AGENDA

Meeting Type	B
Date:	07-19 1982

City of Charlotte, City Clerk's Office

Charlotte

Public Service & Information Department
City Hall, 600 E Trade Street
Charlotte, North Carolina 28202
704/374 2395

Meetings in July '82

THE WEEK OF JULY 4 - JULY 10

6	Tuesday, 12 Noon	HOUSING AUTHORITY/Work Session Charlottetown Terrace, 1000 Baxter Street
	Tuesday, 7 30 p m.	PLANNING COMMISSION Cameron-Brown Building, First Floor Conference Room
7	Wednesday, 4 00 p m	PLANNING COMMISSION/CITY COUNCIL (Presentation of Dilworth Small Area Plan) City Hall, Training Center
8	Thursday, 4.00 p m.	CITY COUNCIL COMMUNITY DEVELOPMENT AND HOUSING COMMITTEE City Hall, Second Floor Conference Room

THE WEEK OF JULY 11 - JULY 17

12	Monday, 12 Noon	PLANNING COMMISSION/Work Session Assembly point Cameron-Brown Building, First Floor Conference Room Tour of Park Road Area
	Monday, 2 00 p m	CITIZENS HEARING City Hall, Council Chamber
	Monday, 3 00 p m	CITY COUNCIL MEETING City Hall, Council Chamber
13	Tuesday, 8·00 a m	AIRPORT ADVISORY COMMITTEE Charlotte/Douglas International Airport, 6501 Old Dowd Road, Airport Manager's Office
	Tuesday, 9 00 a.m.	HISTORIC DISTRICT COMMISSION - Edwin Towers, First Floor Conference Room
14	Wednesday, 7 30 a.m.	AD HOC COMMITTEE ON PLANNING/PLANNING COMMISSION Cameron-Brown Building, First Floor Conference Room
	Wednesday, 12 Noon	INSURANCE & RISK MANAGEMENT AGENCY Cameron-Brown Building, Sixth Floor Conference Room (Finance Department)
	Wednesday, 7 30 p m.	HISTORIC PROPERTIES COMMISSION City Hall, Second Floor Conference Room
15	Thursday, 2 00 p.m	CITY COUNCIL AD HOC SOLID WASTE COMMITTEE City Hall, Second Floor Conference Room
	Thursday, 3 00 p.m	CHARLOTTE MECKLENBURG ADVISORY ENERGY COMMISSION City Hall, Third Floor Conference Room

THE WEEK OF JULY 18 - JULY 24

19	Monday, 6 00 p m	CITY COUNCIL MEETING/Zoning Hearings Education Center Board Room
20	Tuesday, 2 00 p m	HOUSING AUTHORITY 1301 South Boulevard
	Tuesday, 3 00 p m	COMMUNITY FACILITIES COMMITTEE Utility Department Conference Room, 5100 Brookshire Boulevard
	Tuesday, 7 30 p m	CHARLOTTE TREE COMMISSION Park Operations Conference Room, 701 Tuckaseegee Road
21	Wednesday, 8 30 a m	CIVIL SERVICE BOARD City Hall, Third Floor Conference Room
	Wednesday, 4 00 p m	EMPLOYMENT & TRAINING ADVISORY COUNCIL Belmont Regional Center, 700 Parkwood Avenue
	Wednesday, 7 30 p m.	METROPOLITAN PLANNING ORGANIZATION Cameron-Brown Building, First Floor Conference Room
22	Thursday, 8 00 a m	CHARLOTTE CLEAN CITY COMMITTEE Cameron Brown Building, Fifth Floor Conference Room

(Continued)

THE WEEK OF JULY 25 - JULY 31

26	Monday, 7 30 p.m	SPECIALIZED TRANSPORTATION ADVISORY COMMITTEE City Hall, Third Floor Conference Room
27	Tuesday, 4 00 p m	CITY COUNCIL TRANSPORTATION COMMITTEE City Hall,Second Floor Conference Room
	Tuesday, 4 00 p m	MUNICIPAL INFORMATION ADVISORY BOARD Cameron-Brown Building, Third Floor Conference Room
	Tuesday, 4 30 p m	COMMUNITY RELATIONS AWARDS SUBCOMMITTEE/COMMUNITY RELATIONS COMMITTE Community Relations Conference Room, 623 East Trade Street
28	Wednesday, 4 30 p m	COMMUNITY RELATIONS COMMITTEE Covenant Presbyterian Church, 1000 East Morehead Street

Charlotte

IN MEETING ON MONDAY, JULY 19, 1982

5 00 P. M. - COUNCIL/PLANNING COMMISSION
Refreshments - Rooms 237-38

6·00 P M. - ZONING HEARINGS/DECISIONS
Board Room
Education Center

ITEM NO.

1. Invocation

PUBLIC HEARINGS

2. Hearing on Petition No. 82-44 by Galaxy Homes, Inc. to change zoning from R-20MF to R-12MF(CD) for a 10.06 acre site located at the terminus of Rolling Hill Road to the west of Lake Forest Road.

   Attachment No. 1.

3 Hearing on Petition No. 82-46 by Maggie S. Thomas to change zoning from R-6MF to B-1(CD) for a 1 29 acre site fronting 140 feet on the southerly side of Central Avenue approximately 70 feet west of the intersection of Central Avenue and Winterfield Place.

   Attachment No. 1.

4 Hearing On Petition No. 82-47 by Pedro's Mexican Food, Inc to change zoning from 0-6 to B-1(CD) for a 2.27 acre site fronting 300 82 feet on the southerly side of Margaret Wallace Road, approximately 429 feet east of the intersection of Margaret Wallace Road with Independence Boulevard.

   Attachment No 1.

council agenda

Mayor Eddie Knox Mayor Pro Tem Harvey B Gantt

Dave Berryhill
Charlie S Dannelly
Laura Page Frech
Ron Leeper
Ralph Reiss McMillan
Pamella G Patterson
Edwin B Peacock, Jr
George K Selden, Jr
Herbert Spaugh, Jr
Minette Conrad Trosch

5. Hearing On Petition No. 82-48 by El Villa, Limited, to change zoning from O-6 and O-6(CD) to O-6(CD) with site plan amendment, for a .490 acre site fronting 120 feet on the southerly side of Fenton Place approximately 354 feet east of the intersection of Fenton Place and Providence Road.

Attachment No. 1.

6 Hearing on Petition No. 82-49 by John Crosland Company to change zoning from R-9 and R-12 to R-15MF(CD) for a 36.87 ± acre site fronting 319.40 feet on Old Reid Road, approximately 560 feet south of the intersection of Old Reid Road and Archdale Drive.

Attachment No. 1.

7. Hearing on Petition No. 82-50 by Catawba Economic Development Association, Inc. to change zoning from R-9 to R-9MF for a 4.634 acre site fronting 334.47 feet on the westerly side of North Sharon Amity Road, approximately 379 feet south of the intersection of North Sharon Amity Road and Hickory Grove Road.

Attachment No. 1.

8. Hearing to consider adoption of Flood Area Maps of streams which were annexed into the City effective December 21, 1981

Attachment No. 2.

POLICY AGENDA

9 Decision on Petition No. 82-27 by Charlotte-Mecklenburg Planning Commission to consider a text amendment to the Zoning Ordinance to amend Section 23-67,Parking Spaces May Not Be Reduced, to add additional clarifying language.

The Planning Commission recommends that the text amendment be approved.

Attachment No. 3

10 Decision on Petition No 82-28 by Paul J. Reeves, Jr , to consider a text amendment to the Zoning Ordinance to amend Section 23-80(F) to change the (1) maximum area of a sign, (2) the permitted number of signs, and (3) the permitted locations of a detached sign for a day care center in a residential area along a major thoroughfare.

The Planning Commission recommends the text amendment be denied.

Attachment No. 3

11. Decision on Petition No. 82-29 by Caromerica Corporation for a change in zoning from B-2 to I-1(CD) for a 2 0 acre tract located on the north side of Interstate 85, approximately 824 feet east of Little Rock Road.

The Planning Commission recommends the petition be denied.

Attachment No. 3.

12. Decision on Petition No. 82-31 by Louis W Otterbourg for a change in zoning from R-15 to R-15MF for a 3.9 acre tract located on both sides of the 3400 block of Circle End Road, approximately 200 feet north of Spring Circle.

The Planning Commission recommends the petition be approved.

Attachment No. 3.

13 Decision on Petition No. 82-33 by Steak and Ale of North Carolina, Inc., for a change in zoning from O-15 to B-1(CD) for a 1 83 acre tract located on the south side of Albemarle Road, approximately 265 feet east of the intersection of Albemarle Road and Grafton Place.

The Planning Commission recommends that the petition be denied.

Attachment No. 3.

14 Decision on Petition No. 82-35 by Westminster Company for a change in zoning from R-12 to R-12MF(CD) for a 2.46 acre site on both sides of Riverton Court, located off Old Meadow Road in the Eastwoods Subdivision.

The Planning Commission recommends the petition be denied.

Attachment No. 3.

15 Decision on Petition No. 82-37 by Realty Investment Buyers, Inc., for a change in zoning from R-12 to B-1SCD and consider a B-1SCD Site Plan Amendment for a 7.76 acre site located at the southwest corner of Little Rock Road and Tuckaseegee Road.

The Planning Commission recommends that the petition be approved.

Attachment No. 3.

16. Decision on Petition No. 82-38 by Guest Quarters Development Company - Charlotte, to consider a B-1SCD Site Plan Amendment for a 6.57 acre site located in the northwest quadrant of the SouthPark Mall block with approximately 670 feet of frontage on the south side of Morrison Boulevard

The Planning Commission recommends the petition be approved

Attachment No. 3

17. Decision on Petition No. 82-40 by David D. Little to consider an R-9MF(CD) site plan amendment for a 5.26 acre site fronting 395 feet on the east side of Craig Avenue and adjoining Delane Avenue.

The Planning Commission recommends the petition be approved.

Attachment No 3.

18. Decision on Petition No. 82-42 by Vernon P. and Elsie C. Keziah for a change in zoning from R-9 to B-1(CD) for a .41 acre site at the northwest corner of Tuckaseegee Road and Bradford Drive (adjacent to Interstate 85).

The Planning Commission recommends that the petition be approved.

Attachment No. 3.

19. Decision on Petition No. 82-43 by Newman Manor Associates, Ltd. for change in zoning from R-12 to R-20MF for a 6.691 acre site fronting approximately 697 feet on the north side of Sardis Road, approximately 168 feet west of where McAlpine Creek intersects with Sardis Road.

A protest petition has been filed and found sufficient to invoke the 3/4 Rule requiring nine affirmative votes of the Mayor and City Council in order to rezone the property.

The Planning Commission recommends that the petition be approved.

Attachment No. 3.

