

Mayor Patrick L. McCrory Mayor Pro Tem Patrick De'Angelo Cannon
Susan Burgess James E. Mitchell, Jr.
Nancy Carter Patrick Mumford
Patsy Kinsey Gregory Phipps
John W. Lassiter John H. Tabor, AIA
Don Lochman Warren Turner

CITY COUNCIL ZONING AGENDA
Monday, September 19, 2005

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

6:00PM – Condemnation
Zoning Decisions/Hearings
Meeting Chamber

DINNER MEETING

Rezoning Update – September, October & November 2005
Debra Campbell, Planning Director

CONDEMNATION

- 1a. **Project:** South Corridor Infrastructure and South Boulevard/Woodlawn Road Intersection, Parcel #11
Owner(s): Westmoreland, Inc. and Any Other Parties Of Interest
Property Address: 4700 South Boulevard
Property to be acquired: Total Combined Area of 26,610 sq. ft. (.611 ac.) of Fee Simple, plus Sidewalk and Utility Easement, plus Temporary Construction Easement
Improvements: None
Landscaping: None
Purchase Price: \$493,200
Remarks: Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: I-2
Use: Commercial
Tax Code: 169-012-01
Total Parcel Tax Value: \$2,093,800

DECISIONS

1. **Petition No. 2004-134 (decision)** by *Real Estate Development Partners, LLC* for a change in zoning of approximately 9.48 acres located on the west side of Providence Road south of Allison Woods Drive from O-1(CD) and R-3 to NS.

Petitioner is requesting a **ONE-MONTH** deferral for a September 27, 2005 variance hearing.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition, **CONTINGENT UPON THE FOLLOWING:**

- The necessary variances must be obtained
- Site plan deficiencies must be corrected.
- CDOT must be satisfied as to the transportation improvements that will accompany this petition.

Staff agrees with the Zoning Committee recommendation.

Attachment No. 1

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2004+Petitions/2004-134.htm>

2. **Petition No. 2005-59 (decision)** by *Prosperity Church, Inc.* for a change in zoning of approximately 2.778 acres located west of Prosperity Church Road, north of Dearmon Road from CC and R-3 to CC SPA and CC.

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

Staff agrees with the Zoning Committee recommendation.

Attachment No. 2

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-059.htm>

3. **Petition No. 2005-65 (decision)** by *Real Estate Development Partners, LLC* for a change in zoning of approximately 24.39 acres located on the north side of Ardrey Kell Road, west of Marvin Road from R-3 to NS and UR-2(CD).

Two protest petitions were filed but due to withdrawals were found insufficient to invoke 3/4 majority-voting rule.

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

- The square footages approved are 35,000 square feet of retail and 10,000 feet of office.
- The petitioner will install left turn lanes on Marvin Road and will work with CDOT to resolve concerns regarding stacking, and will meet the requests of LUESA (water quality) and CATS.

Staff continues to recommend denial of this petition on the basis that it is inconsistent with adopted plans.

Attachment No. 3

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-065.htm>

4. **Petition No. 2005-76 (decision)** by *Crosland, Inc.* for a change in zoning of approximately 130.18 acres located on the north side of Mount Holly Road, west of Belmeade Drive from I-1(CD) LW-PA and I-2(CD) LW-PA to CC LW-PA.

The Zoning Committee voted unanimously to recommend **DEFERRAL** of this petition to a special meeting of the Zoning Committee to be held on **September 12, 2005**.

Staff agrees with the recommendation of the Zoning Committee.

Attachment No. 4

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-076.htm>

5. **Petition No. 2005-77 (decision)** by *Crosland, Inc.* for a change in zoning of approximately 642.2 acres located along Belmeade Drive, south of Mount Holly Road, north of Hawfield Road from I-1 LW-PA, I-1(CD) LW-PA and R-3 LW-PA to NS LW-PA and MX-3 (Innovative) LW-PA.

A protest petition has been filed, but was subsequently withdrawn.

The Zoning Committee voted unanimously to recommend **DEFERRAL** of this petition to a special meeting of the Zoning Committee to be held on **September 12, 2005**.

