AGENDA

Meeting Type:	ZONING
Date.	06/16/1997

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Patrick McCrory *Mayor Pro Tem Al Rousso*

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

Council Agenda

Monday, June 16, 1997

5 00 p m - Council-Manager Dinner
Meeting Chamber Conference Room
*2015 Plan Status Report

6 00 p m - ZONING HEARINGS
Meeting Chamber

ITEM NO.

PUBLIC HEARINGS

1 (94-52) Hearing on Petition No 94-52 by Carolina Foods Inc for a change in zoning for approximately 17 33 acres located on the northerly side of North Tryon Street between Hilo Drive and West Craighead Road from B-1 to I-1(CD)

Attachment No 1

2 (97-39) Hearing on Petition No 97-39 by Elaine Worthey for a change in zoning for approximately 0 792 acres located on the east side of Little Rock Road, north of Tuckaseegee Road from R-3 to R-8MF(CD)

Protest petitions have been filed and one 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 for 30 days at the May 19th meeting

Attachment No 2

3 (97-44) Hearing on Petition No 97-44 by Griffin Brothers Acquisition, LLC for a change in zoning for approximately 0 93 acres located on the southeast corner of North Tryon Street (Hwy 29) and Hampton Church Road for consideration of a B-1(CD) site plan amendment

Attachment No 3

4 (97-45) Hearing on Petition No 97-45 by Gregory and Tracey Motley for a change in zoning for approximately 0 485 acres located on the north side of State Street between Mahopac Street and Sumter Avenue from R-8 to R-8MF

Attachment No 4

5 (97-46) Hearing on Petition No 97-46 by Michael Jordan Golf Company, Inc for a change in zoning for approximately 27 66 acres located on the southerly corner of the intersection of West Tyvola Road and South Tryon Street from R-17MF to B-2(CD)

Attachment No 5

6 (97-47) Hearing on Petition No 97-47 by Carroll Shore for a change in zoning for approximately 8 acres located on the west side of W T Harris Boulevard north of Laura Drive from R-4 to R-12MF(CD)

A protest petition has been filed

Attachment No 6

7 (97-48) Hearing on Petition No 97-48 by LaQuinta Inns, Inc for a change in zoning for approximately 2 07 acres located on the southwest corner of the intersection of South Tryon Street and Yorkmont Road from B-1 to B-2(CD)

Attachment No 7

8 (97-49) Hearing on Petition No 97-49 by Charlotte-Mecklenburg Board of Education for a change in zoning for approximately 0 139 acres located on the west side of Beatties Ford Road north of Celia Avenue from B-1(CD) to R-5

Attachment No 8

9 (97-50) Hearing on Petition No 97-50 by Mecklenburg County Park and Recreation for a change in zoning for approximately 15 044 acres located at the northern termination of Vilma Street and eastern termination of Horace Street from R-22MF to Inst (CD)

Attachment No 9

10 (97-54) Hearing on Petition No 97-54 by Charlotte-Mecklenburg Planning Commission for consideration of a text amendment to the City of Charlotte Zoning Ordinance to make a series of changes to the Urban Residential districts

Attachment No 10

11 (97-64) Hearing on Petition No 97-64 by Charlotte City Council for consideration of a city zoning ordinance text amendment that would extend the existing moratorium for demolition landfills, medical waste incinerators, sanitary landfills, solid waste transfer facilities, and quarries for an additional period of six months

Attachment No 11

DECISIONS

12 (97-12) Decision on Petition No 97-12 by Wireless Communications Coalition for a Text Amendment to the City of Charlotte Zoning Ordinance to make a series of changes to the development standards for telecommunication towers

This hearing was opened and continued for 60 days at the February 17 meeting

Mayor McCrory was excused from voting at the April 22 meeting, and the hearing was held and closed

This petition was assigned to the Planning Committee for consideration and review at their meeting on May 20, 1997 However, another public meeting was scheduled for June 3, 1997 This has resulted in a delay to the Planning Committee's June 17, 1997 meeting Therefore, there is no recommendation at this time