20 Recommend adoption of resolutions calling joint public hearings of City Council and the Historic Properties Commission on August 16, 1982 at 6 00 p m., in the Board Room of the Education Center to consider designating the following properties as historic:

A The W. T. McCoy House and land located at 429 East Kingston Avenue.

B "Morrocroft" and land located at 2525 Richardson Drive.

21. Recommend adoption of a resolution providing for public hearings on Monday, August 16, 1982, 6 00 P M., Education Center, on Petitions Nos. 82-36, 82-39 and 82-51 through 82-56 for zoning changes.

- - - - - - - - - -

SCHEDULE OF MEETINGS
July 19 through August 3

Monday, July 19	Council/Planning Commission Refreshments - Rooms 237-38 Education Center	5 00 P M
	Council Meeting - Zoning Hearings and Decisions Board Room, Education Center	6.00 P. M.
Tuesday, July 20	SPECIAL USE PERMIT HEARING Council Chamber City Hall	4 00 P. M.
Tuesday, July 27	CITY COUNCIL TRANSPORTATION COMMITTEE Second Floor Conference Room City Hall	4 00 P. M.

Attachments

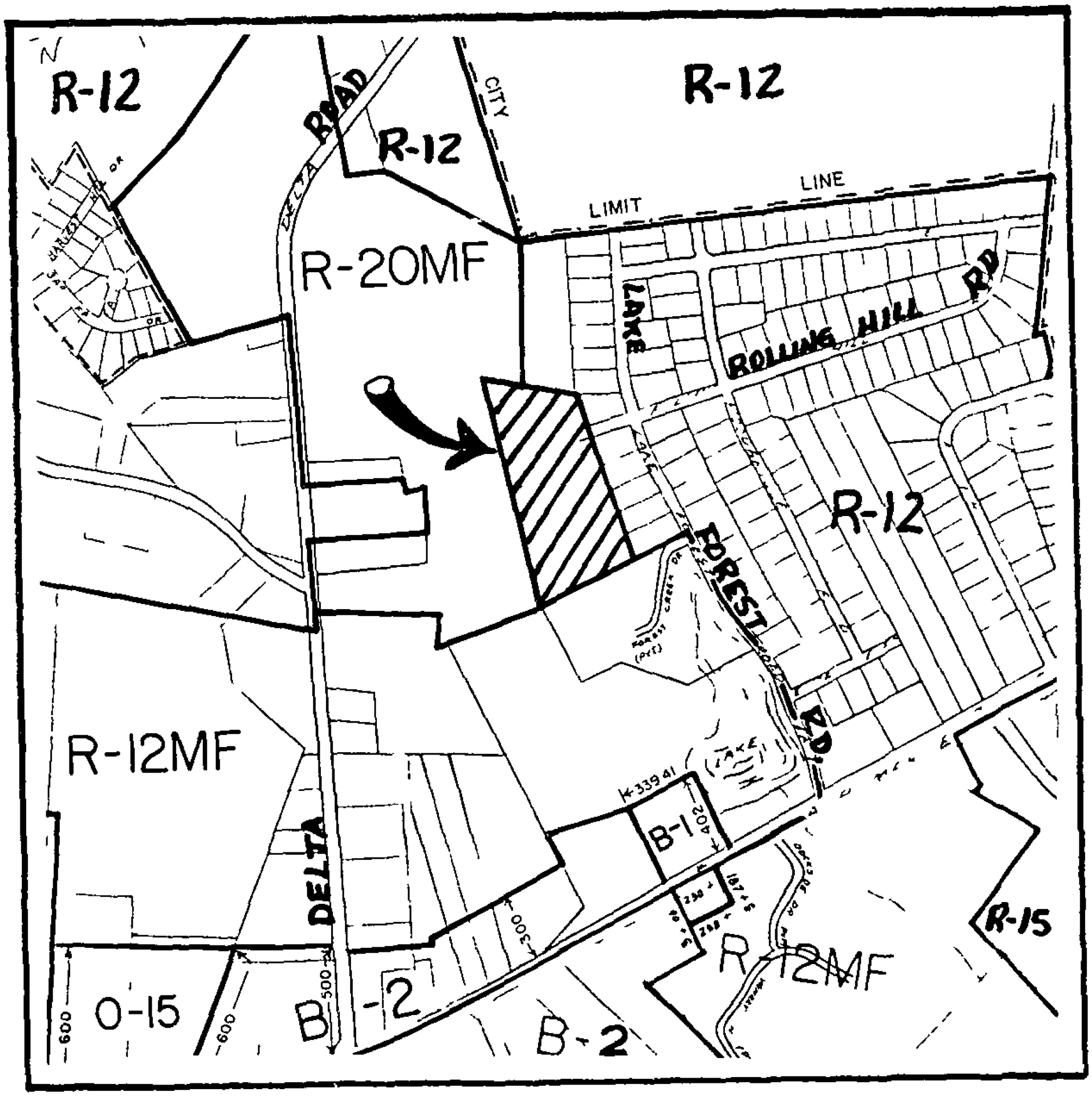
Attach (1)

PETITIONER Galaxy Homes, Inc.

PETITION NO. 82-44 HEARING DATE 7-19-82

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

LOCATION A 10.06 acre site located at the terminus of Rolling Hill Road to the west of Lake Forest Road.



ZONING MAP NO. 45 SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 82-44
Date Filed May 6, 1982
Received By S.D. Watts
OFFICE USE ONLY

Ownership Information

Property Owner Earl J. Rodman, Agent

Owner's Address c/o Hartsell, Hartsell & Mullis
P.O. Box 368
Concord, N.C. 28205

Date Property Acquired 4/20/79

Deed Reference Book 4177, Page 915 Tax Parcel Number 109-161-08

Location Of Property (address or description) 10.06 acres, more or less, near the intersection of Lake Forest Road and Rolling Hill Road, Charlotte, NC

Description Of Property

Size (Sq Ft -Acres) 10.06 acres Street Frontage (ft) new road to be dedicated and connected to existing termination of Rolling Hill Road

Current Land Use vacant

Zoning Request

Existing Zoning R-20MF Requested Zoning R-12MFCD

Purpose of zoning change See attached Exhibit "B"

Douglas P. MacMillan
Name of Agent
2460 First Union Plaza, Charlotte, NC 28282
Agent's Address
704/377-6909
Telephone Number

Galaxy Homes, Inc.
Name of Petitioner(s)
4017 E. Independence Boulevard
Charlotte, NC 28212
Address of Petitioner(s)
704/535-7110
Telephone Number
Jay Kumar
Signature President

Signature of Property Owner if Other Than Petitioner (see attached letter

EXHIBIT B TO REZONING APPLICATION
OF GALAXY HOMES, INC. FOR 10.06 ACRES
OFF ROLLING HILL ROAD

Purpose of Zoning Change

Galaxy Homes, Inc. is a contract purchaser of the property which is the subject of the rezoning application. The property is currently zoned R-20MF and allows for the construction of approximately fifty-six (56) attached housing units. Under the current zoning, it would be necessary to develop the property into a townhouse or condominium community with a complicated Declaration and homeowners' association designed to care for the maintenance of common property.

The requested zoning change to R-12MFCD is designed to allow Galaxy to develop forty (40) duplex living units, with each of the forty (40) lots containing one-half (1/2) of a duplex unit. Consequently, the zoning change would actually decrease the density called for under the existing approved plan. Moreover, the Galaxy plan should result in the neighborhood retaining a more residential character since each duplex living unit would have its own yard, entrance and driveway. Galaxy Homes is trying to pursue this type of multi-family residential development under the belief that it offers a pleasant alternative to townhouses and condominiums, which in appearance strongly resemble nothing more than apartment complexes and which require complicated Declarations and homeowners' associations to provide for the care of common property.

Galaxy Homes, Inc.
4617 East Independence Boulevard
Charlotte, North Carolina 28212

May 6, 1982

Charlotte Mecklenburg Planning Division
Charlotte, North Carolina

Gentlemen:

As contract purchaser of 10.06 acres of Rolling Hill Road, Galaxy Homes, Inc. hereby assures you that the record owner, Earl J. Rodman, Agent, consents to the attached rezoning application, and that he will sign the same as soon as he is available. He is out of town currently and we were unable to obtain his signature prior to filing the rezoning application.

