AGENDA

Meeting Type:	Z
Date	05-15-1986
SUBJECT	

City of Charlotte, City Clerk's Office

CHARLOTTE

Council Agenda May 15, 1989

FILE COPY

CHARLOTTE

Meetings in May '89

THE WEEK OF MAY 1 - MAY 6

1	Monday, 12 Noon	**PLANNING COMMISSION/Work Session** - CMGC, 8th Floor Conference Room
	Monday, 4 00 p m	**CITY COUNCIL (Special Use Permit Hearing on Performing Arts Center)** - CMGC, Meeting Chamber
	Monday, 5 00 p m	**CITY COUNCIL BUDGET WORKSHOP** - CMGC, Meeting Chamber Conference Room
2	Tuesday, 2·30 p m	**HOUSING APPEALS BOARD** - CMGC, 5th Floor Conference Room
	Tuesday, 4·00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Criminal Courts Ad Hoc Committee** - CMGC, 8th Floor Conference Room
	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
	Tuesday, 6 00 p m	**CHARLOTTE ADVISORY PARKS COMMITTEE**- CMGC, Conference Center, Room 267
3	Wednesday, 5 00 p m	**CITY COUNCIL BUDGET WORKSHOP** - CMGC, Meeting Chamber Conference Room
	Wednesday, 6·15 p m	**YOUTH INVOLVEMENT COUNCIL** - CMGC, Room 118
4	Thursday, 2 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Ad Hoc Committee** CMUD, 5100 Brookshire Blvd
5	Friday, 11.30 a m	**CHARLOTTE-MECKLENBURG GOVERNMENT CENTER DEDICATION** - CMGC Plaza
6	Saturday, 10a m-3p m	**CHARLOTTE-MECKLENBURG GOVERNMENT CENTER OPEN HOUSE** - Charlotte-Mecklenburg Government Center, 600 East Fourth Street

THE WEEK OF MAY 7 - MAY 13

8	Monday, 4 30 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Aquatic Center Ad Hoc Committee** - Clark, Tribble, Harris & Li, 324 North College Street
	Monday, 7 30 p m	**HISTORIC PROPERTIES COMMISSION** - 1221 S Caldwell Street
9	Tuesday, 8 00 a m	**AIRPORT ADVISORY COMMITTEE** - Charlotte/Douglas International Airport, Conference Room A
	Tuesday, 4·00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
10	Wednesday, 8 30 a m	**CIVIL SERVICE BOARD** - CMGC, 7th Floor Conference Room
	Wednesday, 4 00 p m	**HISTORIC DISTRICT COMMISSION** - CMGC, 8th Floor Conference Room
	Wednesday, 4 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Discovery Place Omnimax Ad Hoc Committee** - CMGC, 8th Floor Conference Room
	Wednesday, 4 30 p m	**CITIZENS CABLE OVERSIGHT COMMITTEE** - CMGC, Room 119
11	Thursday, 5 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee Meeting** - CMGC, 8th Floor Conference Room

THE WEEK OF MAY 14 - MAY 20

15	Monday, 10 00 a m	**AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY** - Charlotte Coliseum, 100 Paul Buck Blvd
	Monday, 4 00 p m	**CITY COUNCIL, COUNTY COMMISSION (Ordinance Revision Process)** - CMGC, Meeting Chamber
	Monday, 5 00 p m	**COUNCIL/MANAGER DINNER** - CMGC, Meeting Chamber Conference Room
	Monday, 6 00 p m	**CITY COUNCIL MEETING (Zoning Hearings)** - CMGC, Meeting Chamber

(CONTINUED ON BACK)

Public Service And Information Department

600 East Fourth Street

Charlotte NC 28202 2861

704/336-2395

THE WEEK OF MAY 14 - MAY 20(Continued)

16	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
	Tuesday, 5 00 p m	**CITY COUNCIL BUDGET WORKSHOP** - CMGC, Meeting Chamber Conference Room
17	Wednesday, 5 00 p m	**CITY COUNCIL BUDGET WORKSHOP** - CMGC, Meeting Chamber Conference Room
	Wednesday, 6·15 p m	**YOUTH INVOLVEMENT COUNCIL** - CMGC, Room 118
18	Thursday, 8·00 a m	**CLEAN CITY COMMITTEE** - CMGC, Conference Center, Room 270
	Thursday, 5 00 p m	**CITY COUNCIL BUDGET WORKSHOP (Optional)** - CMGC, Meeting Chamber Conference Room
	Thursday, 7 00 p m	**CHARLOTTE TREE ADVISORY COMMISSION** - 701 Tuckaseegee Road, Conference Room
19	Friday, 7 30 a m	**PLANNING LIAISON COMMITTEE** - CMGC, 8th Floor Conference Room

THE WEEK OF MAY 21 - MAY 27

22	Monday, 1 00 p m	**COUNCIL/MANAGER LUNCHEON** - CMGC, Meeting Chamber Conference Room
	Monday, 2 00 p m	**CITIZENS HEARING** - CMGC, Meeting Chamber
	Monday, 2·30 p m	**CITY COUNCIL MEETING (Budget Public Hearing)** - CMGC, Meeting Chamber
	Monday, 4·30 p m	**PLANNING COMMITTEE/Zoning Committee** - CMGC, 8th Floor Conference Room
23	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
	Tuesday, 4 30 p m	**COMMUNITY RELATIONS COMMITTEE** - Covenant Presbyterian Church
	Tuesday, 5 00 p m	**CITY COUNCIL BUDGET WORKSHOP** - CMGC, Meeting Chamber Conference Room
24	Wednesday, 5 00 p m	**CITY COUNCIL BUDGET WORKSHOP** - CMGC, Meeting Chamber Conference Room
25	Thursday, 1 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Coliseum Ad Hoc Committee** - CMGC, 8th Floor Conference Room
	Thursday, 4 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee** - CMGC, 8th Floor Conference Room
	Thursday, 5 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION** - CMGC, 8th Floor Conference Room
	Thursday, 5 00 p m	**CITY COUNCIL BUDGET WORKSHOP (Optional)** - CMGC, Meeting Chamber Conference Room

THE WEEK OF MAY 28 - MAY 31

30	Tuesday, 2 00 p m	**CITY ZONING BOARD OF ADJUSTMENT** - Hal Marshall Building, 700 North Tryon St
	Tuesday, 4·00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
	Tuesday, 5 00 p m	**CITY COUNCIL BUDGET WORKSHOP** - CMGC, Meeting Chamber Conference Room
31	Wednesday, 4 00 p m	**PLANNING COMMISSION/Executive Committee** - CMGC, 8th Floor Conference Room
	Wednesday, 5 00 p m	**CITY COUNCIL BUDGET WORKSHOP** - CMGC, Meeting Chamber Conference Room
	Wednesday, 6 15 p m	**YOUTH INVOLVEMENT COUNCIL** - CMGC, Room 118

These organizations will <u>not</u> meet in May

Community Facilities Committee
Municipal Information Advisory Board
Specialized Transportation Advisory Committee

CHARLOTTE

Mayor Sue Myrick *Mayor Pro Tem Al Rousso*

John A (Gus) Campbell *Roy Matthews*
Stanley M Campbell *Cyndee Patterson*
Dan Clodfelter *Ella Butler Scarborough*
Charlie S Dannelly *Richard Vinroot*
Gloria Fenning *Velna W Woollen*

Council Agenda

Monday, May 15, 1989

4:00 p.m. Joint Meeting/Ordinance Revision
City/County/Planning Commission
Conference Center, Room 267
5:15 p.m. - Dinner
Meeting Chamber Conference Room

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

Invocation by The Reverend John B. Earl, II, Avondale Presbyterian Church.

ITEM NO.

BUSINESS

1. Recommend adoption of a resolution providing for the issuance of $53,965,000 in General Obligation Bonds on May 31, 1989.

Adoption of this resolution will:

- Authorize issuance of bonds stating amount, date and purpose of issue.
- Fix the form and manner of execution of the bonds;
- Ratify actions taken by the Local Government Commission; and
- Approve the Official Statement relating to such bonds.

Through the City's normal bond sales and capital expenditure planning cycle, bond sales are scheduled based on cash flow needs identified by administering departments. This process has provided the basis for an upcoming General Obligation bond offering.

It is anticipated that current market and economic conditions will result in favorable debt cost to the City. The City's Finance Department will continue to closely monitor market and economic conditions. As the sale date approaches, if market conditions have changed to the extent that they may produce unfavorable debt cost to

the City, either the size of the sale will be reduced or the sale will be postponed until a more favorable market occurs.

Bonds that are planned for issuance on May 31, 1989 have been authorized by referenda as follows:

Referendum	May 31, 1989 Sale Amount
November 4, 1986	
Water: Franklin Plant Expansion and Raw Water Main	$2,500,000
Total from November 4, 1986 Referendum	2,500,000
November 3, 1987	
Street Improvement: Rama Road, Sidewalks, Park Road Alignment, Business Corridors and State Road Strategies	14,000,000
Parks & Recreation: York Road Renaissance Park, Reedy Creek Park & Park Land Acquisition	3,815,000
Water: Sardis Road-Phase II Line, Transmission Line from Franklin Plant and Redirection of Growth	2,000,000
Sewer: Mallard Creek Plant Addition, McDowell Creek Plant Addition and Redirection of Growth	3,000,000
Total from November 3, 1987 Referendum	$22,815,000
November 8, 1988	
Street Improvement: Park Road Widening, Shamrock Dr., Carmel Road, Sardis Road, Milton Road, Private Sector Leveraging, State Road Participation, Independence HOV and sidewalks	9,000,000
Cultural Facilities: Discovery Place	6,000,000
Water: Franklin Plant Expansion, Line Along NC115 and Gilead Road, Land for Catawba Pump Station Expansion, Annexation Program, Raw Water Line to Hoskins, Booster Pump Station - Idlewild & Independence, Storage Tank at Sardis Road and Idlewild/Margaret Wallace Main	8,500,000

Sewer: Sugar Creek Plant Improvement, Irwin Creek Plant Improvements, Annexation Program, Back Creek Liftstation, McAlpine Creek Plant Improvements, McAlpine Plant Filter Unit and Six Mile Creek-Planning, Design & ROW	$ 5,150,000
Total from November 8, 1988 Referendum	$28,965,000
Total Sale	$53,965,000

PUBLIC HEARINGS

2. Hearing to consider designation of the Federal Reserve Bank Building (specifically, the exterior and the interior of the building and the entire parcel of land upon which it sits), located at 401 South Tryon Street, Charlotte, North Carolina as historic property.

The Historic Properties Commission bases its judgement on the following considerations:

(1) The Federal Reserve Bank Building, erected in 1941-42 and designed by the Baltimore Architectural firm of Taylor and Fisher, is an especially striking local example of a blend of Art Moderne, Art-Deco, and Neo-Classical styles.

(2) The Federal Reserve Bank Building illustrates and documents the importance of Charlotte as a regional banking and commercial center.

The owners, Federal Reserve Bank of Richmond, oppose the designation.

The North Carolina Division of Archives and History has concurred in the Commission's recommendation.

The Department Review process revealed no conflict with other City projects.

Based on the current assessment and tax rate, the amount of deferrable taxes would be $41,304.24.

Consider adoption of an ordinance designating the Federal Reserve Bank Building, including the exterior and the interior of the building as well as the entire tract of land upon which it sits, as historic property.

Attachment No. 2

3. Hearing to consider designation of the Newell Rosenwald School (specifically, the exterior and the interior of the building and the entire parcel of land upon which it sits), located on Torrence Grove Church Road as historic property.

The Historic Properties Commission bases its judgement on the following considerations:

(1) The Newell Rosenwald School is one of the best-preserved of the 21 former Rosenwald School buildings which survive in Mecklenburg County.

(2) The former Rosenwald School buildings are the earliest black school buildings known to survive in Mecklenburg County.

(3) The former Rosenwald School buildings are a reminder of the Julius Rosenwald Fund's commitment to the improvement of black education and racial cooperation in the south in the early twentieth century.

(4) The former Rosenwald School buildings mark black farm communities which once existed throughout Mecklenburg County, often now vanished.

(5) The former Rosenwald School buildings are local examples of one of American's largest nonresidential experiments in standardized architecture in the early twentieth century.

(6) The Rosenwald Schools are testimonials to the important contributions made to black education by Dr. George E. Davis.

No answer has been received to a letter requesting comment from the owners. Consequently, it is assumed there is no objection to the designation.

The North Caroina Division of Archives and History concur in the Commission's recommendation.

The Department Review process reveals no conflict with other City projects.

The Mecklenburg County Tax Administration has advised that the property known as the Newell Rosenwald School is exempt from Ad Valorem taxes.

Consider adoption of an ordinance designating the Newell Rosenwald School, including the exterior and the interior of the buildings as well as the entire tract of land upon which it sits, as historic property.

Attachment 3

4. (89-11) Hearing on Petition No. 89-11 by Gus G. Bacogeorge for a change in zoning form O-6 to B-2 for a 15,900 square foot parcel located on the westerly side of Eastway Drive north of Monroe Road.

A protest petition has been filed and found sufficient to invoke the 3/4 rule, requiring affirmative votes of 3/4 of the Mayor and Council, not excused from voting, in order to rezone the property.

This petition as deferred for 90 days at the February meeting.

Attachment No. 4

5. 89-29) Hearing on Petition No. 89-29 by Landcraft Properties for a change in zoning from R-15MF(CD) to O-15(CD) for a 10 acre site located on the west side of Providence Road north of N. C. 51.

Hearing on this petition was left open at the April 17 Zoning Meeting.

Attachment No. 5

6. (89-30) Hearing on Petition No. 89-30 by University Research Park Corporation for consideration of a text amendment to Section Nos. 3020 through 3028 and 3108 regarding the research districts.

Hearing on this petition was left open at the April 17 Zoning Meeting.

(The Zoning Committee recommends this text amendment be approved as set out in Item No. 28 of the agenda.)

Attachment No. 6

7. (89-31) Hearing on Petition No. 89-31 by H. D. Purser for a change in zoning from R-9MF to O-15(CD) for a 2.38 acre site on the east side of North Sharon Amity Road north of Albemarle Road.

Hearing on this petition was left open at the April 17 Zoning Meeting.

Attachment No. 7

8. (89-32) Hearing on Petition No. 89-32 by Ronald W. Kurstin for a change in zoning from R-6MF to I-2 for a .62 acre site located on the northwest side of Yorkwood Drive south of Pressley Road.

Hearing on this petition was left open at the April 17 Zoning Meeting.

Attachment No. 8

9. (89-33) Hearing on Petition No. 89-33 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from R-6MF and Conditional Parking to R-6 and R-9 for approximately 30.9 acres located along parts of Commonwealth Avenue, Westover Street, Morningside Drive, St. Julian Street, and along the Seaboard Railroad right-of-way between Ridgeway Avenue and Westover Street.

Hearing on this petition was left open at the April 17 Zoning Meeting.

A protest petition has been filed and found sufficient, as to a portion of the property, to invoke the 3/4 rule requiring affirmative votes of 3/4 of the Mayor and Council, not excused from voting, in order to rezone the property.

Attachment No. 9

10. (89-34) Hearing on Petition No. 89-34 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from O-6 to R-6 for 6 lots comprising .998 acres located east of Pecan Avenue along Shenandoah and Chesterfield Avenues.

Hearing on this petition was left open at the April 17 Zoning Meeting.

A protest petition has been filed and found sufficient, as to a portion of the property, to invoke the 3/4 rule requiring affirmative votes of 3/4 of the Mayor and Council, not excused from voting, in order to rezone the property.

Attachment No. 10

11.(89-35) Hearing on Petition No. 89-35 by the Charlotte-Mecklenburg Planning Commission for a change in zoning for Part 1 from B-2, and Part 2 from B-2 and O-6 as follows: Part 1 to O-6 and B-1, and Part 2 to R-6 for 11.892 acres located along Central Avenue, The Plaza, Commonwealth Avenue, McClintock Road, St. Julian Street and Westover Street.

Hearing on this petition was left open at the April 17 Zoning Meeting.

A protest petition has been filed and found insufficient to invoke the 3/4 rule.

Attachment No. 11

12.(89-36) Hearing on Petition No. 89-36 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from O-6, B-2 and O-15 to R-9 and R-6MF for 19.71 acres located south of Central Avenue along Iris Drive, and west of Iris Drive.

Hearing on this petition was left open at the April 17 Zoning Meeting.

A protest petition has been filed and found sufficient to invoke the 3/4 rule requiring affirmative votes of 3/4 of the Mayor and Council, not excused from voting, in order to rezone the property.

Attachment No. 12

13.(89-37) Hearing on Petition No. 89-37 by the Charlotte-Mecklenburg Planning Commission for a change in zoning for Part 1 from B-2, and Part 2 from B-2 and O-6 as follows: Part 1 to B-1 and O-6, and Part 2 to R-9 for 7.9 acres located south of Central Avenue along Lyon Court, Morningside Drive and Ivey Drive.

Hearing on this petition was left open at the April 17 Zoning Meeting.

A protest petition has been filed and found sufficient to invoke the 3/4 rule requiring affirmative votes of 3/4 of the Mayor and Council, not excused from voting, in order to rezone the property.

Attachment No. 13

14.(89-38) Hearing on Petition No. 89-38 by Charlotte Metro Credit Union for a change in zoning from R-6MF to O-6 for an approximate 8,250 square foot tract located on the north side of Sunnyside Avenue just east of Brookshire Freeway.

Attachment No. 14

15.(89-39) Hearing on Petition No. 89-39 by James B. Stegall for a change in zoning from R-6MF to B-1(CD) for a .38 acre site located on the northerly side of Ritch Avenue east of Rosedale Avenue.

Attachment No. 15

16.(89-40) Hearing on Petition No. 89-40 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from Conditional Use/Truck Terminal to I-1 for a 19.65 acre site located on the north side of I-85 near Tuckaseegee Road.

Attachment No. 16

17.(89-41) Hearing on Petition No. 89-41 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from Conditional Parking to R-6MF for a .172 acre site located off the northerly side of Kirkland Avenue west of Coker Avenue.

Attachment No. 17

18.(89-42) Hearing on Petition No. 89-42 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from Conditional Petroleum Storage to I-2 for a one acre tract located along Seaboard Railway west of Monroe Road.

Attachment No. 18

19.(89-43) Hearing on Petition No. 89-43 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from Conditional Use/Recreational to R-12 for a 10 acre site located southwest of the intersection of Randolph and Billingsley Roads.

Attachment No. 19

20.(89-44) Hearing on Petition No. 89-44 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from O-6(CD) to R-6MF for a .216 acre site located at the intersection of Ranlo and Baldwin Avenues.

Attachment No. 20

21.(89-45) Hearing on Petition No. 89-45 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from B-3T(CD) to U-MUD for a 1.47 acre site located on the northerly corner of the intersection of East Morehead Street and Euclid Avenue.

Attachment No. 21

22.(89-46) Hearing on Petition No. 89-46 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from B-1(CD) to O-6 for a .2 acre site located on the south side of LaSalle Street, 230 feet to the west of Beatties Ford Road.

Attachment No. 22

23.(89-47) Hearing on Petition No. 89-47 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from B-1(CD) to R-6MF for a 1.208 acre site located on the southwesterly corner of N. C. 16 and North Linwood Avenue.

Attachment No. 23

POLICY AGENDA

24.(89-19) Decision on Petition No. 89-19 by Harvey Gouch for a change in zoning from R-9 to B-2(CD) for an approximate 1/2 acre site located on the southeast side of Dawn Circle between Dawn Circle and North Tryon Street near Orr Road.

The Zoning Committee recommends that this petition be approved as modified.

Attachment No. 24

25.(89-20) Decision on Petition No. 89-20 by Optima Capital, Ltd. for a change in zoning from R-12 to O-6(CD) for a 4.92 acre site located on the southerly side of N. C. 51 between Blue Heron Drive and McMullen Creek.

The Zoning Committee recommends that this petition be approved as modified.

Attachment No. 25

26.(89-25) Decision on Petition No. 89-25 by B. V. Belk Enterprises for a change in zoning from R-12 to R-20MF (Innovative) for a 14 acre site located on the south side of Wallace Avenue, west of Delta Road.

A protest petition has been filed and found sufficient to invoke the 3/4 rule, requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

The Zoning Committee recommends that this petition be approved as modified.

Attachment No. 26

27.(89-27) Decision on Petition No. 89-27 by Charlotte-Mecklenburg Planning Commission for a text amendment to add new Section 1302.1 to the City of Charlotte Zoning Ordinance to require a traffic study as part of the minimum requirements for certain rezoning petitions.

The Zoning Committee deferred action on this request indefinitely and instructed the staff to consider this matter in conjunction with the overall ordinance rewrite.

Attachment No. 27

28.(89-30) Decision on Petition No. 89-30 by University Research Park Corporation for consideration of a text amendment to the RE-1 and RE-2 districts.

The Zoning Committee recommends that this petition be approved.

Attachment No. 28

29. Recommend adoption of a resolution calling for public hearings on Monday, June 19, 1989, at 6:00 p.m. in the Meeting Chamber, 600 East Fourth Street, on Petitions 89-48 through 89-56 for zoning changes.

SCHEDULE OF MEETINGS
May 15 - 19, 1989

Monday, May 15	JOINT MEETING - City Council County Commission Planning Commission - Ordinance Revision Process Room 267, CMGC	4.00 p. m.
	COUNCIL/MANAGER DINNER Meeting Chamber Conference Room	5:15 p. m.
	ZONING MEETING Meeting Chamber	6:00 p. m.
Tuesday, May 16	BUDGET WORKSHOP Meeting Chamber Conference Room	5:00 p. m.
Wednesday, May 17	BUDGET WORKSHOP Meeting Chamber Conference Room	5:00 p. m.
Thursday, May 18	BUDGET WORKSHOP (optional) Meeting Chamber Conference Room	5:00 p. m.
Friday, May 19	PLANNING LIAISON COMMITTEE 8th Floor Conference Room, CMGC	7:30 a. m.

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "FEDERAL RESERVE BANK BUILDING" (THE EXTERIOR OF THE BUILDING, THE INTERIOR OF THE BUILDING, AND THE ENTIRE PARCEL OF LAND RECORDED UNDER TAX PARCEL NUMBER 125-052-08) AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED AT 401 SOUTH TRYON STREET, CHARLOTTE, NORTH CAROLINA, AND RECORDED UNDER TAX PARCEL NUMBER 125-052-08 IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the City Council of Charlotte, North Carolina, has taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the day of , 19 , on the question of designating a property known as the "Federal Reserve Bank Building" as historic property; and

WHEREAS, the "Federal Reserve Bank Building", erected in 1941-42 and designed by the Baltimore architectural firm of Taylor and Fisher, is an especially striking local example of a blend of Art Moderne, Art-Deco, and Neo-Classical styles; and

WHEREAS, the "Federal Reserve Bank Building" illustrates and documents the importance of Charlotte as a regional banking and commercial center; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the

Ordinance -- Federal Reserve Bank Building

"Federal Reserve Bank Building" possesses integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Federal Reserve Bank Building" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "Federal Reserve Bank Building" is vested in fee simple to the Federal Reserve Bank of Richmond, Va.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Charlotte, North Carolina:

1. That the property known as the "Federal Reserve Bank Building" (the exterior of the building, the interior of the building, and the entire parcel of land recorded under Tax Parcel Number 125-052-08 in the Mecklenburg County Tax Office) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated at 401 South Tryon Street, Charlotte, North Carolina, and recorded under Tax Parcel Number 125-052-08 in the Mecklenburg County Tax Office.

2. That said designated property may be materially altered,

restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Properties Commission. An application for a Certificate of Appropriateness authorizing the demolition of said property may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B, and amendments thereto, and hereinafter adopted.

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.

4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the

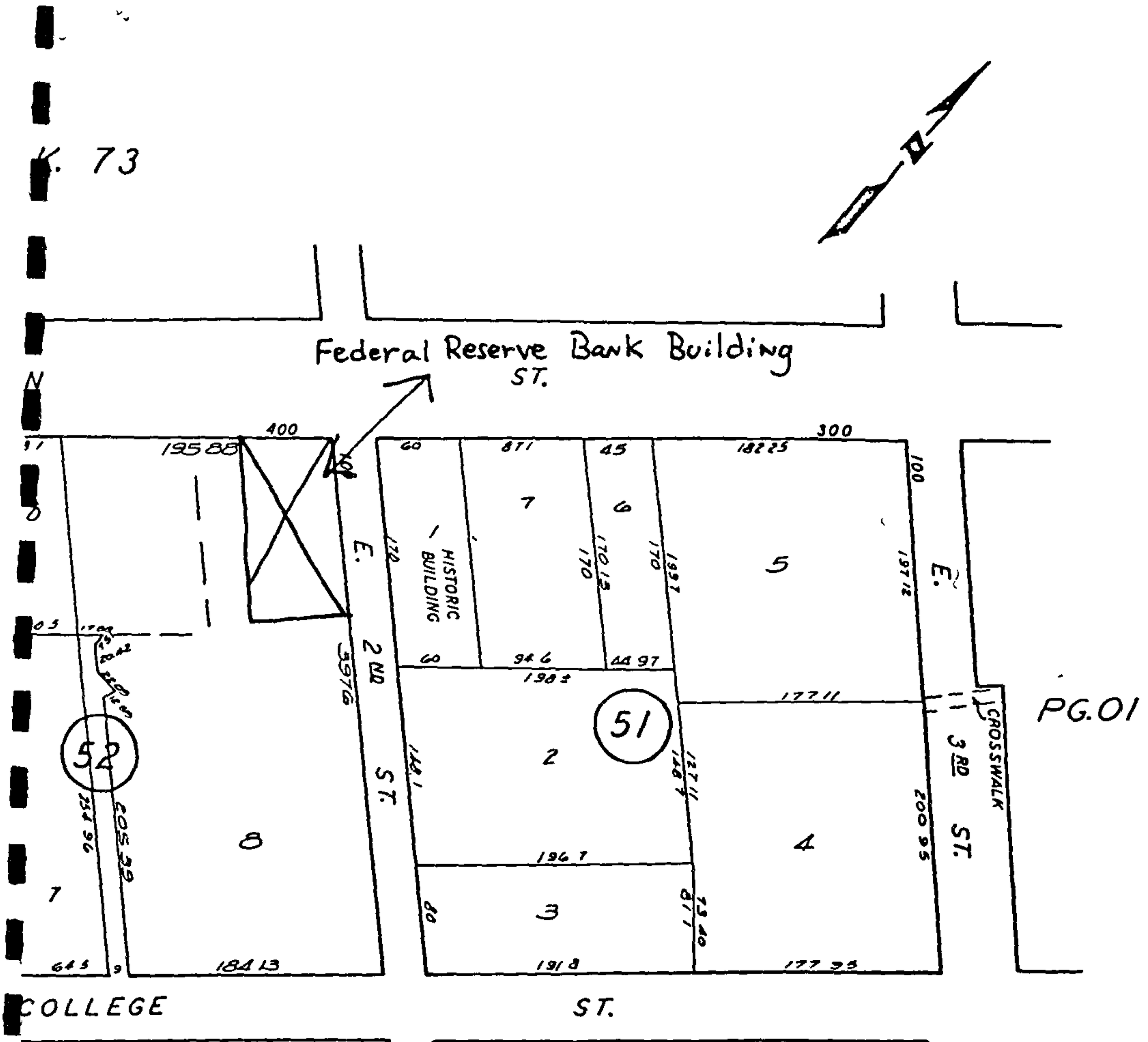
sign may be placed on said property.

5. That the owners and occupants of the property known as the "Federal Reserve Bank Building" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

6. That which is designated as historic property shall be subject to Chapter 160A, Article 19, Part 3B, and any amendments to it and any amendments hereinafter adopted.

Approved as to form:

Henry W. Underhill Jr.
City Attorney



TAX LINE MAP BOOK 125 PAGE 05
MECKLENBURG COUNTY, NORTH CAROLINA
REVISED SCALE 1" = 100'

06

FEDERAL RESERVE BANK OF RICHMOND
POST OFFICE BOX 27622
RICHMOND, VIRGINIA 23261
(804) 697 8000

January 31, 1989

Dr. Dan L. Morrill
Consulting Director
Charlotte-Mecklenburg Historic
Properties Commission
1225 South Caldwell Street
Box D
Charlotte, North Carolina 28203

Dear Dr. Morrill:

This letter responds to your request of January 6, 1989, that we submit a written statement regarding the proposal to designate our building at 401 South Tryon Street as a "historic property."

