

AGENDA

Meeting Type:	ZONING
Date:	02/19/1996

City of Charlotte, City Clerk's Office

Mayor Patrick McCrory Mayor Pro Tem Al Rousso

<i>Charles Baker</i>	<i>Don Reid</i>
<i>Patrick Cannon</i>	<i>Ella Butler Scarborough</i>
<i>Malachi Greene</i>	<i>Tim Sellers</i>
<i>Mike Jackson</i>	<i>Sara Spencer</i>
<i>Nasif Rashad Majeed</i>	<i>Lynn Wheeler</i>

Council Agenda

Monday, February 19, 1996

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

- Discussion of Urban Corridor District Proposal
- Drug Testing Policy for Mayor and Council

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

Invocation by Rev. Greg Simms, Freedom Christian Center.

ITEM NO.

PUBLIC HEARINGS

1. (96-2) Hearing on Petition No. 96-2 by Carol F. & Constance A. Clanton, for a change in zoning for approximately .66 acres located on the easterly side of Park Road, north of Sharon Road from R-3 to R-8(CD).

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

Attachment No. 1

2. (96-3) Hearing on Petition No. 96-3 by Silverset Lodge #327 for a change in zoning for approximately 2.91 acres located at the end of Torrence Grove Church Road to the west of Old Concord Road from R-3 to Institutional (CD).

Attachment No. 2

3. (96-5) Hearing on Petition No. 96-5 by City of Charlotte Neighborhood Development Department and Community Real Estate Fund, Inc. for a change in zoning for approximately 35,262 square feet located on the west side of Harrill Street south of East 16th Street from R-5 to UR-2(CD).

Attachment No. 3

4. (96-7) Hearing on Petition No. 96-7 by Elizabeth Goldstein for a change in zoning for approximately 14.07 acres located on the south side of Belvedere Avenue north of Roland Street from R-8MF to R-4.

A protest petition has been filed and is sufficient to invoke the 20% rule, requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

Attachment No. 4

5. (96-12) Hearing on Petition No. 96-12 by Steven D. Hecht for a change in zoning for approximately 1.2 acres located on the northerly side of the intersection of Plank Road and Oakdale Road from R-4 to O-2(CD).

Attachment No. 5

6. (96-14) Hearing on Petition No. 96-14 by Southminister, Inc. for a change in zoning for approximately 26 acres located on the easterly side of Park Road south of Smithfield Church Road from R-3 with a special use permit to Institutional (CD) and termination of the special use permit.

Attachment No. 6

7. (96-15) Hearing on Petition No. 96-15 by Crescent Resources, Inc. for a change in zoning for approximately 15.47 acres located on the east side of Reames Road north of Northpark Boulevard from R-3 and I-1 to I-1(CD).

Attachment No. 7

8. (96-16) Hearing on Petition No. 96-16 by Christopher J. Branch/The Boulevard Company for a change in zoning for approximately 9.97 acres located on the northerly side of Sharon View Road across from Mountainbrook Road from R-3 to R-17MF(CD).

Attachment No. 8

9. (96-17) Hearing on Petition No. 96-17 by Norcroft Sweetwater Homeowner's Association and Mallard Grove Homeowner's Association for a change in zoning for approximately 3 acres located on the northwesterly corner of the intersection of West W. T. Harris Boulevard and Norcroft Drive from B-1(CD) to R-12MF.

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

Attachment No. 9

10. (96-18) Hearing on Petition No. 96-18 by Everette B. Curlee and W. D. Cornwell for a change in zoning for approximately 1.86 acres located on the southeast corner of the intersection of Ashley Road and Alleghany Street from B-D(CD) to Institutional (CD).

Attachment No. 10

11. (96-19) Hearing on Petition No. 96-19 by Charlotte-Mecklenburg Planning Commission for consideration of a text amendment to establish an additional district to be known as the Urban Corridor District (UDC).

Attachment No. 11

12. (96-20) Hearing on Petition No. 96-20 by Dayton Hudson Corporation for a change in zoning for approximately 27 acres located on the south side of University City Boulevard (NC 49) at Carolyn Lane from Institutional and R-3 to CC.

Attachment No. 12

13. (96-21) Hearing on Petition No. 96-21 by City of Charlotte, City Attorney for consideration of a zoning text amendment that would give the Board of Adjustment the authority to grant variances from the separation distances applying to adult establishments and from the various standards for boarding houses and bed and breakfasts (B & B's).

Attachment No. 13

BUSINESS AGENDA

14. Referendum on Consolidation

Action: Approve the inclusion of the City's legislative package of authority to conduct one referendum on consolidation.

