

Mayor Patrick L. McCrory Mayor Pro Tem Patrick De'Angelo Cannon
Susan Burgess James E. Mitchell, Jr.
Nancy Carter Patrick Mumford
Patsy Kinsey Gregory Phipps
John W. Lassiter John H. Tabor, AIA
Don Lochman Warren Turner

CITY COUNCIL ZONING AGENDA
Monday, June 20, 2005

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

6:00PM – Business Agenda
Zoning Decisions/Hearings
Meeting Chamber

DINNER MEETING

Rezoning Update – June & July 2005
Debra Campbell, Planning Director

BUSINESS AGENDA MEETING

6:00 PM – Business Agenda – (Business Agenda Items will be sent to Council on June 17, 2005)

LANDMARK DESIGNATION HEARINGS AND ADOPTION

1. (A) Hearing to consider designation of the property known as the “**Carolina Cadillac Company**” (listed under Tax Parcel Number 07307208 as of January 1, 2005, and including the interior and exterior of the building, and the parcel of land listed under Tax Parcel Number 07307208 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of January 1, 2005) as a Historic Landmark. The building is owned by Packard Tryon, LLC, and is located at 1310 South Tryon Street in the City of Charlotte, Mecklenburg County, North Carolina.
- (B) Adopt an ordinance designating the “**Carolina Cadillac Company**” as a Historic Landmark.

Attachment No. 1

2. (A) Hearing to consider designation of the property known as the “**George Stephens House**” (listed under Tax Parcel Number 15505310 as of January 1, 2005, and including the interior and exterior of the house, and the parcel of land listed under Tax Parcel Number 15505310 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of January 1, 2005) as a Historic Landmark. The house is owned by William and Catherine Dawson, and is located at 821 Harvard Place in the City of Charlotte, Mecklenburg County, North Carolina.
- (B) Adopt an ordinance designating the “**George Stephens House**” as a Historic Landmark.

Attachment No. 2

3. (A) Hearing to consider designation of the property known as the “**Hovis Funeral Home Building**” (listed under Tax Parcel Number 08003314 as of January 1, 2005, and including the exterior of the building, and the parcel of land listed under Tax Parcel Number 08003314 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of January 1, 2005) as a Historic Landmark. The building is owned by Five Hundred Sixteen N. Tryon St., LLC, and is located at 516 North Tryon Street in the City of Charlotte, Mecklenburg County, North Carolina.
- (B) Adopt an ordinance designating the “**Hovis Funeral Home Building**” as a Historic Landmark.

Attachment No. 3

4. (A) Hearing to consider designation of the property known as the “**Standard Oil Company of New Jersey Filling Station**” (listed under Tax Parcel Number 08102413 as of January 1, 2005, and including the exterior of the building, and the parcel of land listed under Tax Parcel Number 08102413 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of January 1, 2005) as a Historic Landmark. The building is owned by John & Louise McDow, and is located at 1010 North Tryon Street in the City of Charlotte, Mecklenburg County, North Carolina.
- (B) Adopt an ordinance designating the “**Standard Oil Company of New Jersey Filling Station**” as a Historic Landmark.

Attachment No. 4

DECISIONS

5. **Petition No. 2004-130 (decision)** by *Hubbard Falls, LLC* for a change in zoning of approximately 34.3 acres located on the north side of Hubbard Road, east of West Sugar Creek Road from R-3 to MX-1(Innovative).

Two protest petitions were filed but due to withdrawals were found insufficient to invoke ¾ majority-voting rule.

The Zoning Committee voted unanimously to recommend a **ONE-MONTH DEFERRAL** of this petition.

Staff agrees with the Zoning Committee recommendation.

Attachment No. 5

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2004+Petitions/2004-130.htm>

6. **Petition No. 2005-08 (decision)** by *Charles M. Antonucci & Victoria Gonzalez* a change in zoning of approximately .80 acres located on the southside of Central Avenue, west of Progress Lane from R-17MF to O-1(CD).