This Bank has taken an active interest in historic preservation over the years. In the case of construction of our new Baltimore Branch beginning in 1979, for example, we voluntarily paid much of the cost of archeological excavating, cataloguing, and preserving eighteenth and nineteenth century artifacts identified by the Maryland Historic Trust on our property, a former railroad yard which had originally been developed as townhouses beginning in 1788. In Richmond we have recently cooperated with the City of Richmond in a street program contiguous to our property to facilitate access to the restored Tredegar Iron Works, where most of the rails, rifles, cannons, and cannonballs for the Confederacy were manufactured during the Civil War.

We are equally appreciative of the Charlotte-Mecklenburg Historic Properties Commission's efforts to further preservation of historically significant properties in Charlotte, but we continue to oppose designation of our Charlotte building as a "historic property" for the same reasons we opposed such designation in 1984, principally because we do not believe the building to be historic.

Our Charlotte building is of recent construction, the oldest part being only 46 years old and a substantial addition having been made in 1956; we do not understand buildings of this age being considered historic and in fact are under the general

impression that an age of at least 100 years is thought to be necessary by architectural historians for a building to be considered historic. While we appreciate the compliment to our participation in the growth of Charlotte as a regional banking and commercial center set forth in the Survey and Research Report, this building was not the first location of our Charlotte Branch. For these reasons we do not believe that there is any particularly historic aspect of our building which warrants it being designated as a "historic property."

We also do not agree with the conclusion in the Survey and Research Report that the streetscape of South Tryon Street warrants our building being designated as a "historic property." Contrary to the opinion expressed in Miss Brown's letter to you of November 30, 1988, we do not understand how our building contributes to the historic integrity of the streetscape because the numerous changes in South Tryon Street over the past several years have in fact made our building look out of place as newer structures have been erected and older ones modified. Indeed, actual and proposed developments to the north of our property are exposing the utilitarian and unattractive features of our building along Second Street, resulting in a negative impact on the streetscape of South Tryon Street.

For the foregoing reasons we object to designation of our building at 401 South Tryon Street as a "historic property" and request that the proposal be dropped.

Sincerely yours,

Welford S. Farmer
Executive Vice President

WSF:jml

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "NEWELL ROSENWALD SCHOOL" (THE EXTERIOR OF THE BUILDING, THE INTERIOR OF THE BUILDING, AND THE ENTIRE PARCEL OF LAND RECORDED UNDER TAX PARCEL NUMBER 049-051-16) AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED ON TORRENCE GROVE CHRUCH ROAD, CHARLOTTE, NORTH CAROLINA, AND RECORDED UNDER TAX PARCEL NUMBER 049-051-16 IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the City Council of Charlotte, North Carolina, has taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the day of , 19 , on the question of designating a property known as the "Newell Rosenwald School" as historic property; and

WHEREAS, the "Newell Rosenwald School" is one of the best-preserved of the twenty-one Rosenwald School buildings that survive in Mecklenburg County; and

WHEREAS, the former Rosenwald School buildings, including the "Newell Rosenwald School", are the earliest black school buildings known to survive in Mecklenburg County; and

WHEREAS, the Rosenwald Schools are a reminder of the Julius Rosenwald Fund's commitment to the improvement of black education and racial cooperation in the South in the early

twentieth century; and

WHEREAS, the former Rosenwald School buildings, including the "Newell Rosenwald School", denote the locations of black farm communities in Mecklenburg County, often now vanished; and

WHEREAS, the former Rosenwald School buildings, including the "Newell Rosenwald School", are local examples of one of America's largest non-residential experiments of standardized architecture in the early twentieth century; and

WHEREAS, the Rosenwald Schools are testimonials to the important contributions made to black education by Dr. George E. Davis; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Newell Rosenwald School Building" possesses integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Newell Rosenwald School Building" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "Newell Rosenwald School" is vested in fee simple to the Trustees of Silver Set Lodge 327 F & A M.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Charlotte,

North Carolina:

1. That the property known as the "Newell Rosenwald School" (the exterior of the building, the interior of the building, and the entire parcel of land recorded under Tax Parcel Number 049-051-16 in the Mecklenburg County Tax Office) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated on Torrence Grove Church Road, Charlotte, North Carolina, and recorded under Tax Parcel Number 049-051-16 in the Mecklenburg County Tax Office.

2. That said designated property may be materially altered, restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Properties Commission. An application for a Certificate of Appropriateness authorizing the demolition of said property may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B, and amendments thereto, and hereinafter adopted.

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance

thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.

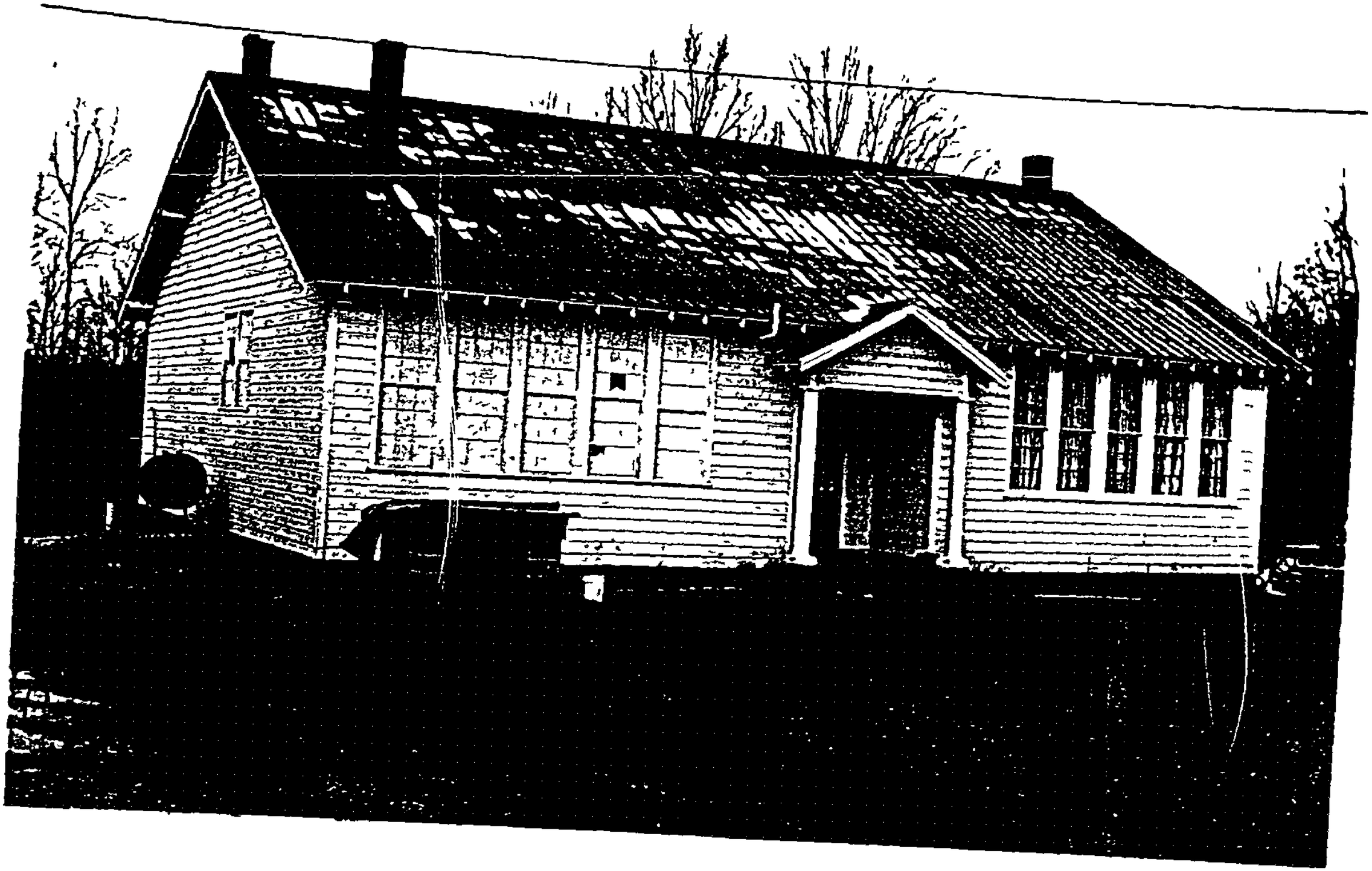
4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign may be placed on said property.

5. That the owners and occupants of the property known as the "Newell Rosenwald School" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

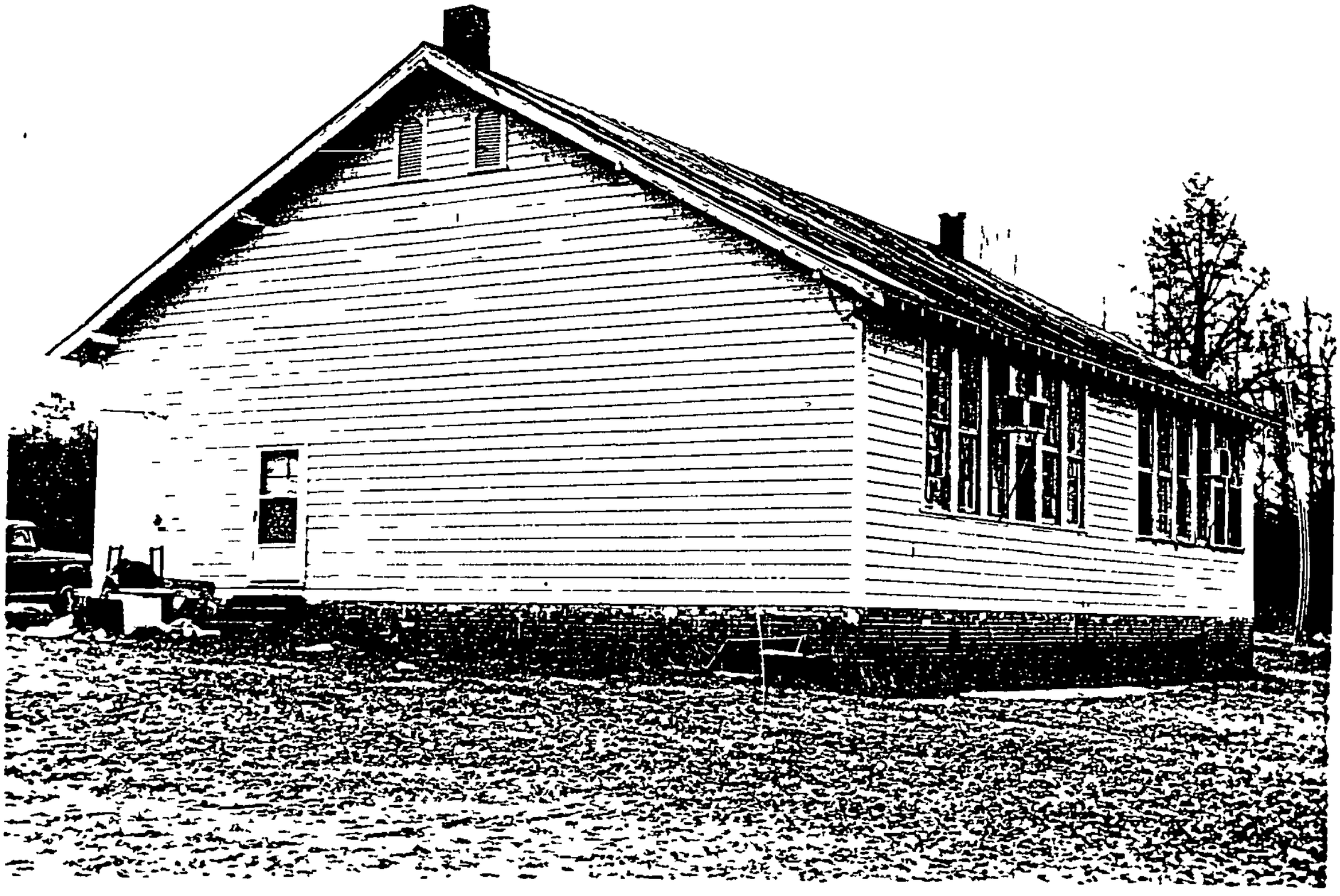
6. That which is designated as historic property shall be subject to Chapter 160A, Article 19, Part 3B, and any amendments to it and any amendments hereinafter adopted.

Approved as to form:

Henry W. Underhill Jr.
City Attorney



Newell School



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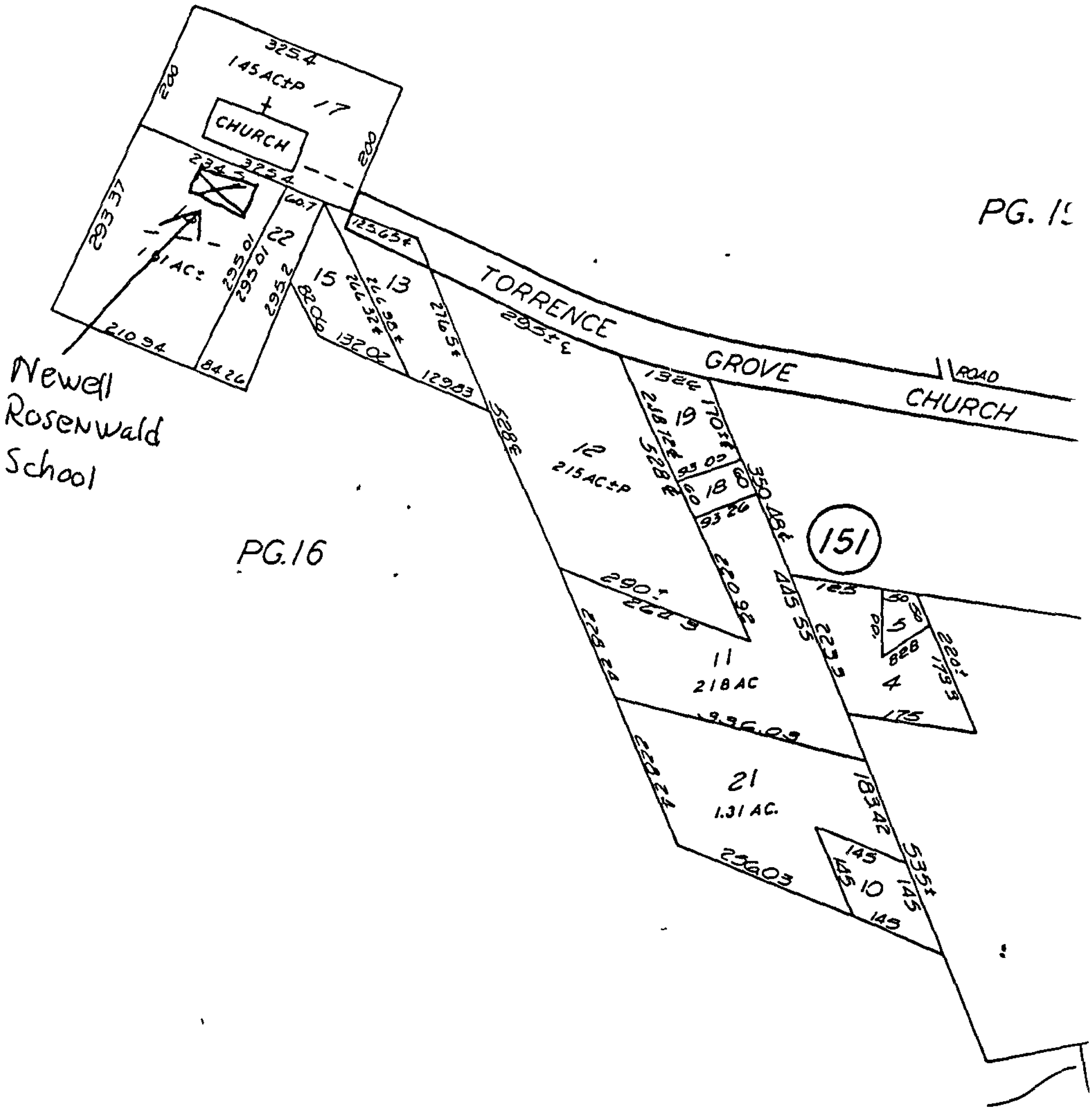
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PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 89-11

Petitioner: Gus. G. Bacogeorge

Location: A 15,9000 square foot parcel located on the westerly side of Eastway Drive north of Monroe Road.

Request: Change from O-6 to B-2.

BACKGROUND

1. Existing Zoning. The petitioned property is zoned O-6. The zoning pattern along the Monroe Road corridor, in the nearby area, is composed of I-2 south of Monroe Road, B-2 along the north side of Monroe Road and a linear strip of O-6 to the rear of the B-2 area. Otherwise, nearby properties are zoned either R-9MF or R-9.

2. Existing Land Use. The subject property is occupied by a structure that has been converted to an office use. The adjoining parcel located at the intersection of Monroe and Eastway is vacant except for a billboard. Other properties along Monroe Road are developed with numerous industrial, commercial and office uses including Sandoz Chemicals, Gus's Restaurant, Uniroyal Tire and H & S Lumber. Other nearby properties are developed with single family residential structures.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicates existing employment uses along Monroe Road. The Plan also recognizes that Eastway Drive, between Monroe Road and Independence Boulevard, is a residential corridor. No specific strategies are indicated for the area.

   2. Small Area Plan. There is no small area plan which covers this portion of the community.

   3. Transportation Improvement Program. The TIP recommends improvement of the Eastway/Monroe/Wendover intersection but the project is not yet funded.

   4. Traffic Operations Plan. The TOP identifies this intersection as operating at Level of Service F and warranting a major improvement project. The intersection's rank is 154 out of 202 high accident locations and 20th among high congestion locations.

4. Site Plan. There is no site plan which accompanies this application in as much as the petition seeks a conventional, rather than conditional rezoning.

5. School Information. Not applicable.

6. Zoning History (see Attached Map).

	Case	Request	Action	Date
1.	65-113	R-9 to R-6MF	Approved	01/04/1965
2.	68-49	O-6 & R-9MF to I-1, B-2 & I-1	Approved in part	09/09/1968
3.	71-24	R-9 to O-6	Denied	03/29/1971
4.	71-35	R-9MF to B-1	Approved	05/31/1971
5.	72-2	R-9MF, O-6 to O-6 & B-2	Approved	11/24/1972
6.	73-33	O-6 to B-2	Approved	09/17/1973
7.	78-6	B-2 & I-2 to I-2(CD)	Approved	05/08/1978
8.	80-5	O-6 to B-2	Denied	04/28/1980
9.	81-29	O-6 to B-2	Denied	06/21/1981
10.	84-80	R-9MF & O-6 to B-D(CD)	Denied	04/28/1980

7. Neighborhood. This site falls within the area defined as the Oakhurst neighborhood.

REVIEWS

1. Plan Consistency. The petition seeks conventional rezoning from an office category to a general business district. The 2005 Plan recognizes the existing employment land uses along Monroe Road. However, this property fronts on Eastway Drive which plans indicate should be a residential corridor. Unless this property can be combined with properties fronting on Monroe Road and served with access from Monroe Road, this request is not consistant with plans for the area.

2. Technical Consistency.

   1. C-MUD. Water and sewer services are available to the area.

   2. Fire Department. No comment.

   3. Department of Transportation. CDOT indicates the site could generate approximately 193 trips per day under present zoning. Under the proposed zoning, the site could generate approximately 1,074 trips per day. This will have a moderate impact on the surrounding thoroughfare system.

      Eastway Drive is a major thoroughfare requiring a minimum of 100 feet of right-of-way. The petitioner must dedicate a minumum of 50 feet from the centerline of Eastway Drive to meet this requirement.

      This rezoning is in the area of the Eastway/Monroe/Wendover intersection improvement project which is not funded at this time. Once the project is implemented, the driveway accessing the site will be limited to right in/right out movements only.

   4. Engineering Department. The Engineering Department made no comment due to the conventional nature of the petition.

   5. Building Standards Department. The Zoning Administrator had no comments due to the conventional nature of the petition.

   6. Board of Education. No comment.

7. Planning Staff. Planning staff recommends the petitioner amend the application to be considered through the conditional district approach. The adjoining properties to the north are zoned for office uses, but are occupied by single family residences. Zoning regulations will not require any screening between the subject property and the adjoining residence. A system of buffering that adjoining property from the future commercial development of the subject property could be achieved through a conditional rezoning. Additionally, CDOT indicates additional right-of-way is necessary for Eastway Drive to meet the street classification system standards. A conditional rezoning request would allow the petitioner the opportunity to dedicate the additional right-of-way and to plan for the development of the site to avoid future disruptions.

ISSUES

1. Land Use. There is a significant land use issue raised by the request. The 2005 Plan recognizes Monroe Road as an employment corridor, but calls for Eastway Drive to be a residential corridor. This property represents the "turning point" with regard to the orientation of lots. All of the remaining lots on Eastway front on the street and would all be likely candidates for lot-by-lot rezoning to nonresidential. Redevelopment of the subject property for commercial purposes could be appropriate with adequate buffering provided next to the adjoining residential uses and with its combination with lots fronting on Monroe Road. Otherwise, this petition should not be approved.

2. Site Plan. This petition has been submitted as a conventional, rather than conditional, request so there is no site plan to consider. The conventional nature of the request raises some concerns about its potential impact on the nearby area. If the property is rezoned as requested, there would be no requirement for any screening between the subject property and the adjoining residence. Additionally, the uses allowed by the requested zoning district could feed substantially more traffic into an intersection already plagued by traffic woes. Conversion of the application to a conditional petition is necessary for an adequate assessment of its potential impact on both the surrounding street system and the adjoining residence. However, as a freestanding use with access only to Eastway Drive, this petition should not be approved.

CONCLUSION

This petition is not appropriate for approval as submitted.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 89-11
Date Filed January 3, 1989
Received By MKN
OFFICE USE ONLY

Ownership Information

Property Owner Gus G. Bacogeorge and wife Calliope F. Bacogeorge

Owner s Address 9545 White Hemlock Lane

Matthews, North Carolina 28105

Date Property Acquired May 15, 1974

Deed Reference Book 3684, Page 15 Tax Parcel Number 159-051-04

Location Of Property (address or description) 4316-4318 Eastway Drive

Description Of Property

Size (Sq Ft.-Acres) Approximately 15,900 square feet Street Frontage (ft.) 100 feet

Current Land Use Office in converted house

Zoning Request

Existing Zoning O-6 Requested Zoning B-2

Purpose of Zoning Change Develope for business purposes together with adjoining B-2 zoned property (Tax lot 159-051-03, corner of Monroe Road and Eastway) owned by petitioner

Moore & Van Allen
Name Of Agent

Gus G. Bacogeorge
Name of Petitioner(s)

3000 NCNB Plaza, Charlotte, NC 28280
Agent s Address

9545 White Hemlock Lane Matthews, NC
Address of Petitioner(s)

331-1000
Telephone Number

846-1123
Telephone Number

R. Bruce Wade
Signature Attorney Agent

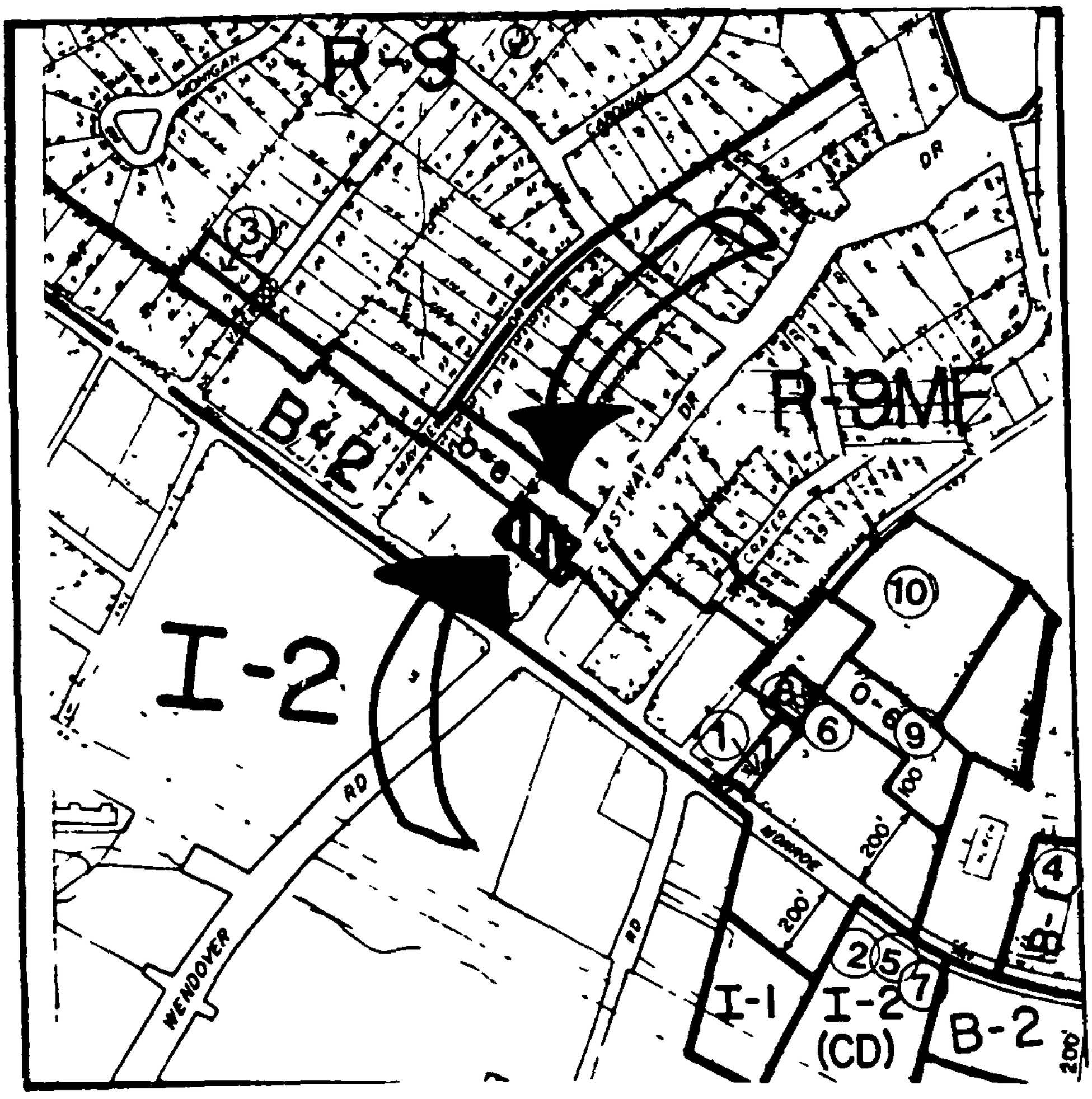
Signature of Property Owner if Other Than Petitioner

PETITIONER Gus G. Bacogeorge

PETITION NO. 89-11 HEARING DATE February 20, 1989

ZONING CLASSIFICATION, EXISTING O-6 REQUESTED B-2

LOCATION An approximately 15,900 square foot parcel located on the north side of Eastway Drive east of Monroe Road.



ZONING MAP NO. 112 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#5

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 89-29

Petitioner Landcraft Properties

Location A 10 acre site located on the west side of Providence Road north of N C 51.

Request Change from R-15MF(CD) to O-15(CD)

BACKGROUND

1 Existing Zoning The property involved with this request is presently zoned R-15MF(CD). It was part of the large mixed use project which includes all four corners of the intersection of N C 51 and Providence Road Properties to the north, west, and south of the subject site are zoned R-15 single family Properties immediately adjacent to the intersection of N C 51 and Providence Road are zoned O-15 on both the northwest and southeast corners Across N C, 51 a large tract is zoned B-1SCD and across Providence Road a large tract is zoned R-15MF(CD) Otherwise properties in the surrounding area are all zoned for single family purposes.

2 Existing Land Use. The property involved with this request is presently undeveloped Properties generally to the north, west, and south of the subject site are also undeveloped Some distance away can be found a substantial amount of land devoted to single family purposes and directly adjacent to the site near the intersection can be found an office development presently under construction Across N C 51 to the south, a major shopping center is under construction A number of branch banks are under construction on the southeast corner Properties directly across Providence Road from the site remained undeveloped

3. Public Plans and Policies

1. 2005 Plan. The 2005 Plan indicates existing residential land uses in the area of the subject property as well as a major mixed use center at the intersection of N C 51 and Providence Road. The plan recognizes the mixed use commercial center proposed at this intersection The 2005 Strategies include widening of N C 51 between Pineville and Matthews and the widening of Providence Road.

