maximum parking allowed in the requested zoning district.</li> <li>• The parking lot screening has been moved out of the right-of-way.</li> <li>• The play space and fencing has been moved out of the rear yard.</li> <li>• The note regarding “Garbage to be curb roll out...” has been removed.</li> <li>• A note has been added regarding the amount of play space that will be provided.</li> <li>• A 14’ buffer along the entire eastern and northern edge of the property has been shown.</li> <li>• The petitioner will show an 8’ planting strip and 6’ sidewalk and add a note that they may seek a variance.</li> <li>• The existing fence will be moved out of the right-of-way.</li> </ul> <p>Staff agrees with the recommendation of the Zoning Committee.</p>

	<p>Attachment 11</p>
	<p>12. <b>Petition No. 2008-101 (decision) by South End Silos, LLC</b> for a change in zoning of approximately 2.95 acres located on the east side of Griffith Street, north of Fairwood Avenue from I-2 and TOD-M to TOD-MO.</p> <p>The Zoning Committee unanimously found this petition to be consistent with the <i>New Bern Station Transit Station Area Plan</i> and the <i>General Development Policies – Transit Station Area Principles</i> and reasonable and in the public interest. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition, with the following modifications:</p> <ul style="list-style-type: none"> <li>• The maximum height has been reduced to 200 feet.</li> <li>• The plan now indicates a minimum of 20 percent of the total square footage will develop as office.</li> <li>• Additional building elevations have been added that illustrate the requested 10 foot building step back above the fourth floor.</li> <li>• The petitioner has corrected the acreage to 2.95 on the site plan.</li> <li>• Decorative lighting will be installed in the 35-foot setback along the rail line.</li> <li>• The petitioner has modified the note regarding height to indicate parapets will be included in calculating building height.</li> <li>• The lighting note has been corrected to indicate fixtures will be shielded with full cut-off.</li> <li>• The petition number has been added to the site plan.</li> </ul> <p>Staff agrees with the recommendation of the Zoning Committee.</p> <p>Attachment 12</p>
	<p>13. <b>Petition No. 2008-103 (decision) by Gabriel Rogers</b> for a change in zoning of approximately 0.96 acres located on the north side of Tuckaseegee Road between Browns Avenue and Cheshire Avenue from R-4 to O-1(CD).</p> <p>The Zoning Committee unanimously found this petition to be <u>inconsistent</u> with the <i>North West District Plan</i> but reasonable and in the public interest. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ul style="list-style-type: none"> <li>• The setbacks have been clearly labeled.</li> <li>• A note has been added that the existing residential structure is to remain.</li> <li>• The site plan should be drawn to match the indicated 1:20 scale. In particular the driveway does not scale 26-feet as shown.</li> </ul>

	<ul style="list-style-type: none"> <li>• The details of the proposed wooden fence should be indicated on the site plan.</li> <li>• The existing left-turn lane bay taper along Tuckaseegee Road will need to be restriped as a two-way left-turn lane to provide safe access to the proposed development.</li> <li>• The proposed development will be limited to one access point on Tuckaseegee Road. This will need to be located within the existing striped out area to provide sufficient storage for vehicles turning left into the site.</li> <li>• The proposed right-of-way and setback needs to be labeled and dimensioned on the plans.</li> <li>• The plan notes indicate that the petitioner/developer will construct an 8-foot planting strip and 6-foot sidewalk along Tuckaseegee Road. Any existing utility poles that conflict with the sidewalk location will need to be relocated beyond the new back-of-sidewalk (2-foot minimum).</li> </ul> <p>Staff disagrees with the recommendation of the Zoning Committee as the proposed request is inconsistent with the recommended residential land use.</p> <p>Attachment 13</p>
	<p>14. <b>Petition No. 2008-104 (decision) by Two Land Group</b> for a change in zoning of approximately 0.31 acres located on the northeast corner of East Park Avenue and Cleveland Avenue from R-22MF(HD-O) to MUDD-O(HD-O).</p> <p>The Zoning Committee unanimously found this petition to be consistent with the <i>Dilworth Land Use and Streetscape Plan</i> and reasonable and in the public interest. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition, with the following modifications:</p> <ul style="list-style-type: none"> <li>• The existing driveway from East Park Avenue will be removed.</li> <li>• Three parking spaces have been added to the rear of the structure, which will be screened by the existing fence.</li> </ul> <p>Staff agrees with the recommendation of the Zoning Committee.</p> <p>Attachment 14</p>
	<p>15. <b>Petition No. 2008-106 (decision) by Andrew Ighade, Adediji Dsinloye and Sony Obuseh</b> for a change in zoning of approximately 1.95 acres located on the north side of Albemarle Road between Hollirose Drive and Circumferential Road from R-3 to B-1(CD).</p> <p>The Zoning Committee unanimously found this petition to be technically <u>inconsistent</u> with the <i>East District Plan</i> but to be reasonable and in the public interest. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition based upon the following modifications:</p> <ul style="list-style-type: none"> <li>• Additional open space and tree save have been added.</li> <li>• The eastern entrance sidewalk has been widened to five feet.</li> <li>• The pharmacy has been reduced to 4,000 square feet of floor area.</li> </ul>