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff respects the Zoning Committee recommendation, but continues to support the residential recommendation of the Eastside Strategy Plan.

Attachment No. 6

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-008.htm>

7. **Petition No. 2005-24 (decision)** by *Landcraft/Joseph W. Grier, Jr.* for a change in zoning of approximately 78.4 acres located west of W.T. Harris, south of Rocky River Road from I-1, O-1(CD) and R-3 to O-1(CD) and MX-1(Innovative).

A protest petition was filed and found sufficient to invoke the ¾ majority-voting rule, but this petition has subsequently been withdrawn.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition based on the following modifications:

- Office uses will be limited to medical and general office only.
- The note regarding the 50' setback on Harris Blvd. will be modified to allow the first 20 feet of the buffer area to be able to be graded and re-vegetated, and the remaining 30' will be preserved as a woodland buffer. The petition will be able to grade in a portion of this area just to install the sidewalk, among other things.
- A note that states that the street trees on the public street in the office section will be large maturing trees will be added to the plan.
- An 8' planting strip and 5' sidewalk will be installed along District Drive.
- An additional label for the collector road closer to the Rocky River side of the site will be added to the site plan.
- A water quality note will be added for the office portion of the site.
- Two notes will be added to the plan as per county Park and Recreation request:
- "The petitioner will establish easements for certain pathways within the site that connect to any future public greenway that may be constructed by Mecklenburg County through the site. Specifically , the petitioner will provide an easement within the office development (O-1) positioned parallel to WT Harris Boulevard, The Petitioner also agrees to provide two neighborhood entrances within the MX-1 portion of the site that will connect from the public street system to the future greenway. The Petitioner and Mecklenburg County Park and Recreation Department will mutually agree upon the exact locations and dimensions of the easements, the issues of construction, maintenance, and liability for the public easements at such time as the specific preliminary subdivision plans are being reviews for approval.

- Beginning at Rocky River Road, the Petitioner will dedicate the entire fifty (50) foot SWIM buffer to Mecklenburg County for use as a future greenway.

Staff agrees with the Zoning Committee recommendation.

Attachment No. 7

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-024.htm>

8. **Petition No. 2005-29 (decision)** by *William B. Hawfield, Jr. and Frank E. Hawfield* for a change in zoning of approximately 18.789 acres located north of Ardrey Kell Road, east of Lancaster Highway from R-3 to NS.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition, with the following modifications: (Commissioner Chiu was excused due to a conflict of interest.)

- The drawing for the lake will be clarified and safety devices (fence) installed if needed.
- The confusing note regarding the park & ride will be clarified.
- Dumpster/compactor/recycling locations will be added to the plan along with a note regarding screening.
- The petitioner commits to work with CATS on the need, location, and size for a future park & ride site.
- Petitioner will address LUESA construction and grading comments.

Staff recommends deferral of this petition until July to allow Petition No. 2005-65 to receive a public hearing.

Attachment No. 8

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-029.htm>

9. **Petition No. 2005-53 (decision)** by *Liberty Oak, Inc.* for a change in zoning of approximately .51 acres located south of Arrowood Road, along Kings Creek Drive from I-2(CD) to R-8.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee recommendation.

Attachment No. 9

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-053.htm>

10. **Petition No. 2005-54 (decision)** by *Performance Road, LP* for a change in zoning of approximately 10 acres located south of Moores Chapel Road, east of Cedarvale Road from R-3 LW-PA to I-1(CD) LW-PA.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee recommendation.

Attachment No. 10

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-054.htm>

11. **Petition No. 2005-56 (decision)** by *Young Men's Christian Assn. Of Charlotte, Inc.* for a change in zoning of approximately 30.43 acres located on the west side of Quail Hollow Road, south of Sharon Road from INST(CD) to INST(CD) SPA.

The Zoning Committee voted 6 to 1 to recommend **APPROVAL** of this petition with the following modification:

- The petitioner will pledge up to \$60,000 towards a traffic signal at their main driveway to Quail Hollow Road. The light will be installed when the location meets warrants for a signal.