2 Transportation Improvement Program. The TIP calls for the widening of N C. 51 from Pineville to Matthews with the schedule completion date of FY91.

3. South Mecklenburg Interim District Plan. The South Mecklenburg Plan recognizes the major mixed use center at the intersection of N.C. 51 and Providence Road and calls for the improvements to both N C. 51 and Providence Road in the future. The plan

notes that the retail portion of the mixed use center should be confined to the southwest quadrant of the intersection and that office and multi-family uses would occupy the remaining three corners. The plan also recognizes the N.C. 51 Corridor Plan as supporting the maximum average ceiling for most residential projects at 4-1/2 dwelling units per acre

4. Site Plan. The site plan which accompanies this application proposes the development of up to 50,000 square feet of single story office buildings on this site The plan includes a 50 foot landscaped and undisturbed buffer along all portions of the site which adjoin single family zoned property and establishes a 75 foot building setback line in those same areas The plan proposes a single access point to Providence Road which was previously designated in the large-scale rezoning for this same property and also indicates two connections to existing O-15 zoned land presently being developed to the south

   The existing plan for this property would accommodate 87 units of multi-family housing.

5 School Information Not applicable

6. Zoning History (See Attached Map).

1	73-74(c)	R-15 to R-15MF, B-1	Denied	12/10/73
2.	78-23(c)	R-15 to B-1(CD), R-15MF(CD)	Denied	12/04/78
3	83-35(c)	R-15 to UDC-V	Approved	05/21/84
4	86-112	UDC-V, R-PUD, R-15 to B-1SCD, O-15(CD), R-15MF(CD), and R-15(CD)	Approved	02/23/87

7. Neighborhood. This petition falls within the area defined as the Olde Providence neighborhood.

REVIEWS

1 Plan Consistency This petition proposes the rezoning of properties from multi-family to an office classification. The multi-family zoning was establish two years ago after a lengthy public decision making process on both plans for the area and large-scale zoning petition for the intersection of N C. 51 and Providence Road. Those plans call specifically for multi-family and office development on three corners of that intersection and for retail development on a fourth corner. This is one of the corners which was to have office and multi-family development. A portion of the office development which was previously approved for this corner is already under construction. However, this petition proposes to convert the remaining multi-family zoned land to office as well. Therefore, this proposal is not consistent with the plans

for the area nor with the large-scale rezoning which was approved a few years ago to implement those plans

2 Technical Consistency.

1 Pre-Hearing Staff Input. The staff met with the petitioner on several occasions prior to the filing of this request At one point in time the petitioner was considering bringing in a much larger proposal which involved all of the remaining vacant land in this quadrant of the intersection of Providence Road and Highway 51 However, this petition as filed only deals with a very small portion of that land area. Subsequent to the filing of the petition, the staff has communicated a number of questions and concerns to the petitioner regarding the site plan.

2. Departmental Comments.

1. C-MUD Water and sewer service is available to this site.

2 Fire Department The Fire Department indicated that private fire hydrants would have to be located within 500 feet of the most remote point of all buildings. Comments were also offered about the turning radii required for fire trucks to negotiate the parking areas

3 Building Standards Department. The Building Standards Department had no specific comments on this application

4 Engineering Department. The Engineering Department offered their standard list of comments regarding the need for additional permits and approvals and also noted the need to ensure that 50 feet of right-of-way was dedicated along the frontage of Providence Road as measured from the centerline.

5. Department of Transportation. The Department of Transportation indicated that driveways would have to provide for 150 feet of internal channelization. They also indicated that a left turn lane would be required into the site from Providence Road with 150 feet of storage and a 20 to 1 taper. Their technical analysis of the trip generation indicates that this proposal would generate slightly more trips than would be expected under the existing zoning with a maximum from the present zoning classification of 793 trips versus a maximum of the proposed classification of 816 trips.

6 Planning Staff The Planning staff had a number of comments regarding this petition The zoning which was originally approved for this site was done so pursuant to an extensive process which included the development of a booklet of conditional requirements This application needs to carry forward all of those conditions from the originally approved plan Those conditions included requirements for landscaping, buffers, and land use relationships at the project edge The staff also expressed concern about conditions dealing with architectural controls for this property, minor technical concerns about a number of conditional notes on the plan, and the overall concern about how this particular proposal fits into the original concept for the intersection of N.C. 51 and Providence Road

ISSUES

1 Land Use This request raises a substantial land use issue. The zoning presently approved with this property was granted pursuant to a lengthy public participation process to adopt plans for the area and then to adopt zoning to implement those plans Key to those plans was the fundamental premise that residential uses would be located on this corner of the intersection of Providence Road and N C. 51. Residential uses are also located on the northeast corner of the intersection and involve a much larger tract of land If this rezoning were to be approved eliminating the multi-family zoning, could not the same argument be made for the elimination of multi-family on the opposite corner? The overall concept of the mixed use center at this location was to include a substantial residential component. This petition, which proposes to eliminate a portion of that residential property, is not consistent with publicly adopted plans and policies for the area.

This petition also raises concerns about the future of the remaining single family zoned land nearby. Early in this process the petitioner was discussing a proposal which would have included all of the residentially zoned land nearby in a master plan which would have provided for additional commitments for residential housing However, this petition deals only with this small tract of land which is proposed to be used for office purposes and still leaves a substantial question unanswered as to the future of the remainder of the vacant land in the area. Therefore, for this reason and for the reason stated above, this petition should not be considered as appropriate for approval.

2. Site Plan. The site plan which accompanies this application raises no major issues. It contains a number of minor of technical questions and details which need to be resolved by the petitioner, the most significant of which is the inclusion of all of the

conditions of previously approved with the larger rezoning If those technical matters can be adequately addressed by the petitioner prior to any decision then from a site standpoint, this petition could be considered appropriate for approval

CONCLUSION

This petition is not appropriate for approval The overriding issue is the degree to which this petition departs from publicly adopted plans and policies for the area and from the original concept of the large-scale rezoning for the intersection of Providence Road and N C. 51.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 91-29
Date Filed February 27, 19
Received By [illegible]
OFFICE USE ONLY

Ownership Information

Property Owner: Eli B. Springs, III and Katherine Springs Lichterman

Owner's Address: 4016 Matthews-Pineville Road
Matthews, NC 28105

Date Property Acquired: September 1, 1988

Deed Reference: 5849-0513 Tax Parcel Number: 211-271-02 (Portion)

Location Of Property (address or description)

West side of Providence Road (NC 16) beginning approximately 380 feet north of Pineville-Matthews Road (NC 51).

Description Of Property

Size (Sq. Ft. Acres): 10.06 acres Street Frontage (Ft.): 243.16 feet

Current Land Use: Vacant

Zoning Request

Existing Zoning: R-15MF(CD) Requested Zoning: O-15(CD)

Purpose of Zoning Change: To allow the construction of a small planned office park in keeping with other existing and proposed land uses in the area.

Fred E. Bryant, Planner
Name Of Agent

1850 E. Third Street, Suite 216
Agent's Address

Charlotte, NC 28204

Telephone Number
333-1680

Landcraft Properties, Inc.
Name of Petitioner(s)

2305 Randolph Road, Suite C
Address of Petitioner(s)

Charlotte, NC 28207

Telephone Number 332-9340

L. Hoddin Martin, President
Signature Landcraft Properties, Inc.

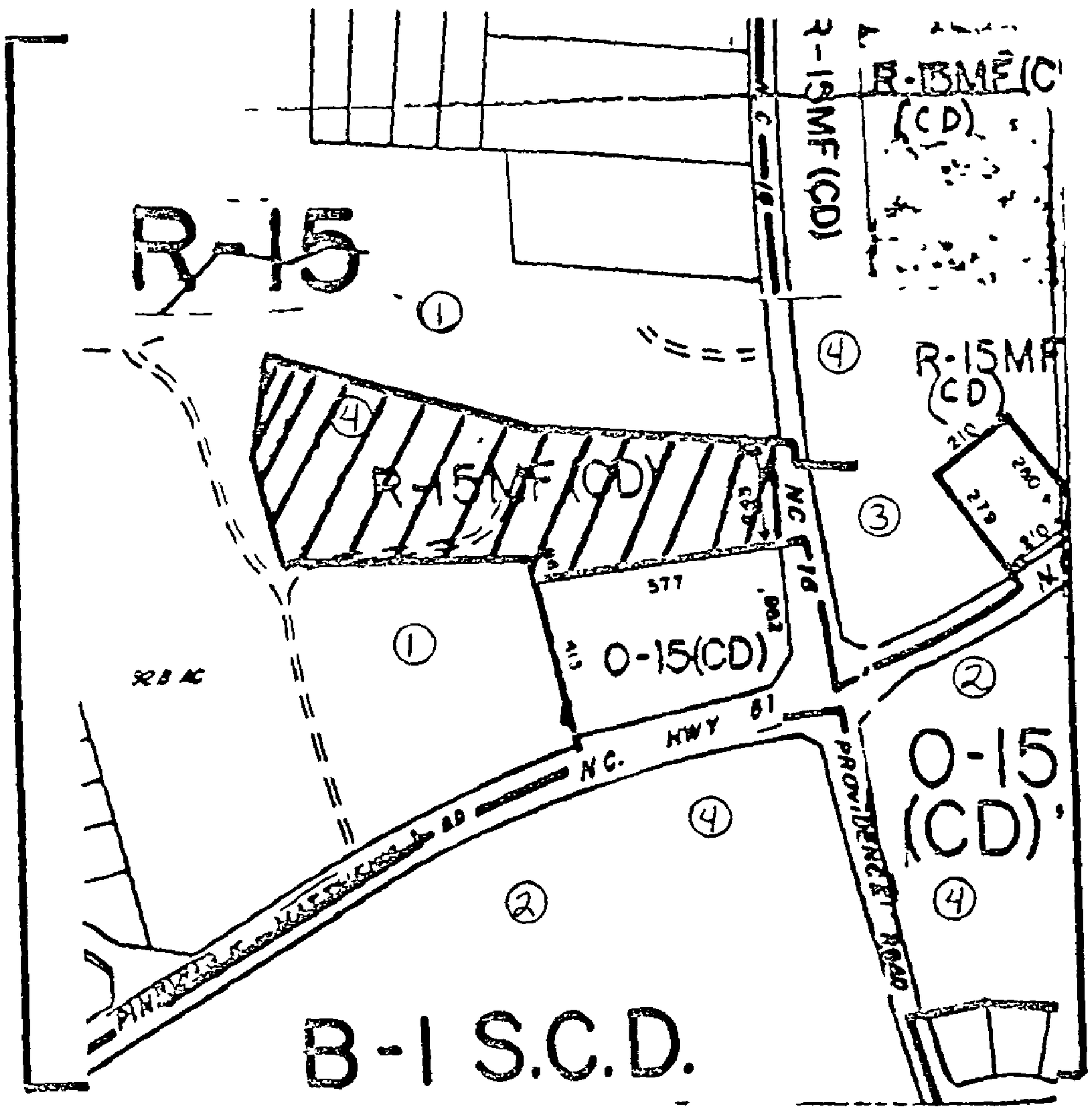
Signature of Property Owner if Other Than Petitioner

PETITIONER Landcraft Properties, Inc.

PETITION NO. 89-29 HEARING DATE April 17, 1989

ZONING CLASSIFICATION, EXISTING R-15MF(CD) REQUESTED O-15(CD)

LOCATION Approx. 10.06 acres located on the west side of Providence Rd. north of Pineville-Matthews Rd. (N.C. 51).



ZONING MAP NO. 166 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#6

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 89-30

Petitioner University Research Park Corporation

Request Consideration of text amendment regarding the research districts

BACKGROUND

Both the City and County zoning ordinances contain regulations and standards for two different research districts The most predominant of the two districts is the RE-2 which composes the bulk of the land of the University Research Park There is a small area to the east of the Research Park which is zoned RE-1 but over the years the RE-1 district has been replaced with office and other zoning districts.

University Research Park has identified a number of proposed changes to the RE-1 and RE-2 districts. This text amendment proposes to simply delete the existing language from the City and County zoning ordinances and to replace it with the language contained in this amendment. The principal purpose of the change is to reestablish the viability of the RE-1 district by modifying the development requirements within that district The only significant change to the RE-2 district are modifications to several of the permitted uses and modifications to certain of the yard requirements The standards for the RE-1 district would be modified to allow a two acre minimum lot size rather than the four acres presently required It is believed that this change will provide additional opportunities for smaller users of Research Park type lands to be located in or near the Research Park area itself while maintaining high levels of quality in individual site planning and design

This text amendment as submitted poses a number of questions that the staff has conveyed to the petitioner There are a number of minor technical comments which relate to cross references, the numbering of certain uses, the degree to which parking would be allowed in setback areas, and the need to clarify development requirements for day-care centers which would be added as a principal use By and large these are small issues which can be easily addressed by the petitioner. However, a somewhat larger question arises from work on the new zoning ordinance. It had been proposed early on in that process to combine the two research districts into a single research district which would meet the same basic developmental standards as are presently imposed in both the RE-1 and the RE-2 A single district was adequate because the minimum lot sizes, setbacks, and other development standards in the two existing districts were the same. With this proposed amendment it may be necessary to reconsider the draft zoning ordinance and to reestablish two separate research districts different development standards. However, this is not a major issue and can easily be resolved through the discussion of this proposed amendment.

By and large the staff has no significant concerns regarding this text amendment It proposes to reestablish the viability of the RE-1 district by creating a difference in development standards which would allow smaller land users to locate in areas zoned RE-1 As long as the minor technical question regarding the actual amendment itself can be addressed and the issue resolved with regard to the single district proposal in the new ordinance then this petition should be considered appropriate for approval.

CONCLUSION

Pursuant to resolution of the minor technical issues this petition should be considered appropriate for approval.

*Subject to further refinement following public hearing.

ZONING ORDINANCE TEXT AMENDMENT APPLICATION

CITY OF CHARLOTTE

Petition No 89-30
Date Filed February 27, 1989
Received By MCM
OFFICE USE ONLY

Section No 3020 - 3028
3108

Research Districts
Manufacturing in Research Districts
(Title)

Purpose of Change

The RE-2 District is now well established as a district allowing controlled usage, large lots, significant setbacks and protection of parameter features The RE-1 District has become almost extinct as to locations on the ground and offers the opportunity to reevaluate its function

Increasingly, there has become evident a need to have property available for purposes similar to those permitted in the RE-2 District, but somewhat more related to meeting service needs for the Research area To achieve this use objective, less stringent development requirements are needed, but designed to continue high standards of development.

It is proposed that the RE-1 District be rewritten to achieve this objective Suggested technical language to accomplish this is attached and made a part of this request.

Fred E Bryant, Planner
Name of Agent
1850 E Third St. Charlotte, NC 28204
Agent's Address
333-1680
Telephone Number

University Research Park Corporation
Name of Petitioner(s)
Two First Union Center Charlotte, NC
Address of Petitioner(s) 28282
375-6220
Telephone Number
J. Tony Morgan
Signature

ORDINANCE NO _____

AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE - ZONING ORDINANCE

AN ORDINANCE AMENDING THE CITY CODE
WITH RESPECT TO THE ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE

Section 1 Appendix A, "Zoning" of the Code of the City of Charlotte is hereb amended as follows

1 Delete Sections 3020 - 3028 entitled "Research Districts in their entirety and replace with the following new sections

"3020. Research Districts

3021 Purpose The RE-1 and RE-2 Districts are designed to provide areas in which research and related operations may be established and may be given assurance of wholesome surroundings in the future The standards established for these districts are designed to promote sound, permanent research installations and also to protect nearby residential areas from undesirable aspects of research operations Research districts are heavily oriented toward research, development and high technology manufacturing operations and similar uses that are characterized by a high degree of scientific and technical input, and the employment of professional, technical or kindred workers Development within these districts should be characterized by spacious and extensively landscaped settings with emphasis on aesthetic and environmental considerations While permitted uses are similar in both districts, RE-1 is designed to attract supporting facilities through less stringent lot dimensions

3022 Permitted Uses. The following uses are permitted by right in research districts

1. Arboretums
2 Auction sale of real property and such personal property as is normally located thereon for the purpose of liquidating assets.
3 Farms, either in conjunction with or separate from dwellings, which may conduct retail sales of products produced on the premises
4 Parks and playgrounds.
5 Public utility transmission and distribution lines
6 Radio and television stations and/or offices
7 Reservoirs
8 Railroad right-of-ways
9. Telephone booths.
10 Parking for uses permitted in the districts
11 Prototype production facilities and pilot plants
12 Pharmaceutical preparations and production facilities
13. Production facilities for electronic, computing and communications equipment and related devices.
14 Optical, dental and medical laboratories.
15 Applied and basic research laboratories.
16. Graphics research and production facilities

17 Business, Professional and corporate offices
18 Uses similar to those listed above

3023 Uses under prescribed conditions The following uses are permitted subject to the conditions governing each use as specified in the appropriate section

1 Community recreation centers, including but not limited to the YMCA and YWCA See Section 3128
2 Country clubs and swimming clubs operated on a noncommercial membership basis See Section 3128
3 Day care centers See Section 3119
4 Fire and Police Stations See Section 1626
5 Golf courses, public and private. See Section 3128
6 Sewage pumping stations See Section 3123.
7 Commercial uses in conjunction with office and laboratory buildings including Restaurants, lounges, cafeterias and snack bars See Section 3105
8 Temporary buildings and storage of materials in conjunction with construction of a building on a lot where construction is taking place or on adjacent lots, such temporary uses to be terminated upon completion of construction
9 Laboratories for testing products, if such products could normally be manufactured or assembled in the district
10 Drive-in service window as an accessory part of the principal structure or operation subject to the requirements listed in Section 3116
11 Quarries As a Major Special Use under Section 3325
12 Electric and gas substations See Section 3123
13 Radio, telephone and television masts, towers, antennas and similar structures See Section 1605
14 Telephone repeater stations and huts See Section 3123
15 Water storage tanks See Section 1605
16 Buildings for dramatic, musical, or other cultural activities with more than 1000 seats and stadiums and coliseums with more than 5000 seats as a Major Special Use under Section 3322
17 Demolition landfill, on site, in accordance with the standards of Section 3140

3024 Accessory uses. The following accessory uses are permitted in all research districts.

1. Accessory residential uses and structures clearly incidental to the permitted principal use
2 Accessory uses and structures clearly incidental to the permitted principal use.
3. Petroleum storage, accessory to a permitted principal use or building.
4 Parking for uses permitted within the districts
5 Vending machines for cigarettes, candy, soft drinks and similar items, and coin operated laundries located within an enclosed building as an accessory to the uses in the principal building or buildings.
6. Heliports and helistops as an accessory use.
7 Satellite dishes and towers. See Section 3026 3.

3025 Area, Yard and Height Regulations The following standards apply to uses in the research districts

	RE-1	RE-2
Min Lot Area	2 acres	4 acres
Min Lot Width	200'*	400'*
Min Side and Rear Yards	25' except 35' when adjacent to Resid Zoning	35' for lots 4-10 acres, 50' for lots greater than 10 acres
Min. Street Side Yards on Corner Lots	40'	75' on lots 4-10 acres, 100' on lots greater than 10 acres
Min Setback	40' except 100' on thoroughfares and collectors	100' for lots 4-10 acres, 150' for lots greater than 10 acres
Max. Height	40'**	40'**
Min Unobstructed Open Space	70%	70%

*Lots having any part of their frontage on the circular portion of a cul-de-sac right-of-way may use 100' in RE-1 and 200' in RE-2 as the minimum lot width

**The height may be increased if minimum side and rear yards are increased by one foot for each two feet in building height over 40'.

3026 Development Standards for Various Uses Uses in the research districts must be developed in accordance with the following standards

1 Outside storage and utility lines

1 Outside storage of any materials, supplies or products shall not be permitted in the research districts

2 All non-public utility distribution lines must be placed underground in the research districts

3 A gate or security station may be located in a required yard or setback.

3 The following standards apply to satellite dishes and towers in the research districts.

1 Satellite dishes and towers are permitted only when they are a necessary part of a permitted use utilizing such equipment as part of its normal operation

2 Such dishes and towers may not be located within the setback area of any lot or within the street side yard of a corner lot

3 Screening shall be installed on the exterior sides of such dishes and towers in accordance with Section 1601 If walls are chosen for this screening, materials must be compatible with the exterior of other buildings on the site

.4 The following standards apply to all uses in the research districts

1 At least one-half of the exterior depth of the setback, side and rear yards, except where driveway access or utility easements are required, must be maintained with existing vegetation and natural features Under certain circumstances the retention of existing vegetation or natural features may be inappropriate or ineffective In such cases an alternative landscaping and screening plan may be submitted to the Planning Director for consideration and approval These plans must contain sufficient information to indicate why maintenance of existing conditions would be inappropriate or ineffective due to site design, topography, unique relationships to other properties, natural vegetation or other special considerations Details of the proposed landscaping treatment shall indicate topographic changes as well as number, type and size of plant material Within 20 days the Planning Director shall advise the applicant of the disposition of the alternate proposal If no specific alternative plan can be approved the maintenance of existing features must be observed It should be understood that the alternative plan procedure is strictly voluntary and that requirements other than those normally associated with the screening Section 1601 may be imposed in order to insure that the intent of this section is met

2 As a minimum the requirements of Section 1601, screening shall be enforced for all uses

3 An area equal to at least 10% of the paved surface of any parking area containing more than 20 spaces must be landscaped with plantings and trees This requirement is in addition to any perimeter screening requirements for the parking areas and must be placed in the interior of the lot The minimum width of landscaped islands or planting strips where provided shall be 8 feet. If a sidewalk is included in the planting strip, the landscaped area may be reduced to 6 feet.

3027. Signs Signs are permitted in all research districts in accordance with the provisions of Section 2100 and in accordance with those standards below

1 Signs in the Research District may be luminous

2 Signs lighted internally must be contained within an opaque background with only letters, numbers and symbols being translucent The intent of this requirement is to provide signs which consist of lighted letters, numbers and symbols on an opaque background.

3028 Parking and Loading Standards. Development of any use in a research district must conform to the parking and loading standards in Section 2000 and with these standards below

1 Parking of motor vehicles is not permitted in any required setback or in the front one half of any required exterior side yard of a corner lot or in the exterior one half of any interior lot line, except that on through lots adjacent to an Interstate Highway parking is permitted in the setback to within 50' of the Interstate right-of-way The parking area must be paved with dust-free, all-weather surface and must be properly drained and landscaped The space within the required setback must not be used as a maneuvering space for the parking of vehicles, except that driveways providing access to the parking area may be installed across the setback area

2 Underground parking structures are permitted in accordance with Section 2014 "

2 Delete Section 3108 in its entirety

Section 2 That this ordinance shall become effective upon its adoption

Approved as to form

_____
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 19____, the reference having been made in Minute Book ____, and recorded in full in Ordinance Book____, at page ____.

_____
Pat Sharkey, City Clerk

#7

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 89-31

Petitioner H D Purser

Location 2 38 acres on the east side of North Sharon Amity Road north of Albemarle Road.

Request Change from R-9MF to O-15(CD)

BACKGROUND

1 Existing Zoning The property involved with this request is presently zoned R-9MF. A substantial amount of property in the immediate area is zoned for multi-family use including R-6MF and R-9MF classifications Toward the intersection of Albemarle Road and North Sharon Amity can be found a combination of nonresidential zoning categories including O-6, O-15, and B-1 To the north of the site near the intersection of North Sharon Amity and Central Avenue, can also be found a concentrations of nonresidential zoning classifications including O-6, B-1, and B-2(CD). A rezoning petition for this property to change the classification from R-9MF to BD(CD) was denied in 1982

2. Existing Land Use The property involved with this request is presently undeveloped It had been the site of a single family structure which was removed some time ago. Properties on all four sides of the subject site are used for multi-family housing Properties in either direction along North Sharon Amity Road are used for a variety of commercial and office purposes in the vicinity of its intersection with Albemarle Road and Central Avenue.

3. Public Plans and Policies

   1. 2005 Plan. The 2005 Plan indicates existing residential type land uses in the areas of the subject property A major mixed use center (Eastland Mall) is located nearby There are no specific 2005 Strategies for the area.

   2. Albemarle Road Small Area Plan. The Albemarle Road Small Area Plan recognizes that the area of this petition as a stable developed area for residential use.

4. Site Plan. The site plan which accompanies this application proposes the use of this site for up to 30,000 square feet of floor area for office purposes. The plan indicates the buildings would be limited to to two stories in height and would have two access points from North Sharon Amity Road. The plan indicates that the northerly side of the site would be bounded by an eight foot side yard containing a five foot high brick screening wall. The other two boundaries of the site which adjoin existing multi-family

housing do not contain the brick wall and show little specifics in terms of screening and buffering from the parking and buildings on this property. The plan as submitted shows four building footprints but the plan notes that changes in the proposed buildings, parking, and circulation area may occur upon finalization of architectural plans

5. School Information. Not applicable.

6. Zoning History (See Attached Map).

1.	66-55	R-9MF to I-2	AIP	05/30/66
2.	68-77	R-9 to R-9MF	Approved	10/28/68
3	69-92	R-9 to R-9MF	Approved	11/03/69
4	69-114	R-9 to R-6MF	Approved	12/22/69
5	78-17	B-1 to B-2(CD)	Approved	05/29/78
6	81-18	R-9MF to BD(CD)	Denied	04/19/82
7.	82-59	R-9MF to O-15(CD)	Approved	01/18/83
8	83-11	B-2(CD) SPA	Approved	06/18/84
9	85-39	O-15(CD) to O-6(CD), and O-15(CD) SPA	Approved	7/15/85
10	MSUP 85-17	R-9 to MSUP for Day Care	Approved	04/01/86

7. Neighborhood This site falls within the area defined as the Eastland neighborhood.

REVIEWS

1 Plan Consistency This petition requests a change in zoning from R-9MF to an O-15(CD) classification Public plans and policies for the area have indicated that this site is part of a stable and well defined residential community Indeed, this property is completely surrounded by multi-family uses and is properly zoned to provide opportunities for an additional multi-family housing. Therefore, this petition is not consistent with publicly adopted plan and policies for the area.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The petitioner discussed this proposal with the staff briefly prior to the filing of the application. Subsequently, the staff has communicated concerns about both the land use and site plan to the petitioner for their consideration.

   2. Departmental Comments.

      1. C-MUD. Water and sewer service is available to the site.

2 Fire Department. Public or private fire hydrants must be installed so that a fire truck does not have to travel more than 500 feet to the most remote point of all buildings

3 Building Standards Department The Building Standards Department indicated that screening as required by the ordinance is not shown on the site plan. They also indicated that parking requirements would be based on gross floor area depending on the type of office uses proposed for the property.

4 Engineering Department The Engineering Department indicated that the petitioner needed to provide for 50 feet of right-of-way for North Sharon Amity Road as measured from the centerline. The site plan appears to indicate additional right-of-way dedication to meet this requirement. Engineering Department also provided a list of additional approvals which would be required prior to any development of this site.

5. Department of Transportation. Technical review by the Department of Transportation indicates the number of trips which could be expected to be generated from this site will approximately double for this rezoning request. They also note that the 2005 Plan recommends a median along North Sharon Amity Road between Central Avenue and Albemarle Road If that median is installed, the petitioner would have to reconfigure the driveways so that they were only for right-in and right-out only.

6 Planning Staff. The Planning staff had a number of concerns regarding the site plan Specifically, the staff noted that much of the screening shown on this plan as submitted is actually on adjoining properties. The petitioner needs the show the minimum required screening within their own site boundary. Staff had a number of comments regarding several of the conditional notes on the plan which need to be clarified. The staff also noted that there are substantial mature trees on the site and strongly encourages the petitioner to revise their plan to preserve those trees and make them a feature of the property. The staff further noted that any storm water detention required on this property should not be within any buffer areas.

ISSUES

1. Land Use. This proposal raises a significant land use issue. Public plans and policies for the area indicated that residential uses should be established along this portion of Sharon Amity Road. This site is completely surrounded by properties which are

zoned for and used
for multi-family purposes. This site is presently zoned to provide additional opportunities for multi-family housing and the staff believes that this is consistent with the plans for the area Therefore, this petition is not consistent with publicly adopted plans for the area and should not be considered as appropriate for approval.