Staff agrees with the recommendation of the Zoning Committee.

Attachment No. 5

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-077.htm>

6. **Petition No. 2005-80 (decision)** by *Jeffery P. Mason* for a change in zoning of approximately 16.99 acres located north of Ridge Road and west of Waverly Lynn Lane from MX-2 to MX-2 SPA.

The Zoning Committee voted 5-1 to recommend **DENIAL** of this petition. Mr. David Hughes was absent. The Zoning Committee has agreed to revisit their recommendation at a special meeting to be held on **September 12, 2005**.

Staff agrees with the recommendation of the Zoning Committee.

Attachment No. 6

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-080.htm>

7. **Petition No. 2005-86 (decision)** by *Galleria Partners I, LLC* for a change in zoning of approximately 1.74 acres located south of Galleria Boulevard and east of Monroe Road from I-1 to MUDD-CD.

The Zoning Committee voted unanimously to recommend **DEFERRAL** of this petition to the Zoning Committee meeting to be held on **September 28, 2005**.

Staff agrees with the recommendation of the Zoning Committee.

Attachment No. 7

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-086.htm>

8. **Petition No. 2005-100 (decision)** by *Mike Whitehead* for a change in zoning of approximately 2.7 acres located on the north side of Sardis Road, south of Rama Road from R-3 to INST(CD).

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

- A location for underground detention has been identified.
- The “cottages” have been deleted from the plan.
- Weddings and wedding receptions have been eliminated as permitted uses.
- Petitioner has committed to employ a certified arborist to prepare a tree protection plan for trees to be preserved.
- The owner will consult with historic landmarks commission regarding the design of the new building and historic designation of the existing one.
- Building elevations have been included for the street frontage sides of the proposed building.

Staff agrees with the Zoning Committee recommendation.

Attachment No. 8

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-100.htm>

9. **Petition No. 2005-101 (decision)** by *TMV Partners On Third Street, LLC* for a change in zoning of approximately 0.865 acres located south of the intersection of South Torrence Street and East 3rd Street from O-6(Cd) and B-2(CD) to MUDD(CD).

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

Staff agrees with the Zoning Committee recommendation.

Attachment No. 9

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-101.htm>

10. **Petition No. 2005-102 (decision)** by *Robert T. Godley Family, LLC* for a change in zoning of approximately 5.78 acres located on the north side of Dalton Avenue, east of Halifax Avenue from I-1 to I-2.

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

Staff agrees with the Zoning Committee recommendation.

Attachment No. 10

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-102.htm>

11. **Petition No. 2005-104 (decision)** by *Grubb Properties, Inc.* for adoption of a text amendment to the City of Charlotte Zoning Ordinance to revise Section 2.201 “Definitions” by revising the definition of mixed-use development to clarify that a mixed-used development can consist of one or more mixed-use buildings or a combination of single use and mixed-use buildings in a pedestrian environment and to revise Section 12.101(5) “Every lot must abut a street” to add a reference that a mixed-use development, such as a mixed-use building, need not abut a public street so long as the overall site abuts a street and otherwise meets the requirements of Section 12.101(5).

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

Staff agrees with the Zoning Committee recommendation.

Attachment No. 11

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-104.htm>

12. **Petition No. 2005-105 (decision)** by *Atlantic Coast Trailer Sales* for adoption of a text amendment to the City of Charlotte Zoning Ordinance to allow the sale and repair of automobile and tractor, truck and accompanying trailer units in the I-2 zoning district.

The Zoning Committee voted unanimously to recommend **DEFERRAL** of this petition to the Zoning Committee meeting to be held on **September 28, 2005**.

Staff agrees with the recommendation of the Zoning Committee.

Attachment No. 12

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-105.htm>

13. **Petition No. 2005-111 (decision)** by *Gelsing Builder and Property Mgmt., Inc.* for a change in zoning of approximately 3.573 acres located on the southwest corner of the intersection of Bellhaven Boulevard and Kentberry Drive from R-3 LW-PA to R-8MF(CD) LW-PA.