Staff does not agree with the Zoning Committee recommendation due to connectivity issues.

Attachment No. 11

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-056.htm>

12. **Petition No. 2005-62 (decision)** by *The Drakeford Company* for a change in zoning of approximately 1.161 acres located on the west side of Firth Court, north of Central Avenue from R-22MF and UR-2(CD) to UR-2(CD) and UR-2(CD) SPA.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee recommendation.

Attachment No. 12

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-062.htm>

13. **Petition No. 2005-63 (decision)** by *Mecklenburg County Park & Recreation Department* for adoption of a text amendment to the City of Charlotte Zoning Ordinance to create a definition of “Recreation Center” as a separate type of governmental building, and to specify the Districts in which Recreation Centers may be located and the development conditions that must be followed.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee recommendation.

Attachment No. 13

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-063.htm>

14. **Petition No. 2005-66 (decision)** by *Morris Holdings, LLC* for a change in zoning of approximately 73.02 acres located on the east side of Mallard Creek Road at Solectron Drive from RE-2 to RE-3.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee recommendation.

Attachment No. 14

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-066.htm>

15. **Petition No. 2005-67 (decision)** by *TRG Charlotte, LLC* for adoption of a text amendment to the City of Charlotte Zoning Ordinance to allow multi-information directional signs serving a regional mall, a shopping center, an office complex or a mixed use development containing over 500,000 square feet of gross building area and located in the interior of the development to have a maximum size of 57 square feet and a maximum height of 14 feet.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition. (Ms. Chiu was excused from the room when the vote was taken.)

Staff agrees with the Zoning Committee recommendation.

Attachment No. 15

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-067.htm>

16. **Petition No. 2005-68 (decision)** by *David H. White and Howard R. White* for adoption of a text amendment to the City of Charlotte Zoning Ordinance to create new regulations for Outdoors Seasonal Fresh Produce Stands, allowing them to operate on a lot occupied by a non-residential principal use, for a period of six months, with prescribed conditions.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition with the modification suggested by Mr. MacVean to change the word “may” to “must” in subsection (3) of Section 12.536, and to add the statement that a de minimis amount of baked goods or other fruit and vegetable derived products could be sold at a produce stand.

Staff agrees with the Zoning Committee recommendation, with the modifications.

Attachment No. 16

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-068.htm>

17. **Petition No. 2005-69 (decision)** by *Charlotte Area Transit System* for a change in zoning of approximately .472 acres located east of China Grove Church Road across from Erwin Lane from R-4 to TOD-M.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee recommendation.

Attachment No. 17

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-069.htm>

18. **Petition No. 2005-70 (decision)** by *Beacon Partners* for a change in zoning of approximately 3.2 acres located south of Tuckaseegee Road, west of the I-85 Service Road from O-1 to I-1(CD).

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee recommendation.

Attachment No. 18

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-070.htm>

19. **Petition No. 2005-71 (decision)** by *Happy Feet Holdings, LLC* for a change in zoning of approximately 3.004 acres located on the east side of Prosperity Church Road, across from White Cascade Drive from R-3 to INST(CD).

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee recommendation.

Attachment No. 19

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-071.htm>

20. **Petition No. 2005-72 (decision)** by *Neighborhood Development* for a change in zoning of approximately 67.39 acres located west of Old Steele Creek Road, South of Primrose Avenue from R-8 and R-22MF to R-5 and R-8.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee recommendation.

Attachment No. 20

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-072.htm>

21. **Petition No. 2005-73 (decision)** by *Clayton Properties, Inc.* for a change in zoning of approximately 3.13 acres located on the southeast corner of the intersection of South Tryon Street and Moss Road from I-1(CD) to O-1(CD).

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition with the following modification and with the stipulation that the setback along Moss Road would be increased to fifty feet.