2. Site Plan. There are a number of minor technical issues which accompany the site plan for this application Foremost among those is the need for the petitioner to ensure that all required screening is provided within their own site The staff also strongly urges the petitioner to reconsider the design of the site and make the best use of the existing large mature trees present on the property Clarification of a number of the conditional notes is also required but those matters can be easily addressed by the petitioner prior to any final action on this request. Assuming these matters can be appropriately dealt with and the petitioner is able to take greater advantage of the existing conditions on the site, then this petition could be considered appropriate for approval.

CONCLUSION

This petition is not appropriate for approval. Even if the site plan can be modified to make better use of the site and provide appropriate screening, the overriding concern is the inappropriate land use change that this petition proposes.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 89-31
Date Filed February 27, 1
Received By TKM
OFFICE USE ONLY

Ownership Information

Property Owner: Henry Devon Purser and Ruth Y. Purser

Owner's Address: 10417 Blair Road

Charlotte, NC 28215

Date Property Acquired: January 28, 1983

Deed Reference: 4618-662 Tax Parcel Number: 103-011-23

Location Of Property (address or description): 3808 Sharon Amity Road

Description Of Property

Size (Sq. Ft. Acres): 2.38 acres Street Frontage (ft.): 331.38 feet

Current Land Use: Vacant

Zoning Request

Existing Zoning: R-9MF Requested Zoning: O-15(CD)

Purpose of Zoning Change: To allow a small well-designed office project to blend with surrounding apartments.

Fred E. Bryant, Planner
Name Of Agent

1850 E. Third St., Suite 216
Agent's Address

Charlotte, NC 28204

Telephone Number
333-1680

Mr. H. D. Purser
Name of Petitioner(s)

P. O. Box 9305
Address of Petitioner(s)

Charlotte, NC 28299

Telephone Number
333-3775

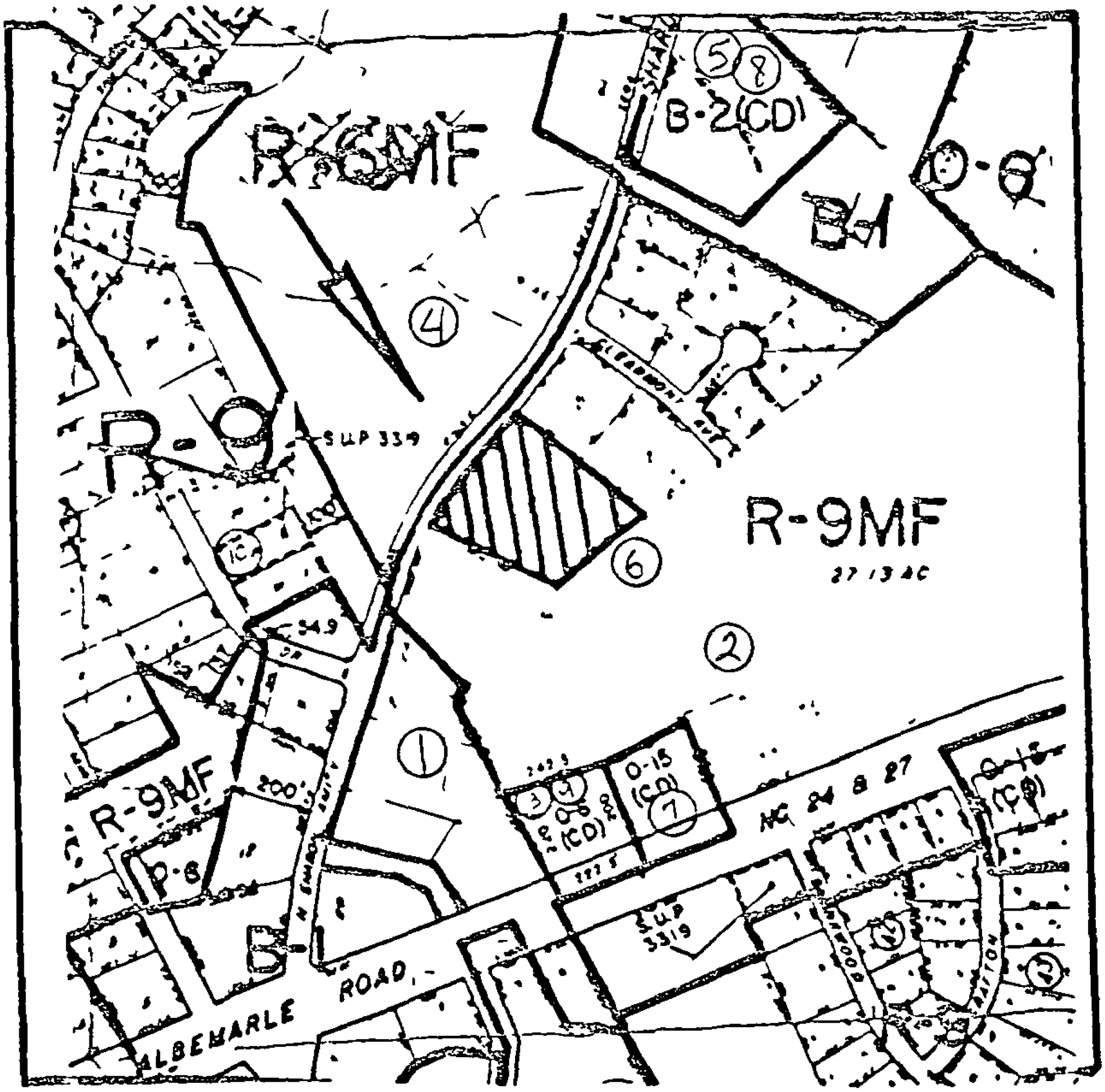
H. D. Purser
Signature

PETITIONER Mr. H. D. Purser

PETITION NO. 89-31 HEARING DATE April 17, 1989

ZONING CLASSIFICATION, EXISTING R-9MF REQUESTED O-15(CD)

LOCATION Approx. 2 38 acres located on the easterly side of N. Sharon Amity Rd. north of Albemarle Rd. and to the rear of the Lake Apartments.



ZONING MAP NO. 113 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#8

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 89-32

Petitioner Ronald W Kurstin

Location A 62 acre site located on the northwest side of Yorkwood Drive south of Pressley Road.

Request: Change from R-6MF to I-2

BACKGROUND

1 Existing Zoning. The petitioned site is zoned R-6MF The surrounding properties are zoned for commercial and industrial purposes with the exception of a narrow strip of land zoned R-6MF and R-9MF to the South.

2 Existing Land Use The subject property is presently vacant All of the nearby and adjoining tracts are either vacant or developed with commercial, office, or industrial uses.

3 Public Plans and Policies.

1 2005 Plan The 2005 Plan recognizes the area of the subject property as one of existing employment land uses. 2005 Strategies for the area include the improvement of I-77 and extension of water along Billy Graham Parkway.

2 Billy Graham Parkway Special Project Plan. The Billy Graham Parkway Special Project Plan recognizes the nearby area as an office park

4. Site Plan. There is no site plan which accompanies this petition due to the conventional nature of the application

5. School Information. Not applicable.

6. Zoning History (See Attached Map).

1.	65-92	R-6MF to B-2	Approved	10/25/65
2.	66-60	R-6MF to O-6	Denied	09/19/66
3.	69-80	R-6MF to I-2	Approved	11/24/69
4.	79-29	R-6MF to B-2	Approved	07/16-79
5.	79-31	R-6MF to B-2	Approved	07/16/79
6.	81-1	R-6MF to I-2	Approved	02/09/81
7.	81-5	B-2 to I-2	Approved	02/09/81
8.	83-1	R-6MF to I-1	Approved	05/16/83
9.	84-82	R-6MF to B-2	Approved	12/17/84
10.	85-57(c)	R-9MF to I-1(CD)	Approved	11/18/85

7. Neighborhood. The site falls within the area defined as Clanton Park.

REVIEWS

1. Plan Consistency This request proposes rezoning from R-6MF to I-2 in an area of the community recognized as an employment center and office park. The petition is, therefore, consistent with publicly adopted plans.

2. Technical Consistency

   1. Pre-Hearing Staff Input. Staff discussed the request with the agent for the petitioner prior to the submission of the petition. Staff supported the filing of the petition in a conventional mode

   2. Departmental Comments.

      1. Fire Department. No comments.

      2. Engineering Department. The Engineering Department indicates that Yorkwood Drive is a non-maintained street. If the developer desires City mainterance of the street, it must be constructed to commercial street standards

      3. CDOT CDOT indicates the potential trips generated by this site under the proposed zoning will be less than the trips generated under the existing zoning

      4 Building Standards No comments.

ISSUES

1 Land Use There are no land use issues raised by this petition and the requested change is in conformance with public plans and numerous previous rezoning approvals Therefore, the petition is appropriate for approval.

2. Site Plan. There is no site plan to consider as a part of this petition.

CONCLUSION

The petition is consistent with public plans and is appropriate for approval.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 89-32
Date Filed February 27, 1989
Received By MCM

OFFICE USE ONLY

Ownership Information

Property Owner: Ronald W. Kuratin and Jay Sadofsky

Owner's Address: c/o Scott Taylor, 23161 Ventura Blvd., Suite 100
Woodland Hills, CA 91364

Date Property Acquired: December 21, 1988

Deed Reference: 5926-0785 Tax Parcel Number: 145-282-14

Location Of Property (address or description)

Northwest side of Yorkwood Drive beginning 635 feet southwest of Pressley Road (1438 Yorkwood Drive)

Description Of Property

Size (Sq. Ft. Acres): .62 acres ± Street Frontage (ft.): 148.5' on Yorkwood

Current Land Use: one single-family house

Zoning Request

Existing Zoning: R-6MF Requested Zoning: I-2

Purpose of Zoning Change: To bring zoning into conformance with adjacent pattern and use in conjunction with remaining property owned by Petitioner

Fred E. Bryant, Planner
Name Of Agent

1850 E. Third Street, Suite 216
Agent's Address

Charlotte, NC 28204
Telephone Number

333-1680

Ronald W. Kuratin
Name of Petitioner(s)

932 Wilson Street
Address of Petitioner(s)

Los Angeles, CA 90021-1684
Telephone Number

213-629-5052

X
Signature

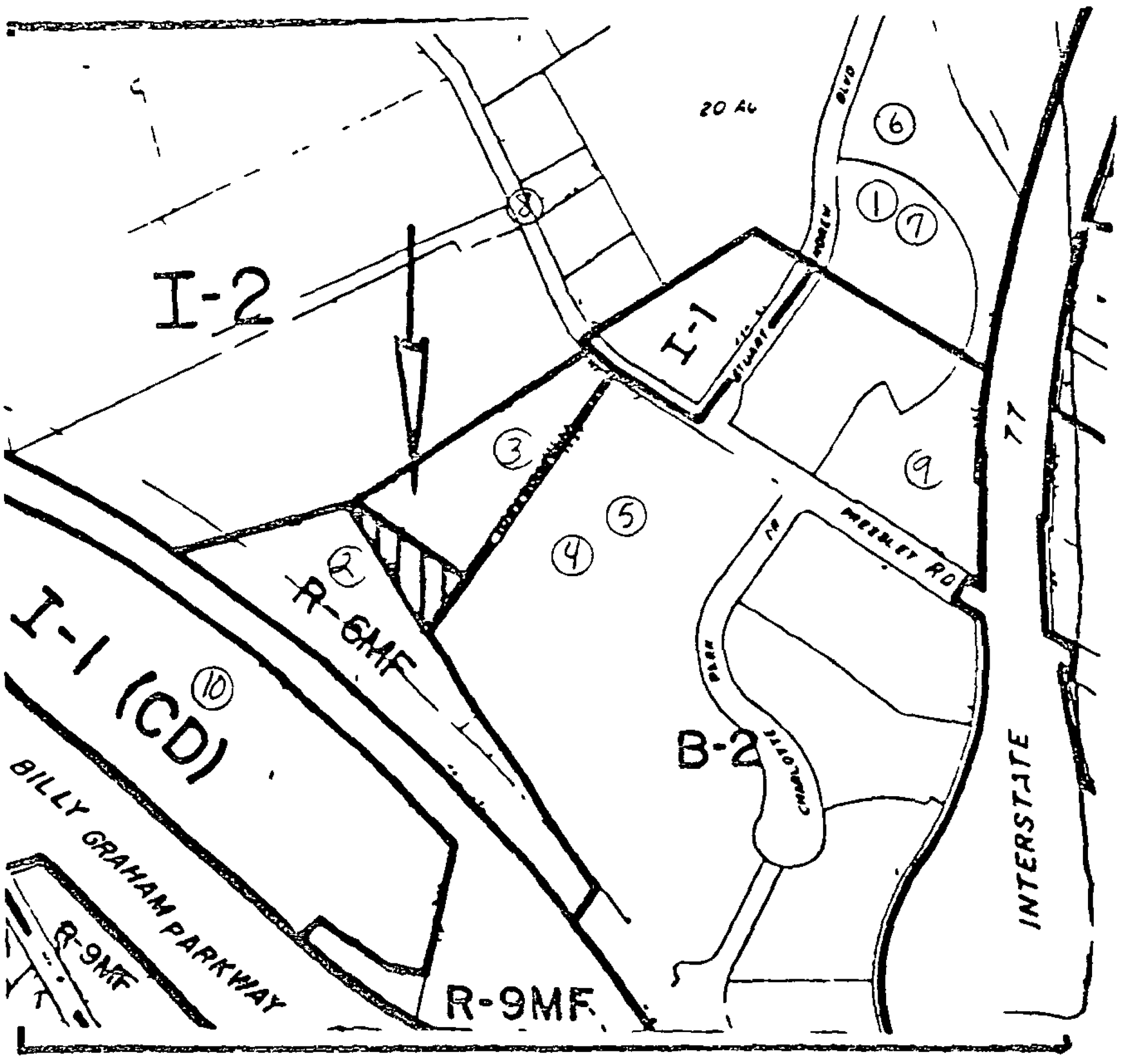
Signature of Property Owner if Other Than Petitioner

PETITIONER Ronald W. Kurstin

PETITION NO 89-32 HEARING DATE April 17, 1989

ZONING CLASSIFICATION, EXISTING R-6MF REQUESTED I-2

LOCATION Approx. .62 acres located on the northwest side of Yorkmont Dr. south of Pressley Rd.



ZONING MAP NO. 110,126

SCALE 1" = 600'

#9

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 89-33 through 89-37

Chantilly-Commonwealth Small Area Plan

BACKGROUND

In November, 1987 City Council adopted the Chantilly-Commonwealth Small Area Plan which is designed to guide development in the area and focuses on issues relating to transportation, neighborhood amenities, land use, and zoning. The plan contains numerous recommendations for a wide array of public investments such as installation of sidewalk, curb and gutter, enhancement of existing tree canopies, correction of drainage problems, provision of buffering along the widened Independence Boulevard, extension of the greenway system and provision of bike paths along Briar Creek and development of a streetscape plan for Central Avenue. The plan also contains a series of recommendations for corrective rezonings to establish a zoning pattern that is more reflective of existing land uses and is more compatible with the neighborhood. The recommended rezonings are designed to preserve and to protect the residential character and enhance the livability of the established neighborhood. These recommendations for rezoning are contained in Petition Numbers 89-33 through 89-37.

PETITION NO. 89-33

This petition includes approximately 30.9 acres located along parts of Commonwealth Avenue, Westover Street, Morningside Drive, St. Julian Street, and along the Seaboard Railroad right-of-way between Rideway Avenue and Westover Street.

The petitioned properties are presently zoned R-6MF. One parcel located on the east side of Morningside Drive just north of Commonwealth Avenue was rezoned years ago to permit conditional parking. The requested change seeks R-9 for the portion of the petition lying along the east side of Morningside Drive so that these properties can become part of the established R-9 pattern along the majority of Morningside Drive. Of the six lots included in this part of the petition, five are developed with single family residences and one is vacant. The petition seeks a change from R-6MF to R-6 for the balance of the property to more closely match the zoning to the existing land use, which, except for two day care centers and a few scattered duplexes, is single family residential. The portion of the petition adjoining the railroad is currently vacant.

PETITION NO. 89-34

This petition includes six lots totaling just under one acre located east of Pecan Avenue along Shenandoah and Chesterfield Avenues. The properties are presently zoned O-6 and the requested change seeks R-6. Nearby properties to the east are zoned R-6. Properties to the west,

oriented to Pecan Avenue, are zoned B-1 and properties to the north, oriented to Independence Boulevard, are zoned B-2. The petitioned site includes one duplex and five single family residences. The adjoining properties to the west and north along Pecan Avenue and Independence Boulevard, are developed with office and commercial uses. Properties to the east are devoted to single family residences and a church. The Chantilly-Commonwealth Plan recognizes the subject property's office zoning as a potential for intrusion of nonresidential uses into the neighborhood and as a potential for loss of good housing stock.

PETITION NO. 89-35

This petition encompasses approximately 11.89 acres located along parts of Central Avenue, The Plaza, Commonwealth Avenue, McClintock Road, St. Julien Street, and Westover Street. The properties along Central Avenue are presently zoned B-2 and are requested for rezoning to B-1. These parcels are occupied by commercial and office uses. The most westerly segment of the petitioned site is presently zoned B-2 and is requested for change to O-6. These properties are developed with office and residential uses. The petition also seeks a change from B-2 to O-6 for two lots located on the northeast corner of the intersection of Nandina Street and McClintock Road. These lots contain an office use and a commercial use.

The petition requests a change from O-6 and B-2 to R-6 for the eight lots located on the southwesterly corner of the intersection of McClintock Road and St. Julien Street. Those parcels are occupied by five single family residences, two duplexes and one office use.

The remaining properties, predominantly occupied by single family residences, are requested to be changed from O-6 and B-2 to R-6 in order to be more reflective of the existing uses. The Chantilly Plan recognizes that further nonresidential development in this area would remove much needed affordable homes and weaken the neighborhood edge. Also, intensifying existing nonresidential uses could have an adverse impact on nearby homes.

PETITION NO. 89-36

This petition includes approximately 19.7 acres located south of Central Avenue along Iris Drive and west of Iris Drive. The property is presently zoned O-6, O-15, and B-2 and the requested change seeks R-9 and R-6MF. The petitioned site is comprised of Veterans Park and a tract located on the east side of Iris Drive. The portion of the petitioned site west of Iris Drive contains Veterans Park. The lot on the east side of Iris Drive is occupied by the last unit in a series of duplexes.

The Chantilly-Commonwealth Plan recommends rezoning Veteran's Park to R-9 and the duplex on the east side of Iris Drive to R-6MF to bring the zoning into conformance with the uses on these properties.

PETITION NO. 89-37

This petition includes approximately 7.9 acres located south of Central Avenue along Lyon Court, Morningside Drive, and Ivey Drive. Properties included within the petition are currently zoned a combination of B-2 and O-6. The rezoning request at hand seeks B-1, O-6, and R-9. The portion of the subject property which fronts Central Avenue, except the southeast corner of Central Avenue and Ivey Drive, is petitioned for rezoning from B-2 to B-1 to establish more compatible zoning on the edge of the established neighborhood. The properties are developed with commercial, office and residential uses. It is believed that no non-conforming uses will be created.

The southeast corner of Central Avenue and Ivey Drive is requested for rezoning from B-2 to R-9 for the first three lots south of Central Avenue and from O-6 to R-9 for the fourth, most southerly, lot. These lots are occupied by single family residences. The petition also proposes a change from B-2 to O-6 for two lots located on either side of Lyon Court which are presently occupied by offices. The balance of the petition is requested for rezoning to R-9. These lots form a strip behind the proposed B-1 lots and are presently occupied by single family uses with the exception of one lot on Lyon Court which contains by an office use.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 89-33
Date Filed February 27, 1989
Received By MCR
OFFICE USE ONLY

Ownership Information

Property Owner See Attached List

Owner s Address See Attached List

Date Property Acquired NA

Deed Reference NA Tax Parcel Number See Attached List

Location Of Property (address or description) See Attachment

Description Of Property

Size (Sq Ft Acres) 30,944 Street Frontage (ft)

Current Land Use Vacant, Single-family, Duplex, Day Care

Zoning Request

Existing Zoning R-6MF & Conditional Parking Requested Zoning R-6 & R-9

Purpose of Zoning Change To comply with the adopted Chantilly-Commonwealth Small Area Plan.

Name Of Agent

Agent s Address

Telephone Number

Name of Petitioner(s)
CMPC

Address of Petitioner(s)
600 East Fourth Street

Telephone Number
(704) 336-2205

Signature

Signature of Property Owner if Other Than Petitioner

Chantilly/Commonwealth #1

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 89-33 HEARING DATE April 17, 1989

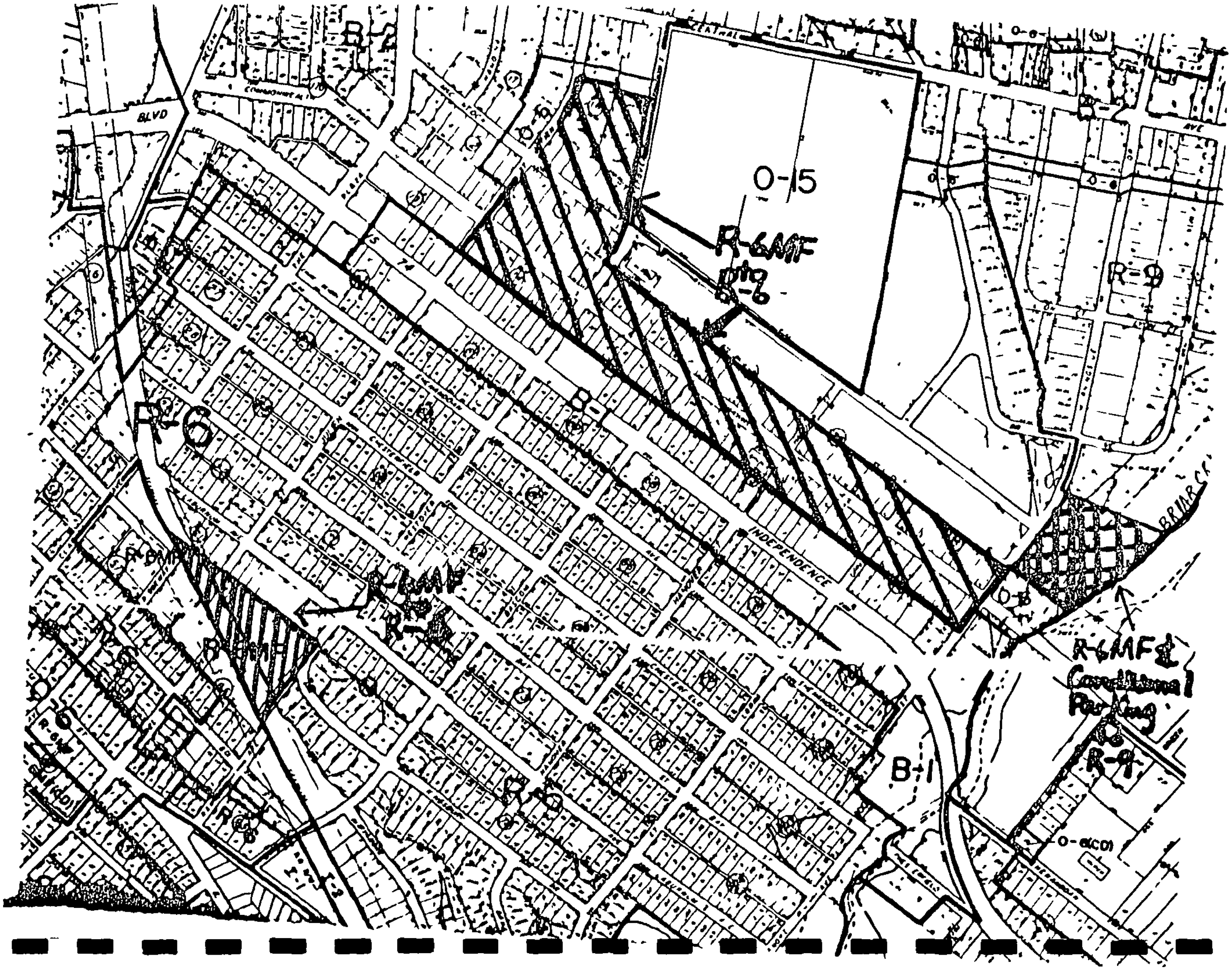
ZONING CLASSIFICATION, EXISTING R-6MF & Conditional Parking REQUESTED R-6 & R-9

LOCATION Approx. 30.944 acres including a triangular shaped parcel founded by Seaboard Railroad right-of-way line to the southwest and Westover St. to the east, property extending from St. Julien St. to Morningside Dr. along both sides of Commonwealth Ave. and a small portion bounded by Westover St. to the northeast, and property located on Morningside Dr. north of Commonwealth Ave. and bounded by Briar Creek on the east.

SEE ATTACHED MAP

ZONING MAP NO. 101 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


BLVD
O-15
R-6MF
R-6
R-9
B-2
B-1
R-6
INDEPENDENCE
R-6MF
R-6MF
R-6MF
Conditional
Parking
R-9
O-6(CD)
BRIAR CR

#10

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 89-34
Date Filed February 27, 1989
Received By MCM
OFFICE USE ONLY

Ownership Information

Property Owner See Attached List

Owner s Address See Attached List

Date Property Acquired N/A

Deed Reference N/A Tax Parcel Number See Attached List

Location Of Property (address or description) See Attachment

Description Of Property

Size (Sq Ft. Acres) 0.998 Street Frontage (ft)

Current Land Use Vacant, Single-family and Duplex

Zoning Request

Existing Zoning O-6 Requested Zoning R-6

Purpose of Zoning Change To comply with the adopted Chantilly/Commonwealth Small Area Plan.

Name Of Agent

Agent s Address

Telephone Number

Name of Petitioner(s)
CMPC

Address of Petitioner(s)
600 East Fourth Street

Telephone Number
(704) 336-2205

Signature

Signature of Property Owner if Other Than Petitioner

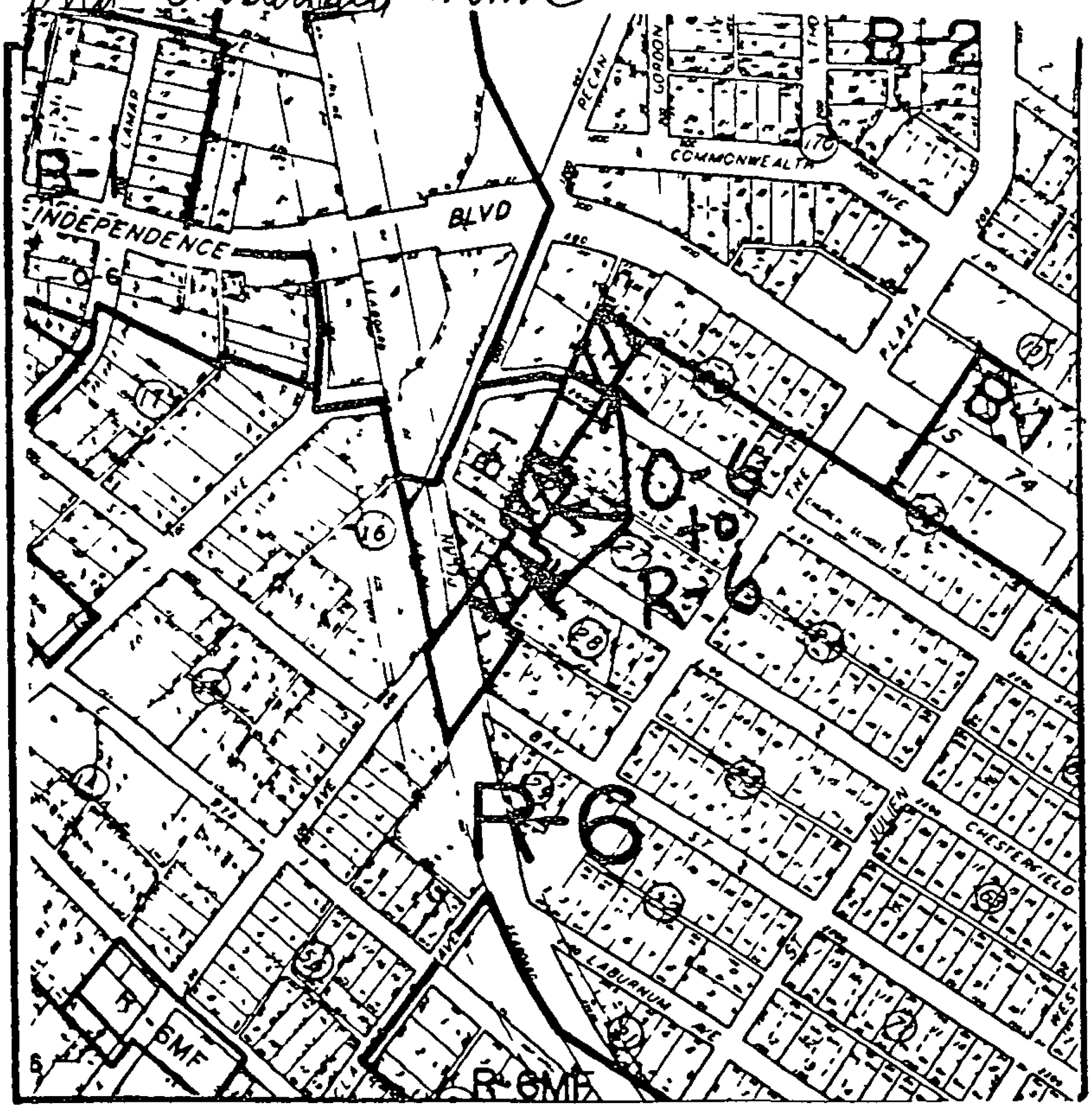
Chantilly Commonwealth
Petition #2

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 89-34 HEARING DATE April 17, 1989

ZONING CLASSIFICATION, EXISTING O-6 REQUESTED R-6

LOCATION Approx. 0.998 acres including properties located northeast of the intersection of Pecan Ave. and Shenandoah Ave., northeast of the intersection of Pecan Ave. and Chesterfield Ave., and southeast of the intersection of Pecan Ave. and Chesterfield Avenue.