Very truly yours,

Jay Kumar

Jay Kumar, President

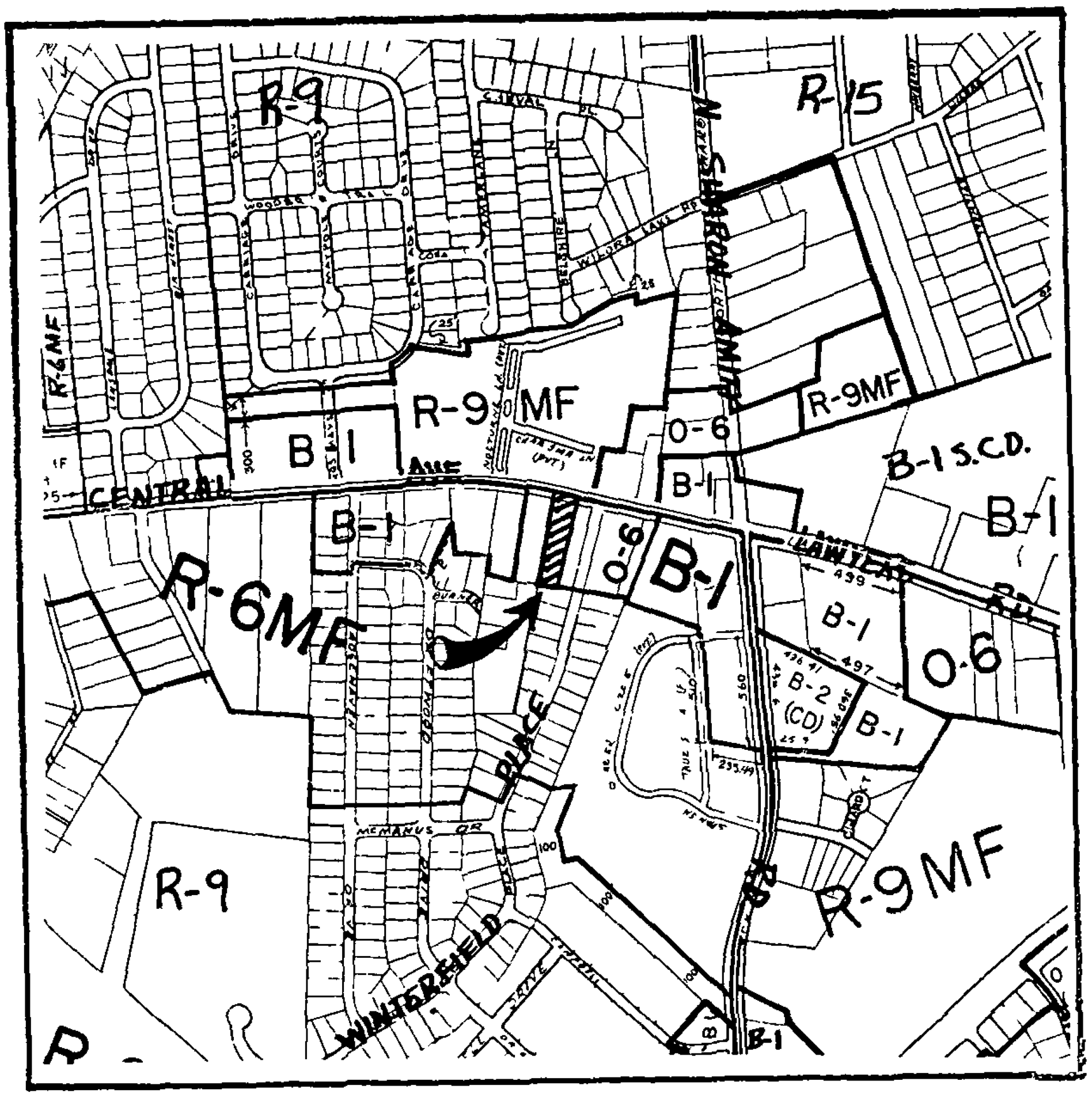
JK:ne

PETITIONER Maggie S. Thomas

PETITION NO. 82-46 HEARING DATE 7-19-82

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

LOCATION An 1.29 acre site fronting 140 feet on the southerly side of Central Avenue approximately 70 feet west of the intersection of Central Avenue and Winterfield Place.



ZONING MAP NO. 22 SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 82-46
Date Filed June 1, 1982
Received By S D Watkins
OFFICE USE ONLY

Ownership Information

Property Owner Maggie S. Thomas (widow)

Owner's Address RFD 3, Box 77, Bennettsville, S. C. 29512

Date Property Acquired September 13, 1976

Deed Reference Will of Samuel R. Thomas 77-F-1221 filed in Mecklenburg County Tax Parcel Number 131-042-38

Location Of Property (address or description) 4938 Central Ave., Charlotte, N. C.

Description Of Property

Size (Sq Ft Acres) 52,000 sq. ft. Street Frontage (ft) 140

Current Land Use single-family residence

Zoning Request

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

Purpose of zoning change to construct a Quincy's Family Steak House

Cecil King
Name of Agent
P. O. Box 36186, Charlotte, N. C. 28236
Agent's Address
372-4205
Telephone Number

Maggie S. Thomas
Name of Petitioner(s)
RFD 3, Box 77, Bennettsville, S
Address of Petitioner(s)
803-448-2083
Telephone Number
x Maggie S. Thomas
Signature

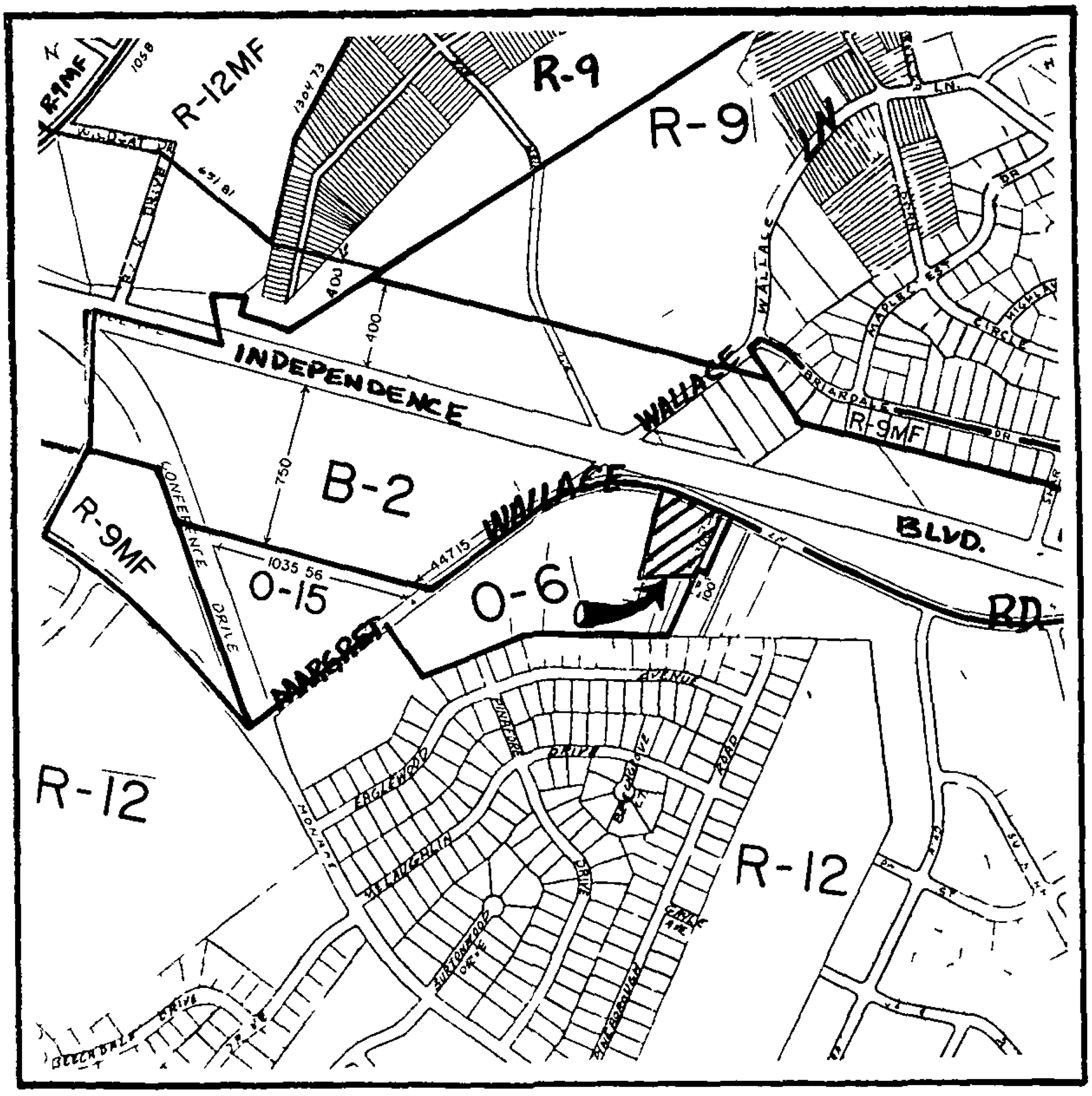
Signature of Property Owner if Other Than Petitioner

PETITIONER Pedro's Mexican Food, Inc.

PETITION NO. 82-47 HEARING DATE July 19, 1982

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

LOCATION A 2.27 acre site fronting 300.82 feet on the southerly side of Margaret Wallace Road, approximately 429 feet east of the intersection of Margaret Wallace Road with Independence Boulevard.



ZONING MAP NO. 25 SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 82-47
Date Filed June 3, 1982
Received By S. D. Watkins
OFFICE USE ONLY

Ownership Information

Property Owner Pedro's Mexican Food, Inc.

Owner's Address 3406 Raeford Road

Fayetteville, North Carolina 28302

Date Property Acquired April 17, 1980

Deed Reference Book 4297, Page 330 Tax Parcel Number 191-051-04

Location Of Property (address or description) Lots 7 and 8 of the

M. J. Wallace Estate Property, Map Book 5, Page 117- Margaret Wallace Road (Nos. 7300 and 7314)

Description Of Property

Size (Sq Ft Acres) Street Frontage (ft) 300.82'

Current Land Use Residential - there are currently two houses and a tin building on the premises.

Zoning Request

Existing Zoning 0-6 Requested Zoning B-1(C-D)

Purpose of zoning change See accompanying narrative

Brian P. Evans
Berry, Hogewood, Edwards & Freeman, P.A.
Name of Agent

One NCNB Plaza, Suite 3601
Agent's Address

Charlotte, North Carolina 28280
Telephone Number

704-374-1566

Pedro's Mexican Food, Inc.
Name of Petitioner(s)

3406 Raeford Road, Fayetteville N.C. 28302
Address of Petitioner(s)

919-484-9520
Telephone Number

By: Brian P. Evans
Signature Attorney

Signature of Property Owner if Other Than Petitioner

PURPOSE OF ZONING CHANGE

Pedro's Mexican Food, Inc. ("Pedro's"), owns all of those tracts of land identified in the Tax Records of the City of Charlotte and Mecklenburg County as Parcel Nos. 191-051-04, 191-051-03, and 191-051-02. All of these parcels front Margaret Wallace Road near the intersection of Margaret Wallace Road and Wallace Lane. From this intersection, Margaret Wallace Road runs parallel to and nearly within the right-of-way of Independence Boulevard. All of the above-mentioned parcels are zoned O-6. This Application is for a change from O-6 to B-1(CD) for a portion of Tax Parcel No. 191-051-04.

This property adjoins a B-2 district on its northeasterly side along Margaret Wallace Road. Most of the southeasterly boundary of the property to be rezoned adjoins an O-6 district; a small boundary with an R-12 zoning district exists at the very southerly corner of the property. The rear or southwesterly boundary of the property adjoins an O-6 district, as does the northwesterly boundary of the property.

The plan for development, as shown on the site study prepared for Pedro's by Urban Planning Associates, is for the construction and operation of a Mexican restaurant, containing 10,000 square feet. Adequate space for parking to conform with the requirements of the B-1 district is included. All setback and side yard requirements are met as shown on the site plan.

There are currently located on the property two small one story frame residences and one small out-building. None of the structures has any significant value, and they would be removed in connection with the proposed development.