The petitioner has excluded the following uses:

- Hotel/Motel
- Jails and Prisons
- Residential dwellings
- Off-street parking
- Outdoor recreation
- Radio, telephone, cell and television masts, towers, antennae, and similar structures.

Staff agrees with the Zoning Committee recommendation.

The petitioner has submitted a revised plan indicating a 50:0 setback along Moss Road.

Attachment No. 21

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-073.htm>

22. **Petition No. 2005-75 (decision)** by *Jack Hickey* for a change in zoning of approximately 1.136 acres located on the north side of the I-85 Service Road, east of Stewart Creek Road from O-1 to B-D(CD).

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee recommendation.

Attachment No. 22

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-075.htm>

23. **Petition No. 2005-78 (decision)** by *Charlotte-Mecklenburg Planning Commission* for adoption of a text amendment to the City of Charlotte Zoning Ordinance to reflect the transfer of Zoning Administration and Enforcement from Mecklenburg County to the City of Charlotte, effective 7-1-05. The duties now housed with the Mecklenburg County Land Use and Environmental Services Agency will be split between the Charlotte-Mecklenburg Planning Commission, Engineering Department, and Neighborhood Development

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition, with the changes made since the hearing (see attached recommendation).

Staff agrees with the Zoning Committee recommendation.

Attachment No. 23

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-078.htm>

24. **Petition No. 2005-79 (decision)** by *Charlotte-Mecklenburg Planning Commission* for adoption of a text amendment to the City of Charlotte Subdivision Ordinance to reflect the transfer of Zoning Administration and Enforcement from Mecklenburg County to the City of Charlotte, effective 7-1-05. The duties now housed with the Mecklenburg County Land Use and Environmental Services Agency will be split between the Charlotte-Mecklenburg Planning Commission, Engineering and Property Management, and Neighborhood Development.

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Staff agrees with the Zoning Committee recommendation.

Attachment No. 24

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-079.htm>

HEARINGS

25. **Petition No. 2004-121 (hearing).** Change in zoning from I-1 to MX-2 for approximately 120 acres located on the south side of Archdale Drive, east of Edgewater Drive. ***Petitioner: Easlan Capital***

A protest petition has been filed and is sufficient to invoke the ¾ majority-voting rule.

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 25

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2004+Petitions/2004-121.htm>

26. **Petition No. 2005-03 (hearing).** Change in zoning from R-5 to R-8(CD) for approximately .213 acres located southwest of the intersection of McDonald Avenue and Euclid Avenue. ***Petitioner: Jurgen Vollrath and Cecily Hurst***

A protest petition has been filed and is sufficient to invoke the ¾ majority-voting rule.

Petitioner has requested that this petition be deferred until September.

Attachment No. 26

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-003.htm>

27. **Petition No. 2005-11 (hearing).** Change in zoning from BP to CC and I-1(CD) for approximately 104.02 acres located on the southside of Reams Road, west of Interstate 77. ***Petitioner: Perimeter Woods Land, LLC and Perimeter Woods Business Park, LLC***

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 27

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-011.htm>

28. **Petition No. 2005-14 (hearing).** Change in zoning from R-5 LW-CW, R-MH, LLW-CA, INST(CD) LW-CA and LLW-CA to MX-2 and LLW-CA Innovative and NS LLW-CA for approximately 596.46 acres located on both sides of Amos Smith Road, south of Old Dowd Road. ***Petitioner: Provident Development Group***

A protest petition has been filed and is sufficient to invoke the ¾ majority-voting rule.

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 28

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-014.htm>

29. **Petition No. 2005-21 (hearing).** Change in zoning from R-3 to NS for approximately 12.03 acres located north of Rocky River Road, east of John Russell Road. ***Petitioner: Baucom's Nursery Company***

Staff does not recommend approval of this petition.

