

**Mayor Anthony Foxx**

**John Autry**

**Warren Cooksey**

**Claire Fallon**

**Patsy Kinsey**

**James E. Mitchell, Jr.**

**Mayor Pro-Tem Patrick Cannon**

**Michael D. Barnes**

**Andy Dulin**

**David Howard**

**LaWana Mayfield**

**Beth Pickering**

## ***CITY COUNCIL ZONING AGENDA*** ***Monday, June 18, 2012***

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

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

### ***DINNER MEETING***

- ***Review of Agenda – Tammie Keplinger***
- ***Area plan status & text amendment update – Debra Campbell***

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

### Zoning Districts

- **B-1** – neighborhood business district
- **B-2** – general business district
- **B-1SCD** – business shopping center district
- **BD** – distributive business district
- **BP** – business park district
- **CC** – commercial center district
- **I-1** – light industrial district
- **I-2** – general industrial district
- **INST** – institutional district
- **MUDD** – mixed use development district
- **MX-1** – mixed use district
- **MX-2** – mixed use district
- **MX-3** – mixed use district
- **NS** – neighborhood services district
- **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 district
- **RE-2** – research district
- **RE-3** – research district
- **TOD** – transit oriented development
- **TOD-E** – transit oriented development – employment
- **TOD-EO** – transit oriented development – employment - optional
- **TOD-M** – transit oriented development – mixed use
- **TOD-MO** – transit oriented development – mixed use – optional
- **TOD-R** – transit oriented development – residential
- **TOD-RO** – transit oriented development – residential - optional
- **U-I** – urban industrial district
- **UMUD** – uptown mixed use district
- **UMUD-O** – uptown mixed use district - optional
- **UR-1** – urban residential
- **UR-2** – urban residential
- **UR-3** – urban residential
- **UR-C** – urban residential - commercial