The last change in the zoning classification of this property occurred in September, 1971, when it was re-classified from R-12 to O-6. The O-6 district in which the property to be rezoned is located is apparently intended to serve as a buffer between the business uses to the east and residential uses to the south and west. The O-6 classification does not seem to be an appropriate zoning classification for the property, and does not appear to reflect the location and

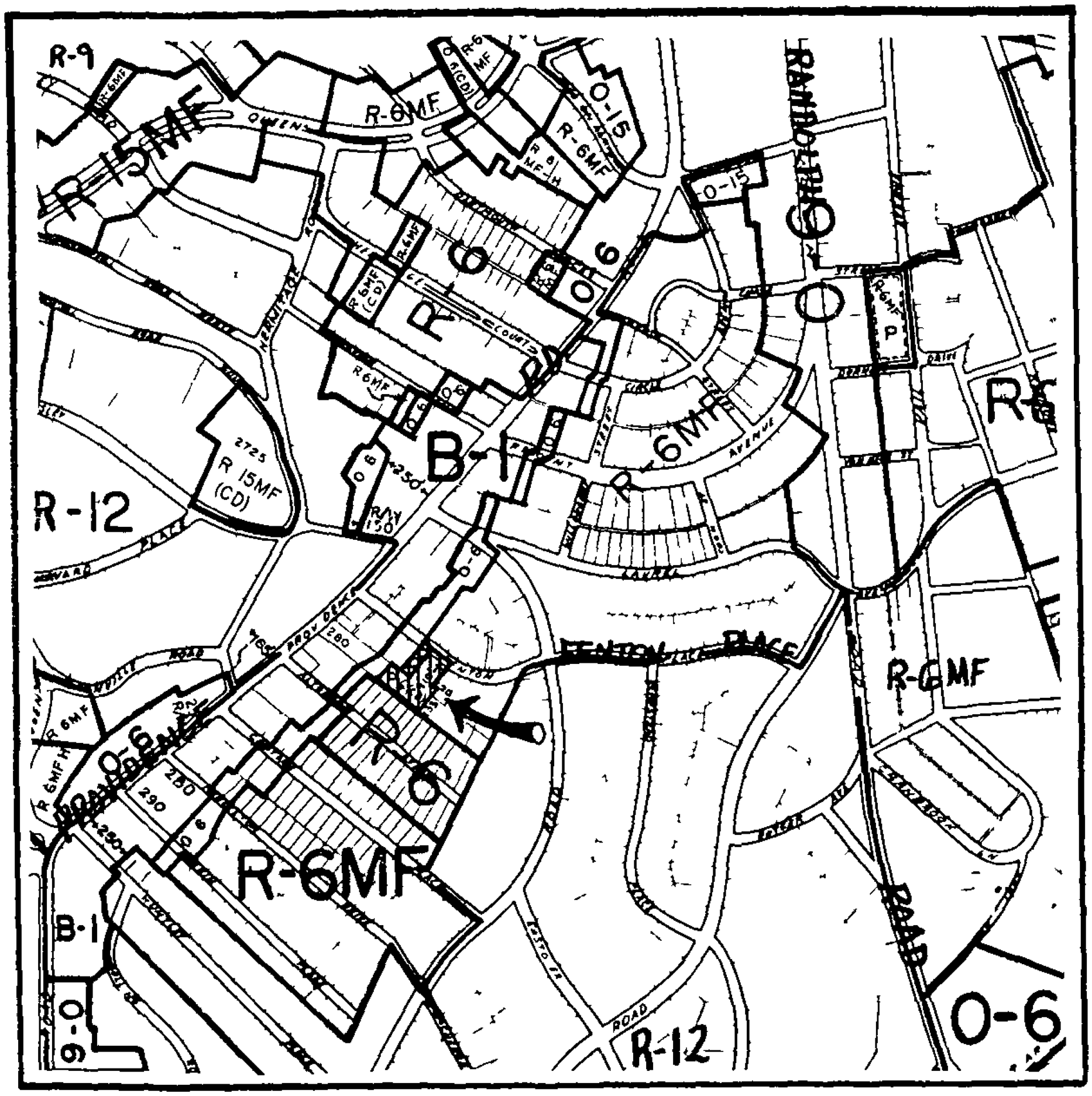
character of the property. No significant development has occurred on the property, either during the time that it was zoned R-12, or since its rezoning from R-12 to O-6 in 1971. It is likely that unless it is rezoned to allow some business use, there will be no development of this property and the owners will be deprived of its most logical, and only economically feasible, use. While the property fronts on Margaret Wallace Road, and not Independence Boulevard, at the point of the location of this property, Margaret Wallace Road runs virtually into Independence Boulevard. The property is clearly visible from Independence Boulevard and seems to be more logically identified with Independence Boulevard and the business uses along either side thereof, than with any residential uses oriented to Monroe Road. However, in recognition of the fact, that the property in question has some proximity and relation to residential uses, the request is for a conditional district classification which will allow thorough review of the development plans and the imposition of any requirements that might be deemed necessary to protect the integrity of those residential uses.

PETITIONER El Villa, Limited

PETITION NO. 82-48 HEARING DATE July 19, 1982

ZONING CLASSIFICATION, EXISTING 0-6 & 0-6(CD) REQUESTED 0-6(CD) with Site Plan Amendment

LOCATION A .490 acre site fronting 120 feet on the southerly side of Fenton Place approximately 354 feet east of the intersection of Fenton Place and Providence Road.



ZONING MAP NO. 7 SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE

Petition No 82-48
Date Filed June 1, 1982
Received By S D Watkins
OFFICE USE ONLY

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Ownership Information

Property Owner EL VILLA, LIMITED

Owner's Address 715 Providence Road, Charlotte, North Carolina 28207

Date Property Acquired July 13, 1976

Deed Reference Book 3860, Page 595 Tax Parcel Number 155-062-03A, 155-062-73

Location Of Property (address or description) Property fronting 120 feet on the south side of Fenton Place about 234 feet east of Providence Road.

Description Of Property

Size (Sq Ft-Acres) 21,360 sq. ft. (.490 acres) Street Frontage (ft) 120 Feet on Fenton Place

Current Land Use (1) 60'x143' lot at 505 Fenton Place: vacant brick house zoned O-6.
(2) 60'x143'x60'x35'x120'x178' lot adjacent to east and south of 505 Fenton Place: unimproved zoned O-6(CD).

Zoning Request

Existing Zoning (1) 505 Fenton Place: O-6
(2) Adjacent lot to east and south: O-6(CD)

Requested Zoning (1) O-6(CD)
(2) O-6(CD)

Purpose of zoning change

See Schedule A attached.

BERRY, HOGEWOOD, EDWARDS & FREEMAN, P.A.
Name of Agent

One NCNB Plaza, Suite 3601, Charlotte, NC 28280
Agent's Address

374-1566
Telephone Number

EL VILLA, LIMITED
Name of Petitioner(s)

715 Providence Rd., Charlotte, NC 28207
Address of Petitioner(s)

376-8062
Telephone Number

David R. Krug, General Partner
Signature

Signature of Property Owner if Other Than Petitioner

SCHEDULE A

TO
OFFICIAL REZONING APPLICATION
-CITY OF CHARLOTTE-
OF
EL VILLA, LIMITED

The property with respect to which this zoning amendment is requested is a portion of the property developed and owned by El Villa, Limited. Specifically, the property subject to this Petition consists of two adjacent lots aggregating .490 acres, each of which has frontage of 60 feet on Fenton Place.

One of the lots located at 505 Fenton Place approximately 264 feet east of Providence Road (the "505 Fenton Place Lot") has a depth of 143 feet and is currently improved with a vacant white brick house appropriate for residential or office uses. The 505 Fenton Place Lot is now zoned O-6 and it is proposed that this lot be rezoned O-6(CD) and added to the existing O-6(CD) site plan for adjacent property owned by the Petitioner.

The remaining property subject to this Petition consists of a lot adjacent to the east side boundary and south rear boundary of the 505 Fenton Place Lot. This remaining property also has frontage of 60 feet on Fenton Place and is currently subject to the existing O-6(CD) zoning for the rear parking lot area of the Villa Square Shopping Center approved by the City Council in 1976 (Petition No. 76-61). It is proposed that the existing O-6(CD) site plan be amended in accordance with the site plan attached to this Petition to permit the uses shown thereon for this remaining lot and to add the 505 Fenton Place Lot to the site plan.

The Petitioner requests that the following conditions be attached to this site plan amendment·

1. With respect to the front portion of the 505 Fenton Place Lot to a depth of 116.17 feet from Fenton Place and consisting of 7,000.2 square feet as shown on the attached site plan:

(a) The Petitioner will within six (6) months of the final approval of this Petition, either repair and refurbish the existing building thereon for residential or office use or it will offer this 7,000.2 square foot portion of the 505 Fenton Place

Lot and the existing building for sale and development by others in accordance with the attached site plan and the following conditions.

(b) This 7,000 2 square foot portion of the 505 Fenton Place Lot will be used for office or residential purposes only and if used for residential purposes, no more than two (2) residential dwelling units shall be utilized.

(c) Future development of this 7,000.2 square foot portion of the 505 Fenton Place Lot will utilize the existing white brick house presently located thereon or a structure of traditional design (vs. contemporary design) within the set back lines shown on the attached site plan.

(d) Parking on this 7,000.2 square foot portion of the 505 Fenton Place Lot will be limited to that necessary or convenient for utilization in connection with buildings or improvements thereon and parking thereon in connection with utilization of adjacent properties will be prohibited. In any event at least the minimum parking requirements of the City of Charlotte Zoning Ordinance will be complied with.

2. With respect to the front portion of the remaining lot to a depth of 116.67 feet from Fenton Place and consisting of 7,000.2 square feet as shown on the attached site plan:

(a) This 7,000.2 square foot portion of the remaining lot will be used for residential purposes only.

(b) Future development of this 7,000.2 square foot portion of the remaining lot will be limited to a single building of traditional design (vs. contemporary design), containing no more than two (2) residential dwellings within the usable building area shown on the attached site plan. In any event at least the minimum parking requirements of the City of Charlotte Zoning Ordinance will be complied with.

(c) Within twelve (12) months of the final approval of this Petition, the Petitioner will either develop this 7,000.2 square foot portion of the remaining lot in accordance with the site plan and the foregoing conditions or make the same available for sale and development by others in accordance with the attached site plan and the foregoing conditions.

3. The balance of the property included in the 505 Fenton Place Lot and in the remaining lot beyond a depth of 116.67 feet from Fenton Place will be added to the parking areas for the Villa Square Shopping Center and will be developed in accordance with the attached site plan.

These site plan amendments will produce the following positive benefits:

(a) The current uncertainty regarding the future development and use of this property will be eliminated.

(b) Future development of the front portion of the 505 Fenton Place Lot will be restricted to office or residential uses confined solely to that lot. The possibility that the existing structure on that lot will be demolished and replaced with additional parking for 28 cars will be eliminated and the continued existence of a structure of traditional design compatible with other residential and office structures in the neighborhood will be assured.

(c) The front portion of the adjacent vacant lot on Fenton Place will be developed with a residential structure of traditional design compatible with the other residential and office structures in the neighborhood. The residential character of Fenton Place will be further stabilized by the restriction of the use of this lot to residential purposes.

(d) Available parking for the Villa Square Shopping Center will be increased by only 24 spaces as opposed to the 28 spaces available for development on the 505 Fenton Place Lot. It is important to note that of the 120 spaces shown to be available on the site plan approved by City Council in 1976 (Petition No. 76-61) only 113 spaces presently exist.