Attachment No. 29

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-021.htm>

30. **Petition No. 2005-22 (hearing).** Change in zoning from R-3 to MX-1 (Innovative) for approximately 66.71 acres located north of Rocky River Road, along both sides of John Russell Road, south of Mclean Road. ***Petitioner: Baucom's Nursery Company***

Upon resolution of outstanding site plan issues, this petition can be considered appropriate for approval.

Attachment No. 30

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-030.htm>

31. **Petition No. 2005-23 (hearing).** Change in zoning from R-3 to I-2(CD) for approximately 78.96 acres located north of Rocky River Road, east of John Russell Road. ***Petitioner: Baucom's Nursery Company***

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 31

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-023.htm>

32. **Petition No. 2005-27 (hearing).** Change in zoning from R-3 to NS for approximately 32.3 acres located south of Rocky River Road, west of Hood Road. ***Petitioner: JDH Capital***

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 32

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-027.htm>

33. **Petition No. 2005-59 (hearing).** Change in zoning from CC and R-3 to CC SPA and CC for approximately 2.778 acres located west of Prosperity Church Road, north of Dearmon Road. ***Petitioner: Prosperity Church, Inc.***

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Petitioner requests a one-month deferral.

Attachment No. 33

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-059.htm>

34. **Petition No. 2005-64 (hearing).** Change in zoning from O-15(CD) to INST(CD) for approximately 1.32 acres located west of Beatties Ford Road, south of Hyde Park Drive. ***Petitioner: Robert Middleton***

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 34

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-064.htm>

35. **Petition No. 2005-65 (hearing).** Change in zoning from R-3 to NS and UR-2(CD) for approximately 24.39 acres located on the north side of Ardrey Kell Road, west of Marvin Road. ***Petitioner: Real Estate Development Partners, LLC***

A protest petition has been filed and is sufficient to invoke the ¾ majority-voting rule.

Staff does not recommend approval of this petition.

Attachment No. 35

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-065.htm>

36. **Petition No. 2005-77 (hearing).** Change in zoning from I-1 LW-PA, I-1(CD) LW-PA and R-3 LW-PA to NS LW-PA and MX-3 (Innovative) LW-PA for approximately 642.2 acres located along Belmeade Drive, south of Mount Holly Road, north of Hawfield Road. ***Petitioner: Crosland, Inc.***

Staff recommends deferral of this petition to allow time to review traffic impact study and continue to work on site-plan issues.

Attachment No. 37

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-077.htm>

37. **Petition No. 2005-76 (hearing).** Change in zoning from I-1(CD) LW-PA and I-2(CD) LW-PA to CC LW-PA for approximately 130.18 acres located on the north side of Mount Holly Road, west of Belmeade Drive. ***Petitioner: Crosland, Inc.***

Staff does not recommend approval of this petition.

Attachment No. 36

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-076.htm>

38. **Petition No. 2005-80 (hearing).** Change in zoning from MX-2 to MX-2 SPA for approximately 16.99 acres located north of Ridge Road and west of Waverly Lynn Lane. ***Petitioner: Jeffery P. Mason***

Only if significant connectivity issues are resolved can staff recommend approval of this petition..

Attachment No. 38

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-080.htm>

39. **Petition No. 2005-82 (hearing).** Change in zoning from UR-C and UR-2 to MUDD-O for approximately 3.54 acres located on the northwest side of North Graham Street, south of West 9th Street. ***Petitioner: Fourth Ward Square Association***

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 39

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-082.htm>

40. **Petition No. 2005-83 (hearing).** Change in zoning from B-2(CD), R-12(CD) and R-15MF(CD) to INST(CD) for approximately 14.63 acres located on the south side of W.T. Harris Boulevard, east of West Sugar Creek Road. ***Petitioner: University City United Methodist Church***

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 40

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-083.htm>

41. **Petition No. 2005-84 (hearing).** Change in zoning from MUDD-O to MUDD-O SPA for approximately 24 acres located north of W. Mallard Creek Church Road and its intersection with Claude Freeman Drive. *Petitioner: Lat Purser & Associates, Inc. and First Colony Corporation*

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 41

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-084.htm>

42. **Petition No. 2005-85 (hearing).** Change in zoning from R-5 to UR-1 for approximately 0.335 acres located to the southeast of Charles Avenue north of E. 35th Street. *Petitioner: James and Patricia Sack*

Staff does not recommend approval of this petition.