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

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

- Driveway access to Kentberry Drive will be provided.

Staff agrees with the Zoning Committee recommendation.

Attachment No. 13

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-111.htm>

14. **Petition No. 2005-112 (decision)** by *Heather Ridge Apartments, LLC* for a change in zoning of approximately 7.94 acres located north of E. WT Harris Boulevard from R-17MF(CD) and R-17MF to R-17MF(CD) SPA.

A protest petition has been filed but is non-applicable to this rezoning petition.

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

Staff agrees with the Zoning Committee recommendation.

Attachment No. 14

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-112.htm>

15. **Petition No. 2005-113 (decision)** by *Dillard's, Inc.* for a change in zoning of approximately 7.08 acres located on Morrison Boulevard and northwest of Sharon Road from CC to CC SPA.

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

Staff agrees with the Zoning Committee recommendation.

Attachment No. 15

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-113.htm>

16. **Petition No. 2005-114 (decision)** by *James Funderburk, Jr. and James C. Hock, III* for a change in zoning of approximately 1.341 acres located southwest of the intersection of West 4th Street and Wesley Heights Way from R-5 to UR-2(CD).

The Zoning Committee unanimously recommended **APPROVAL** of this petition, based upon the following modifications:

- Rear elevations have been added to the site plan.
- Internal sidewalks now extend from all units out to the public street sidewalk.
- The Tree Ordinance note has been corrected.
- The site plan has received favorable review from the Wesley Heights Community Association.

Staff agrees with the Zoning Committee recommendation.

Attachment No. 16

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-114.htm>

17. **Petition No. 2005-115 (decision)** by *Clementi South, LLC* for a change in zoning of approximately 6.99 acres located east of the intersection of Beatties Ford Road and Mount Holly-Huntersville Road from R-3 and B-1 to R-8MF(CD).

The Zoning Committee unanimously recommended **APPROVAL** of this petition, based upon the following modifications:

- The resolution of all Parks and Recreation issues; and
- The Town of Huntersville comments being forward to City Council with a note indicating they were not available to the Zoning Committee.

Staff agrees with the Zoning Committee recommendation.

Attachment No. 17

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-115.htm>

HEARINGS

18. **Petition No. 2005-03 (hearing)**. Change in zoning from R-5 to R-8(CD) for approximately .213 acres located southwest of the intersection of McDonald Avenue and Euclid Avenue. ***Petitioner: Jurgen Vollrath & Cecily Hurst***

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

Staff recommends denial of this petition.

Attachment No. 18

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-003.htm>

19. **Petition No. 2005-44 (hearing)**. Change in zoning from R-3 to NS for approximately 1.7 acres located on the north side of Williams Pond Lane, east of Rea Road. ***Petitioner: Peter J. Jugis – Bishop of the Roman Catholic Diocese of Charlotte***

Two protest petitions have been filed and both were subsequently withdrawn.

Staff cannot support this petition.

Attachment No. 19

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-044.htm>

20. **Petition No. 2005-82 (hearing).** Change in zoning from UR-C and UR-2 to MUDD-O for approximately 3.54 acres located on the northwest side of North Graham Street, south of West 9th Street. *Petitioner: Fourth Ward Square Association*

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

Attachment No. 20

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-082.htm>

21. **Petition No. 2005-85 (hearing).** Change in zoning from R-5 to UR-1(Cd) for approximately 0.086 acres located to the southeast of Charles Avenue, north of East 35th Street. *Petitioner: James and Patricia Sack*

Staff recommends a **ONE-MONTH DEFERRAL** of this petition.

Attachment No. 21

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

22. **Petition No. 2005-89 (hearing).** Change in zoning from MUDD-O, O-2, B-2, B-1(CD), I-1 and R-5 to MUDD-O and MUDD-O SPA for approximately 11.39 acres located on the east side of South Boulevard, south of Magnolia Avenue. *Petitioner: Lowe's Home Centers, Inc.*

Two protest petitions have been filed and are sufficient to invoke the 3/4 majority-voting rule.

Staff recommends approval of this petition upon resolution of outstanding architectural and site plan issues.