(e) All additional parking will be contained within the interior of the Villa Square Shopping Center and will not be visible from Fenton Place as additional parking would be if constructed on the entire 505 Fenton Place Lot. Traffic flow is also contained internally and no additional entrances or exists will be required on Fenton Place.

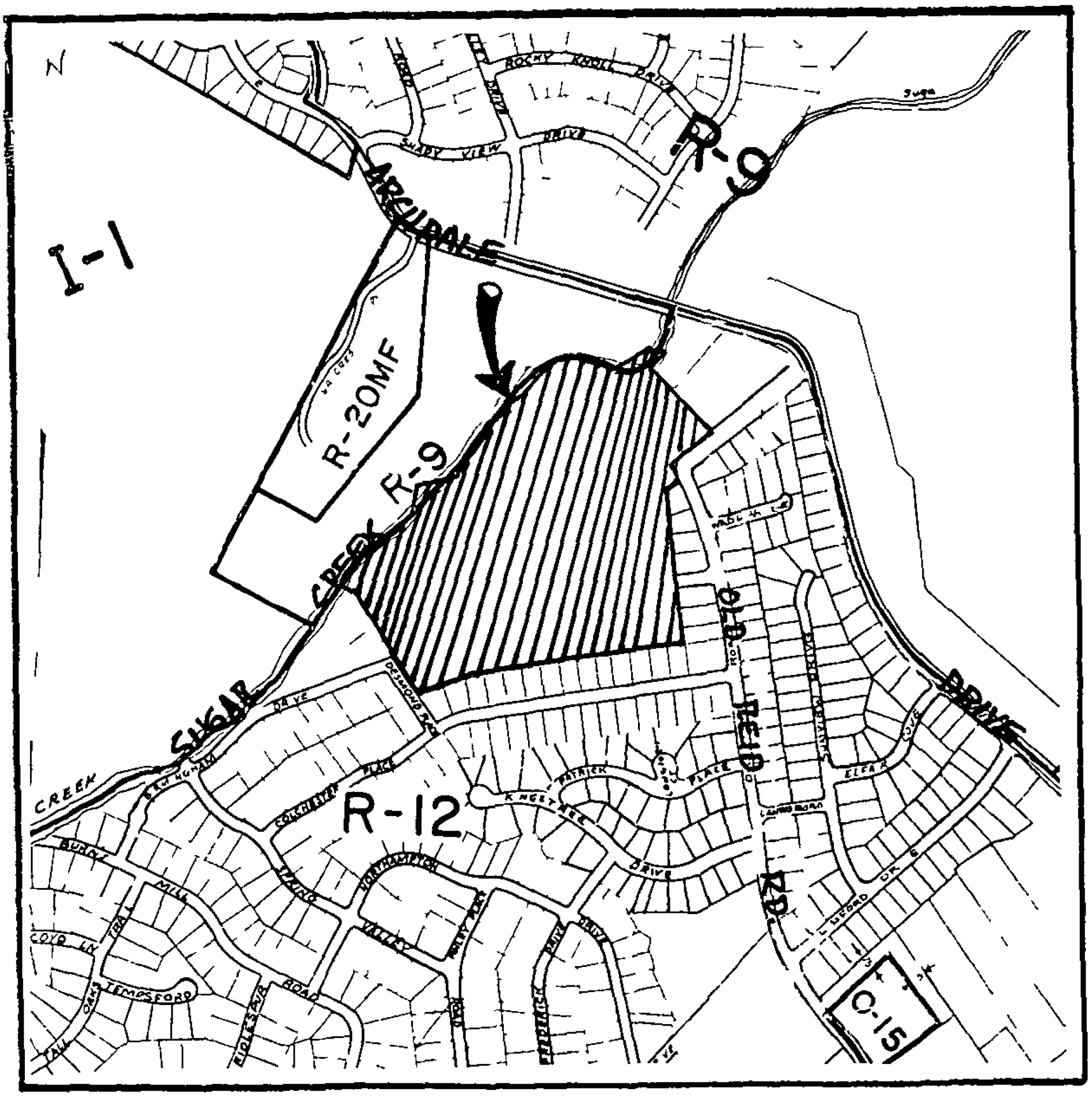
(f) Development of the portion of the property fronting on Fenton Place will utilize a single existing driveway and no new driveway will be required.

PETITIONER John Crosland Company

PETITION NO. 82-49 HEARING DATE 7-19-82

ZONING CLASSIFICATION, EXISTING R-9 and R-12 REQUESTED R-15MF(CD)

LOCATION A36.87± acre site fronting 319.40 feet on Old Reid Road, approximately 560 feet south of the intersection of Old Reid Road and Archdale Drive.



ZONING MAP NO. 31 SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 82-49
Date Filed June 3, 1982
Received By S D Watkins
OFFICE USE ONLY

Ownership Information

Property Owner Hall M. Johnston

Owner's Address P.O. Box 35231
Charlotte, NC 28235

Date Property Acquired February 3, 1982

Deed Reference Book 814 Page 149 Tax Parcel Number 173-071-38

Location Of Property (address or description) Old Reid Pond, Pexwood,
Colchester Road and adjacent to Sugar Creek

Description Of Property

Size (Sq Ft Acres) 37 acres Street Frontage (ft) ±230'

Current Land Use Open Land

Zoning Request

Existing Zoning R-12 and R-9 Requested Zoning R-15 MF CD

Purpose of zoning change To permit the development of low density attached housing for sale to meet the existing need of the housing market in accordance with a site plan sensitive to the overall community

FRED BRYANT
Name of Agent
1850 Providence Rd. #216
Agent's Address
333-1680
Telephone Number

relationship

JOHN CROSLAND COMPANY
Name of Petitioner(s)
P.O. Box 11231, Charlotte, N.C.
Address of Petitioner(s)
523-8111
Telephone Number
Douglas L. Boone
Signature Douglas L. Boone
See attached letter
Signature of Property Owner if Other Than Petitioner

P.O. Box 35231
Charlotte, NC 28235
April 16, 1982

Mr. Martin Cramton, Director
Charlotte-Mecklenburg Planning Commission
301 S. McDowell St. #100
Charlotte, NC 28204

Dear Mr. Cramton

REFERENCE Rezoning of Property on Old Reid Road

I have given an option to purchase the property shown on the attached tax map to the John Crosland Company. I am aware that the Crosland Company is seeking to rezone the property. I approve the John Crosland Company pursuing the rezoning of my property.

Sincerely,

Hall M. Johnston

/jl

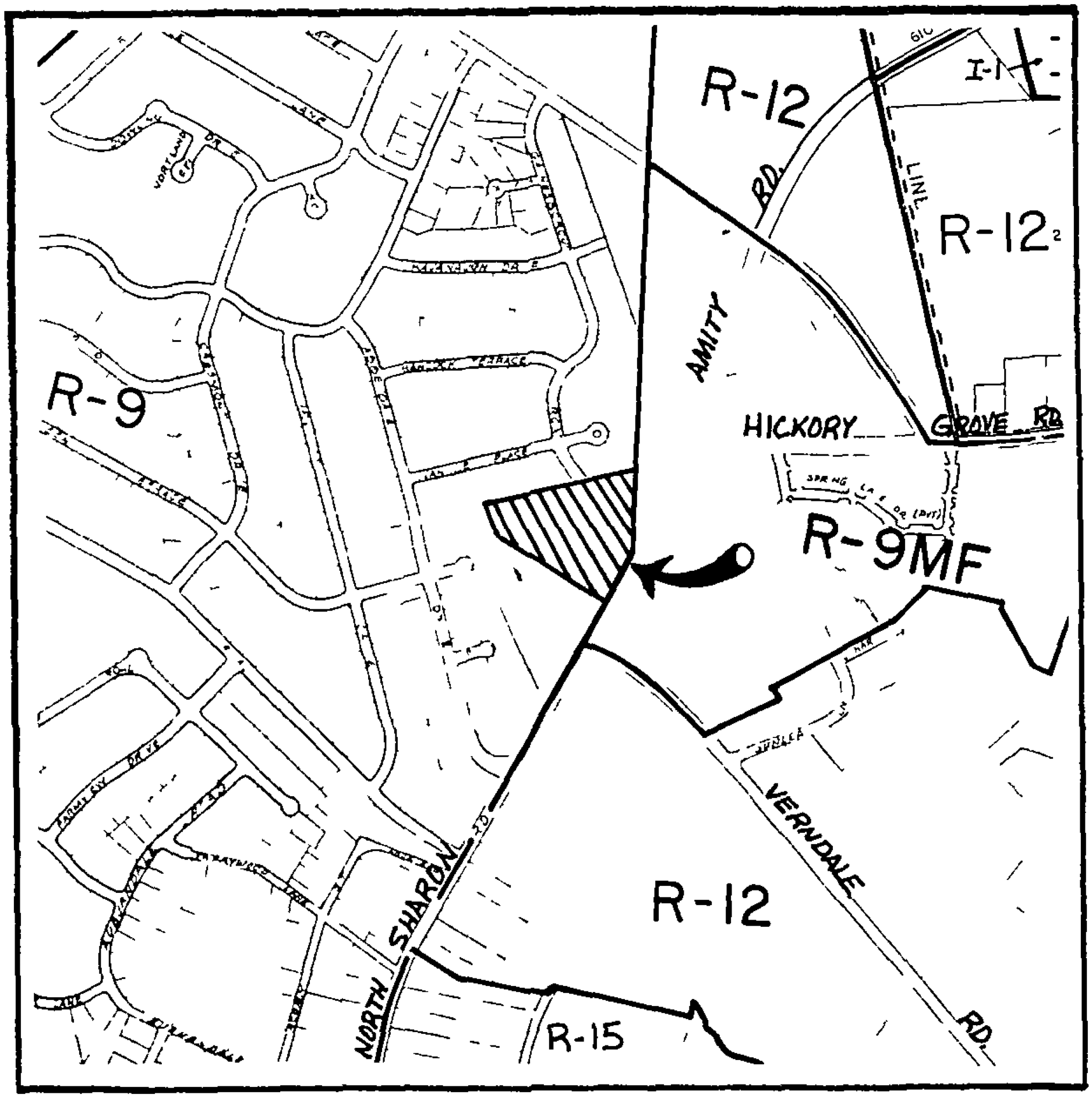
c Doug Boone
Fred Bryant

PETITIONER Catawba Economic Development Association, Inc.

PETITION NO. 82-50 HEARING DATE July 19, 1982

ZONING CLASSIFICATION, EXISTING R-9 REQUESTED R-9MF

LOCATION A 4.634 acre site fronting 334.47 feet on the westerly side of North Sharon Amity Road, approximately 379 feet south of the intersection of North Sharon Amity Road and Hickory Grove Road.