### Overlay Districts

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

### Miscellaneous Acronyms

- **CD** – conditional
- **SPA** – site plan amendment

# DECISIONS

<p><b>Automatic deferral to June 25, 2012</b></p> <p><b>Protests Sufficient</b></p>	<p><b>1. <u>Petition No. 2011-065</u> by Chapel Cove at Glengate, LLC</b> for a MX-1 INNOV site plan amendment (LLW-PA) &amp; (LLW-CA) and 5-Year Vested Rights, for approximately 319.91 acres located on the east and west side of Shopton Road West generally surrounded by Winget Road, Elkhorn Drive, Limehurst Place, and Hatfield Road.</p> <p>This petition is found to be consistent with the <i>Steele Creek Area Plan</i> and to be reasonable and in the public interest, by a 4-1 vote of the Zoning Committee. The Committee voted 4-1 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"><li>1. Modified the "Transportation" and "Innovative Standards" notes to indicate the petitioner will increase the pavement width of Withers Cove Road (10-foot travel lanes and a one-foot shoulder on each side of the road) from Hatfield Road to Traymore Lane.</li><li>2. Modified a note under "Transportation" indicting the installation of a five-foot wide sidewalk/shared walking path along one side of Withers Cove Road extending from Wildlife Road to Traymore Lane.</li><li>3. Modified Note #1 under "Streetscape and Landscaping" to indicate a minimum five-foot wide trail along the Shopton Road West frontage to reflect the requirements of the 2003 rezoning.</li><li>4. Addressed CDOT comments by provided a 10-foot wide asphalt pedestrian/bike trail from the terminus of Winget Road to the northern property line of tax parcel 199-151-09 owned by Mecklenburg County.</li><li>5. Provided a note under "Transportation" indicating the petitioner will complete the construction of Winget Road from Shopton Road West to the western property line of Phase 3 prior to the issuance of the first certificate of occupancy for a dwelling unit within Phase 3.</li><li>6. At staff's request and due to the inability to enforce, the petitioner removed an architectural standard which stated "a minimum of 50 percent of the single family detached dwellings units constructed on the Site shall have front porches".</li><li>7. Increased the minimum lot widths within Parcel B by modifying the note to read "a minimum of 40% of the single family lots developed on Parcel B shall have a minimum width of <u>70</u> <del>60</del> feet, and the remaining lots shall have a minimum width of <u>60</u> <del>50</del> feet".</li><li>8. Increased the minimum lots widths within Phase 3 by modifying the note to read "a minimum of 40% of the single family lots developed on Phase 3 shall have a minimum width of <u>80</u> <del>70</del> feet, and the remaining lots shall have a minimum width of <u>70</u> <del>60</del> feet".</li><li>9. Modified an "Architectural Standards" note to read "... Notwithstanding the foregoing, vinyl accents, such as <u>trim components</u> <del>vinyl shake on reverse gables and dormers</del>, shall be permitted, vinyl may be utilized on the soffits of the single family detached dwelling units and vinyl windows may be installed on the single family detached dwelling units".</li></ol> <p>Staff recommends approval of this petition.</p> <p>Attachment 1</p>
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<p><b>Deferral (to October) Or Decision</b></p> <p><b>Protest Sufficient</b></p>	<p><b>2. <u>Petition No. 2011-068</u> by <b>Morehead Property Investments, LLC</b> for a change in zoning for approximately 1.50 acres located on East Morehead Street between Kenilworth Avenue and Monticello Trail from O-2 to MUDD(CD).</b></p> <p>The Zoning Committee voted 6-1 to <b>DEFER</b> this petition to the October 3, 2012 Zoning Committee meeting at the request of the petitioner. The petitioner has been able to resolve issues more quickly than anticipated and would like to move forward with a Council decision. Although this is a protested petition, the applicant is requesting a decision on June 18, 2012.</p> <p>The following changes have been made to the petition since the public hearing:</p> <ol style="list-style-type: none"> <li>1. Addressed CDOT's comments by adding language Development Note 1c. under "General Provisions" stating that the 40' of right-of-way to be dedicated along East Morehead Street will be extended to the back of the sidewalk to include the full width of the sidewalk width should the sidewalk width go beyond the 40' indicated.</li> <li>2. Development Note 3c. has been eliminated.</li> <li>3. Development Note 3d. under "Setbacks, Side Yards, Rear Yards" has been revised to eliminate reference to the rear elevation and to include the word "residential" when referring to the "primary building".</li> <li>4. The petitioner has modified Development Notes 3e. and 3f. under "Setbacks, Side Yards, Rear Yards" by removing the reference to the rear elevation.</li> <li>5. Development Note 5e. under "Transportation/Parking" has been revised to clarify that any portion of the parking structure above grade and less than 5' from any property line will be a solid wall with an architectural finish.</li> <li>6. The site plan now shows a possible driveway connection at the rear of the property for through-block connectivity to Harding Place, and new Development Note 6d. under "Access and Circulation" states the petitioner's intent to coordinate its design and construction with CDOT and adjacent property development and developers.