

Mayor Patrick McCrory

Rod Autrey
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Nancy G. Carter
Mike Castano
Malcolm Graham

Mayor Pro Tem Susan Burgess

Don Lochman
James Mitchell, Jr.
Sara Spencer
Lynn Wheeler
Joe White

CITY COUNCIL ZONING AGENDA

Monday, February 21, 2000

5:00 p.m. - Council-Manager Dinner
Meeting Chamber Conference Room

- Follow up to overview of proposed Pedestrian Overlay District (PED) text amendment.

6:00 p.m. - ZONING HEARINGS
Meeting Chamber

DECISIONS

1. **Petition No. 98-113 (Decision)** by Charlotte-Mecklenburg Planning Commission to consider a text amendment to the City of Charlotte Zoning Ordinance to permit a reduction in the required minimum setback in the CC (commercial center) district, based on prescribed conditions.

Zoning Committee voted to recommend approval of this petition, with the following modifications:

- The proposed 12-foot setback is increased to 14 feet to allow an 8-foot planting strip instead of the original 6-foot planting strip.
- The text has been clarified to require the Charlotte Department of Transportation, as well as the Planning Commission, to determine the location of future curblines.
- Spacing for small maturing trees is increased from one tree per 20 linear feet to one tree per 25 linear feet.

2. **Petition No. 99-56 (Decision)** by John H. Tabor to consider a text amendment to the City of Charlotte Zoning Ordinance to allow more compatible uses for Outdoor Recreational Facilities adjacent to single-family properties.

Planning Committee voted to recommend approval of this petition, with the following modification:

- The outdoor lighting standards of section 12.402 of the Zoning Ordinance will be utilized to protect properties adjacent to outdoor recreation facilities.

Attachment No. 2

3. **Petition No. 99-80 (Decision)** by Drexel, LLC for a change in zoning for approximately 1.17 acres located on the west side of Park Road, north of Woodlawn Road, across from Park Road Shopping Center from R-4, R-43MF and O-2 to MUDD(CD).

A protest petition was previously filed and was sufficient to invoke the 3/4 voting rule.

Zoning Committee voted to recommend a one-month deferral of this petition.

Attachment No. 3

4. **Petition No. 99-82 (Decision)** by Fairfield Residential, LLC for a change in zoning for approximately 3.36 acres located on the east side of South Tryon Street, south of East Carson Boulevard from I-2 to MUDD(CD).

Zoning Committee voted to recommend approval of this petition.

Attachment No. 4

5. **Petition No. 99-126 (Decision)** by Grendel, LLC for a change in zoning for approximately 6.3 acres located on the northeast corner of Stokes Avenue and Park South Drive from R-3 to R-12MF(CD).

Zoning Committee voted to recommend approval of this petition.

Attachment No. 5

6. **Petition No. 99-128 (Decision)** by Pulte Home Corporation for a change in zoning for approximately 11 acres located on the northwest corner of Hensey's Way and Beverly Crest Boulevard, north of Highway 51 from B-1(CD) to MX-2.

Zoning Committee voted to recommend a one-month deferral of this petition.

Attachment No. 6

7. **Petition No. 2000-02 (Decision)** by Marjorie Perlman to consider a text amendment to the City of Charlotte Zoning Ordinance to allow the establishment of a new use category, “Neighborhood Food and Beverage Service” as a permitted use in all business districts.

Zoning Committee voted to recommend approval of this petition.

Attachment No. 7

8. **Petition No. 2000-09 (Decision)** by Liberty Healthcare Services for a change in zoning for approximately 8.6 acres located on the west side of Statesville Road, east of Milhaven Drive and south of Sunset Road from R-4 to INST.

Zoning Committee voted to recommend allowing the petitioner to withdraw this petition.

Attachment No. 8

9. **Petition No. 2000-10 (Decision)** by Genesis Group, Inc. for a change in zoning for approximately 1.5 acres located on the north side of Sharon Amity Road, east of Randolph Road and south of Windemere Lane from R-3 to R-4 (CD).

A protest petition was filed but was not sufficient to invoke the ¾ voting rule.

Zoning Committee voted to recommend approval of this petition.

Attachment No. 9

10. **Petition No. 2000-11 (Decision)** by City of Charlotte for a change in zoning for approximately 4.8 acres bounded by Brookshire Freeway and I-277 to the east, North McDowell Street to the west and East Seventh Street to the south from B-2 to MUDD.

Zoning Committee voted to recommend approval of this petition.