ZONING MAP NO. 101 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#11

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 89-35
Date Filed February 27, 1989
Received By MCM
OFFICE USE ONLY

Ownership Information

Property Owner See Attached List

Owner s Address See Attached List

Date Property Acquired N/A

Deed Reference N/A Tax Parcel Number See Attached List

Location Of Property (address or description) See Attachment

Description Of Property

Size (Sq Ft Acres) 11 892 Street Frontage (ft)

Current Land Use Single-family, Office and Retail Uses

Zoning Request

Existing Zoning Part 1 B-2, Part 2 B-2 & O-6 Requested Zoning Part 1 O-6 & B-1 Part 2 R-6

Purpose of Zoning Change To comply with the adopted Chantilly/Commonwealth Small Area Plan.

Name Of Agent

Agent s Address

Telephone Number

Name of Petitioner(s)
CMPC

Address of Petitioner(s)
600 East Fourth Street

Telephone Number
(704) 336-2205

Signature

Signature of Property Owner if Other Than Petitioner

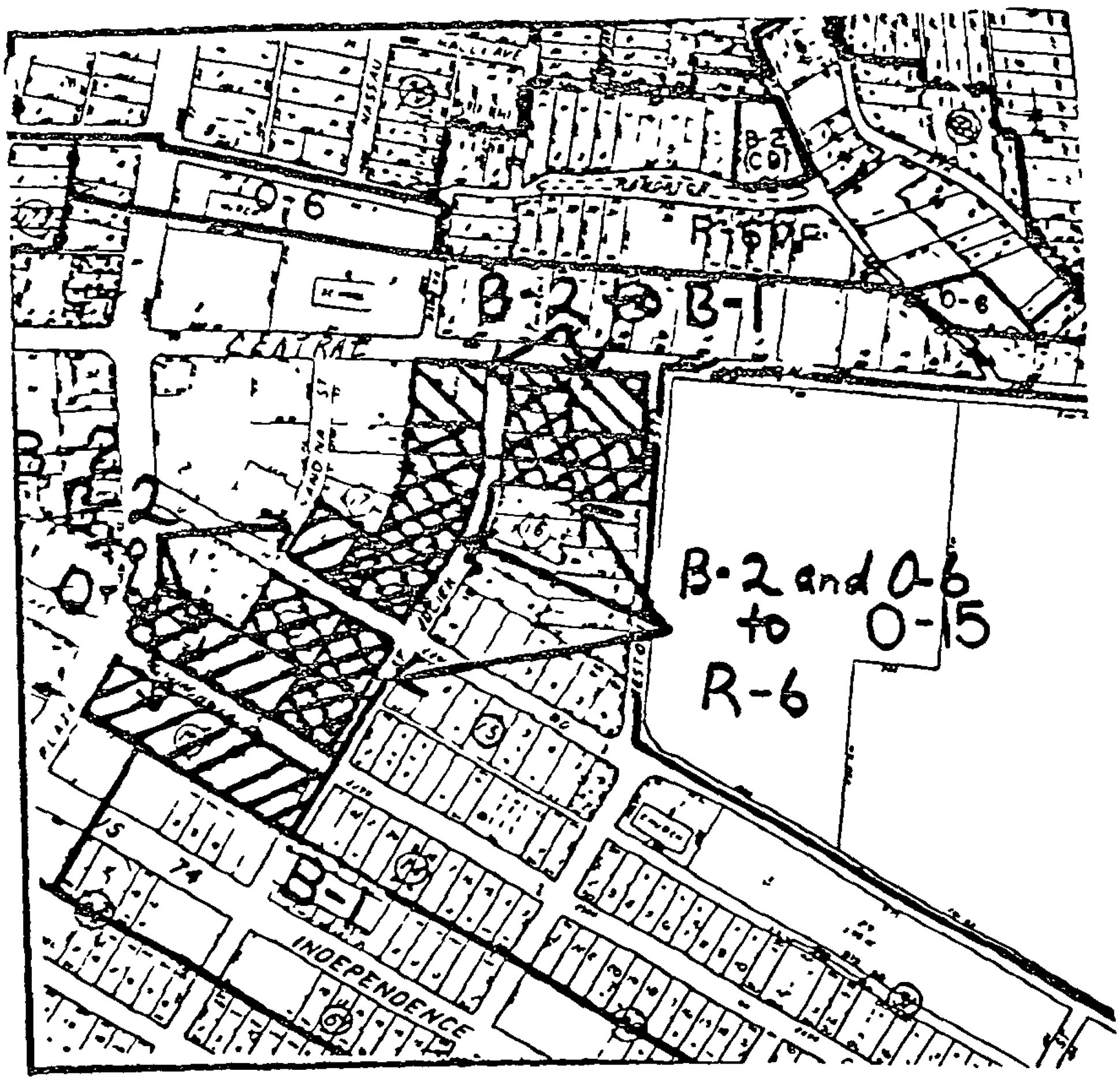
Chantilly/Commonwealth
Petition #3

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO 89-35 HEARING DATE April 17, 1989

ZONING CLASSIFICATION, EXISTING B-2&O-6 REQUESTED O-6,B-1,&R-6

LOCATION Approx. 11.892 acres including several parcels bounded by the Plaza to the west, Commonwealth Ave. to the north, and St. Julien St. to the east, several lots at the northeast corner of the Plaza and Commonwealth Ave., the southeast corner of McClintock Rd. and the Plaza, and the northeast corner of McClintock Rd. and Nandina St.



ZONING MAP NO. 101 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#12

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 89-36
Date Filed February 27, 1989
Received By MCM
OFFICE USE ONLY

Ownership Information

Property Owner See Attached List

Owner s Address See Attached List

Date Property Acquired N/A

Deed Reference N/A Tax Parcel Number See Attached List

Location Of Property (address or description) See Attachment

Description Of Property

Size (Sq Ft Acres) 19.71 Street Frontage (ft)

Current Land Use Park, vacant and duplex

Zoning Request

Existing Zoning O-6, B-2 & O-15 Requested Zoning R-9 & R-6MF

Purpose of Zoning Change To comply with the adopted Chantilly/Commonwealth Avenue Small Area Plan.

Name Of Agent

Agent s Address

Telephone Number

Name of Petitioner(s)
CMPC

Address of Petitioner(s)
600 East Fourth Street

Telephone Number
(704) 336-2205

Signature

Signature of Property Owner if Other Than Petitioner

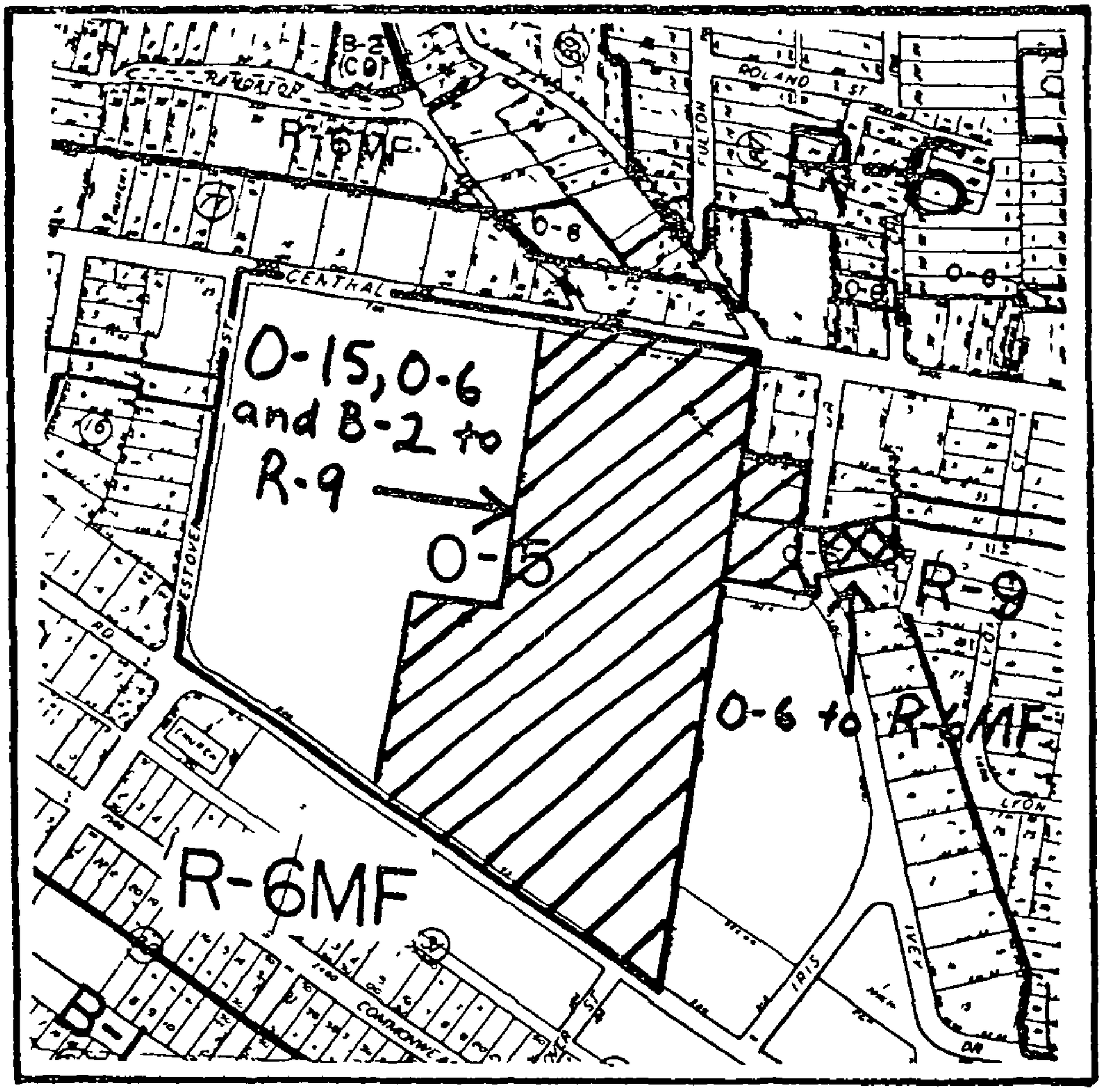
Chantilly Commonwealth
Petition #4

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 89-36 HEARING DATE April 17, 1989

ZONING CLASSIFICATION, EXISTING O-15, O-6, & B-2 REQUESTED R-9 and R-6MF

LOCATION Approx. 19.71 acres located on the south side of Central Ave between Westover St. and Ivey Dr. (Veteran's Park property) and property along both sides of Ivey Drive south of Central Ave.



ZONING MAP NO. 101 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#13

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 89-37
Date Filed February 27 1989
Received By MKM
OFFICE USE ONLY

Ownership Information

Property Owner See Attached List

Owner's Address See Attached List

Date Property Acquired N/A

Deed Reference N/A Tax Parcel Number See Attached List

Location Of Property (address or description) See Attachment

Description Of Property

Size (Sq Ft Acres) 7.984 Street Frontage (ft.)

Current Land Use Single-family, office, vacant and retail.

Zoning Request

Existing Zoning Part 1 B-2, Part 2 B-2 & O-6 Requested Zoning Part 1 B-1 and O-6 Part 2 R-9

Purpose of Zoning Change To comply with the adopted Chantilly/Commonwealth Small Area Plan.

Name Of Agent

Agent's Address

Telephone Number

Name of Petitioner(s)
CMPC

Address of Petitioner(s)
600 East Fourth Street

Telephone Number
(704) 336-2205

Signature

Signature of Property Owner if Other Than Petitioner

Chantilly/Commonwealth
Petition #5

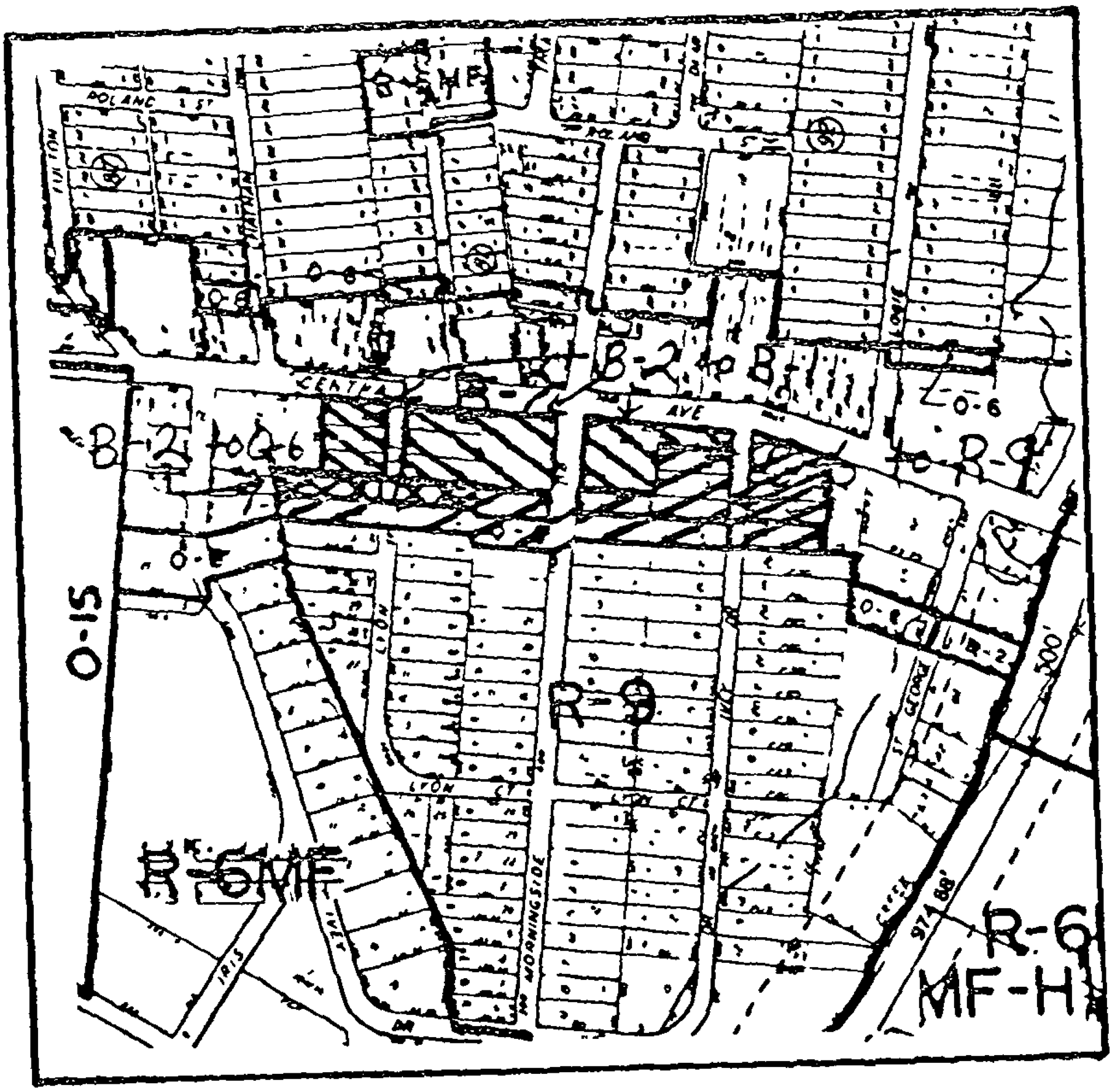
CORRECTED MAP

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 89-37 HEARING DATE April 17, 1989

ZONING CLASSIFICATION, EXISTING B-2 & O-6 REQUESTED B-1, O-6, & R-9

LOCATION Approx. 7.984 acres located on the south side of Central Ave. along both sides of Lyon Ct., Morningside Dr. and Ivey Dr.



ZONING MAP NO. 101 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#14

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 89-38

Petitioner Charlotte Metro Credit Union

Location: An approximately 8,250 square foot parcel located on the north side of Sunnyside Avenue just east of Brookshire Freeway.

Request· Change from R-6MF to O-6

BACKGROUND

1. Existing Zoning. The subject property is presently zoned R-6MF. The abutting parcels to the north and east are zoned B-2 and O-6 respectively. Brookshire Freeway adjoins the petitioned site to the west To the east and south along Sunnyside Avenue, properties are zoned R-6MF

2. Existing Land Use. The petitioned property is occupied by a four unit apartment building. The Credit Union is located on Central Avenue with its parking and drive through window facility adjoining the petitioned site to the east Elsewhere on Central Avenue are numerous office and commercial developments The predominant land use on Sunnyside Avenue is single family homes Several multi-family residential uses are located near the intersection of Louise and Sunnyside Avenues.

3. Public Plans and Policies.

   1 2005 Plan The 2005 Plan includes the area of the subject property in the Midtown Development Enterprise area and encourages a high intensity district of offices, shops, and housing. An urban greenway along Sugar Creek would provide pedestrian amenities and an attractive setting for shops and medium to high rise housing. The 2005 Plan recommends preparation of a streetscape plan for Central Avenue to enhance it as a gateway to Uptown Charlotte The plan is recommended to help unify the varied land uses and make specific recommendations for street trees, sidewalks, and removal of sign and utility line clutter.

   2. Elizabeth Small Area Plan. The Elizabeth Small Area Plan, approved by City Council in 1985, also recommends streetscape improvements along Central Avenue and study of the Sunnyside Avenue area east of the subject property for possible designation as an historic district.

4. Site Plan There is no site plan which accompanies the petition due to its conventional nature.

5. School Information. Not applicable

6. Zoning History (See Attached Map).

1.	65-49	R-6MF to O-6	Approved	05/31/65
2.	67-57	R-6MF & O-6 to B-1	Approved	02/05/68
3.	69-44	O-6 to B-2	Denied	05/12/69
4.	68-12	O-6 to B-2	Approved	02/06/68
5.	70-72	R-6MF to B-2	Approved	06/01/70
6.	73-37	R-6MF to R-6	A.I.P.	11/19/73
7.	80-20	B-2 to R-6MF	Approved	07/28/80
8.	84-48	R-6MF to O-6(CD)	Approved	09/17/84
9.	85-3	O-6 to R-6MF	Approved	03/04/85
10.	87-25	R-6MF & B-2 to R-6	Approved	06/22/87

7 Neighborhood. The site falls within the area defined as the Elizabeth Community.

REVIEWS

1.. Plan Consistency Plans for this portion of the community recognize the transitional status of the petitioned site lying somewhat between the solid commercial and office development on Central Avenue and the long established residential development on Sunnyside Avenue. Public plans for the area call for the improvement of Central Avenue a a gateway to Uptown Charlotte and the possible designation of Sunnyside as a historic district

The request at hand seeks to rezone the petitioned site from a residential to an office category Inasmuch as the property is almost entirely surrounded by nonresidential zoning and land uses, lies along the Brookshire Freeway and is located outside of the potential historic district, the petition is viewed as consistent with public plans. However, the rezoning of additional properties on Sunnyside Avenue to nonresidential districts would be inconsistent with plans for the area

2. Technical Consistency.

1. Pre-Hearing Staff Input. Representatives of the petitioner discussed the application with staff prior to the filing. The possibility of conditional zoning was discussed but, ultimately, staff supported the filing of the petition in a conventional mode.

2. Departmental Comments.

1 C-MUD. Water and sewer services are available

2. Building Standards. No comment.

3. Fire Department No comment.

4. CDOT. CDOT indicates the potential trips generated under the proposed rezoning would remain the same as under the current zoning.

5. Engineering Department. The Engineering Department indicates a four foot sidewalk along the property frontage on Sunnyside Avenue will be required upon submittal of development plans.

6. School Board. No comment.

7. Parks and Recreation. No comment.

8. Planning Staff. The staff gave the clear indication that this petition is not a signal for additional nonresidential petitions in the area.

ISSUES

1. Land Use. There are no land use issues raised by this petition. Public plans for the area attempt to upgrade and strengthen the Central Avenue corridor as a gateway to uptown and to maintain and enhance the residential character of Sunnyside Avenue east of the subject property. The request is viewed as consistent with those policies and therefore, appropriate for approval. However, should the property be rezoned, that should not be an indicator that other properties on Sunnyside Avenue are suitable for nonresidential zoning The portion of Sunnyside east of the petitioned site should be maintained and preserved for residential purposes

2. Site Plan. There is no site plan to consider along with this request due to the conventional nature of the application

CONCLUSION

The petition is considered appropriate for approval.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Staff Review Tues 4/18 @ 9:00 a.m.

Petition No 89-38
Date Filed March 13, 1989
Received By MCM
OFFICE USE ONLY

Ownership Information

Property Owner Charlotte Metro Credit Union and Charlotte Fire Department Credit Union

Owner's Address 718 Central Avenue
Charlotte, NC 28204

Date Property Acquired March 1, 1989

Deed Reference Deed Book 5975 at page 520 Tax Parcel Number 080-183-03

Location Of Property (address or description) 705 Sunnyside Avenue
Charlotte, NC 28204

Description Of Property

Size (Sq. Ft. Acres) Approximately 8,250 Sq. Ft. Street Frontage (ft.) 55 Feet

Current Land Use Apartment House (Multifamily Residential)

Zoning Request

Existing Zoning R-6MF Requested Zoning O6

Purpose of Zoning Change to bring property to common zoning of adjacent property.

Robert E. Bruns, Manager
Charlotte Metro Credit Union

Name Of Agent

Name of Petitioner(s)
Robert E. Honeycutt, Manager
Charlotte Fire Department Credit Union

Agent's Address

Address of Petitioner(s)
718 Central Avenue Charlotte, NC

Telephone Number

Telephone Number
(704) 375-0183

Robert E. Bruns
Signature

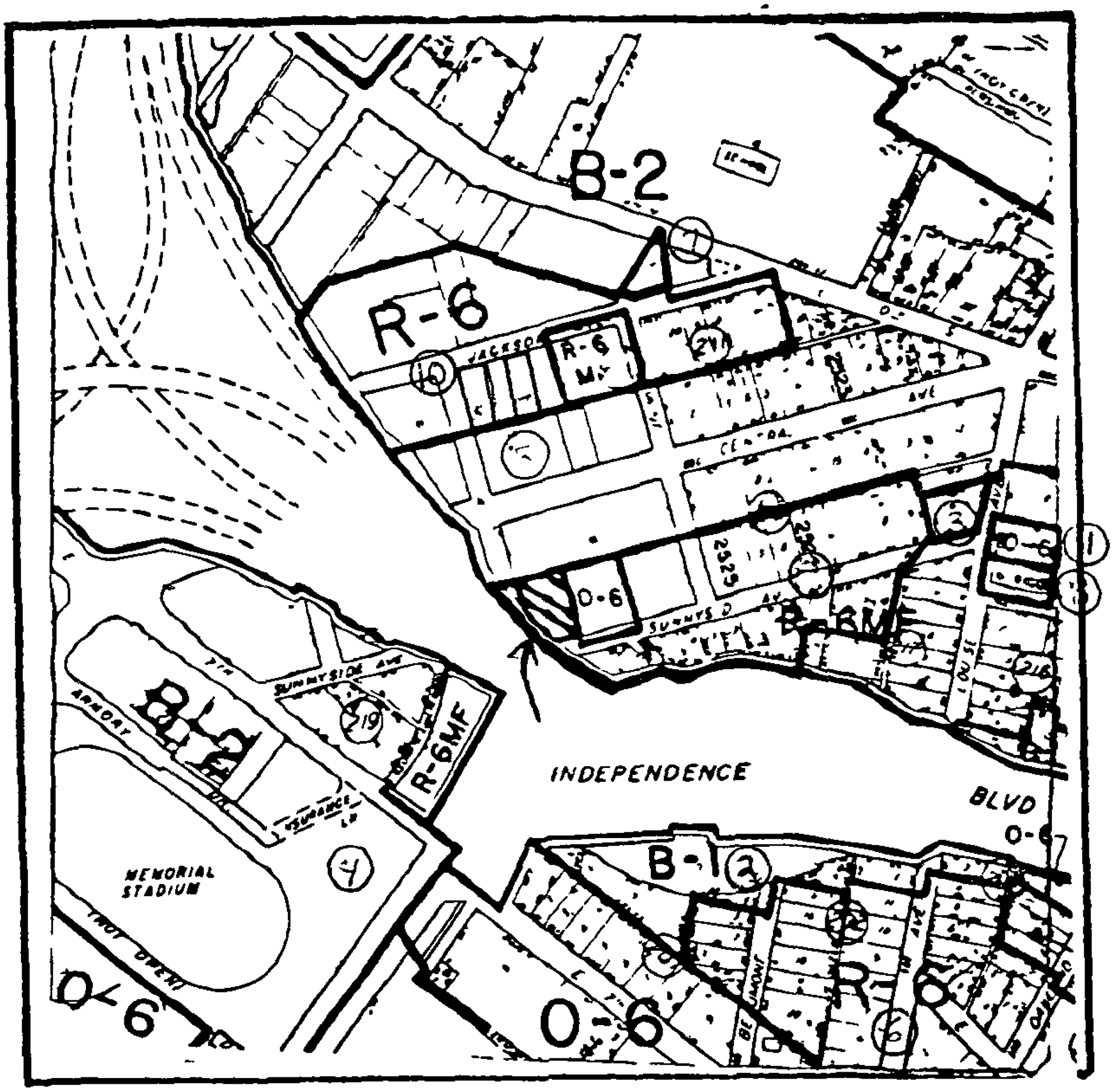
Robert E. Honeycutt
Signature of Property Owner if Other

PETITIONER Charlotte Metro Credit Union

PETITION NO. 89-38 HEARING DATE May 15, 1989

ZONING CLASSIFICATION, EXISTING R-6 MF REQUESTED O-6

LOCATION Approx. 8,250 square foot parcel located on the north side of Sunnyside Avenue just east of Brookshire Freedway.



ZONING MAP NO. 102 SCALE 1" = 400'

#15

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 89-39

Petitioner James B. Stegall

Location An approximately .38 acre site located on the northerly side of Ritch Avenue east of Rosedale Avenue

Request· Change from R-6MF to B-1(CD)

BACKGROUND

1 Existing Zoning. The property involved with this request is zoned R-6MF as are other lots located on Ritch Avenue and Bernard Avenue. Lots to the north along North Tryon Street are zoned I-1 Across Tryon Street is a mixture of B-2, R-9, and I-1.

2. Existing Land Use The subject property is presently vacant and another vacant lot adjoins the site to the east and an apartment building is located to the west. Otherwise, Ritch Avenue and Bernard Avenue are developed with single family homes. Tryon Street is developed with numerous commercial facilities including a motel, fast food restaurants, and Stegall Security

3 Public Plans and Policies.

1 2005 Plan. The 2005 Plan indicates existing residential land uses in the area of the subject property. Strategies for the area include streetscape improvements along Tryon Street.