This petition was deferred for 30 days at the May 19th meeting

Attachment No 12

13 (97-36) Decision on Petition No 97-36 by Estates, Inc for a change in zoning for approximately 8 6 acres located on the west side of Park Road between Mockingbird Lane and Seneca Place from R-5, O-2 and O-6(CD) to R-43MF(CD)

A protest petiton was filed but has been withdrawn

This petition was deferred for 30 days at the May 19, 1997 meeting

The Zoning Committee recommends this petition be approved with the following modifications

- o There will be no filling of the foodplain fringe
- o A detail of the fence provided as part of the buffer will be shown on the plan
- o Building heights must be shown in feet

Attachment No 13

14 (97-38) Decision on Petition No 97-38 by James and Betty Hill for a change in zoning for approximately 1 01 acres located on the west side of Wilora Lake Road, east of Eastland Mall from O-1(CD) to R-3

The Zoning Committee recommends this petition be approved

Attachment No 14

15 (97-40) Decision on Petition No 97-40 by Glen A Roberts for a change in zoning for approximately 1 96 acres located on the west side of Providence Road between Jefferson Drive and East Barden Road from R-3 to R-8MF(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 deferred for one month

Attachment No 15

16 (97-41) Decision on Petition No 97-41 by COAB, L L C for a change in zoning for approximately 2 6 acres located on the northwest corner of Tuckaseegee Road and Little Rock Road from R-3 to B-1(CD)

The Zoning Committee recommends that this petition be approved with the following modifications

- o Security lighting will not be installed on the exterior of the building
- o More mature trees and shrubs will be planted than the ordinance requires
- o The grassed area will be sodded instead of seeded

Attachment No 16

17 (97-43) Decision on Petition No 97-43 by William Putnam Ross, R Marion Ross, Jr and Robbie G Ross for a change in zoning for approximately 113 6 acres located south of the intersection of West Tyvola Road and York Road from R-4 to BP(CD) and R-12MF(CD)

The Zoning Committee recommends that this petition be approved, with the following modifications

- o Transportation related comments contained in a letter from Fred Bryant dated May 21,1997

o There will be no development or filling within the floodplain fringe

Attachment No 17

18 Resolution calling for public hearings on Monday, July 21, 1997 at 6 00 p m in the Meeting Chamber of the Charlotte-Mecklenburg Government Center for Petition Nos 97-51, 97-53, 97-55, 97-56, 97-58 through 97-62, 97-65 and 97-66 for zoning changes

BUSINESS

19 **City Council District Boundary Realignment**

Action: **City Council is asked to adopt a resolution approving new election district boundaries in order to maintain substantial population equality among the districts. This revision of district lines involves (1) the assignment of newly annexed residents to City Council Districts and (2) the shifting of precincts to adjoining districts.**

Staff Resource: Dick Black and Mike Boyd

Policy The U S Constitution requires that the population of each election district be substantially equal Annexed areas must be included in election districts and necessary changes made to district boundaries to achieve substantial population equality in each district

Explanation of Request The Re-Districting Committee presents four options to City Council meeting the required population balance among City Council election districts In proposing these options, the Committee developed a list of factors that may be considered in re-districting and also determined their degree of importance in the re-districting process

Funding: Not applicable

Background: The June 30, 1997 Annexations and the increased population growth within existing districts will make it necessary to revise City Council district boundaries in order to maintain

the required population balance The population differential between the largest and smallest City Council districts should not vary by more than (10%) ten percent, when compared to the average district population Two realignment options were presented at the April 14 dinner meeting for Council's consideration Two additional realignment options were presented at Council's Workshop on May 5 Four options have been presented to the Re-districting Committee and shared with Council, but no action has been taken by the Committee on these options

Attachment No 18
Description of Attachment
Resolution approving district boundaries
Summary Statistics for each option
List of "Factors That May Be Considered In Re-Districting"