Attachment No. 10

11. **Petition No. 2000-12 (Decision)** by Nina G. Roberts for a change in zoning for approximately 13.8 acres located on the south side of Gibbon Road, east of Perkins Road from R-3 to R-4.

Zoning Committee voted to recommend approval of this petition.

Attachment No. 11

12. **Petition No. 2000-14 (Decision)** by Silver Mount Baptist Church for a change in zoning for approximately 14.4 acres located on the south side of West Arrowood Road, west of West Hebron Street and east of Windsong Drive from R-4 and R-17MF to INST.

Zoning Committee voted to recommend approval of this petition.

Attachment No. 12

13. **Petition No. 2000-31 (Decision)** by Queens Properties, Inc. for a change in zoning for approximately 21.7 acres located on the northwest corner of Mallard Creek Church Road and I-85, north of Legranger Road and south of Galloway Road to establish City zoning jurisdiction, RE-3(CD) zoning, in a recently established City Extraterritorial Jurisdiction (ETJ) area.

Zoning Committee voted to recommend approval of this petition.

Attachment No. 13

14. **Petition No. 2000-32 (Decision)** by Charlotte-Mecklenburg Planning Commission for a change in zoning for approximately 15.9 acres located on the southwest corner of John Adams Road and Galloway Road to establish City zoning jurisdiction, RE-3(CD) zoning, in a recently established City Extraterritorial Jurisdiction (ETJ) area.

Zoning Committee voted to recommend approval of this petition.

Attachment No. 14

15. **Petition No. 2000-33 (Decision)** by Charlotte-Mecklenburg Planning Commission for a change in zoning for approximately 2.12 acres located on the east side of Old Concord Road, north of Rocky River Road to establish City zoning jurisdiction, O-15(CD) zoning, in a recently established City Extraterritorial Jurisdiction (ETJ) area.

Zoning Committee voted to recommend approval of this petition.

Attachment No. 15

16. **Petition No. 2000-34 (Decision)** by Charlotte-Mecklenburg Planning Commission for a change in zoning for approximately 25 acres located on the east side of Old Concord road, north of Rocky River Road to establish City zoning jurisdiction, from RU(CD) to B-1(CD) zoning.

Zoning Committee voted to recommend approval of this petition.

Attachment No. 16

PUBLIC HEARINGS

17. **Petition No. 99-124 (Hearing)** by Susanne M. Robicsek for a change in zoning for approximately 0.18 acres located on the east side of Scott Avenue, north of East Boulevard from R-22MF to O-2.

Attachment No. 17

18. **Petition No. 99-129 (Hearing)** by Hand and Choate Investments, LLC for a change in zoning for approximately 1.47 acres located on the northeast corner of Selwyn Avenue and Colony Road from O-2 and B-1 to MUDD-O.

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

Attachment No. 18

19. **Petition No. 99-131 (Hearing)** by Pulte Home Corporation for a change in zoning for approximately 54.2 acres located to the southeast of Providence Road West and north of Parks Farm Lane from R-3 to R-5(CD).

Attachment No. 19

20. **Petition No. 2000-01 (Hearing)** by Charlotte-Mecklenburg Planning Commission to consider a text amendment to the City of Charlotte Zoning Ordinance to establish a Pedestrian Overlay District (PED).

Attachment No. 20

21. **Petition No. 2000-03 (Hearing)** by Centex Homes for a change in zoning for approximately 14.2 acres located on the north side of David Cox Road, west of Davis Lake Parkway and east of Old Statesville Road from I-1 to R-8(CD).

Attachment No. 21

22. **Petition No. 2000-04 (Hearing)** by Paul Johnston, Fairfield Residential for a change in zoning for approximately 1.7 acres located on the northeast corner of South Church Street and West Summit Avenue from I-2 to MUDD(CD).

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

Attachment No. 22

23. **Petition No. 2000-06 (Hearing)** by LandCraft Properties for a change in zoning for approximately 26.39 acres located on the east side of I-485 Outer Belt, west of Davis Drive and south of McKee Road from R-3 to R-4(CD).

Attachment No. 23

24. **Petition No. 2000-08 (Hearing)** by High Associates, Ltd. for a change in zoning for approximately 9.5 acres located on the east side of Prosperity Church Road, east of Prosperity Point Lane from R-3 to O-1(CD).

Petitioner had requested a withdrawal of this petition at last month's hearing but was unable to have the protest petition withdrawn.

Protest petition has been filed and this petition is sufficient to evoke the $\frac{3}{4}$ vote rule.