	<p>Staff agrees with the recommendation of the Zoning Committee.</p> <p>Attachment 15</p>
<b>Deferral (one-month)</b>	<p>16. <b>Petition No. 2008-108 (decision) by Christ Evangelical Lutheran Church of Charlotte</b> for a change in zoning of approximately 1.66 acres located on the northeast corner of Providence Road and Mammoth Oaks Drive from R-12MF to INST(CD).</p> <p>The Zoning Committee vote resulted in a tie therefore this petition is automatically <b>DEFERRED FOR TWO-MONTHS</b> to the September Zoning Committee Meeting.</p> <p>Staff agrees with the recommendation of the Zoning Committee.</p> <p>Attachment 16</p>
<b>Protest (Withdrawn)</b>	<p>17. <b>Petition No. 2008-109 (decision) by Colony Investors, LLC</b> for a change in zoning of approximately 2.27 acres located on the east side of Colony Road between Rea Road and Stonecroft Park drive from R-3 to MUD(CD).</p> <p>The Zoning Committee unanimously found this petition to be consistent with the <i>South District Plan</i> (1993) and to be reasonable and in the public interest. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition, based upon the following modifications:</p> <ul style="list-style-type: none"> <li>• The existing driveway will be removed and the area within the proposed buffer will be planted as noted on the site plan.</li> <li>• A utility corridor to Colony Road may be disturbed.</li> <li>• An easement for the existing retaining wall will be granted to an owner east of the site.</li> </ul> <p>Staff agrees with the recommendation of the Zoning Committee.</p> <p>Attachment 17</p>
<b>Protest (Sufficient)</b>	<p>18. <b>Petition No. 2008-111 (decision) by RWB Properties</b> for a change in zoning of approximately 7.80 acres located on the southwest corner of Brown-Grier Road and Sandy Porter Road from R-3 to INST(CD) and R-8MF(CD).</p> <p>The Zoning Committee, by a vote of 5-1, found this petition to be consistent with the <i>Southwest District Plan</i> and <i>General Development Policies</i> and reasonable and in the public interest. The Committee voted 5-1 to recommend <b>APPROVAL</b> of this petition, with the following modifications:</p> <ul style="list-style-type: none"> <li>• The petitioner has added another access point to the site from Sandy Porter Road. This access will be a public street through the site that provides a future connection to the property to the west.</li> <li>• The petitioner has added a public street running north to south through the site with a</li> </ul>

	<p>future connection to the property to the south.</p> <ul style="list-style-type: none"> <li>• This site now complies with the design guidelines of the <i>General Development Policies</i>, which recommend more than one functional vehicular access point and the <i>Urban Street Design Guidelines</i>, which recommend maximum block lengths of 600 feet.</li> <li>• A note has been added to indicate that a 10 percent tree save area will be provided to comply with the design guidelines of the <i>General Development Policies</i>.</li> <li>• Elevations for the proposed child care center have been included.</li> <li>• A note has been added indicating the residential units will be all brick.</li> <li>• The petitioner has revised the note regarding the CATS bus waiting pad proposed on Brown Grier Road and committed to constructing this pad to CATS standard 60.02.</li> <li>• A note regarding future 5-foot wide bike lanes along Brown Grier Road and Sandy Porter Road has been added to the plan.</li> <li>• The number of proposed multi-family units has been corrected on the plan.</li> <li>• The detention area has been removed from the buffer on the Institutional (CD) site.</li> <li>• Labeled buffers that have been reduced.</li> <li>• A note has been added indicating the fence along the southern portion of the site will be constructed of materials that are architecturally similar to the materials used on the proposed residential buildings.</li> <li>• A note has been added that the petitioner will dedicate and convey additional right-of-way along both Brown Grier and Sandy Porters Roads if sufficient right-of-way does not exist. The right-of-way for Brown Grier Road requires 50 feet from the centerline while Sandy Porter Road requires 35 feet from the centerline.</li> <li>• The petitioner has noted that they reserve the option to disturb the interior 10 feet of buffers.</li> </ul> <p>Staff agrees with the recommendation of the Zoning Committee.</p> <p>Attachment 18</p>
	<p><b>19. Petition No. 2008-113 (decision) by Mecklenburg County Real Estate Services</b> for a change in zoning of approximately 1.92 acres located on the west side of South Kings Drive between Baxter Street and South Torrence Street from B-1 to MUDD.</p> <p>The Zoning Committee unanimously found this petition to be consistent with the Cherry Small Area Plan and reasonable and in the public interest. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition.</p> <p>Staff agrees with the recommendation of the Zoning Committee.</p> <p>Attachment 19</p>
	<p><b>20. Petition No. 2008-115 (decision) by Jeff Barefoot</b> for a change in zoning of</p>