Attachment No. 42

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-085.htm>

43. **Petition No. 2005-86 (hearing).** Change in zoning from I-1 to MUDD-CD for approximately 1.74 acres located south of Galleria Boulevard and east of Monroe Road. *Petitioner: Galleria Partners I, LLC*

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 43

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-086.htm>

44. **Petition No. 2005-87 (hearing).** Change in zoning from R-8MF(CD) to UR-2(CD) for approximately 1.73 acres located west of Providence Road and North of Cedar Lane. *Petitioner: Blue Sky Partners*

Staff recommends approval of this petition pending resolution of the outstanding site plan issues and reducing the number of units to 13.

Attachment No. 44

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-087.htm>

45. **Petition No. 2005-90 (hearing).** Change in zoning from O-2 to MUDD(CD) for approximately 2.9 acres located east of E. Morehead Street and south of the intersection of E. Morehead Street and Dilworth Road. ***Petitioner: Morehead Properties, Inc.***

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 45

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-090.htm>

46. **Petition No. 2005-91 (hearing).** Change in zoning from I-2 to TOD-M for approximately 4.919 acres located west of South Boulevard and North of New Bern Street. ***Petitioner: HH Hunt Corporation***

Staff recommends approval of this petition.

Attachment No. 46

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-091.htm>

47. **Petition No. 2005-94 (hearing).** Change in zoning from I-1(CD) to I-1(CD) SPA for approximately 18.56 acres located west of Nations Ford Road, north of Forrest Point Boulevard. ***Petitioner: Samaritan's Purse***

Staff recommends approval of this petition.

Attachment No. 47

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-094.htm>

48. **Petition No. 2005-95 (hearing).** Change in zoning from R-8 to UR-2(CD) for approximately 7.26 acres located east of Westerly Hills Drive and south of Meredith Avenue. ***Petitioner: Westerly Hills Partners, LLC***

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 48

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-095.htm>

49. **Petition No. 2005-96 (hearing).** Change in zoning from O-2 to NS for approximately 0.34 acres located east of Beatties Ford Road and north of St. Luke Street. **Petitioner: Friendship CDC**

Staff does not support this petition.

Attachment No. 49

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-096.htm>

50. **Petition No. 2005-97 (hearing).** Change in zoning from I-1 and R-5 to O-1(CD) for approximately 4.85 acres located on the north side of West Boulevard, west of Walter Street. **Petitioner: Allen Properties of Charlotte, Inc.**

Staff recommends approval of this petition pending resolution of the outstanding site plan issues.

Attachment No. 50

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-097.htm>

51. **Petition No. 2005-99 (hearing).** Change in zoning from B-2 to MUDD-O for approximately 1.186 acres located at the intersection of E. 4th Street and N. Torrence Street and the intersection of Elizabeth Avenue and Independence Boulevard. **Petitioner: Central Piedmont Community College**

Staff recommends approval of this petition pending resolution of the outstanding site plan issues and submission of building elevations and more site design details, including building orientations.

Attachment No. 51

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-099.htm>

52. **Petition No. 2005-47 (hearing).** Consideration of a text amendment to the City of Charlotte Zoning Ordinance to revise the definition of “lot types”, “non-conforming vacant lots”, “open space”, and “common open space”. **Petitioner: Charlotte-Mecklenburg Planning Commission**

Staff recommends a one-month deferral to receive input from the residential development community on the proposed text changes.

Attachment No. 52

<http://www.charmeck.org/Departments/Planning/Rezoning/Rezoning+Petitions/2005+Petitions/2005-047.htm>

Appendix: Residential Location and Design Assessment Matrix (G.D.P.)