Attachment No. 24

25. **Petition No. 2000-15 (Hearing)** by Corey Transmission Services, Inc. for a change in zoning for approximately 5.58 acres located on the south side of Tremont Avenue, west of South Tryon Street from R-22MF and I-1 to I-2(CD).

Attachment No. 25

26. **Petition No. 2000-16 (Hearing)** by Cornerstone Baptist Church for a change in zoning for approximately 11.75 acres located on the north side of Albemarle Road, west of Harrisburg Road and south of Pence Road from R-3 to INST.

Attachment No. 26

27. **Petition No. 2000-18 (Hearing)** by Argus Properties for a change in zoning for approximately 8.72 acres located on the west side of Bellhaven Boulevard, south of Mt. Holly-Huntersville Road and east of Lawing Road from R-3 and B-1 to B-1(CD).

Attachment No. 27

28. **Petition No. 2000-19 (Hearing)** by The Crosland Group, Inc. for a change in zoning for approximately 8.2 acres located on the northwest corner of Carmel Road and Quail Hollow Road from B-1(CD) to B-1(CD) S.P.A.

Attachment No. 28

29. **Petition No. 2000-20 (Hearing)** Fairfield Residential, LLC for a change in zoning for

approximately 3.3 acres located between South Church Street and Winnifred Street, north of West Bland Street from I-2 to MUDD(CD).

Attachment No. 29

30. **Petition No. 2000-21 (Hearing)** by Crosland Properties for a change in zoning approximately 4.6 acres located on the southwest corner of South Boulevard (US 521) and Griffith Street from I-2 to MUDD(CD).

Attachment No. 30

31. **Petition No. 2000-22 (Hearing)** by Beltway Land Investors I, LLC for a change in zoning for approximately 119 acres located on the south side of York Road (NC 49), west of I-485 Outer Belt from I-1 and I-2 to CC.

Attachment No. 31

32. **Petition No. 2000-23 (Hearing)** by Knotts Development Resources, Inc. for a change in zoning for approximately 6.69 acres located south of Lumarka Drive, north of Village Lake Drive, west of Independence Boulevard and east of Monroe Road from R-8MF(CD) to R-4.

Attachment No. 32

33. **Petition No. 2000-25 (Hearing)** by Springs Village, LLC for a change in zoning for approximately 11.47 acres located on the west side of Providence Road (NC 16), north of Pineville-Matthews Road (NC 51) and south of Springs Farm Lane from R-8MF(CD) to R-8MF(CD) S.P.A.

Attachment No. 33

34. **Petition No. 2000-26 (Hearing)** by Davenport's, Inc. for a change in zoning for approximately 1.8 acres located on the northeast corner of Albemarle Road and Regal Oaks Drive from B-2(CD) to B-1(CD).

Attachment No. 34

35. **Petition No. 2000-27 (Hearing)** by Stephen B. Thomas for a change in zoning for approximately one acre located on the north side of Latrobe Drive, west of Wendover Road and south of Monroe Road from I-1 and I-2 to O-2.

Attachment No. 35

36. **Petition No. 2000-28 (Hearing)** by Alexa Land Company for a change in zoning for approximately 3.4 acres located on the north side of Pineville-Matthews Road (NC 51), east of Rea Road from R-3 to R-12MF(CD).

Attachment No. 36

37. **Petition No. 2000-29 (Hearing)** by Jimmy Barry to consider a text amendment to the City of Charlotte Zoning Ordinance to allow off-street parking in a Business Park (BP) zone on a separate parcel when ancillary to an approved principal use located within the specific BP development.

Attachment No. 37

38. **Petition No. 2000-30 (Hearing)** by Charlotte Chamber to consider a text amendment to the City of Charlotte Zoning Ordinance to permit exceptions from the screening requirement when service entrances or utility structures associated with a building are abutting other service entrances or utility structures and when loading docks or spaces are abutting other loading docks and spaces.

Attachment No. 38

39. Resolution calling for a joint public hearing by the City Council and the Charlotte-Mecklenburg Historic Landmarks Commission on Monday, March 20, 2000 at 6:00PM in the Meeting Chamber of the Charlotte-Mecklenburg Government Center regarding designation of the E. L. Baxter Davidson House.

Attachment No. 39

Resolution calling for public hearings on Monday, March 20, 2000 at 6:00 p.m. in the Meeting Chamber of the Charlotte-Mecklenburg Government Center for Petitions Nos. 99-105, 99-112, 99-133, 2000-17, 2000-24, 2000-36 through 2000-50, 2000-66 and 2000-67.