2. North Tryon Corridor Study The North Tryon Corridor Study calls for properties along Ritch Avenue to be rezoned from R-6MF to R-9 The plan also recommends sidewalk and streetscape improvements along North Tryon Street.

3. Transportation Improvement Program. The TIP's listing of proposed studies includes the U.S 29/North Tryon Street Improvement Study This proposal is to obtain funds for the necessary planning and environmental studies to develop an improvement project for North Tryon and to determine the feasibility for such a project

4. Site Plan. The site plan which accompanies this petition proposes the extension of the parking lot serving the existing Stegall Security complex The plan indicates a 20 car parking lot with screening on the sides adjoining residential zoning. Along Ritch Avenue, the plan indicates a landscaped berm five feet in height with shrubs on the ridge and four small maturing trees 30 feet on center along the right-of-way line. The minimum distance from the parking lot to the Ritch Avenue right-of-way line is 50 feet on the two sides, the plan indicates red tips a maximum of five feet apart The minimum distance from the edge of the parking lot to

the side property lines is 22 5 feet The site has already been graded and many of the landscaping improvements have been installed.

5. School Information. Not applicable

6. Zoning History (See Attached Map).

1.	70-112	I-1 to B-2 & O-6	Approved	09/28/70
2	74-26	R-6 to Cond. Park	Approved	07/01/74
3.	85-25	I-1 to I-2(CD)	Approved	05/20/85
4.	81-75	B-2 & I-1 to R-9	Approved	05/18/81

7. Neighborhood. This area does not fall within a defined neighborhood

REVIEWS

1. Plan Consistency This petition is inconsistent with publicly adopted plans for the area The petition seeks to rezoned properties from a residential to a nonresidential category in an area in which publicly adopted plans attempt to strengthen and enhance the area for residential purposes

2. Technical Consistency.

   1. Pre-Hearing Staff Input. There was no contact between staff and the petitioner prior to the filing of the petition. Subsequent to the filing, staff relayed site plan comments to the petitioner.

   2. Departmental Comments

      1. C-MUD. Water and sewer services are available to the site

      2 Building Standards No comment.

      3. CDOT. CDOT indicates the site could generate about 42-54 trips per day a currently zoned and about 56 trips per day under the proposed zoning

      4. Fire Department. No comment.

      5. Engineering Department. No comment.

      6. Board of Education. No comment.

      7. Planning Staff. Planning staff has indicated to the petitioner a preference for a wall supplemented by shrubbery along the two sides

ISSUES

1. Land Use. This petition raises a significant land use issue It proposes the creation of commercial zoning in an established residential neighborhood to accommodate an enlarged commercial parking lot. The nearby area is a nice, albeit small, residential neighborhood that cannot afford any nonresidential encroachment Plans for the area call for maintaining its established residential character. Therefore, the petition is not considered appropriate for approval.

2 Site Plan The site plan which accompanies this petition proposes extension of the parking lot serving the Stegall Security complex. The plan indicates a new 20 car parking lot would be developed to the rear of the security building The plan proposes a landscaped berm and tree plantings adjoining Ritch Avenue and red tips along either side. Although the site plan meets the minimum requirements, it would provide more adequate visual screening with the addition of a wall along the two sides most directly related to existing residential uses.

CONCLUSION

The petition is not considered appropriate for approval due to its conflict with public plans for the area.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Staff Review Tues 4/18 @ 9:00 a.m.

Petition No 89-39
Date Filed March 13, 1989
Received By MCM

OFFICE USE ONLY

Ownership Information

Property Owner STEGALL SECURITY & PROTECTIVE SERVICE INC.

Owner's Address 3600 NORTH TRYON STREET
CHARLOTTE, N. C. 28206

Date Property Acquired DECEMBER 12TH, 1936

Deed Reference 5383 - 051 Tax Parcel Number 091 - 114 - 09

Location Of Property (address or description) 3601 RITCH AVENUE
CHARLOTTE, N. C. 28206

Description Of Property

Size (Sq. Ft. Acres) 16,500 Sq ft - 0.38 Acres Street Frontage (ft.) 110

Current Land Use VACANT LOT

Zoning Request

Existing Zoning R-5 IF Requested Zoning B-1(CD)

Purpose of Zoning Change ADDITIONAL PARKING FOR 3600 NORTH TRYON STREET

Name Of Agent

Agent's Address

Telephone Number

Name of Petitioner(s)
JAMES B. STEGALL, PRESIDENT

Address of Petitioner(s)
3600 N. TRYON ST., CHARLOTTE, N C 28206

Telephone Number
375-0606

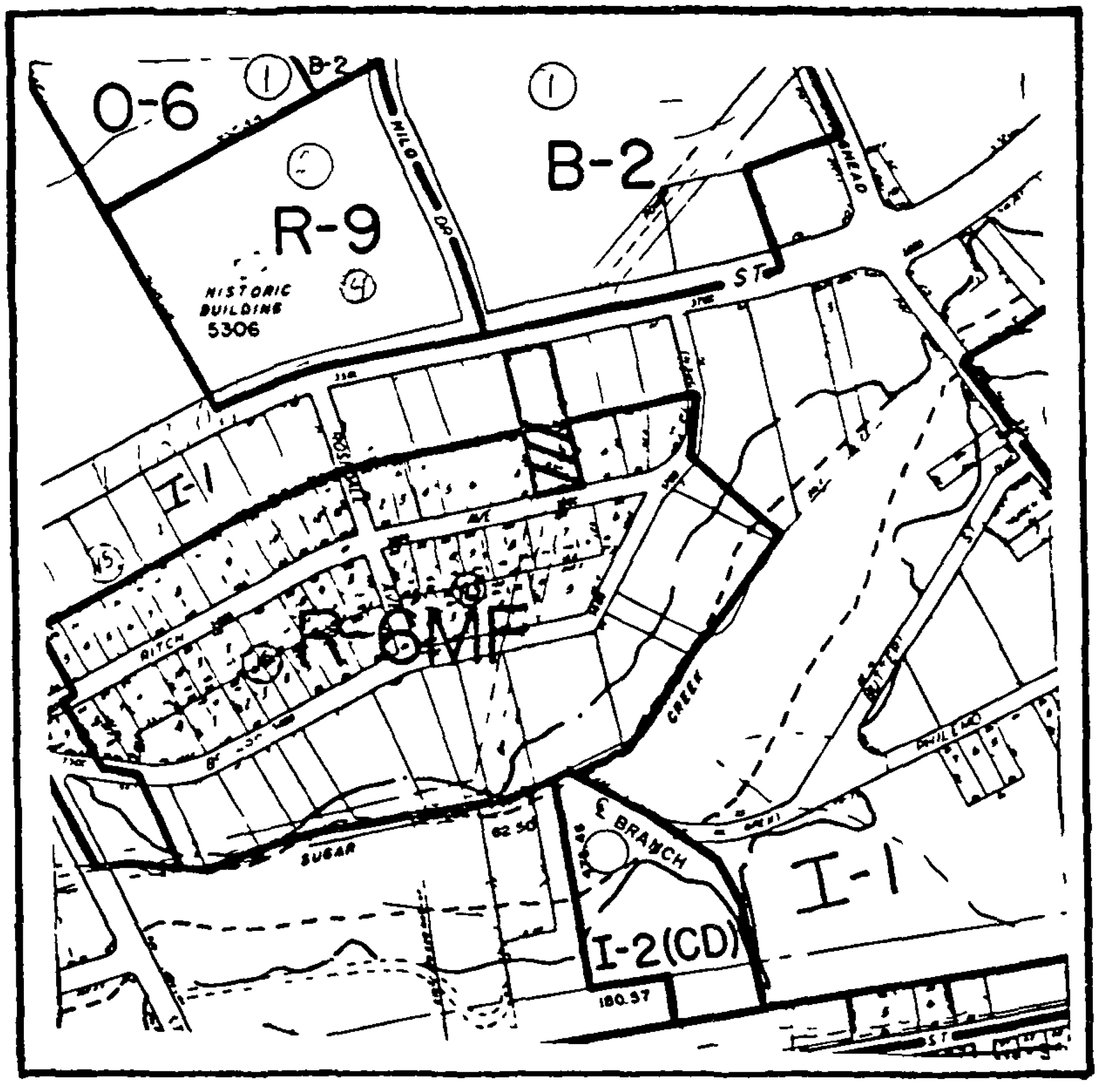
James B. Stegall
Signature

PETITIONER James B Stegall

PETITION NO. 89-39 HEARING DATE May 15, 1989

ZONING CLASSIFICATION, EXISTING R-6MF REQUESTED B-1(CD)

LOCATION Approx. 0.38 acres located off N. Tryon St. on the north side of Ritch Ave. east of Rosedale Ave.



ZONING MAP NO. 89 SCALE 1" = 400'

#16

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 89-40 through 89-47

Petitioner. Charlotte-Mecklenburg Planning Commission

BACKGROUND

The City of Charlotte Zoning Ordinance calls for a review of conditional rezonings three years from the date of their approval. According to the zoning ordinance, conditional rezonings are to be considered for firm development proposals were being developed in accordance with the approved zoning. For a number of years, the three year review of approved conditional rezonings was not conducted on a regular basis. The Charlotte-Mecklenburg Planning Commission has recently, however, concluded an exhaustive review of all conditional rezonings for both Mecklenburg County and the City of Charlotte. This included the review of 501 previously approved conditional zoning cases and of those 501 cases 27 have been recommended for rezoning. The cases listed below are cases which after review and discussion by the Planning Commission have been recommended for rezoning in accordance with the provisions of the zoning ordinance.

Petition No 89-40

Petitioner: Charlotte-Mecklenburg Planning Commission

Location Approximately 19 65 acres located on the north side of I-85 near Tuckaseegee Road.

Request· Change from Conditional Use Truck Terminal to I-1

This case involves a 19.65 acre tract located on the northerly side of I-85 just west of its intersection with Tuckaseegee Road. The site was rezoned in 1966 to permit a conditional truck terminal. The truck terminal was never built. Instead, a 43,000 square foot warehouse with supporting offices was built by Monarch Knitting Machinery Corporation. The warehouse development was permitted by the Zoning Administrator who determined that something other than the conditional truck terminal could be built as long as the standards of the I-1 district were met.

The requested rezoning seeks an I-1 district. All of the adjoining properties are also zoned I-1. Land uses in the nearby area along I-85 are predominantly industrial and office related. At the intersection of I-85 and Tuckaseegee Road is a Days Inn Motel and a Howard Johnson's. The south side of Tuckaseegee Road is developed with an apartment complex, a church, and a day care center. Across Tuckaseegee Road are single family homes. Publicly adopted plans recognize the area as one of developing employment land uses.

Departmental reviews indicate no concerns about this rezoning. CDOT indicates the potential trips generated under the proposed zoning would remain the same as under the current zoning. The property owner is supportive of the request for I-1. There are no land use issues involved with the petition and it is considered appropriate for approval.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 89-40
Date Filed March 13, 198
Received By MCM
OFFICE USE ONLY

Ownership Information

Property Owner Monarch Knitting Machinery Corporation

Owner s Address 741-10 88th Street
Glendale, New York 11385

Date Property Acquired N/A

Deed Reference N/A Tax Parcel Number 061-151-01 061-152-01

Location Of Property (address or description) Approximately 19.65 acres located on the north side of I-85 750' west of Tuckaseegee Road.

Description Of Property

Size (Sq. Ft. Acres) 19.65 acres Street Frontage (ft.)

Current Land Use 43,000 S.F. warehouse facility with offices.

Zoning Request

Existing Zoning Conditional Truck Terminal Requested Zoning I-1

Purpose of Zoning Change Comply with the recommendations that were made during the conditional review process.

Charlotte-Mecklenburg Planning Commis

Name Of Agent

Name of Petitioner(s)
600 East Fourth Street

Agent's Address

Address of Petitioner(s)
336-2205

Telephone Number

Telephone Number

Signature

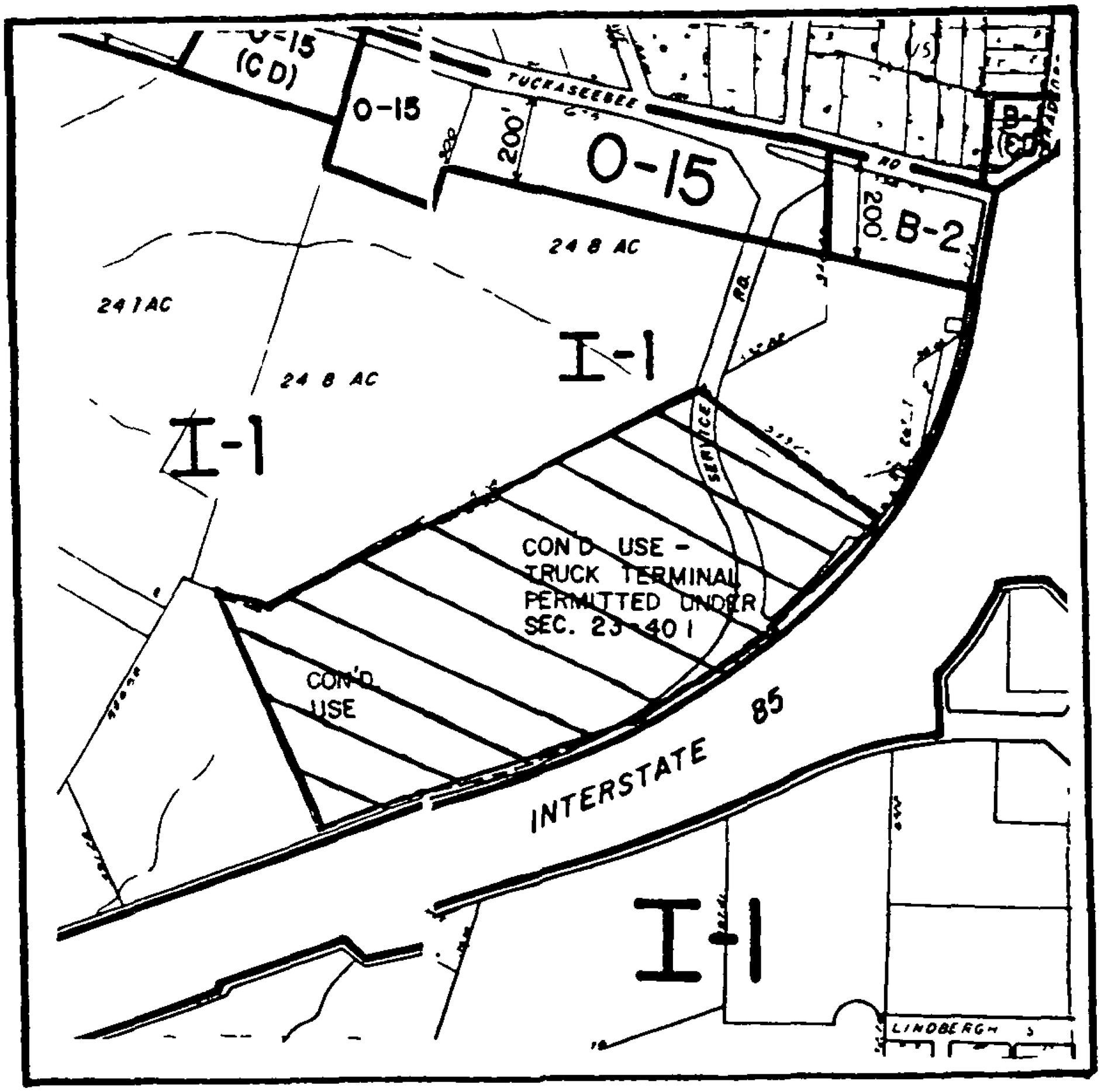
Signature of Property Owner if Other

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 89-40 HEARING DATE May 15, 1989

ZONING CLASSIFICATION, EXISTING Conditional Truck Terminal REQUESTED I-1

LOCATION Approx. 19.65 acres located on the northerly side of I-85 750' west of Tuckaseegee Road.



ZONING MAP NO. 86, 87 SCALE 1" = 400'

#17

Petition No. 89-41

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Approximately .172 acres located off the northerly side of Kirkland Avenue west of Coker Avenue.

Request: Change from conditional parking to R-6MF

This petition involves a .172 acre parcel located north of Kirkland Avenue west of Coker Avenue. The parcel was rezoned in 1970 to permit conditional parking but has remained vacant. The zoning pattern in the nearby area is predominantly R-6MF with parts of Tuckaseegee Road zoned for business purposes. The area south and east of the petitioned site has developed in a solidly single family residential manner. To the north, Tuckaseegee Road is developed with a number of businesses. Public plans indicate that this area is one which should remain residential in character. There were no developmental concerns regarding the request and CDOT indicates the potential trip generation will be unaffected. This request would restore the site to its original zoning. As of the preparation of this report, no response has been received from the property owner. There are no land use issues and the request is considered appropriate for approval.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 89-41
Date Filed March 13, 1989
Received By MCM
OFFICE USE ONLY

Ownership Information

Property Owner Coker Properties Wayne A. Turner

Owner's Address RFD 2 Box 570

Mooresville, NC 28115

Date Property Acquired N/A

Deed Reference N/A Tax Parcel Number 065-045-09 p/o

Location Of Property (address or description) North side of Kirkland Avenue, 150' east of Coker Avenue (off Tuckaseegee Road).

Description Of Property

Size (Sq Ft Acres) Street Frontage (ft.)

Current Land Use Vacant

Zoning Request

Existing Zoning Conditional Parking Requested Zoning R-6MF

Purpose of Zoning Change Comply with the recommendations that were made during the conditiona review process.

Charlotte-Mecklenburg Planning Commis

Name Of Agent

Name of Petitioner(s)
600 East Fourth Street

Agent's Address

Address of Petitioner(s)
336-2205

Telephone Number

Telephone Number

Signature

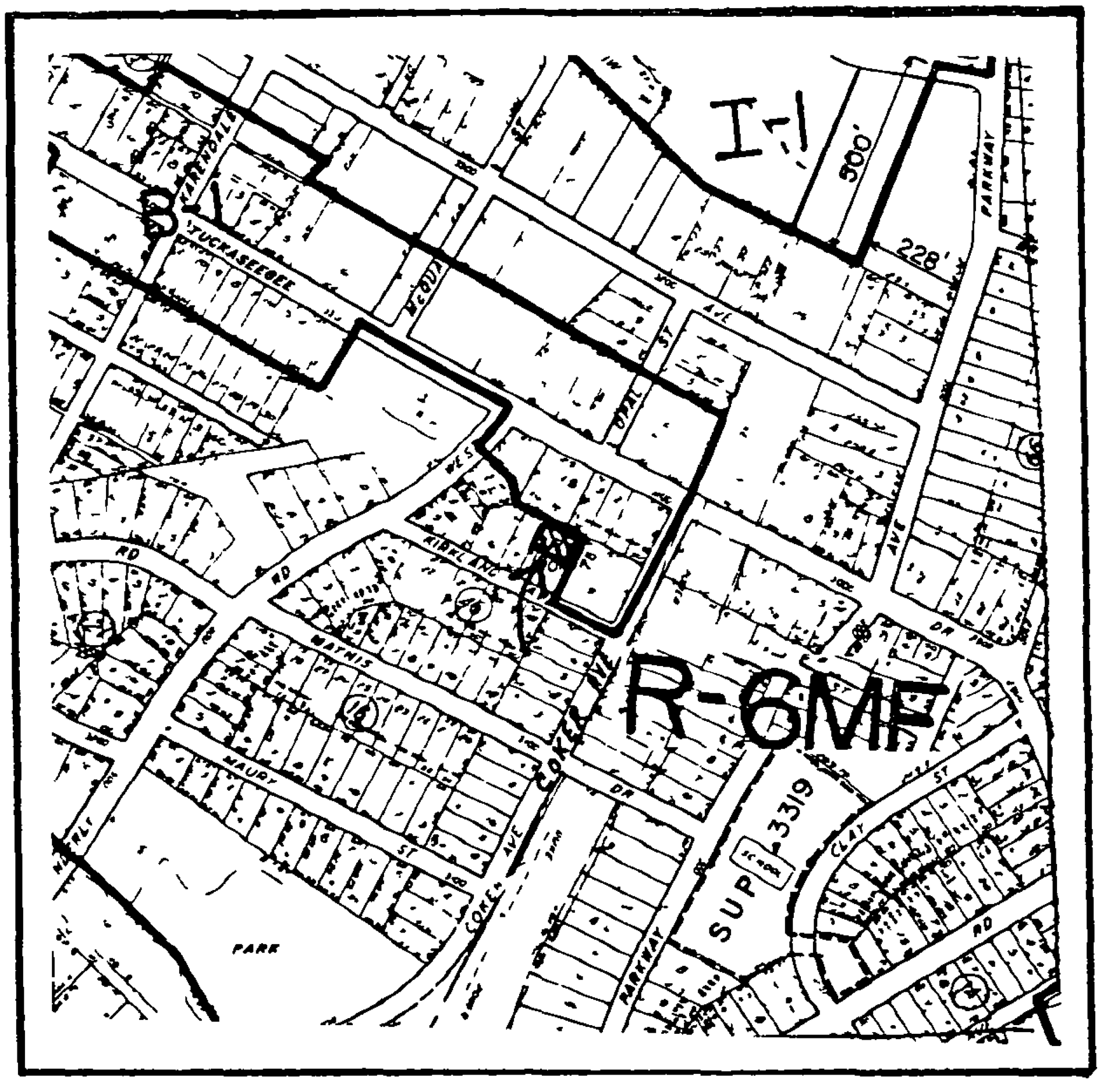
Signature of Property Owner if Other

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 89-41 HEARING DATE May 15, 1989

ZONING CLASSIFICATION, EXISTING Conditional Parking REQUESTED R-6MF

LOCATION Approx. .172 acres located off of the northerly side of of Kirkland Avenue west of Coker Avenue.



ZONING MAP NO. 87 SCALE 1" = 400'

#18

Petition No. 89-42

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: A one acre tract located along Seaboard Railway west of Monroe Road.

Request: Change from Conditional Petroleum Storage to I-2

This request involves a one acre site located along the Seaboard Railroad between Monroe Road and LaTrobe Drive. The site was rezoned in 1974 for conditional oil storage. The site has remained vacant and this petition would change the property back to the original I-2 classification, to conform to the zoning pattern of the surrounding area.

Properties in the nearby area are largely undeveloped. The Arnold Palmer Center lies along LaTrobe Drive to the southeast and numerous commercial establishments are found on Honroe Road to the northeast. Land use along Miriam Drive and Mary Avenue is a mixture of business, office, single family, and multi-family residential Marvin Road to the southwest contains multi-family and single family residential uses. Public plans for the area recognize it as an exiting employment center. Reviewing agencies had no comments about the request. CDOT indicates the potential trip generation will be unaffected. The property owner is supportive of the I-2 request. Inasmuch as there are no issues associated with the request, it should be considered appropriate for approval.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 89-42
Date Filed March 13, 1989
Received By MCM
OFFICE USE ONLY

Ownership Information

Property Owner Horace E. Hall

Owner s Address P.O. Box 9007

Charlotte, NC 28205

Date Property Acquired N/A

Deed Reference N/A Tax Parcel Number 159-041-01

Location Of Property (address or description) Off Monroe Road at Seaboard R R.

Description Of Property

Size (Sq Ft.-Acres) 1.0 ± Street Frontage (ft.)

Current Land Use Vacant

Zoning Request

Existing Zoning Conditional Oil Storage Requested Zoning I-2

Purpose of Zoning Change Comply with the recommendations that were made during the conditional review process.

Charlotte-Mecklenburg Planning Commissio

Name Of Agent

Agent s Address

Telephone Number

Name of Petitioner(s)
600 East Fourth Street

Address of Petitioner(s)
336-2205

Telephone Number

Signature

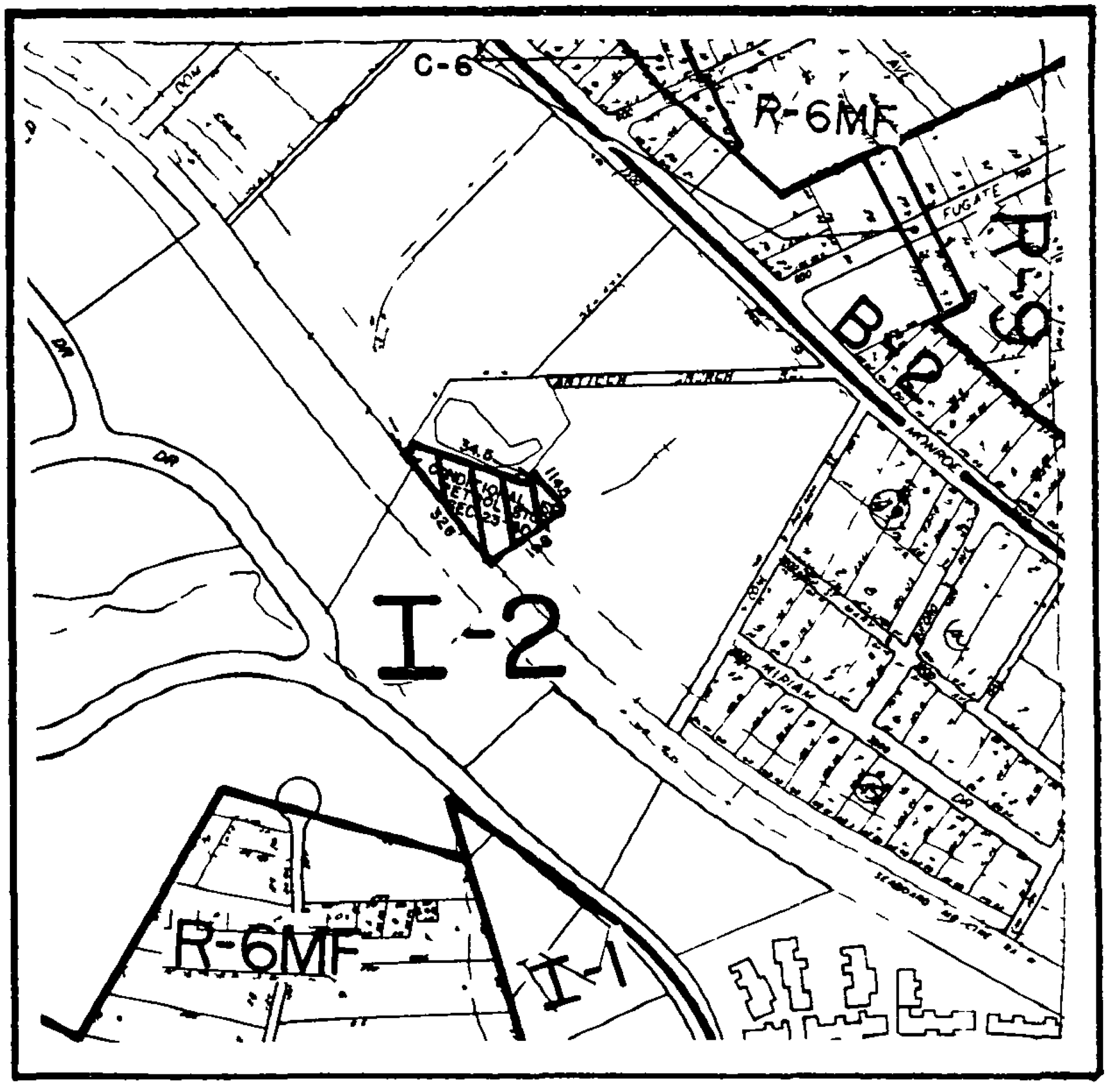
Signature of Property Owner if Other Than Petitioner

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 89-42 HEARING DATE May 15, 1989

ZONING CLASSIFICATION, EXISTING Conditional Oil REQUESTED I-2

LOCATION Approx. 1.0 acre located off the westerly side of Monroe Rd at Seaboard Railroad



ZONING MAP NO. 112 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#19

Petition No. 89-43

Petitioner. Charlotte-Mecklenburg Planning Commission

Location: Ten acres located southwest of the intersection of Randolph and Billingsley Roads.

Request Change from conditional use recreational to R-12

This request involves a 10 acre site located to the southwest of the intersection of Randolph and Billingsley Roads The property was rezoned in 1974 to permit conditional recreational uses but has never been developed. This petition would rezone the property back to the original R-12 district to conform to the established zoning pattern in the area.