Attachment No. 22

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-089.htm>

23. **Petition No. 2005-106 (hearing).** Change in zoning from B-1 to TOD-M(CD) for approximately 0.72 acres located at the intersection of East Tremont Avenue and Cleveland Avenue. *Petitioner: Tidewater Development, LLC*

Petitioner is requesting a ONE-MONTH deferral of this petition to continue working with the Dilworth neighborhood.

Staff recommends approval of this petition.

Attachment No. 23

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-106.htm>

24. **Petition No. 2005-110 (hearing).** Change in zoning from I-1 and O-2 to MUDD-O for approximately 5.5 acres located at the intersection of North Davidson Street and East 28th Street. ***Petitioner: Greg Godley***

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

Attachment No. 24

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-110.htm>

25. **Petition No. 2005-118 (hearing).** Change in zoning from I-1 and I-2 to I-2(CD) for approximately 10.5 acres located southeast of the intersection of Nations Ford Road and Westinghouse Boulevard. ***Petitioner: MPP Westinghouse, LLC***

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

Attachment No. 25

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-118.htm>

26. **Petition No. 2005-119 (hearing).** Change in zoning from MUDD to MUDD-O for approximately 0.973 acres located southeast of McIntosh Street and northeast of West Morehead Street. ***Petitioner: Citiline Development, LLC***

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

Attachment No. 26

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-119.htm>

27. **Petition No. 2005-120 (hearing).** Change in zoning from R-4(Cd) to R-8(Cd) for approximately 9.86 acres located north of Highland Creek Parkway, east of its intersection with Cambridge Bay Drive. ***Petitioner: K. Hovnanian Homes of North Carolina, Inc.***

Staff recommends approval of this petition.

Attachment No. 27

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-120.htm>

28. **Petition No. 2005-121 (hearing).** Change in zoning from R-4 to CC and MX-2 (all affected zoning designations fall within the Lake Wylie Protected Area (LW-PA), Watershed Overlay District) for approximately 53.1 acres located south of Moores Chapel Road. ***Petitioner: Lauth Property Group c/o Paxton Hollar***

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

Attachment No. 28

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-121.htm>

29. **Petition No. 2005-122 (hearing).** Change in zoning from R-17MF to NS for approximately 0.912 acres located north of the intersection of Sandy Porter Road and South Tryon Street. **Petitioner: Hord Properties, LLC**

Staff does not support the retail portion of this rezoning request and therefore recommends only the medical and general office uses for this rezoning petition upon resolution of outstanding site plan issues.

Attachment No. 29

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-122.htm>

30. **Petition No. 2005-123 (hearing).** Change in zoning from R-17MF and R-4 to UR-2(CD) for approximately 1.06 acres located north of the intersection of Walker Road and Millbrook Road **Petitioner: Hempstead Properties, LLC**

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

Attachment No. 30

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-123.htm>

31. **Petition No. 2005-124 (hearing).** Change in zoning from R-3 to O-1(CD) for approximately 3.86 acres located south of the intersection of Ballantyne Commons Parkway and Williams Pond Lane. **Petitioner: Brookchase Properties**

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

Attachment No. 31

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-124.htm>

32. **Petition No. 2005-125 (hearing).** Change in zoning from I-1 to R-4 for approximately 1.55 acres located south of the intersection of Oak Drive and Old Statesville Road. **Petitioner: Tom Massey and Larry Reed**

Staff recommends approval of this petition.

Attachment No. 32

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-125.htm>

33. **Petition No. 2005-126 (hearing).** Change in zoning from CC to CC SPA for approximately 36.6 acres located south of the intersection of North Community House Road and Johnston Road. **Petitioner: Lichtin/Toringdon Property Owners Association**

Staff recommends approval of this petition.