ZONING MAP NO. 21 SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE

Petition No 82-50

Date Filed June 9, 1982

Received By S D Watkins

OFFICE USE ONLY

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Ownership Information

Property Owner *Catawba Economic Development Association, Inc.

Owner's Address c/o Rev. Elo Henderson

1716 Washington Avenue, Charlotte, North Carolina, 28202

Date Property Acquired *June 19, 1972

Deed Reference *Book 3387, Page 277 Tax Parcel Number 101-091-34

Location Of Property (address or description) 4701 North Sharon Amity Road,

Charlotte, North Carolina

Description Of Property

Size (Sq Ft Acres) 2.540 Acres Street Frontage (ft) 497.04 feet

Current Land Use Two vacant single family dwellings

Zoning Request

Existing Zoning R-9 Requested Zoning R-9MF

Purpose of zoning change To construct a low density elderly housing development

Marnite Shuford, Attorney at Law
Name of Agent

701 East Trade Street, Suite E, Charlotte, NC, 28202
Agent's Address

(704) 376-5588
Telephone Number

Rev. Elo Henderson
Name of Petitioner(s)

1716 Washington Ave., Charlotte, NC
Address of Petitioner(s)

(704) 374-0075
Telephone Number

x Elo F. Henderson
Signature

Chairman of Board of Directors
Signature of Property Owner if Other Than Petitioner

*See attached addendum which describes additional property currently in the name of Henry Orr which Petitioner will ~~have~~ purchased by the date of the zoning hearing on July19, 1982.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 82-50
Date Filed June 9, 1982
Received By S.D. Watkins
OFFICE USE ONLY

Ownership Information

ADDENDUM

Property Owner Henry Orr

Owner's Address 4701 North Sharon Amity
Charlotte, North Carolina

Date Property Acquired April 1, 1946

Deed Reference 1st lot: Book 1179, Page 443 Tax Parcel Number 101-091-37
2nd lot: Reference not available 101-091-36

Location Of Property (address or description) 4701 North Sharon Amity Road, Charlotte, North Carolina

Description Of Property

Size (Sq Ft Acres) 1st lot: 2.250 acres 2nd lot: .450 acres Street Frontage (ft) 497.04 feet

Current Land Use Single family residential

Zoning Request

Existing Zoning R-9 Requested Zoning R-9MF

Purpose of zoning change To construct a low density elderly housing development

Marnite Shuford, Attorney at Law
Name of Agent
701 East Trade St., Suite E, Charlotte, NC, 28202
Agent's Address
(704) 376-5588
Telephone Number

Rev. Elo Henderson
Name of Petitioner(s)
1716 Washington Ave., Charlotte, NC
Address of Petitioner(s)
(704) 374-0075
Telephone Number
x Elo F. Henderson
Signature
Chairman of Board of Directors
Signature of Property Owner if Other Than Petitioner

June 10, 1982

TO WHOM IT MAY CONCERN

This is to certify that we are aware of the application being submitted to the Charlotte Planning Commission to rezone our property from R-9 to R-9MF.

We certify further that we are in accord with the application being submitted.

Henry Orr

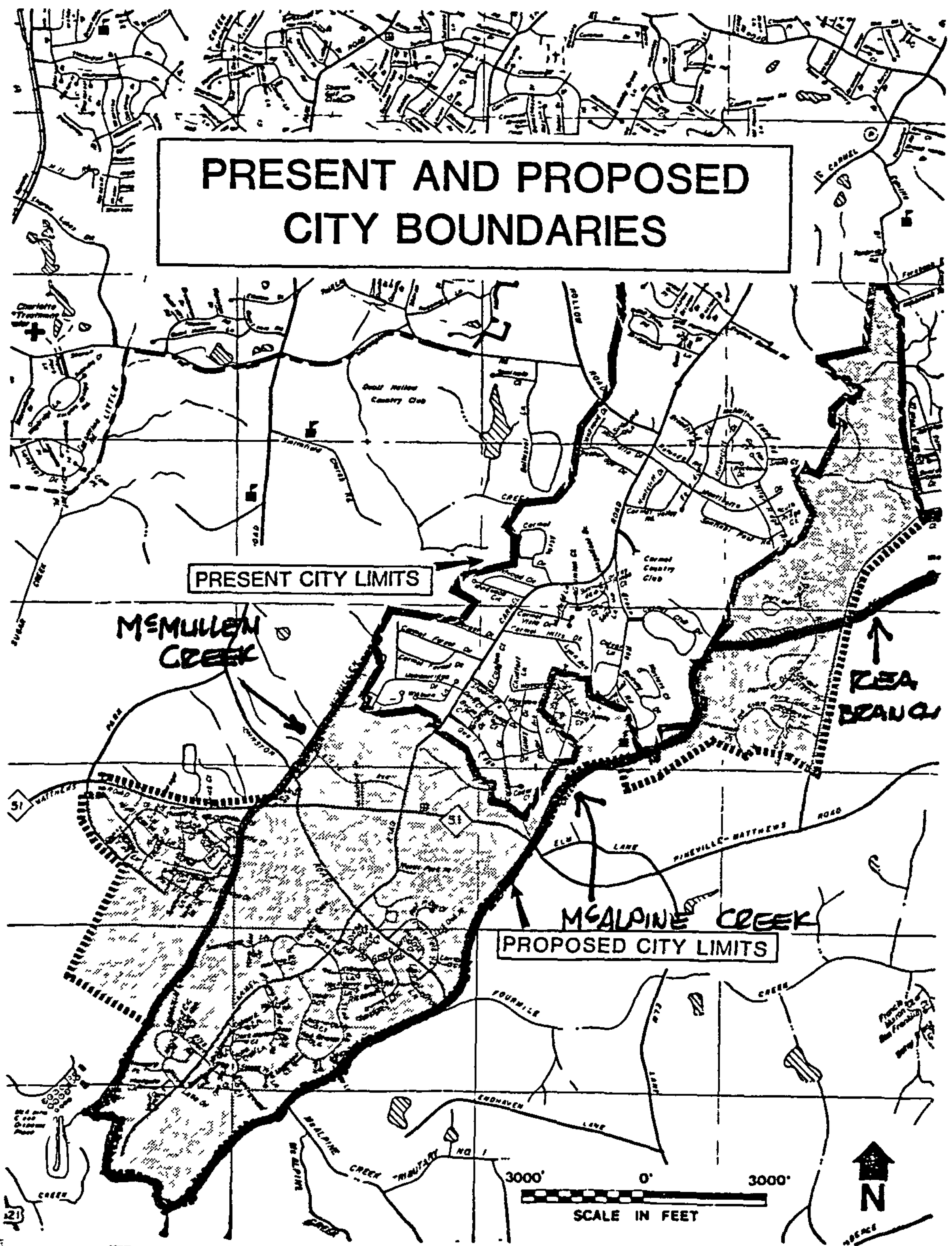
Henry Orr

Georgia

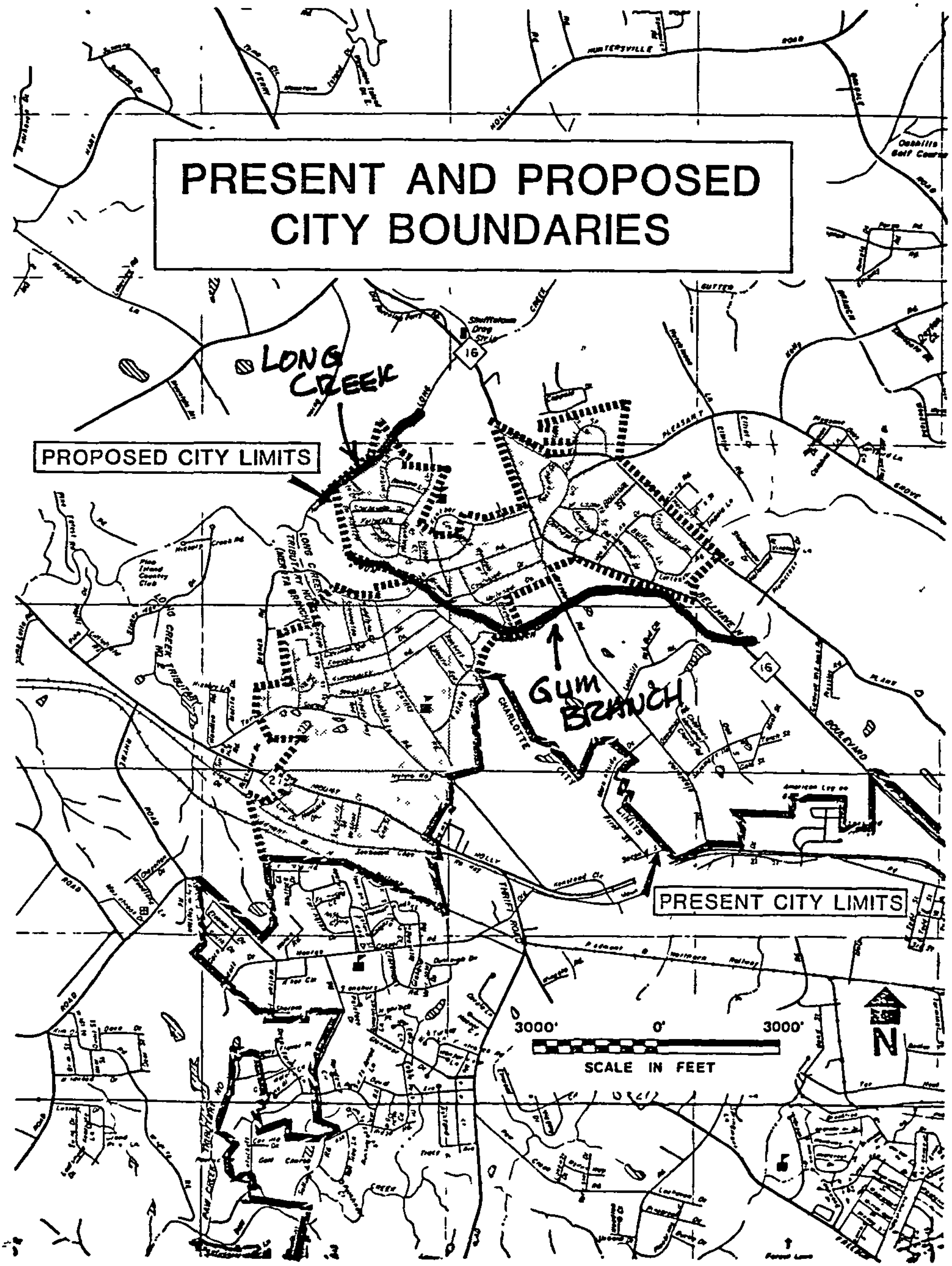
Mrs. Georgia Orr

Pl

PRESENT AND PROPOSED CITY BOUNDARIES



PRESENT AND PROPOSED CITY BOUNDARIES



Attach 3

CHARLOTTE-MECKLENBURG PLANNING COMMISSION

CAMERON BROWN BUILDING
301 SOUTH McDOWELL STREET
CHARLOTTE, NORTH CAROLINA 28204

MARTIN R CRAMTON JR
Planning Director

June 18, 1982

Mayor Eddie Knox
Members, City Council
Charlotte, North Carolina

Dear Mayor and Council Members:

Attached are recommendations of the Charlotte-Mecklenburg Planning Commission on petitions for rezoning which have been heard and referred to the Planning Commission for consideration. The recommendations as reflected herein were arrived at in a meeting of the Planning Commission held on June 14, 1982.