Staff Resource: H. Michael Boyd

Policy:

Explanation of Request: See Attachment

Attachment No. 14

15. Sign Ordinance/Billboards.

Action: Reconsider Council action of February 12, 1996 related to amortization provisions of Sign Ordinance for billboards.

On February 12, 1996, Council considered several options related to amortization of billboards. Council voted 6-5 to adopt Option 6, Enter into an Agreement with Adams Outdoor. Mayor McCrory vetoed the Council action. According to Council's Rules of Procedure, vetoed items automatically appear on the next Council agenda and require seven affirmative votes to pass.

Attached is a copy of the February 12 agenda item. Additional information concerning the Adams Outdoor proposal will be sent in the Friday, February 16 Council-Manager memo.

Attachment No. 15

DECISIONS

16. (95-78) Decision on Petition No. 95-78 by Landcraft Properties, Inc. for a change in zoning for approximately 21.11 acres located on the west side of Mason Drive north of Mallard Creek Road from R-3 to R-4.

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

This petition was deferred at the November 20, 1995 meeting for one week to the November 27, 1995 Business Meeting.

This petition was deferred at the November 27, 1995 Business Meeting to the February, 1996 Zoning Meeting.

The Zoning Committee recommends that this petition be approved.

Attachment No. 16

17. (95-92) Decision on Petition No. 95-92 by Charter properties, Inc. for a change in zoning for approximately 8.3 acres in the Wood Ridge Center on the north side of Billy Graham Parkway near South Tryon Street from I-1(CD) and R-17MF to I-1(CD) .

A protest petition has been filed and is sufficient to invoke the 20% 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. 17

18. (95-95) Decision on Petition No. 95-95 by High Equity XX Limited Partnership for a change in zoning for approximately 29 acres on the west side of Reddman Road south of Albemarle Road from R-15MF(CD) to R-8MF(CD).

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

Attachment No. 18

19. (96-1) Decision on Petition No. 96-1 by A.M.E. Zion Church for a change in zoning for approximately 86.5 acres located on the west side of West Sugar Creek Road north of Nevins Road from R-4 and R-17MF to Institutional (CD).

The Zoning Committee recommends that this petition be approved.

Attachment No. 19

20. (96-4) Decision on Petition No. 96-4 by Charlotte-SAMP, L.L.C. and SAMP, Inc. for a change in zoning for approximately 6.1 acres located on the west side of Little Rock Road north of Wilkinson Boulevard from I-2 to I-1.

The Zoning Committee recommends that this petition be approved.

Attachment No. 20

21. (96-6) Decision on Petition No. 96-6 by the City Council of the City of Charlotte, to amend the City of Charlotte Zoning Ordinance Section 13.108, Specifications for Permanent Signs Requiring A Permit, (1) Wall Signs - to allow roof signs instead of wall signs under special circumstances.

The Zoning Committee recommends that this amendment be denied.

Attachment No. 21

22. (96-8) Decision on Petition No. 96-8 by Fairfield Residential, Inc. for a change in zoning for approximately 69 acres located on the south side of N.C. 51 at Bannington Drive from R-3 to R-17MF(CD).

A protest petition has been filed and is sufficient to invoke the 20% 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. 22

23. (96-9) Decision on Petition No. 96-9 by International Airport Centers, Inc. for a change in zoning for approximately 40 acres on the southwest corner of the intersection between West Boulevard and Yorkmont Road from R-3, I-1 and I-1(CD) to I-2(CD).

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

Attachment No. 23

24. (96-10) Decision on Petition No. 96-10 by Collins and Aikman Corporation for a change in zoning for approximately 85.6 acres located to the east and west of McCullough Drive, south of West W. T. Harris Boulevard from B-1(CD) and O-15(CD) to B-1(CD) and B-1(CD) Site Plan Amendment and O-2(CD).

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

Attachment No. 24

25. (96-11) Decision on Petition No. 96-11 by City Council of the City of Charlotte to amend the City of Charlotte Zoning Ordinance Chapter 13: Signs - to allow certain signs to qualify "as landmark signs" and be exempted from the eight-year amortization provision.

The Zoning Committee recommends that this text amendment be denied.

An initial motion to approve this text amendment was replaced by a substitute amendment which would have limited the number of "landmark signs" to one per business. This motion failed 3 - 4. The original motion to approve was then voted upon, and also failed 3-4. The final motion to deny this proposed text amendment was approved 4 - 3.

Attachment No. 25

26. Resolution calling for public hearings on Monday, March 18, 1996, at 6:00 p.m. in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, for Petition Nos. 95-90 and 96-23 through 96-25, 96-27 and 96-29 for zoning changes.