Attachment No. 33

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-126.htm>

34. **Petition No. 2005-127 (hearing).** Change in zoning from R-17MF(CD) to R-17MF(CD) SPA for approximately 10.54 acres located southeast of the intersection of Mallard Glen Drive and West Mallard Creek Church Road. **Petitioner: GLM Holding, LLC and Henry Pharr II, Trustee**

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

Attachment No. 34

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-127.htm>

35. **Petition No. 2005-128 (hearing).** Change in zoning from I-2 to MUDD-O for approximately .4416 acres located north of the intersection of North Davidson Street and East 36th Street. **Petitioner: Guy Properties**

Staff recommends approval of this petition.

Attachment No. 35

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-128.htm>

36. **Petition No. 2005-130 (hearing).** Change in zoning from R-3 to O-2(CD) for approximately 16.3 acres located southwest of the intersection of York Road and Steele Creek Road. **Petitioner: Carolina Health Care System**

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

Attachment No. 36

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-130.htm>

37. **Petition No. 2005-131 (hearing).** Change in zoning from R-3 to MX-2 Innovative for approximately 26.9 acres located south of the intersection of Walker Road and Weddington Road. **Petitioner: DeWitt Real Estate Services**

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

Attachment No. 37

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-131.htm>

38. **Petition No. 2005-132 (hearing).** Change in zoning from R-5 to MUDD-O for approximately 0.23 acres located south of the intersection of East 33rd Street and North Davidson Street. **Petitioner: Francella Witherspoon**

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

Attachment No. 38

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-132.htm>

39. **Petition No. 2005-134 (hearing).** Change in zoning from R-3 to I-2(CD) for approximately 1.06 acres located southeast of the intersection of Shopton Road and Pleasant Way Lane. *Petitioner: David and Dawn Young*

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

Attachment No. 39

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-134.htm>

40. **Petition No. 2005-135 (hearing).** Change in zoning from R-3 and O-1 to RE-1(CD) for approximately 101.6 acres located southeast of the intersection of Hamilton Road and Youngblood Road. *Petitioner: The F.A. Bartlett Tree Expert Co.*

Staff recommends approval of this petition upon resolution of outstanding CDOT comments.

Attachment No. 40

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-135.htm>

41. **Petition No. 2005-47 (hearing).** Consideration of a text amendment to the City of Charlotte Zoning Ordinance to revise the definition of “lot types”, “non-conforming vacant lots”, “open space”, and “common open space”

To add a new Section 12.308, titled, “Screening requirements when a development does not propose two tiers of buildable lots”. The purpose of this section is to establish requirements for landscape screening on residential reverse frontage lots to provide a visual screen between the use and the street which will not provide direct vehicular access.

To revise Section 7.105, “Non-conforming vacant lots” by stating that a non-conforming vacant lot shall not be used if it can be combined with adjoining lot(s) owned by the same person in order to create conforming lot(s).

To revise Section 9.201 and 9.205(1) to clarify that density is the first standard that controls the number of dwelling units allowed on a parcel and/or the number of lots that can be created. Once density is determined, lots must meet the Zoning Ordinance requirements. Language has been moved out of a footnote and placed in the table of Section 9.205(1). To revise Section 9.205(5) to state that an open space area may be a lot or parcel and that such a lot need not meet the lot requirements, unless it is to be used for outdoor recreation.

To revise Section 12.101, “Every lot must abut a street” by adding an exemption for unified development sites.

To add a new subcategory to Table 12.202, “Minimum Required Parking Spaces by Use” for retail.

Petitioner: Charlotte-Mecklenburg Planning Commission

Staff recommends approval of this petition.

Attachment No. 41

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-047.htm>

42. **Petition No. 2005-116 (hearing).** Change in zoning from I-2 to TOD-M for approximately 2.5563 acres located southeast of the intersection of West Tremont Avenue and Hawkins Street. *Petitioner: Charlotte-Mecklenburg Planning Commission.*

Staff recommends approval of this petition.

Attachment No. 42

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-116 htm>

43. **Petition No. 2005-117 (hearing).** Change in zoning from I-2 to TOD-M for approximately 4.78 acres located northwest of South Boulevard and at the southeast end of Foster Avenue. *Petitioner: Charlotte-Mecklenburg Planning Commission*

Staff recommends approval of this petition.

Attachment No. 43

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-117 htm>

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