Properties to the west and south are solidly developed with single family homes. The County Social Services complex and public park facilities are located east of the petitioned site along Randolph Road. Public plans indicate this area is one which should be developed for residential purposes. Departmental reviews indicate no concerns about the rezoning request. CDOT indicates the potential trips generated under the proposed zoning would remain the same as under the current zoning. The property owner does not oppose the change. There are no issues raised by the petition and it should be considered appropriate for approval.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 89-43.
Date Filed March 13, 198
Received By MCM
OFFICE USE ONLY

Ownership Information

Property Owner E.C. Griffith

Owner s Address 1914 Brunswick Avenue

Charlotte, NC 28207

Date Property Acquired N/A

Deed Reference N/A Tax Parcel Number 155-141-10

Location Of Property (address or description) Southwest of the intersection of

Randolph Road and Billingsley Road.

Description Of Property

Size (Sq Ft.-Acres) 10.00± acres Street Frontage (ft.)

Current Land Use Vacant

Zoning Request

Existing Zoning Conditional Recreational Requested Zoning R-12

Purpose of Zoning Change Comply with the recommendations that were made during the

conditional review process.

Name Of Agent

Agent s Address

Telephone Number

Charlotte-Mecklenburg Planning Commiss

Name of Petitioner(s)

600 East Fourth Street

Address of Petitioner(s)

336-2205

Telephone Number

Signature

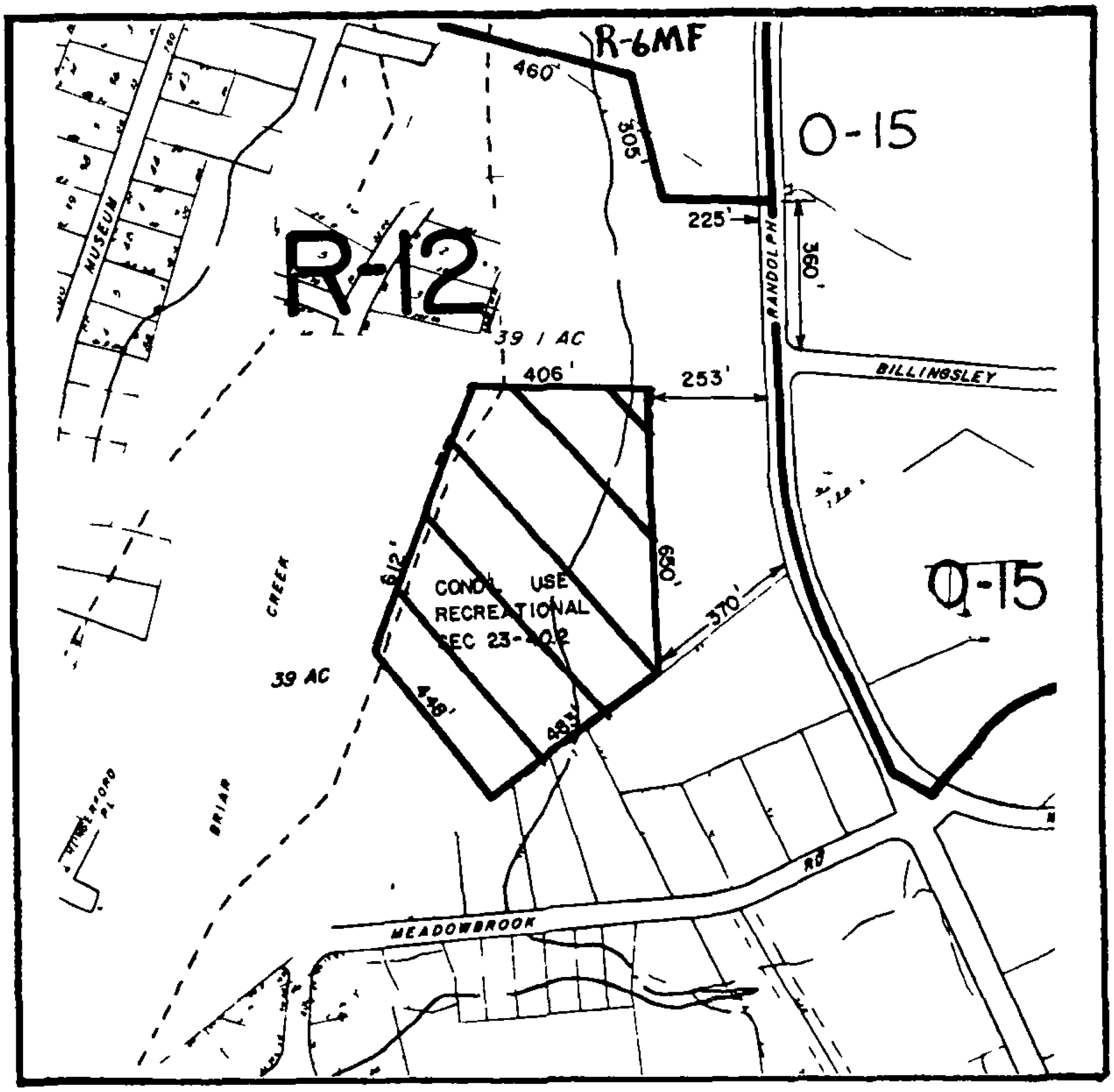
Signature of Property Owner if Other Than Petitioner

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO 89-43 HEARING DATE May 15, 1989

ZONING CLASSIFICATION, EXISTING Conditional Recreational REQUESTED R-12

LOCATION Approx. 10.00 acres located on the southwest corner of Randolph and Billingsley Roads.



ZONING MAP NO. 112, 124 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#20

Petition No. 89-44

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: An approximately .216 acre tract located at the intersection of Ranlo and Baldwin Avenues.

Request: Change from O-6(CD) to R-6MF

This petition involves a .216 acre parcel located on the southwest corner of the intersection of Ranlo and Baldwin Avenues. The property was rezoned in 1977 from R-6MF to O-6(CD) to permit a combination of office and residence. That development never occurred and this petition proposes to rezone the property back to the original R-6MF district. The zoning in the nearby area is a mixed pattern of predominantly residential to the southwest of the site and predominantly office and commercial to the northeast of the site Land use in the area follows that zoning pattern fairly closely. Single family homes are found along Torrence Street, Baldwin Avenue, and Lillington Avenue south of Ranlo Avenue. To the north of Ranlo Avenue is predominantly developed for office uses including the Presbyterian Specialty Hospital. There were essentially no departmental comments regarding the request and CDOT reports the potential trip generation would be unaffected. The property owner indicates a preference for rezoning to O-6 rather than the requested R-6MF. However, public plans indicate this is an area which should remain residential. Therefore, the petition should be considered appropriate for approval.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 89-44
Date Filed March 13, 19.
Received By [illegible]
OFFICE USE ONLY

Ownership Information

Property Owner George Salem

Owner s Address 5411 Addison Drive

Charlotte, NC 28211

Date Property Acquired N/A

Deed Reference N/A Tax Parcel Number 125-114-13

Location Of Property (address or description) Southwesterly corner of Baldwin Avenue and Ranlo Avenue.

Description Of Property

Size (Sq Ft Acres) 216 acres Street Frontage (ft.)

Current Land Use Vacant

Zoning Request

Existing Zoning O-6(CD) Requested Zoning R-6MF

Purpose of Zoning Change Comply with the recommendations that were made during the conditional review process.

Name Of Agent

Agent s Address

Telephone Number

Name of Petitioner(s)
Charlotte-Mecklenburg Planning Commiss

Address of Petitioner(s)
600 East Fourth Street

Telephone Number
336-2205

Signature

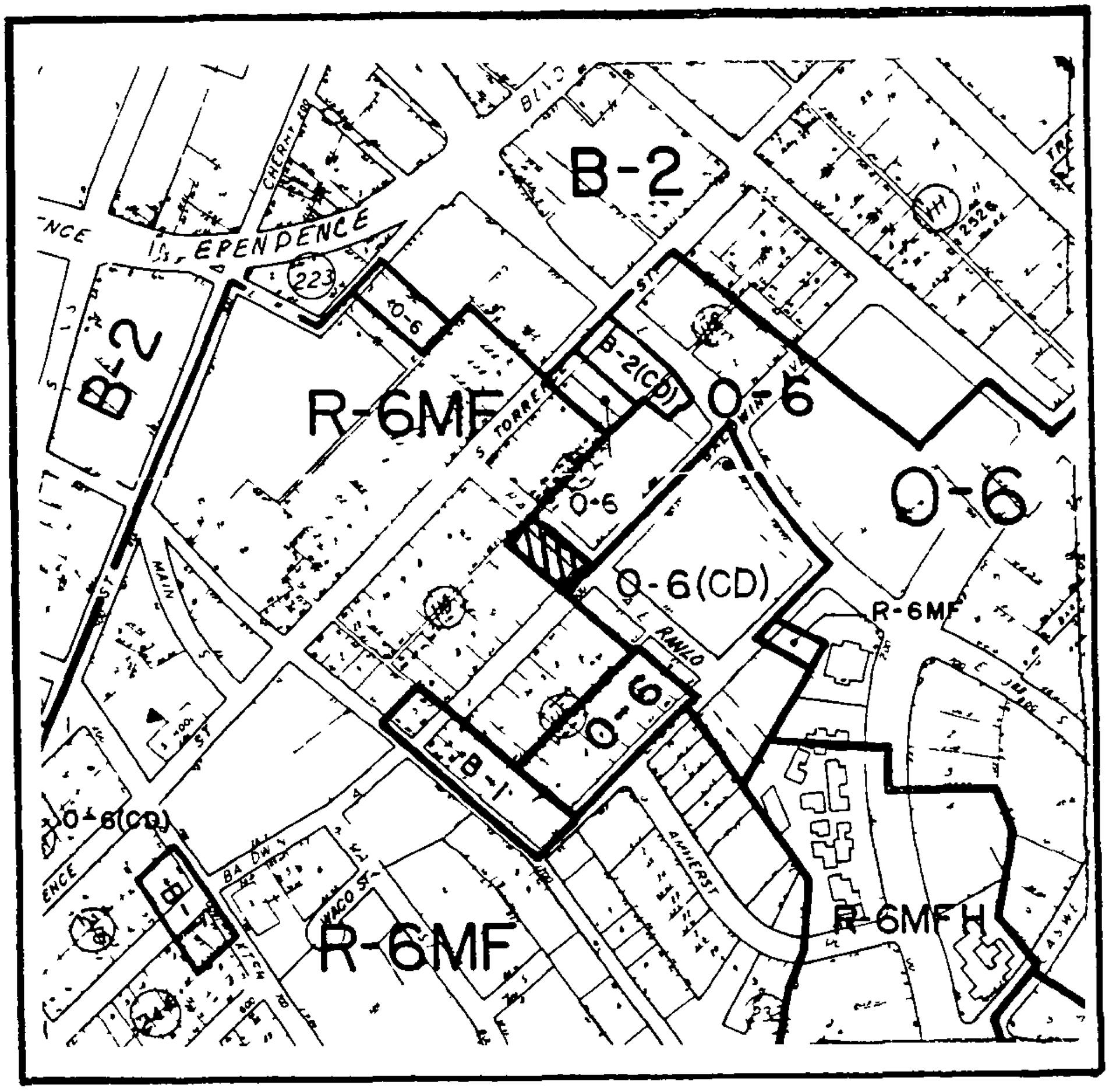
Signature of Property Owner if Other Than Petitioner

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 89-44 HEARING DATE May 15, 1989

ZONING CLASSIFICATION, EXISTING O-6(CD) REQUESTED R-6MF

LOCATION Approx. .216 acres located on the northwesterly corner of Baldwin Avenue and Ranlo Avenue



ZONING MAP NO. 102, 111 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#21

Petition No. 89-45

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: An approximately 1.47 acre site located on the northerly corner of the intersection of East Morehead Street and Euclid Avenue.

Request. Change from B-3T(CD) to UMUD

This request seeks to rezone a 1.47 acre site located at the intersection of East Morehead Street and Euclid Avenue from B-3T(CD) to UMUD. The site was rezoned from B-1 to B-3T(CD) in 1979 to allow the old Red Carpet Inn to be converted into 102 housing units for the elderly The petitioned site is the only parcel of land in Charlotte with the B-3T zoning remaining. The UMUD district is the most compatible zoning for the current use in the area in which it is located The zoning pattern in the area is comprised of UMUD, B-1, and B-2 on Morehead and a mixture of office and residential on other nearby roads. Land use on Morehead Street in this area is primarily office related. Residential uses are located to the south on portions of Lexington and Templeton Avenues Public plans recognize the area of the subject property as one of existing employment uses. There were essentially no departmental comments on the petition and CDOT indicates the potential trip generation will be unaffected. The property owner does not oppose the rezoning. The petition would bring the zoning of the property into conformance with the established zoning pattern in the area. Therefore, the petition should be considered appropriate for approval.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 89-45
Date Filed March 13, 19
Received By MCM

OFFICE USE ONLY

Ownership Information

Property Owner Charlotte Housing Authority

Owner s Address 1301 South Boulevard

Charlotte, NC 28203

Date Property Acquired N/A

Deed Reference N/A Tax Parcel Number 125-175-06

Location Of Property (address or description) 615 E Morehead Street (Red Carpet Inn)

Description Of Property

Size (Sq Ft-Acres) 1.47 acres Street Frontage (ft.)

Current Land Use Housing for the elderly.

Zoning Request

Existing Zoning B-3(T) CD Requested Zoning U-MUD

Purpose of Zoning Change Comply with the recommendations that were made during the conditiona-

review process.

Charlotte-Mecklenburg Planning Commissi

Name Of Agent

Name of Petitioner(s)
600 East Fourth Street

Agent s Address

Address of Petitioner(s)
336-2205

Telephone Number

Telephone Number

Signature

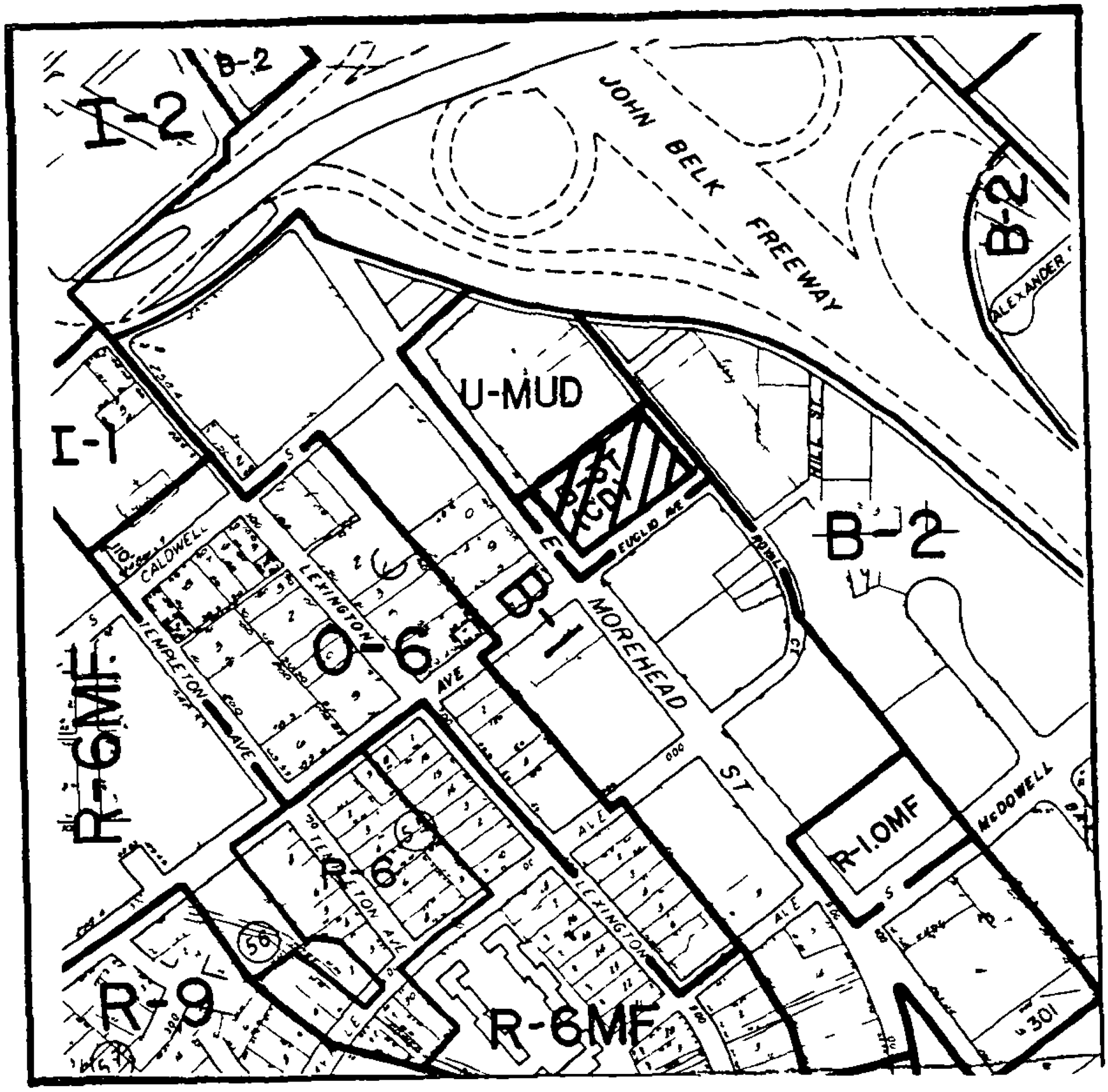
Signature of Property Owner if Other Than Petitioner

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO 89-45 HEARING DATE May 15, 1989

ZONING CLASSIFICATION, EXISTING B-3(T)CD REQUESTED U-MUD

LOCATION Approx. 1.47 acres located at the northeasterly intersection of East Morehead Street and Euclid Avenue.



ZONING MAP NO. 102 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#22

Petition No. 89-46

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: An approximately .2 acre site located on the south side of LaSalle Street 230 feet to the west of Beatties Ford Road.

Request: Change from B-1(CD) to O-6

This request involves a .2 acre site located southwest of the intersection of Beatties Ford Road and LaSalle Street. The property was rezoned in 1981 from O-6 to B-1(CD) for a 300 square foot retail facility. The zoning pattern in the area is composed of B-1 along Beatties Ford Road near LaSalle Street, R-6 or R-15MF on nearby residential streets and strips of O-6 zoning occasionally lying between the business and residential districts. The petitioned site has never developed and this request is to change the zoning back to the original O-6. Land use in the surrounding area fairly closely matches the zoning with Beatties Ford Road being devoted to commercial and office uses and areas to the east and west of Beatties Ford Road developed for residential uses. Public plans recognize the existing community commercial center at the intersection of Beatties Ford Road and LaSalle Street, the existing employment along Beatties Ford Road and the existing residential uses elsewhere in the area. Reviewing agencies had no comments on the request CDOT indicates the potential trip generation will be unchanged by the requested zoning change. As of the preparation of this report, the property owner has not responded to notifications of the rezoning petition The request seeks to return the property to the original O-6 district. There are no issues involved in the request and it should be considered appropriate for approval.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 89-46

Date Filed March 13, 1989

Received By MCM

OFFICE USE ONLY

Ownership Information

Property Owner Curtis and Linda Reeves

Owner s Address 3705 Country Ridge Road

Charlotte, NC 28226

Date Property Acquired N/A

Deed Reference N/A Tax Parcel Number 069-126-27

Location Of Property (address or description) South side of LaSalle Street west of Beatties Ford Road.

Description Of Property

Size (Sq Ft. Acres) .208 acres Street Frontage (ft.)

Current Land Use Vacant

Zoning Request

Existing Zoning B-1(CD) Requested Zoning O-6

Purpose of Zoning Change Comply with the recommendations that were made during the conditional review process.

Name Of Agent

Agent s Address

Telephone Number

Charlotte-Mecklenburg Planning Commiss

Name of Petitioner(s)

600 East Fourth Street

Address of Petitioner(s)

336-2205

Telephone Number

Signature

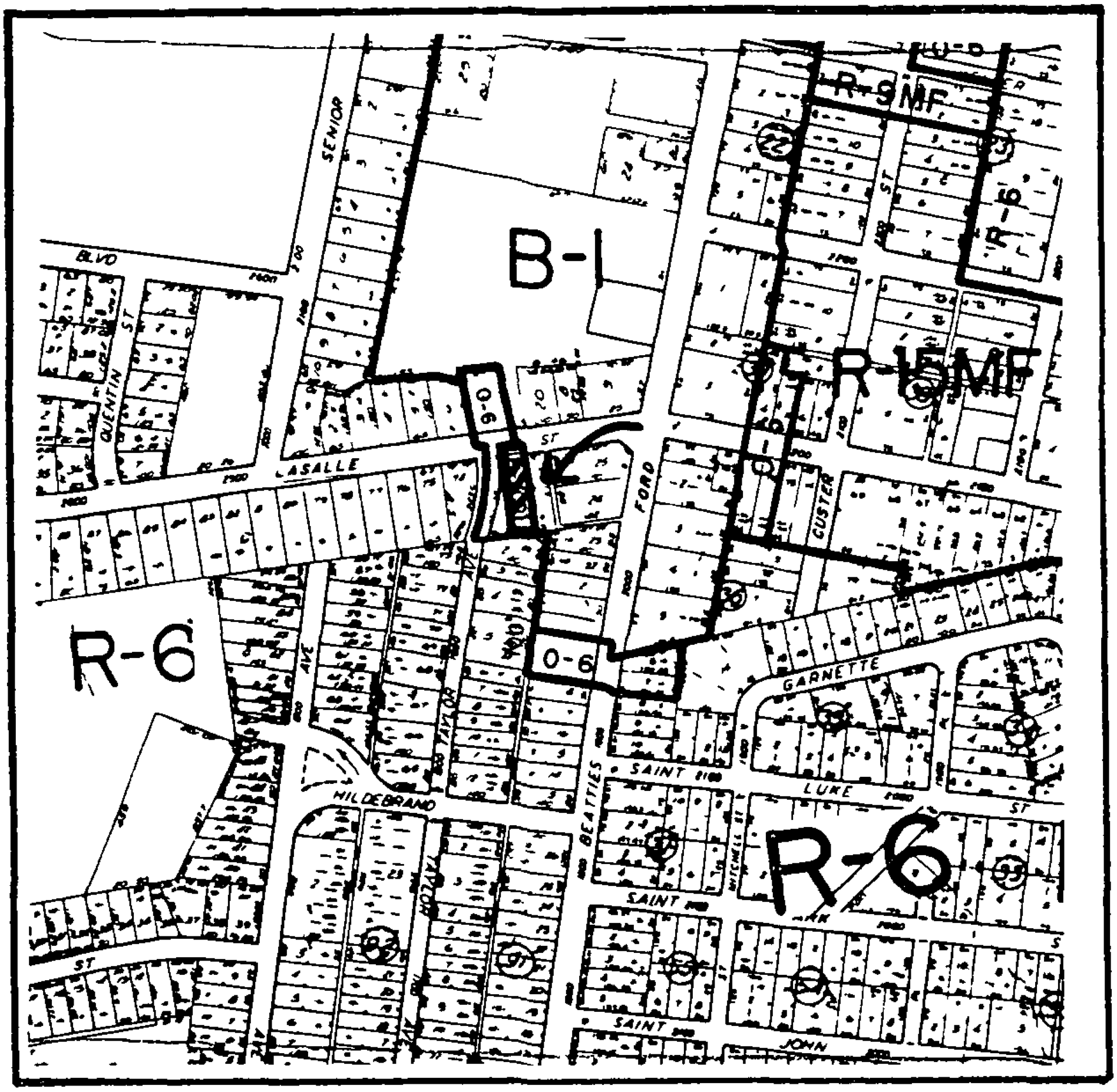
Signature of Property Owner if Other Than Petitioner

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 89-46 HEARING DATE May 15, 1989

ZONING CLASSIFICATION, EXISTING B-1(CD) REQUESTED O-6

LOCATION Approx. .2 acres located on the south side of LaSalle St. approximately 230' west of Beatties Ford Road.



ZONING MAP NO. 79 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#23

Petition No. 89-47

Location	An approximately 1.208 acre site located on the southwesterly corner of N.C. 16 and North Linwood Avenue.
Request:	B-1(CD) to R-6MF

This petition involves a 1.2 acre site located at the intersection of N.C 16 and North Linwood Avenue. The property was rezoned in 1982 from R-6MF to B-1(CD) for a convenience store and associated gasoline sales that development has never occurred The zoning in the surrounding area is a mixed pattern of multi-family residential and commercial along N C. 16 and I-85 and single family residential west of the Seaboard Railroad. Land use in the area is composed of commercial development along the north side of N.C. 16 and a mixture of commercial and residential along the south side of N.C. 16 The predominant land use south of the petitioned site is single family residential. Public plans for the area indicate it is one of existing residential land uses. Reviewing agencies had essentially no comments and CDOT indicates the potential trips generated under the proposed rezoning would be the same as under the current zoning The property owner indicates development of the convenience store has been delayed due to the I-85 widening project. This request would restore the site to its original zoning. There are no issues associated with this request and it should be considered appropriate for approval

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 89-47
Date Filed March 13, 19
Received By MCM
OFFICE USE ONLY

Ownership Information

Property Owner Jay C. & Horace R. Suddreth & wives — Robert & Betty Catoe

Owner s Address 100 Honeywood Avenue — 1940 Oakdale Road

Charlotte, NC 28216 — Charlotte, NC 28216

Date Property Acquired N/A

Deed Reference N/A — Tax Parcel Number 039-018-03, 10, 11,

Location Of Property (address or description) Belhaven Boulevard at Linwood Street

Description Of Property

Size (Sq Ft. Acres) 1.208 acres — Street Frontage (ft.)

Current Land Use Vacant

Zoning Request

Existing Zoning B-1(CD) — Requested Zoning R-6MF

Purpose of Zoning Change Comply with the recommendations that were made during the conditional review process.

Name Of Agent — Charlotte-Mecklenburg Planning Commissi

Name of Petitioner(s)

600 East Fourth Street

Agent s Address — Address of Petitioner(s)

336-2205

Telephone Number — Telephone Number

Signature

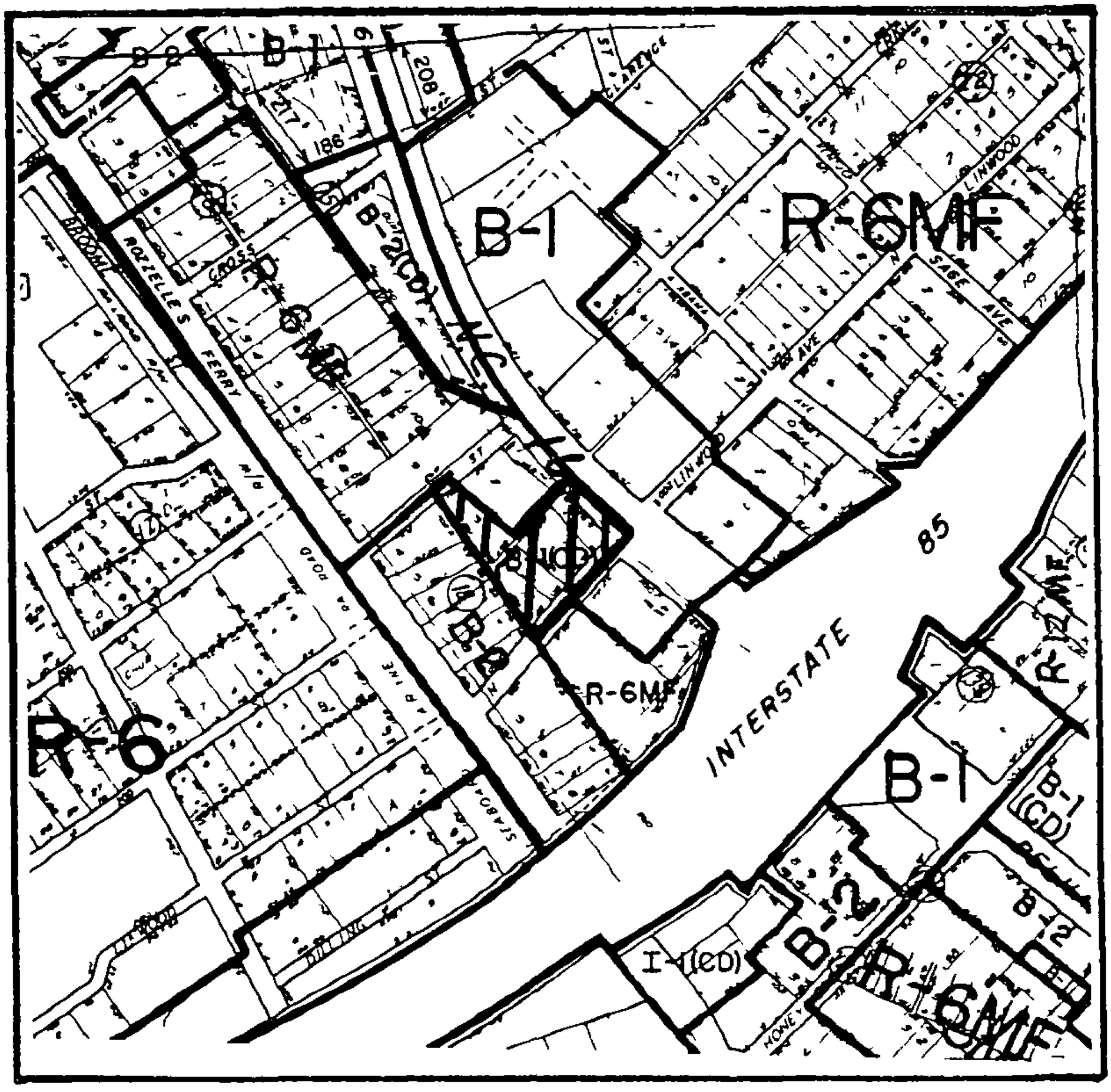
Signature of Property Owner if Other Than Petitioner

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO 89-47 HEARING DATE May 15, 1989

ZONING CLASSIFICATION, EXISTING B-1(CD) REQUESTED R-6MF

LOCATION Approx. 1 208 acres located on the southwesterly corner of N C 16 and N Linwood Avenue.