	<p>approximately 11.64 acres located on the east side of Moores Chapel Road between Heavy Equipment School Road and Performance Road from R-3(LWPA) and I-1(LWPA) to I-2(LWPA).</p> <p>The Zoning Committee unanimously found this petition to be consistent with the <i>Northwest District Plan</i> and reasonable and in the public interest. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition.</p> <p>Staff agrees with the recommendation of the Zoning Committee.</p> <p>Attachment 20</p>
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## **HEARINGS**

<p><b>Withdrawal</b></p> <p><b>All Protests have been withdrawn.</b></p>	<p>21. <b>Petition No. 2008-058 (hearing) by Crosland, LLC</b> for a change in zoning of approximately 18.50 acres located on the north side of the intersection of Moores Chapel Road and Sam Wilson Road from R-3(LWPA) to CC (LWPA).</p> <p>Petitioner is requesting a withdrawal of this petition.</p> <p>Staff agrees with the petitioner’s request to withdraw this petition.</p> <p>Attachment 21</p>
<p><b>Withdrawal</b></p>	<p>22. <b>Petition No. 2008-077 (hearing) by Lincoln Harris, LLC</b> for a change in zoning of approximately 10.60 acres located on the northwest corner of North Wendover Road and Ellington Street from R-22MF to UR-2(CD) and MUDD-O.</p> <p>Petitioner is requesting a withdrawal of this petition.</p> <p>Staff agrees with the petitioner’s request to withdraw this petition.</p> <p>Attachment 22</p>
<p><b>Deferral (one-month)</b></p>	<p>23. <b>Petition No. 2008-082 (hearing) by First Industrial B&amp;L, LLC</b> for a change in zoning of approximately 15.99 acres located on the east side of Matheson Avenue between North Tryon Street and the Southern Railway Railroad from I-2 to UR-3(CD).</p> <p>Staff recommends a one-month deferral of this petition due to site plan revisions.</p> <p>Attachment 23</p>
<p><b>Deferral (one-month)</b></p>	<p>24. <b>Petition No. 2008-092 (hearing) by Doral II Limited Partnership</b> for a change in zoning of approximately 18.75 acres located on the north side of Monroe Road between Bramlet Road and Colonnade Drive from R-22MF and B-2 to MUDD-O.</p> <p>Petitioner is requesting a one-month deferral of this petition.</p>