</li> <li>7. New Development Note 7d. under "Stormwater/Erosion Control" states that the petitioner will meet all city/county/state erosion control regulations and endeavor to eliminate any erosion related impact to adjacent properties.</li> <li>8. The petitioner has modified Development Note 8b. under "Screening and Tree Ordinance" by adding language relating commitment to the preservation of the trees along the street of the development property as well as any trees on adjacent properties that may be adversely affected by the construction of this development, as determined by the arborist.</li> <li>9. Development Notes 8e. thru 8f. under "Screening and Tree Ordinance" have been modified to refer to a primary residential building face, and to remove references to the rear elevation.</li> <li>10. Amended Parking information under "Rezoning Summary" by removing reference to 1.5 unit per 1 bedroom, and adding statement that parking will be provided to meet current ordinance, with current revisions made to meet the recently adopted <i>Midtown Morehead Cherry Area Plan</i>.</li> <li>11. Removed Note 1e. under "General Provisions" that stated a minimum of 65% of the units will be one-bedroom.</li> <li>12. Amended Note 3a. to state the setbacks will be increased to above current MUDD zoning requirements to be consistent with the <i>Midtown Morehead Cherry Area Plan</i>. New language states that 10' side yard and 10' rear yard proposed at residential levels above parking levels will not be at parking garage levels.</li> <li>13. Revised Note 3b. to indicate that the minimum 10' side yard will not be at the parking garage levels.</li> <li>14. Revised Note 4a. to state intent to limit building height below current allowed MUDD zoning requirements for consistency with the <i>Midtown Morehead Cherry Plan</i>.</li> <li>15. Modified Note 4b. to state proposed height as defined in the zoning ordinance will be limited to 85'.</li> <li>16. Amended Note 4c. by eliminating reference to detail 3 sheet RZ 2.00.</li> <li>17. Amended Note 5a. by removing reference to 1.5 spaces per unit or 1 space per bedroom, and adding language stating that parking will be provided to meet the current ordinance.</li> <li>18. Removed Note 5f. that stated all overflow parking will occur on premises.</li> </ol>
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<p><b>2012-068 continued</b></p>	<p>19. Modified Sheet RZ2.00 entitled, "Sample Concept Elevations" by removing reference to Development Notes 4b and 4c pertaining to height restrictions along specified building faces; and by adding note that proposed bridges connecting the building at the front may vary to be 1,2,3 or 4 stories or may be full height down to the parking garage levels.</p> <p>20. Amended Sheet LS1.00 entitled, "Illustrative Site Plans &amp; East Elevation Concept", by labeling <u>Conceptual</u> Entry Level Site Plan and <u>Conceptual</u> Landscape Plan.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 2</p>
<p><b>Protests Insufficient</b></p>	<p>3. <b>Petition No. 2012-009 Dave Ransenberg and Doug Levin</b> for a UR-3(CD) site plan amendment, for approximately 0.45 acres located on the south side of North Davidson Street between Herrin Avenue and Donatello Avenue.</p> <p>This petition is found to be inconsistent with the <i>North Charlotte Plan</i> but to be consistent with the <i>36<sup>th</sup> Street Station Area Concept</i> and to be reasonable and in the public interest, by a 5-0 vote of the Zoning Committee. The Committee voted 4-0 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. The zoning district of the property located across N. Davidson Street and located within the railroad right-of-way is now labeled and identified as I-2 on site plan.</li> <li>2. The site plan now notes that the minimum setback from Warp Street will be 20'.</li> <li>3. The <i>Signage</i> note has been removed from the site plan.</li> <li>4. A note has been added to the site plan stating all freestanding light fixtures will be uniform in design and shall not exceed 20' in height.</li> <li>5. CDOT issues have been addressed with the following actions: <ol style="list-style-type: none"> <li>a. The proposed fence along North Davidson Street has been reduced in height from 42" to 30".</li> <li>b. The site plan shows dedicated right-of-way 30' from centerline of the existing North Davidson Street right-of-way.</li> </ol> </li> </ol> <p>Staff recommends approval of this petition.</p> <p>Attachment 3</p>
<p><b>Protests Sufficient</b></p>	<p>4. <b>Petition No. 2012-010 by Crescent Resources</b> for a change in zoning for approximately 4.70 acres located on the south side of University City Boulevard between Mark Twain Road and Suther Road from R-17MF to MUDD-O 5-Year Vested Rights.</p> <p>This petition is found to be inconsistent with the <i>University City Area Plan</i> and not to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend <b>DENIAL</b> of this petition.</p> <p>Although this is a protested petition, the applicant is requesting a decision on June 18, 2012.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 4</p>
<p><b>Withdrawal  Protest Insufficient</b></p>	<p>5. <b>Petition No. 2012-024 by NRP Properties/ Northlake Seniors</b> for a change in zoning for approximately 1.72 acres located on the northeast corner at the intersection of West W.T. Harris Boulevard and Forest Drive from CC to MUDD-O.</p> <p>The petitioner is requesting that this rezoning request be withdrawn.</p> <p>The Zoning Committee voted 6-1 to <b>DEFER</b> this petition to the June 27, 2012 Zoning Committee meeting.</p> <p>Staff recommends denial of this petition.</p> <p>Attachment 5</p>