According to the adopted rules of procedure, these recommendations will be sent to the interested parties with a time period for the conveyance of any written statement set to elapse on June 28, 1982. This will then permit these matters to be placed on your agenda for consideration on July 19, 1982.

If you have any questions or wish to discuss any aspect of these recommendations, please let me know.

Respectfully submitted,

Bob Young

Robert G. Young
Zoning Hearing Supervisor

RGY:oj

Attachments

DATE June 14, 1982

PETITION NO. 82-24

PETITIONER(S) D. L. Phillips Investment Builders, Inc.

REQUEST Change from R-9, R-6MF, 0-6 and I-2 to I-1(CD)

LOCATION A 10.4 acre tract fronting 1,366 feet on Barringer Drive, approximately 344 feet south of the intersection of Clanton Road and Barringer Drive.

ACTION The Planning Commission deferred action on this request in order that the applicant might continue discussions with neighborhood representatives regarding the petition.

VOTE

REASONS:

DATE June 14, 1982

PETITION NO. 82-26

PETITIONER(S) Charlotte-Mecklenburg Planning Commission

REQUEST Amend the text of the Charlotte Zoning Ordinance to provide for Non-Residential Park signs

LOCATION

ACTION The Planning Commission deferred action on this petition for further study by staff.

VOTE

REASONS:

DATE June 14, 1982

PETITION NO. 82-27

PETITIONER(S) Charlotte-Mecklenburg Planning Commission

REQUEST Amend the text of the Charlotte Zoning Ordinance Section 23-67 Parking Spaces May Not Be Reduced to add additional clarifying language.

LOCATION

ACTION The Planning Commission recommends that the text amendment be approved.

VOTE Yeas: Boyce, Culbertson, Curry, Ervin, Jernigan, Lawing, McCoy and Trotter.

Nays: None.

REASONS:

The purpose of this text amendment is to clarify existing language in the zoning ordinance which deals with the reduction of off-street parking spaces. Section 23-67 provides that "off-street parking spaces may not be reduced below the minimum required for the use or facility to which they are assigned." This section, of course, addresses those uses which have been developed subsequent to the adoption of the zoning ordinance in 1962, but there is no specific language in the ordinance dealing with the reduction of off-street parking spaces which speaks to those uses in existence prior to 1962. Therefore, because of the lack of the authority to prevent the practice, it has occurred from time to time that pre-1962 uses already deficient in the minimum required number of parking spaces have leased or otherwise given away parking spaces to post-1962 uses in order to satisfy their parking needs and requirements. This has shown itself to be an undesirable practice and one which has particularly caused problems in urban areas, where developable land is most limited, by creating various adverse traffic conditions, such as on-street parking, thru-traffic, congestion, etc. The language of this text amendment will add to Section 23-67 and prevent the problem described above by specifically addressing those uses, deficient in parking spaces, which were already in existence at the time of the adoption of the zoning ordinance. It is believed that this new language will have a beneficial effect in that. 1) it will clarify the intent of the existing language in Section 23-67, and 2) prevent the overbuilding of an area by developing land to its maximum potential without adding new parking spaces to meet the minimum standards in the ordinance for the new use.

Petition No. 82-27
Charlotte-Mecklenburg
Planning Commission

Ordinance No._____

An Ordinance Amending Chapter 23
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. Chapter 23, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1. Amend Article V, Division 1. Off-Street Parking Requirements by adding the following to Section 23-67. Parking Spaces may not be reduced:

   "Off-street parking spaces for buildings and uses existing at the time of the adoption of this Article V, which failed to have the minimum parking spaces required by Section 23-62, shall not be reduced when those buildings and uses continue to be in existence."

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 _____.

Ruth Armstrong,
City Clerk

DATE June 14, 1982

PETITION NO. 82-28

PETITIONER(S) Paul J. Reeves, Jr.

REQUEST Amend the text of the Charlotte Zoning Ordinance Section 23-80(F) by adding new language which provides for two identification signs for day care centers on major thoroughfares and each sign may be a maximum of 25 square feet in size.

ACTION The Planning Commission recommends the text amendment be denied.

VOTE Yeas: Boyce, Culbertson, Curry, Ervin, Jernigan, Lawing, McCoy and Trotter.

Nays. None.

REASONS:

The purpose of this text amendment is to amend the Charlotte Zoning Ordinance Section 23-80(F), which deals with signs on the premises of nursing homes, homes for the aged and day care centers in residential districts. Currently the ordinance permits one identification sign for these uses. If the sign is attached to the building, the maximum size shall be nine square feet and if detached the maximum size shall be three square feet. The proposal presented by this request would permit two identification signs for day care centers with a maximum size for each sign of twenty-five square feet. In addition, these provisions would be limited to day care centers located along major thoroughfares.

This change is felt to be undesirable for several reasons. Day care centers are permitted in residential districts to serve the child care needs of immediate and nearby residents. The standards for the development of day care centers in residential districts are designed to be compatible with a residential environment and it would be undesirable to allow the signs standards to deviate from what is considered appropriate standards now. It is not the purpose of an identification sign to advertise or attract customers. Thus, it is not necessary for the maximum size of these signs to increase so drastically. To do so would be a detriment to residential areas by cluttering the appearance of the neighborhood and the thoroughfare on which it is located. This text amendment proposal was developed by the petitioner in response to an individual desire and must be weighed against overall planning goals and development standards for residential areas and permitted uses. Therefore, no other justification for this change can be identified.

Petition No. 82-28
Paul J. Reeves, Jr.

Ordinance No._____

An Ordinance Amending Chapter 23
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. Chapter 23, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1. Amend Section 23-80(F) by adding a second paragraph (undesignated) to read as follows:

"Signs on premises of day care centers along major thoroughfares as designated by the Charlotte-Mecklenburg Thoroughfare Plan shall be regulated as follows

(1)	Type of sign permitted:	Identification
(2)	Permitted number of signs:	2 per establishment
(3)	Maximum area of signs:	25 square feet
(4)	Permitted illumination:	Lighted (N, M)
(5)	Permitted Location·	One sign may be detached and shall be located behind the street right-of-way. The other sign shall be behind the required setback and attached to principal building, except as permitted in paragraph (b), Section 23-85.

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 _____.

Ruth Armstrong,
City Clerk

DATE June 14, 1982

PETITION NO. 82-29

PETITIONER(S) Caromerica Corporation

REQUEST Change from B-2 to I-1(CD)

LOCATION A 2.0 acre tract located on the northerly side of I-85, approximately 824 feet east of Little Rock Road.

ACTION The Planning Commission recommends the petition be denied.

VOTE Yeas: Boyce, Culbertson, Curry, Ervin, Jernigan, Lawing, McCoy and Trotter.

Nays· None.

REASONS:

This request seeks to change the zoning on a parcel of land from B-2 to I-1(CD) in conjunction with a conditional site plan.

The following issues associated with this request can be identified:

1. Area Objectives. Would the approval of this request be consistent with overall land use and zoning objectives for this area?

2. Future Affect. If approved what affect would this change have on future land use and zoning decisions in this area?

3. Little Rock/I-85 Improvements. What impact will improvements to I-85 and particularly the interchange with Little Rock Road have on future development patterns in this area?

4. Airport Relationship. Considering the relationship between this interchange and access to the airport, what types of land uses are appropriate here?

In arriving at answers to the above questions, the following facts should be considered:

1. Existing Zoning. The subject property is zoned B-2 as is contiguous property on both the easterly and westerly sides. On the northerly side of I-85 property contiguous or generally relating to the I-85/Little Rock interchange is also zoned for business purposes. Beyond these properties begins a large area zoned for residential purposes. Along the southerly side of I-85 in this area the zoning pattern changes to I-2 for general industrial usage.

2. Existing Land Use. The subject site has been developed with an industrial truck sales and service facility. To the east is a restaurant while to the west are a number of commercial or personal services uses, such as a dry cleaners, commercial convenience stores, service stations, etc. Contiguous property to the north is undeveloped and farther north of that is residential development. South of I-85 is the IBM facility and more commercial/personal service facilities.

3. Site Plan. The conditional site development plan submitted in conjunction with this petition requests approval of an I-1 conditional district which would permit a variety of uses, both commercial and light industrial in nature. The maximum total of buildings shall be 30,708 square feet. The plan also indicates the location of a new service road to be located on the northerly side of the property and future access from that road.

The following general findings can be arrived at:

1. Comprehensive Plan 1995. The Plan Map indicates commercial cluster and residential development at a density of 0-6 dwelling units per acre in the vicinity of petitioner's property.

2. Transportation Improvement Program. I-85 widening. The proposed project consists of upgrading approximately 15.6 miles of existing I-85 from NC 273 in Gaston County to US 29 -- NC 49 Connector in Mecklenburg. The proposed improvements consists of widening the existing roadway from four to six lanes and reconstructing the interchange at Little Rock Road. Reconstructing the interchange would relocate the service road on the northerly side of petitioner's property.

Based on the above issues, facts and general findings, the following detailed findings may also be made:

1. The subject property is zoned B-2, which is the general highway business district.

2. Non-residential zoning on the northerly side of I-85 at Little Rock Road is limited to a business classification of one sort or another. No industrial zoning exists on the northerly side.

3. An interstate interchange, such as the one at Little Rock Road, is a very appropriate location for B-2 zoning and highway commercial uses. Industrial-type uses would not be as desirable.

4. With the relocation of the service road at this interchange will undoubtedly come other requests for zoning changes. Thus it is imperative that any changes that may come about in the zoning pattern reflect a concern and care for both the interchange and its nature as well as nearby residential development. A change to an industrial classification would not be consistent with that goal.

5. The Little Rock Road interchange will serve as a major gateway to the new airport terminal. Care should be taken not to encourage zoning changes which would adversely impact its character and relationship with the airport.

6. This request cannot be justified considering the existing and anticipated land use and zoning patterns as well as the regional importance of this interchange.

Based on the above findings, the Planning Commission recommends the petition be denied.