	<p>Staff recommends a one-month deferral of this petition to review the traffic impact study.</p> <p>Attachment 24</p>
<b>Protest (sufficient)</b>	<p>25. <b>Petition No. 2008-102 (hearing) by The Drakeford Company</b> for a change in zoning of approximately 0.82 acres located on the north side of Marsh Road between South Boulevard and Melbourne Court from R-4 to UR-2(CD).</p> <p>Staff recommends denial of this petition.</p> <p>Attachment 25</p>
<b>Deferral (one-month)</b>	<p>26. <b>Petition No. 2008-112 (hearing) by Westlake Holdings, LLC</b> for a change in zoning of approximately 22.13 acres located on the southwest corner of Brookshire Boulevard and Old Plank Road from B-1SCD(LWPA) to B-1(CD)(LWPA).</p> <p>Petitioner is requesting a one-month deferral of this petition.</p> <p>Staff recommends a one-month deferral of this petition.</p> <p>Attachment 26</p>
	<p>27. <b>Petition No. 2008-116 (hearing) by William Turner</b> for a change in zoning of approximately 0.36 acres located at the intersection of Greenwood Cliff and Harding Place from O-2 to MUDD(CD).</p> <p>Staff recommends approval of this petition upon resolution of outstanding site plan issues.</p> <p>Attachment 27</p>
	<p>28. <b>Petition No. 2008-119 (hearing) by Asset Management I, LLC</b> for a change in zoning of approximately 1.63 acres located on the southeast corner of South Mint Street and Lincoln Street from I-2 to TOD-MO.</p> <p>Staff recommends approval of this petition upon resolution of outstanding site plan issues.</p> <p>Attachment 28</p>
	<p>29. <b>Petition No. 2008-125 (hearing) by Locomotive Land Company, LLC, Lockard Reed Development Group and Mt. Holly Developers, LLC</b> for a change in zoning of approximately 70.91 acres located on the southwest quadrant of the Mount Holly Road / I-485 Interchange from B-2(CD)(LWPA) and CC(LWPA) to B-2(CD)(LWPA), B-2(CD)SPA(LWPA), CC(LWPA), CC SPA(LWPA).</p>

	<p>Staff recommends approval of this petition upon resolution of outstanding site plan issues.</p> <p>Attachment 29</p>
	<p>30. <b>Petition No. 2008-127 (hearing) by Fairview Plaza Associates Limited Partnership</b> for a change in zoning of approximately 1.89 acres located on the south side of Fairview Road between Park South Drive and JA Jones Drive from MUDD(CD) to MUDD(CD)SPA.</p> <p>Staff recommends approval of the Phase II Alternative option only, upon resolution of outstanding site plan issues.</p> <p>Attachment 30</p>
	<p>31. <b>Petition No. 2008-129 (hearing) by Charlotte Arena Operations, LLC</b> for a change in zoning of approximately 7.68 acres located in the block bounded by East Trade Street, North Caldwell Street, East 5<sup>th</sup> Street and the Lynx Blue Line from UMUD-O to UMUD-O SPA.</p> <p>Staff recommends approval of this petition upon resolution of outstanding site plan issues.</p> <p>Attachment 31</p>
	<p>32. <b>Petition No. 2008-130 (hearing) by Issa Rafidi</b> for a change in zoning of approximately 0.20 acres located on the northwest corner of North Davidson Street and Charles Avenue from R-5 to MUDD-O.</p> <p>Staff recommends approval of this petition upon resolution of outstanding site plan issues.</p> <p>Attachment 32</p>
<b>Deferral (one-month)</b>	<p>33. <b>Petition No. 2008-131 (hearing) by Crescent Resources, LLC</b> for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to modify the regulations for drive-thrus for small restaurants under specific, limited circumstances.</p> <p>Staff recommends a one-month deferral of this petition.</p> <p>Attachment 33</p>
<b>Protest (sufficient)</b>	<p>34. <b>Petition No. 2008-134 (hearing) by The Boulevard Company</b> for a change in zoning of approximately 0.89 acres located on the southeast corner of Selwyn Avenue and Queens Road from R-22MF to UR-3(CD) and Five Year Vested Rights.</p> <p>Staff recommends approval of this petition upon resolution of outstanding site plan issues.</p> <p>Attachment 34</p>

<p>35. <b>Petition No. 2008-143 (hearing) by Faithful Companion Memorials</b> for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to permit pet crematoriums in the Industrial Zoning Districts.</p> <p>Staff recommends approval of this petition with modifications as noted in the staff analysis.</p> <p>Attachment 35</p>	
<p>36. <b>Petition No. 2008-120 (hearing) by City of Charlotte</b> for a change in zoning of approximately 5.43 acres located on the block bounded by South Brevard Street and South Caldwell Street, East Stonewall Street and East Martin Luther King Jr. Boulevard from UMUD to UMUD-O.</p> <p>Staff recommends approval of this petition upon resolution of outstanding site plan issues.</p> <p>Attachment 36</p>	
<p>37. <b>Petition No. 2008-121 (hearing) by Charlotte-Mecklenburg Planning Commission</b> for a change in zoning of approximately 0.99 acres located on the south side of West Boulevard and the north side of West Worthington Avenue between Camden Road and Hawkins Street from B-1 and I-2 to TOD-M.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 37</p>	