<p><b>Protest Insufficient</b></p>	<p><b>6. <u>Petition No. 2012-030</u> by Charlotte-Mecklenburg Planning Department</b> for a change in zoning for approximately 3.5 acres located along East Independence Boulevard between Pierson Drive and North Sharon Amity Road from B-2 to R-4.</p> <p>This petition is found to be consistent with the <i>Independence Boulevard Area Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 6</p>
	<p><b>7. <u>Petition No. 2012-035</u> by Charlotte Housing Authority</b> for a change in zoning for approximately 1.99 acres located along on the north side of North Caldwell Street and generally bounded by North Brevard Street, New Calvine Street and East Brookshire Freeway from MUDD and MUDD(CD) to MUDD-O.</p> <p>This petition is found to be consistent with the <i>Optimist Park Neighborhood Plan</i> and the <i>Transit Station Area Principles</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition with the following modification:</p> <ol style="list-style-type: none"> <li>1. Addressed CDOT issues to modify two notes regarding the vehicular entrance along East 12th Street and the optional entrance along North Caldwell Street.</li> </ol> <p>Staff recommends approval of this petition.</p> <p>Attachment 7</p>
	<p><b>8. <u>Petition No. 2012-036</u> by Michael C. Drossos</b> for a Text Amendment to the City of Charlotte Zoning Ordinance to 1) add tattoo parlors as a use permitted by right in the UMUD, B-D, and U-I zoning districts, 2) clarify that it tattoo parlors are is a permitted by right use in the UR-C, business, industrial, B-1, B-2, B-P, U-I, TOD, I-1, and I-2, zoning districts.</p> <p>This petition is found to be consistent with adopted policies and to be reasonable and in the public interest, by a 5-2 vote of the Zoning Committee. The Committee voted 5-2 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. Changed the name of the use from tattoo parlors to tattoo establishments.</li> <li>2. Added tattoo establishments as a permitted use with prescribed conditions in the uptown mixed use development (UMUD) zoning district, rather than allowing the use by right; and</li> <li>3. Added the following prescribed conditions only for tattoo establishments located in the uptown mixed use development (UMUD) district: <ol style="list-style-type: none"> <li>a. Clients and business related visitors shall be by appointment only, with appointments scheduled only between the hours of 8:00 a.m. to 8:00 p.m.</li> <li>b. There shall be a 400' separation distance between tattoo establishments. The distance shall be measured from the nearest point of the buildings.</li> <li>c. All federal, state, and local regulations for tattoo establishments shall be met.</li> </ol> </li> </ol> <p>Staff recommends approval of this petition.</p> <p>Attachment 8</p>