ZONING MAP NO. 80 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#24

DATE: April 24, 1989

PETITION NO.: 89-19

PETITIONER(S): Harvey Gouch

REQUEST: Change from R-9 to B-2(CD)

LOCATION: A .5 acre located on Dawn Circle off U.S. 29 north (North Tryon Street).

ACTION: The Zoning Committee recommends that this petition, as modified, be approved.

VOTE: Yeas: Latham, Spencer, Thomasson, Vaughan, Wheeler, and Winget.

Nays: Lassiter.

REASONS

This matter had been deferred at the last work session to allow the petitioner chance to respond to an issue from the Zoning Committee. At the public hearing, concern was expressed about noise which might come from the proposed facility and its impact on adjoining residentially zoned properties. The petitioner stated at that time that the new portion of the building would be used for storage purposes only. The Zoning Committee requested the petitioner to commit to that statement on the plan. The petitioner responded by limiting the new development so that no openings of any sort including windows or doors would be located on the sides of the building which face residentially zoned properties. In this way, any noise resulting from activities within the building would be minimize. While concerns were expressed about the impact of this development on residentially zoned properties along Dawn Circle, the majority of the Zoning Committee felt that the proposed development was an improvement over the existing conditions found on the site. Therefore, the Zoning Committee recommends that this petition be approved.

STAFF OPINION

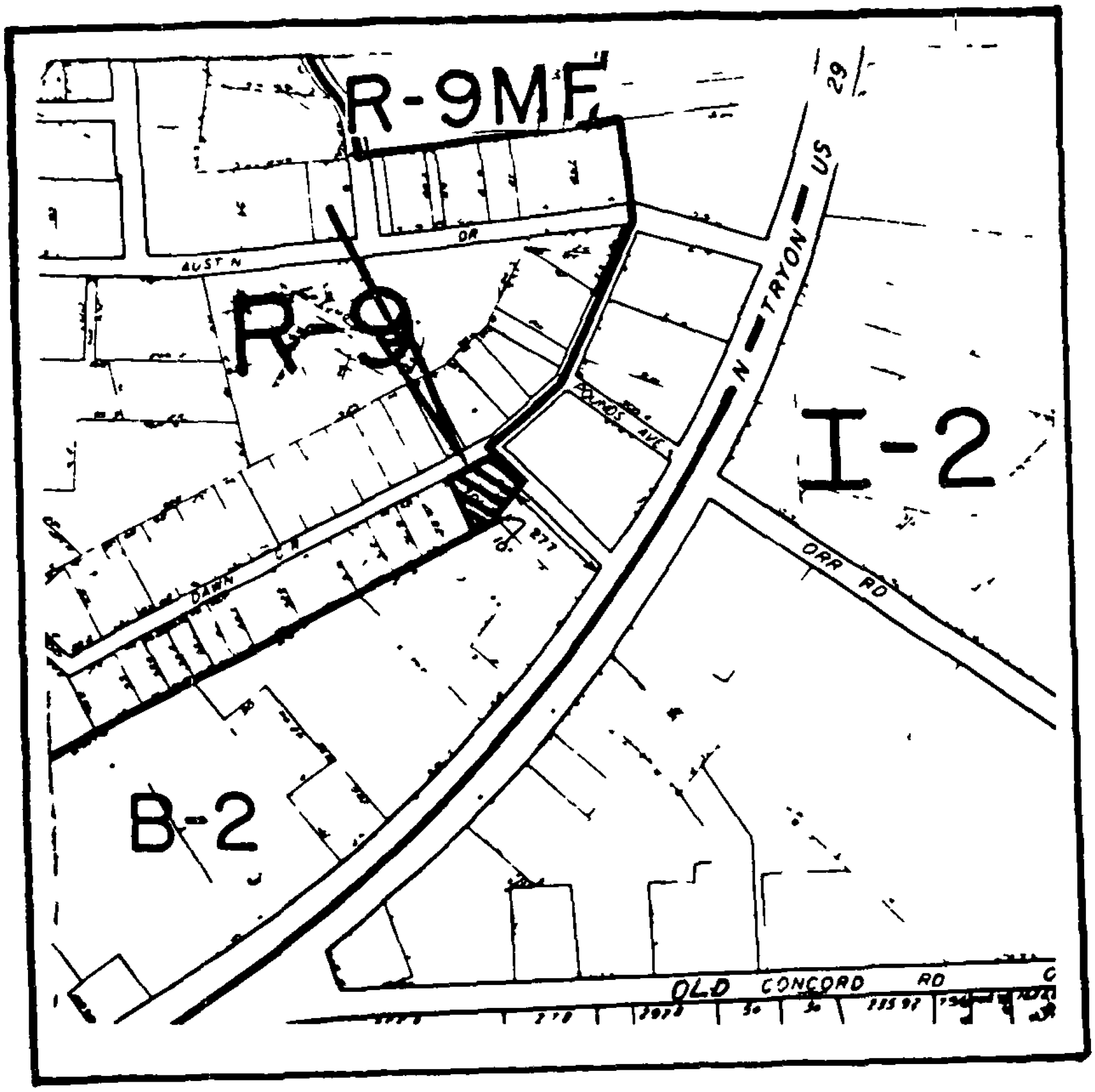
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER Mr. Harvey Gouch

PETITION NO. 89-19 HEARING DATE March 20, 1989

ZONING CLASSIFICATION, EXISTING R-9 REQUESTED B-2(CD)

LOCATION Approximately .50 acres located on the southeasterly side of Dawn Circle between Old Concord Road and Orr Road northwest of North Tryon Street.



ZONING MAP NO. 77 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#25

DATE: April 24, 1989

PETITION NO.: 89-20

PETITIONER(S): Optima Capital, Limited

REQUEST: Change from R-12 to O-6(CD)

LOCATION: 4.92 acres located on the southerly side of N.C. 51 between Blue Heron Drive and McMullen Creek.

ACTION: The Zoning Committee recommends that this petition, as modified, be approved.

VOTE: Yeas: Lassiter, Latham, Spencer, Thomasson, Vaughan, Wheeler, and Winget.

Nays: None.

REASONS

This matter had been deferred at the previous work session to allow the petitioner to respond to a concern from the Zoning Committee about the intensity of the development of the site. The petitioner responded by reducing the development proposed for the site from 96,000 square feet to 86,000 square feet, by reducing the height of the office building closest to the residentially zoned properties from three stories to two stories, and by increasing the amount of buffer and landscaped area along the rear portion of the site nearest residentially zoned properties. The Zoning Committee discussed this matter for some time and reviewed again the publicly adopted plans and policies for the area which call for this site to be used for residential purposes. The Zoning Committee concluded that a substantial change had occurred in the area since the adoption of those plans, much of which had occurred within the zoning jurisdiction of the Town of Pineville. These changes had substantially altered the original assumptions about the future of this portion of the roadway and the Zoning Committee believes that this petition which proposes office development is an appropriate use for this site. In view of the fact that the petitioner has agreed to reduce the size of the project from what had originally been requested in order to reduce the impact on residentially zoned properties nearby, the Zoning Committee recommends that this petition be approved.

STAFF OPINION

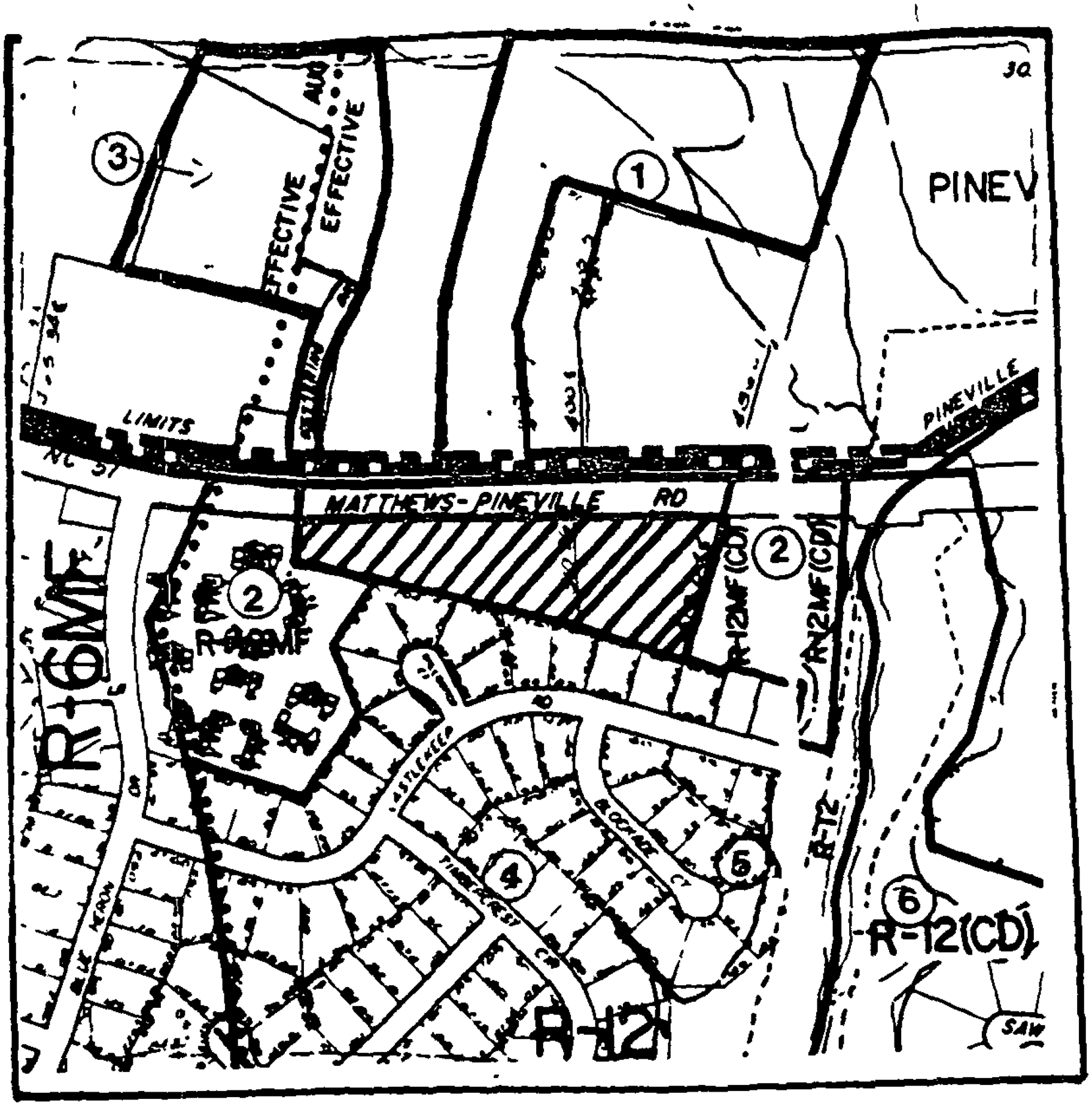
The staff acknowledges that changes have occurred in the area over what had been originally anticipated when public policies were adopted. The staff believes that this office proposal is superior to a retail proposal which had originally been considered for this site.

PETITIONER Optima Capital, Ltd.

PETITION NO. 89-20 HEARING DATE March 20, 1989

ZONING CLASSIFICATION, EXISTING R-12 REQUESTED O-6(CD)

LOCATION Approximately 4.92 acres located on the southerly side of N.C. 51 between Blue Heron Drive and McMullen Creek.



ZONING MAP NO. 167 & 168 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#26

DATE: April 24, 1989

PETITION NO.: 89-25

PETITIONER(S): B. V. Belk Enterprises

REQUEST: Change from R-12 to R-20MF (Innovative)

LOCATION: A 14 acre site located on the south side of Wallace Avenue west of Delta Road.

ACTION: The Zoning Committee recommends that this petition, as modified, be approved.

VOTE: Yeas: Lassiter, Latham, Thomasson, Vaughan, Wheeler, and Winget.

Nays: Spencer.

REASONS

This matter had been deferred at the last work session at the request of the petitioner who was considering modifying the site plan. The petitioner chose not to make any major changes to the site plan and has responded to those concerns raised at the public hearing and in the staff analysis. Those changes included notations on the plan regarding the maintenance of the private street, and clarification on the preservation and installation of trees around the perimeter of the site. Some concern was expressed about the continued evolution of the innovative housing provisions which allow the construction of private streets. However, the majority of the Zoning Committee felt that inasmuch as there were no land use issues which accompany this application and the site plan issues had been addressed, that this petition was appropriate for approval.

STAFF OPINION

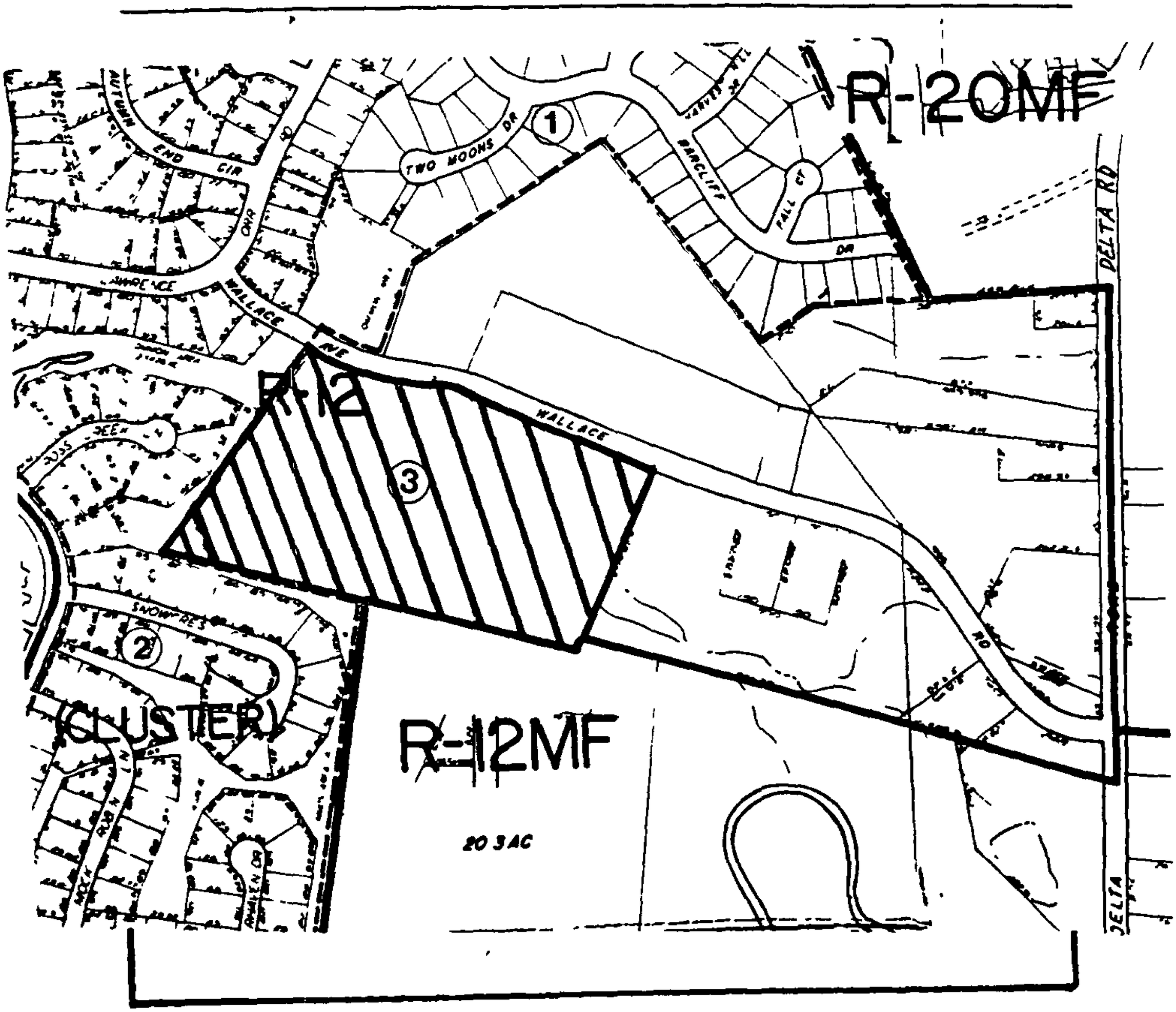
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER B. V. Belk Enterprises

PETITION NO. 89-25 HEARING DATE March 20, 1989

ZONING CLASSIFICATION, EXISTING R-12 REQUESTED R-20MF (Innovative)

LOCATION Approximately 14.0 acres located on th south side of Wallace Avenue west of Delta Road.



ZONING MAP NO. 114 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#27

DATE: April 24, 1989

PETITION NO.: 89-27

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Consideration of a text amendment to establish a requirement for the submission of a traffic impact analysis as part of the minimum requirements for certain rezoning petitions.

ACTION: The Zoning Committee deferred action on this request indefinitely and instructed the staff to consider this matter in conjunction with the overall ordinance rewrite.

VOTE: Yeas: Lassiter, Latham, Spencer, Thomasson, Vaughan, Wheeler, and Winget.

Nays: None.

REASONS

The Zoning Committee discussed this matter for some time. A number of issues were raised at the public hearing regarding this petition. The Zoning Committee was concerned that a further discussion of the issues was warranted. They believe the best place to conduct that discussion is through the overall ordinance rewrite which is presently underway. Therefore, the Committee deferred any further consideration of this request until the matter arises again in the context of the new zoning ordinance.

STAFF OPINION

The staff believes that this matter can be successfully discussed as a single item which would not require a delay in its consideration. The issues which are involved with this text amendment are such that a decision at this point and time could simply be folded into the overall adoption process for the new ordinance. The staff also believes that if indeed these issues will be complex to discuss that they can be better discussed with a single purpose amendment than with the myriad of other issues involved with the new zoning ordinance.

#28

DATE: April 24, 1989

PETITION NO.: 89-30

PETITIONER(S): University Research Park Corporation

REQUEST: Consideration of a text amendment to the zoning ordinance with regard to the RE-1 and RE-2 districts.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Lassiter, Latham, Spencer, Thomasson, Vaughan, Wheeler, and Winget.

Nays: None.

REASONS

This petition involves the restructuring of the RE-1 and RE-2 districts to provide for a clear delineation between the sizes of properties involved with the two districts. It proposes to establish a smaller lot for the RE-1 district so that that district might be used to provide support and other services for uses which may be located in the RE-2 district. The standard for the lot size in the RE-2 district is four acres and the lot size in the RE-1 as proposed would be two acres. The amendment also provides specifically for the allowance on a day care center as a principle use in the research districts and makes a number of other modifications with regard to parking and setbacks. It also adds a provision for a voluntary approval process for extraordinary screening circumstance which can be approved by the Planning Director on a case by case basis. The Zoning Committee believes that these changes will be an enhancement to the existing research park area as well as the two districts themselves. The Zoning Committee recommends that this petition be approved and that the revised standards be incorporated into the new zoning ordinance.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

89-30

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE - ZONING ORDINANCE

AN ORDINANCE AMENDING THE CITY CODE
WITH RESPECT TO THE ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows

1. Delete Sections 3020. - 3028. entitled "Research Districts" in their entirety and replace with the following new sections:

"3020. Research Districts

3021. Purpose. The RE-1 and RE-2 Districts are designed to provide areas in which research and related operations may be established and may be given assurance of wholesome surroundings in the future The standards established for these districts are designed to promote sound, permanent research installations and also to protect nearby residential areas from undesirable aspects of research operations. Research districts are heavily oriented toward research, development and high technology manufacturing operations and similar uses that are characterized by a high degree of scientific and technical input, and the employment of professional, technical or kindred workers. Development within these districts should be characterized by spacious and extensively landscaped settings with emphasis on aesthetic and environmental considerations. While permitted uses are similar in both districts, RE-1 is designed to attract supporting facilities through less stringent lot dimensions.

3022 Permitted Uses. The following uses are permitted by right in research districts.

1. Arboretums
2. Auction sale of real property and such personal property as is normally located thereon for the purpose of liquidating assets.
3. Farms, either in conjunction with or separate from dwellings, which may conduct retail sales of products produced on the premises.
4. Parks and playgrounds.
5. Public utility transmission and distribution lines.
6. Radio and television stations and/or offices.
7. Reservoirs.
8. Railroad right-of-ways.
9. Telephone booths.
10. Parking for uses permitted in the districts.
11. Prototype production facilities and pilot plants.
12. Pharmaceutical preparations and production facilities.
13. Production facilities for electronic, computing and communications equipment and related devices.
14 Optical, dental and medical laboratories.
15. Applied and basic research laboratories.
16. Graphics research and production facilities.

17. Business, Professional and corporate offices.
18. Uses similar to those listed above.

3023. Uses under prescribed conditions. The following uses are permitted subject to the conditions governing each use as specified in the appropriate section.

1. Community recreation centers, including but not limited to the YMCA and YWCA. See Section 3128.
2. Country clubs and swimming clubs operated on a noncommercial membership basis. See Section 3128.
3. Day care centers. See Section 3119.
4. Fire and Police Stations. See Section 1626.
5. Golf courses, public and private. See Section 3128.
6. Sewage pumping stations. See Section 3123.
7. Commercial uses in conjunction with office and laboratory buildings including: Restaurants, lounges, cafeterias and snack bars. See Section 3104.
8. Temporary buildings and storage of materials in conjunction with construction of a building on a lot where construction is taking place or on adjacent lots, such temporary uses to be terminated upon completion of construction.
9. Laboratories for testing products, if such products could normally be manufactured or assembled in the district.
10. Drive-in service window as an accessory part of the principal structure or operation subject to the requirements listed in Section 3116.
11. Quarries. As a Major Special Use under Section 3325.
12. Electric and gas substations. See Section 3123.
13. Radio, telephone and television masts, towers, antennas and similar structures. See Section 1605.
14. Telephone repeater stations and huts. See Section 3123.
15. Water storage tanks. See Section 1605.
16 Buildings for dramatic, musical, or other cultural activities with more than 1000 seats and stadiums and coliseums with more than 5000 seats as a Major Special Use under Section 3322.
17. Demolition landfill, on site, in accordance with the standards of Section 3140.

3024. Accessory uses. The following accessory uses are permitted in all research districts.

1. Accessory residential uses and structures clearly incidental to the permitted principal use.
2. Accessory uses and structures clearly incidental to the permitted principal use.
3. Petroleum storage, accessory to a permitted principal use or building.
4. Parking for uses permitted within the districts.
5. Vending machines for cigarettes, candy, soft drinks and similar items, and coin operated laundries located within an enclosed building as an accessory to the uses in the principal building or buildings.
6. Heliports and helistops as an accessory use.
7. Satellite dishes and towers. See Section 3026.3.

3025. Area, Yard and Height Regulations. The following standards apply to uses in the research districts.

	RE-1	RE-2
Min. Lot Area	2 acres	4 acres
Min. Lot Width	200'*	400'*
Min. Side and Rear Yards	25' except 35' when adjacent to Resid. Zoning	35' for lots 4-10 acres; 50' for lots greater than 10 acres
Min. Street Side Yards on Corner Lots	40'	75' on lots 4-10 acres, 100' on lots greater than 10 acres
Min. Setback	40' except 100' on thoroughfares and collectors.	100' for lots 4-10 acres; 150' for lots greater than 10 acres
Max. Height	40'**	40'**
Min. Unobstructed Open Space	70%	70%

*Lots having any part of their frontage on the circular portion of a cul-de-sac right-of-way may use 100' in RE-1 and 200' in RE-2 as the minimum lot width.

**The height may be increased if minimum side and rear yards are increased by one foot for each two feet in building height over 40'

3026. Development Standards for Various Uses Uses in the research districts must be developed in accordance with the following standards.

.1 Outside storage and utility lines.

.1 Outside storage of any materials, supplies or products shall not be permitted in the research districts.

.2 All non-public utility distribution lines must be placed underground in the research districts.

.3 A gate or security station may be located in a required yard or setback.

.2 The following standards apply to satellite dishes and towers in the research districts.

.1 Satellite dishes and towers are permitted only when they are a necessary part of a permitted use utilizing such equipment as part of its normal operation.

.2 Such dishes and towers may not be located within the setback area of any lot or within the street side yard of a corner lot.

.3 Screening shall be installed on the exterior sides of such dishes and towers in accordance with Section 1601. If walls are chosen for this screening, materials must be compatible with the exterior of other buildings on the site.

.3 The following standards apply to all uses in the research districts.

.1 At least one-half of the exterior depth of the setback, side and rear yards, except where driveway access or utility easements are required, must be maintained with existing vegetation and natural features. Under certain circumstances the retention of existing vegetation or natural features may be inappropriate or ineffective. In such cases an alternative landscaping and screening plan may be submitted to the Planning Director for consideration and approval These plans must contain sufficient information to indicate why maintenance of existing conditions would be inappropriate or ineffective due to site design, topography, unique relationships to other properties, natural vegetation or other special considerations. Details of the proposed landscaping treatment shall indicate topographic changes as well as number, type and size of plant material. Within 20 days the Planning Director shall advise the applicant of the disposition of the alternate proposal If no specific alternative plan can be approved the maintenance of existing features must be observed. It should be understood that the alternative plan procedure is strictly voluntary and that requirements other than those normally associated with the screening Section 1601 may be imposed in order to insure that the intent of this section is met

.2 As a minimum the requirements of Section 1601, screening shall be enforced for all uses

.3 An area equal to at least 10% of the paved surface of any parking area containing more than 20 spaces must be landscaped with plantings and trees This requirement is in addition to any perimeter screening requirements for the parking areas and must be placed in the interior of the lot The minimum width of landscaped islands or planting strips where provided shall be 8 feet. If a sidewalk is included in the planting strip, the landscaped area may be reduced to 6 feet.

3027. Signs Signs are permitted in all research districts in accordance with the provisions of Section 2100 and in accordance with those standards below.

.1 Signs in the Research District may be luminous.

.2 Signs lighted internally must be contained within an opaque background with only letters, numbers and symbols being translucent. The intent of this requirement is to provide signs which consist of lighted letters, numbers and symbols on an opaque background.

3028. Parking and Loading Standards. Development of any use in a research district must conform to the parking and loading standards in Section 2000 and with those standards below

1 Parking of motor vehicles is not permitted in any required setback or in the front one half of any required exterior side yard of a corner lot or in the exterior one half of any interior lot line, except that on through lots adjacent to an Interstate Highway parking is permitted in the setback to within 50' of the Interstate right-of-way The parking area must be paved with dust-free, all-weather surface and must be properly drained and landscaped. The space within the required setback must not be used as a maneuvering space for the parking of vehicles, except that driveways providing access to the parking area may be installed across the setback area.

.2 Underground parking structures are permitted in accordance with Section 2014."

2. Delete Section 3108 in its entirety.

Section 2. That this ordinance shall become effective upon its adoption

Approved as to form.

_____
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 19____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book_____, at page _____.

_____
Pat Sharkey, City Clerk