9. **Petition No. 2012-038 by Charlotte Pipe & Foundry Company** for a change in zoning for approximately 17.91 acres located on the south side of West Morehead Street near the intersection of Interstate 77 and Interstate 277 from MUDD to MUDD-O and I-2(CD).

The MUDD-O portion of this petition is found to be consistent while the I-2(CD) portion of this petition is inconsistent with the West Morehead Corridor Vision and Concept Plan but reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend **APPROVAL** of this petition with the following modifications:

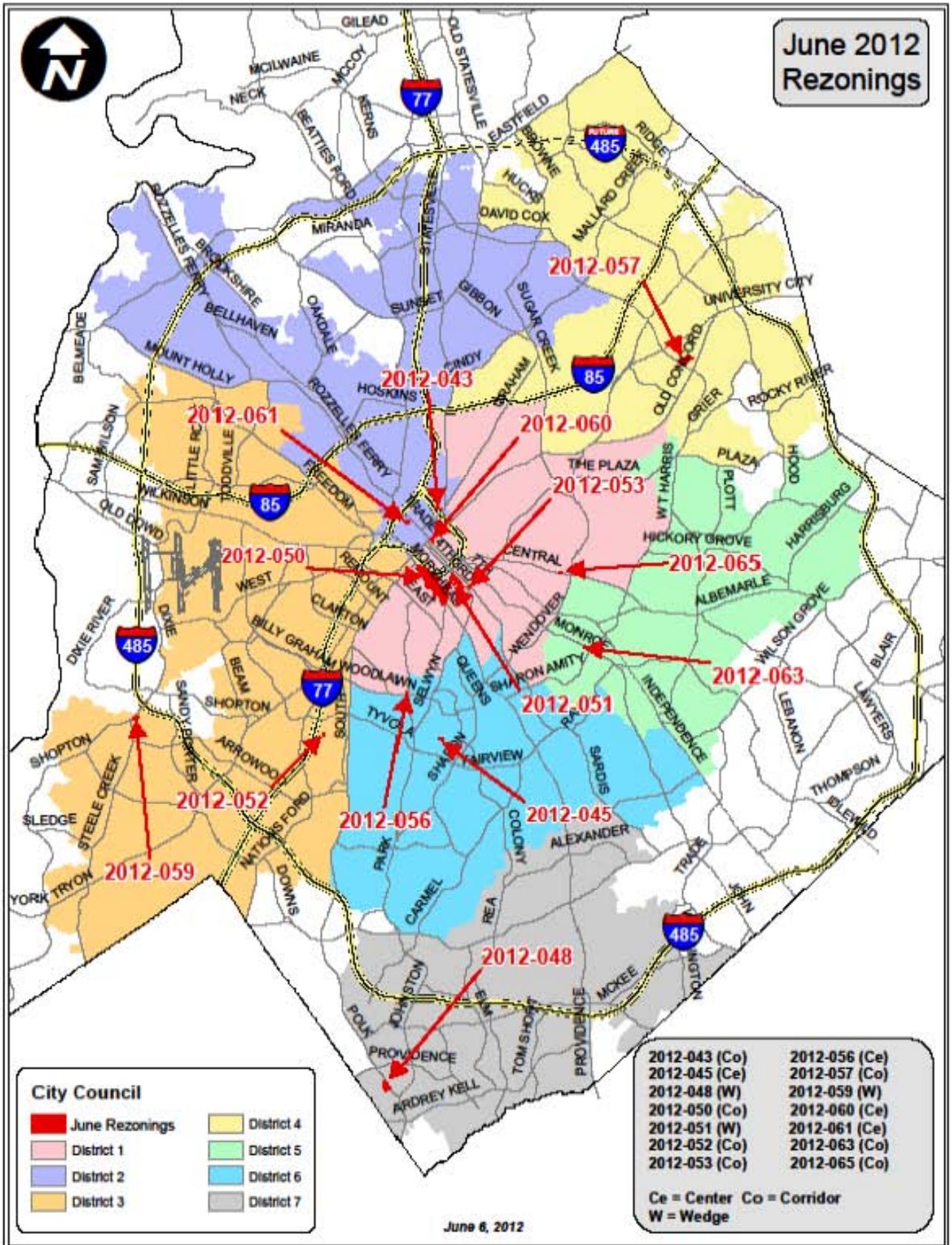
1. Indicated a 30-foot Class "B" buffer between Parcel A within Tract II and the abutting existing MUDD zoned office building on Sheet RZ-1. Also eliminated the last paragraph within Note 5(b) regarding this required buffer.
2. Revised 3rd paragraph under Note 3 (b) to indicate that all uses permitted in the I-1 district that are also permitted in the I-2 district are allowed.
3. Eliminated Notes 5(a)(i) and 5(a)(ii) regarding streetscape improvements along West Morehead Street. Replaced the notes with a new note 4(c) which indicates that the petitioner agrees to enter into a public/private joint venture agreement with the City for streetscape improvements along West Morehead Street. The petitioner agrees to design and install an eight-foot planting strip and eight-foot sidewalk along West Morehead Street except a 10-foot sidewalk will be provided between South Clarkson Street and South Cedar Street. The petitioner will also dedicate and convey the necessary right-of-way for the streetscape improvement and purchase and install the required street trees. The City will reimburse the petitioner for cost associated with the sidewalk relocation and construction.
4. Added the following sentence to the second paragraph within Note 5(b): "If Parcel D is used for off-site parking, the screening requirements established under the Ordinance will be satisfied".
5. Eliminated Notes 5(c)(i) and 5(c)(ii) regarding street improvements along West Morehead Street and reference the modified streetscape improvement note for West Morehead Street.
6. Modified Note 4(d) to read "If a building permit is issued for the construction of an occupiable building on any part of a Parcel within either Tract I or Tract II which abuts South Cedar Street, the Petitioner agrees at its expense to cause the entire portion of South Cedar Street beginning at West Morehead Street and running through Tract II and Tract III to Post Street to be transformed to a Local Industrial Street Section which is compliant with the Urban Street Design Guidelines prior to the issuance of the first Certificate of Occupancy for any occupiable building on any part of a Parcel within either Tract I or Tract II which abuts South Cedar Street. See Cross-Section "B-2" on Sheet RZ-2 for specifications".
7. Modified Note 4(e) to read "If a building permit is issued for the construction of an occupiable building on any part of a Parcel within either Tract I or Tract II which abuts South Clarkson Street, the Petitioner agrees at its expense to cause the entire portion of South Clarkson Street beginning at West Morehead Street and running through Tract II to Post Street to be transformed to a Local Industrial Street Section which is compliant with the Urban Street Design Guidelines prior to the issuance of the first Certificate of Occupancy for any occupiable building on a Parcel within either Tract I or Tract II which abuts South Clarkson Street. See Cross-Section "B-2" on Sheet RZ-2 for specifications".
8. Modified Note 8 to commit to a maximum sign face area of 100 square feet and maximum signage height of seven feet.
9. Provided building material standards for the building facades of future buildings to be constructed within Tracts II and III that face South Clarkson Street, South Cedar Street, and Tract I.
10. Addressed Transportation comments by indicating a 10-foot wide shared-use path along West Morehead Street between South Clarkson Street and South Cedar Street.
11. Modified the proposed uses within Tract I to allow all uses within the MUDD Zoning District with no development limitations.
12. Eliminated one of the two entry monument signs at the corner of West Morehead Street and South Clarkson Street.

Staff recommends approval of this petition.

Attachment 9

	<p><b>10. <u>Petition No. 2012-039</u> Michael T. Whitehead and Elizabeth M. Whitehead</b> for an INST(CD) site plan amendment, for approximately 2.7 acres located on the southeast corner of the intersection at Rama Road and Sardis Road.</p> <p>This petition is found to be consistent with the <i>South District Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. A 20 foot required Class C buffer has been shown on the plan.</li> <li>2. The zoning of the surrounding properties has been listed on the site plan.</li> <li>3. Existing trees being saved on the site have been identified on the site plan.</li> <li>4. The requested 50 feet of right of way has been labeled and proposed for dedication.</li> <li>5. The square footage of the existing structures has been listed on the plan.</li> <li>6. Note # 12 on the site plan has been removed.</li> </ol> <p>Staff recommends approval of this petition.</p> <p>Attachment 10</p>
<p><b>Deferral (to July)</b></p> <p><b>Protest Sufficient</b></p>	<p><b>11. <u>Petition No. 2012-040</u> by K &amp; P Development, LLC</b> for a change in zoning for approximately 0.65 acres located on the west side of Park South Drive between Fairview Road and Royal Crest Drive from R-3 to MUDD(CD).</p> <p>The Zoning Committee voted 6-1 to <b>DEFER</b> this petition to the June 27, 2012 Zoning Committee meeting.</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 11</p>
<p><b>Protest Insufficient</b></p>	<p><b>12. <u>Petition No. 2012-041</u> by True Homes, LLC</b> for a R-3(CD) site plan amendment, for approximately 28.31 acres located on the east side of Steele Creek Road between Sledge Road and Huntington Meadow Lane.</p> <p>This petition is found to be consistent with the <i>Steele Creek Area Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. A note that the proposed development numbers will be the same as they were approved under petition 1992-014(C).</li> <li>2. Petitioner has dedicated 11.7 acres to Mecklenburg County Parks and Recreation for the Greenway trails system.</li> <li>3. Petitioner has added a note that the minimum square footage for each house will be 2,300 square feet and each house will have 25% masonry material as set out in the Huntington Forest Covenants and Restrictions.</li> </ol> <p>Staff recommends approval of this petition.</p> <p>Attachment 12</p>
<p><b>Deferral (to July)</b></p> <p><b>Protest Sufficiency TBD</b></p>	<p><b>13. <u>Petition No. 2012-044</u> by The Duke Endowment</b> for a change in zoning for approximately 1.76 acres located on the west side of East Morehead Street between Myrtle Avenue and Oriole Avenue from B-1 to MUDD-O.</p> <p>The Zoning Committee voted 6-1 to <b>DEFER</b> this petition to the June 27, 2012 Zoning Committee meeting.</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 13</p>

	<p><b>14. <u>Petition No. 2012-046</u> by SunCap Property Group</b> for a change in zoning for approximately 3.5 acres located on the east side of Red Oak Boulevard near the intersection of Interstate 77 and West Arrowood Road from B-D to B-2.</p> <p>This petition is found to be consistent with the <i>Southwest District Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 14</p>
	<p><b>15. <u>Petition No. 2012-047</u> by O’Leary Resource Recovery Center</b> for a change in zoning for approximately 6.30 acres located on the west side of Idaho Drive and generally surrounded by Centre Street and Odum Avenue from I-1 to I-2(CD).</p> <p>This petition is found to be consistent with the <i>Central District Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. The petitioner did not provide the maximum building square footage on the site plan as ultimate size of facility is an unknown at this point.</li> <li>2. Addressed Transportation comments as follows: <ol style="list-style-type: none"> <li>a) Amended Note 3a. under “Access” to state that vehicular to the site will be from Darby Avenue, Odum Avenue, and Centre Street should Darby Avenue be abandoned. Modified language also states that access to Idaho Road will be allowed, but may only be granted after a Transportation Technical Memorandum (TTM) is submitted to CDOT, City Planning, and NCDOT for review and approval.</li> </ol> </li> <li>3. Revised Note 2c. under “Permitted Uses &amp; Development Area Limitation” to state the existing non-conforming single family house will meet the requirements of the Ordinance for nonconformities.</li> <li>4. Added Note 4g. under “Streetscape, Buffers and Landscaping” to state that the screening requirements of the Ordinance will be met.</li> </ol> <p>Staff recommends approval of this petition.</p> <p>Attachment 15</p>
	<p><b>16. <u>Petition No. 2012-066</u> by Charlotte-Mecklenburg Planning Department</b> for a Text Amendment to the City of Charlotte Zoning Ordinance to add definitions and regulations to allow bicycle-sharing service and stations as new uses allowed with prescribed conditions in all zoning districts.</p> <p>This petition is found to be consistent with adopted policies and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee. The Committee voted unanimously to recommend <b>APPROVAL</b> of this petition with the following modification:</p> <ol style="list-style-type: none"> <li>1. Modify the definition of Bicycle-Sharing Service as follows: “A service whose function is to provide the general public with opportunities to rent bicycles on a short-term basis for use within the city or region.</li> </ol> <p>Staff recommends approval of this petition.</p> <p>Attachment 16</p>



## HEARINGS

	<p><b>17. <a href="#">Petition No. 2012-043</a> by Seaboard Street Condominiums, LLC</b> for a change in zoning for approximately 3.62 acres located on the north and south sides of NC Music Factory Boulevard near the intersection of Interstate 277 and North Graham Street from I-1, I-1(CD), and I-2 to MUDD(CD).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 17</p>
<b>Deferral (to July)</b>	<p><b>18. <a href="#">Petition No. 2012-045</a> by Woodfield Acquisitions, LLC</b> for a change in zoning for approximately 3.20 acres located on the northeast corner of Barclay Downs Drive and Morrison Boulevard across from Carnegie Boulevard from O-2(CD) to MUDD-O.</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 18</p>
<b>Protest Sufficient</b>	<p><b>19. <a href="#">Petition No. 2012-048</a> by GCI Acquisitions, LLC</b> for a change in zoning for approximately 16.20 acres located on the west side of Lancaster Highway between Springwell Street and Johnston Road from MX-2 to R-17MF(CD).</p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 19</p>
	<p><b>20. <a href="#">Petition No. 2012-050</a> by Charlotte-Mecklenburg Planning Department</b> for the establishment of the Pedestrian Overlay District for approximately 374 acres located on the southwest side of I-277 beginning at Caldwell Street following south along Morehead Street then continuing north along North Kings Drive to East 3rd Street ending at Queens Road (underlying zoning will not change).</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 20</p>
	<p><b>21. <a href="#">Petition No. 2012-051</a> by Charlotte-Mecklenburg Planning Department</b> for a change in zoning for approximately 2.3 acres located on the north side of South Torrence Street between Luther Street and East 3rd Street from R-22MF to R-8.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 21</p>
	<p><b>22. <a href="#">Petition No. 2012-052</a> by EVP Properties, LLC</b> for a change in zoning for approximately 2.24 acres located on the west side of Kenley Lane near the intersection of Griffith Road and Westpark Drive from I-2 to I-1.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 22</p>
	<p><b>23. <a href="#">Petition No. 2012-053</a> by Joy Greear</b> for a MUDD-O site plan amendment, for approximately 0.90 acres located on the west corner of the intersection of East 4th Street, South Caswell Road, Randolph Road, and North Caswell Road.</p> <p>Staff recommends approval of this petition.</p> <p>Attachment 23</p>

	<p><b>24. <a href="#">Petition No. 2012-054</a> by <b>Charlotte-Mecklenburg Planning Department</b> for a Text Amendment to the City of Charlotte Zoning Ordinance to 1) clarify how requirements for screening and streetscape improvements in the Pedestrian Overlay District are determined when there is a change of use from one-non-residential use to another non-residential use, with no expansion, and 2) clarify the applicability of the PED urban design standards along the street frontage of structured parking facilities.</b></p> <p>Staff recommends approval of this petition.</p> <p>Attachment 24</p>
	<p><b>25. <a href="#">Petition No. 2012-056</a> by <b>Selwyn Property Group Investments, LLC</b> for a change in zoning for approximately 1.13 acres located on the southwest corner at the intersection of Park Road and Drexel Place from MUDD(CD) to MUDD-O Five Year Vested Rights.</b></p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 25</p>
	<p><b>26. <a href="#">Petition No. 2012-058</a> by <b>Aspen Heights</b> for a Text Amendment to the City of Charlotte Zoning Ordinance to allow "multiple rooming unit cottages" as an allowed use in the MX-2 Zoning District.</b></p> <p>Staff does not support the proposed text amendment in the current form and recommends a deferral to work on outstanding issues.</p> <p>Attachment 26</p>
	<p><b>27. <a href="#">Petition No. 2012-057</a> by <b>Aspen Heights</b> for a change in zoning for approximately 22.27 acres located on the north side of East W.T. Harris Boulevard between Old Concord Road and Rose Heather Court from R-17MF(CD) to MX-2(Innovative).</b></p> <p>Staff recommends a deferral of the petition, in order to address issues associated with the text amendment for multiple rooming unit cottages.</p> <p>Attachment 27</p>
	<p><b>28. <a href="#">Petition No. 2012-059</a> by <b>SBG Properties, Inc.</b> for a change in zoning for approximately 5.46 acres located on the east side of Steele Creek Road at the intersection of Dixie River Road and Steele Creek Road from R-3 to NS.</b></p> <p>Staff does not recommend approval of this petition as currently proposed.</p> <p>Attachment 28</p>
	<p><b>29. <a href="#">Petition No. 2012-060</a> by <b>Lincoln Harris</b> for a UMUD-O site plan amendment, for approximately 2.60 acres located on the east corner at the intersection of South Tryon Street and East Trade Street.</b></p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 29</p>
	<p><b>30. <a href="#">Petition No. 2012-061</a> by <b>Gateway West-FCA, LLC</b> for a MUDD-O site plan amendment, for approximately 2.80 acres located on the north side of West 4th Street Extension at the intersection of Johnson and Wales Way and West 4th Street Extension.</b></p> <p>Staff recommends approval of this petition.</p> <p>Attachment 30</p>

	<p><b>31. <a href="#">Petition No. 2012-062</a> by <b>Carolina Sporting Arms Company, Inc.</b> for a Text Amendment to the City of Charlotte Zoning Ordinance to allow "Indoor Training and Shooting Facility as an allowed use with prescribed conditions in the B-2, I-1 and I-2 zoning districts.</b></p> <p>Staff recommends approval of this petition.</p> <p>Attachment 31</p>
	<p><b>32. <a href="#">Petition No. 2012-063</a> by <b>Francis Obeng</b> for a change in zoning for approximately 0.54 acres located on the south side of Monroe Road between Ross Moore Avenue and Summey Avenue from B-1(CD) to O-2(CD).</b></p> <p>Staff recommends approval of this petition upon resolution of outstanding issues.</p> <p>Attachment 32</p>
	<p><b>33. <a href="#">Petition No. 2012-065</a> by <b>City of Charlotte</b> for a change in zoning for approximately 4.02 acres located on the north side of Central Avenue between Merry Oaks Road and Saint Andrews Home Place from R-4 and R-22MF to NS.</b></p> <p>Staff recommends approval of this petition.</p> <p>Attachment 33</p>
	<p><b>34. <a href="#">Petition No. 2012-067</a> by <b>Charlotte-Mecklenburg Planning Department</b> for a Text Amendment to the City of Charlotte Zoning Ordinance to:</b></p> <ul style="list-style-type: none"> <li>• allow duplex dwellings on R-3, R-4, R-5, and R-6 zoned lots with prescribed conditions;</li> <li>• modify the prescribed conditions for duplex units located in the R-3, R-4, R-5, and R-6 zoning districts;</li> <li>• add a new use, "accessory dwelling units" (ADU's) as an accessory use to a single-family detached dwelling, with new prescribed conditions in the R-3, R-4, R-5, R-6, R-8, R8-MF, R-12MF, R-17MF, R-22MF, R43-MF, UR-1, UR-2, UR-3, UR-C, MX-1, MX-2, MX-3, O-1, O-2, O-3, B-1, and B-2 zoning districts, without tenant restrictions; and</li> <li>• delete two uses titled, "elderly and disabled housing" and "guest houses and servants quarters" along with their prescribed conditions and regulations.</li> </ul> <p>Staff recommends approval of this petition.</p> <p>Attachment 34</p>