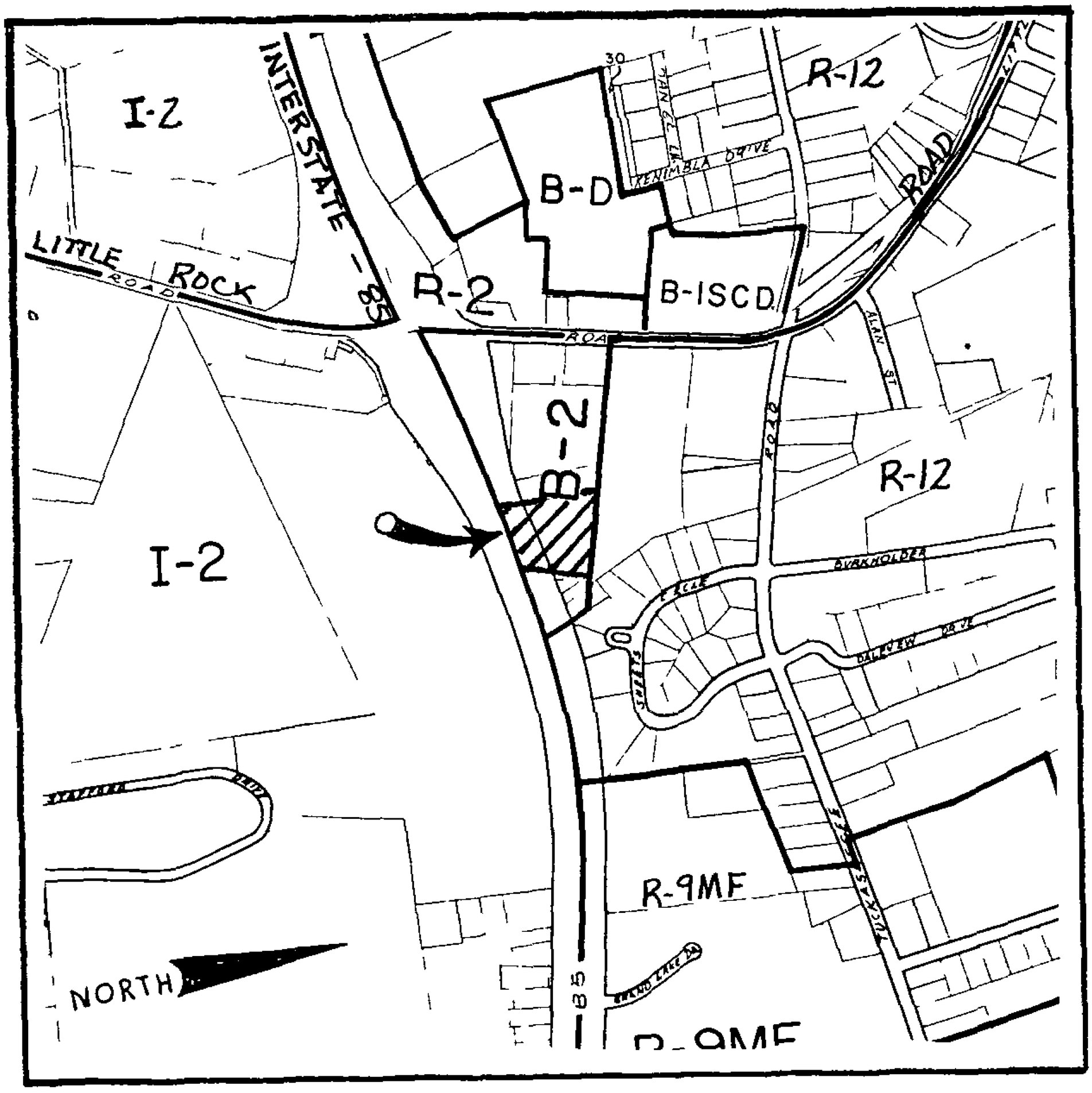
PETITIONER Caromerica Corporation

PETITION NO. 82-29 HEARING DATE 5/17

ZONING CLASSIFICATION, EXISTING B-2 REQUESTED I-1(CD)

LOCATION A 2.0 acre tract located on the northerly side of Interstate 85, approximately 824 feet east of Little Rock Road.

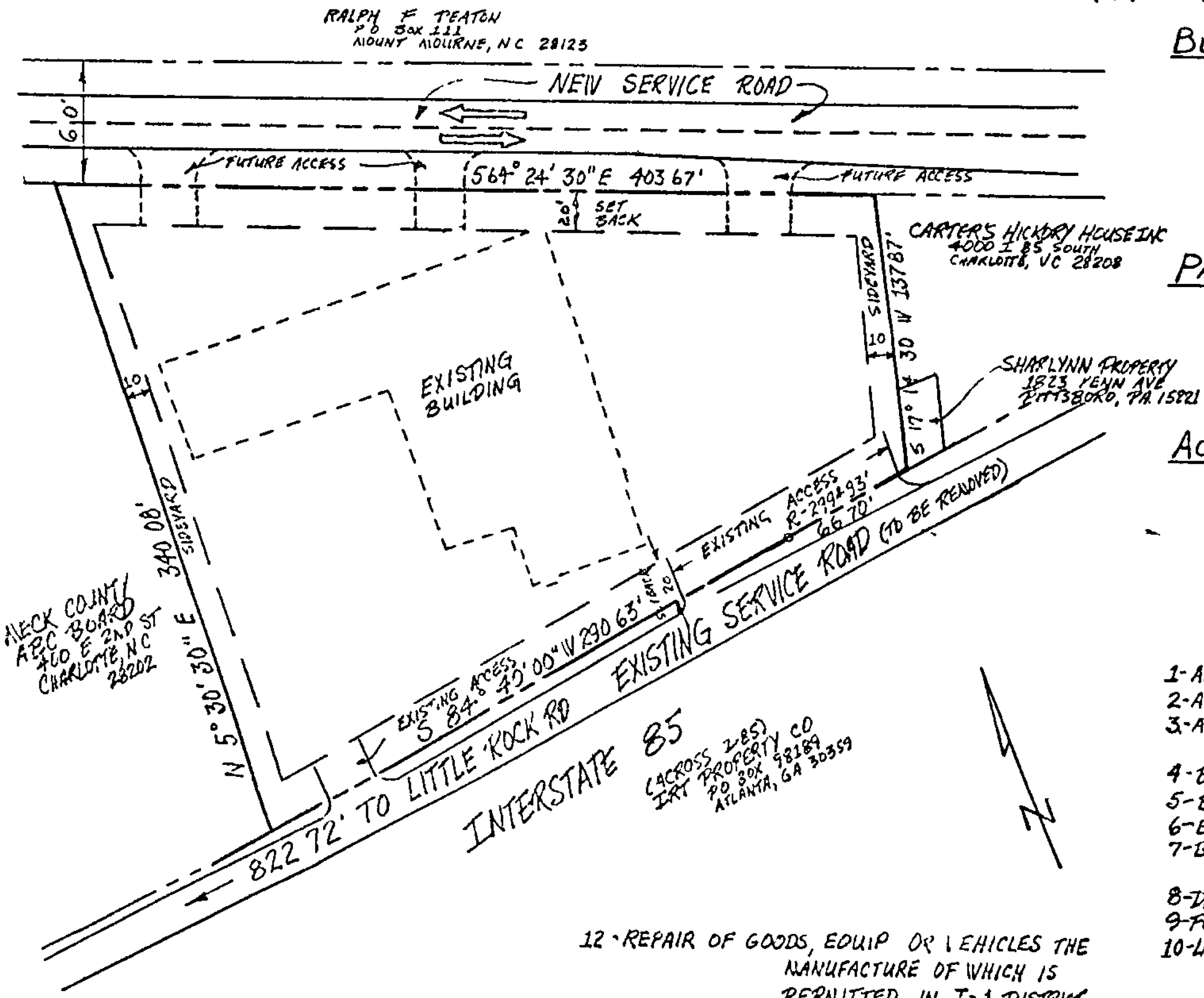
Acreage 2.0



ZONING MAP NO. 47 SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE

REZONING REQUEST-CAROMERICA CORP. PROPOSED ZONING -I-1(CD)



BUILDING - EXISTING 20,708 SQ FT.
- FUTURE ADDITION 10,000 SQ FT.
- TOTAL MAXIMUM 30,708 SQ FT.
- ANY ADDITION TO BE LOCATED OUTSIDE INDICATED YARD AREA

PARKING - WILL BE PROVIDED IN ACCORDANCE WITH FUTURE USE AND ORDINANCE REQUIREMENTS

ACCESS - WILL BE FROM SOUTH SIDE UNTIL NEW SERVICE ROAD IS BUILT ON NORTH SIDE THEN WILL SHIFT AND BE FROM NORTH

-PROPOSED USES TO BE PERMITTED-

1- ALL USES NOW ALLOWED B-2 DISTRICT
2- ASSEMBLY OF AUTOMOBILES AND TRUCKS
3- ASSEMBLY OF PREVIOUSLY PREPARED PARTS INTO A FINISHED PRODUCT
4- BAKERIES AND BAKING PLANTS
5- BOOK BINDING
6- BOTTLING AND CANNING WORKS
7- BUILDING MATERIALS STORAGE FOR WHOLESALE OR RETAIL SALES WITHIN ENCLOSED BUILDI
8- DAIRY PRODUCTS PROCESSING, BOTTLING, DISTRIBUTION
9- FOOD PROCESSING (EXCEPT POULTRY & ANIMAL SLAUGHTERING
10- LABORATORIES FOR RESEARCH & TESTING OF PRODUCTS THE MANUFACTURING OF WHICH IS PERMITTED IN I-1 DISTRICT
11- PLASTIC PRODUCTS FABRICATION OR ASSEMBLY FROM PREVIOUSLY PREPARED PARTS
12- REPAIR OF GOODS, EQUIP OR VEHICLES THE MANUFACTURE OF WHICH IS PERMITTED IN I-1 DISTRICT
13 WAREHOUSING
14 WHOLESALE SALES AND STORAGE

SCALE - 1" = 50'

TEMPLATES ATLANTA
d 29, 1982

DATE June 14, 1982

PETITION NO. 82-30

PETITIONER(S) Farmington, Inc.

REQUEST Change from R-15 to R-15MF(CD)

LOCATION A 2.45 acre tract located at the southerly corner of Sharon Road and Sharon Hills Road.

ACTION The Planning Commission deferred action on this request to enable the applicant to continue discussions with neighborhood representatives ragarding this petition.

VOTE

REASONS:

DATE June 14, 1982

PETITION NO. 82-31

PETITIONER(S) Louis W. Otterbourg

REQUEST Change from R-15 to R-15MF

LOCATION A 3.9 acre tract located on both sides of the 3400 block of Circle End Road, approximately 200 feet north of Spring Circle.

ACTION The Planning Commission recommends the petition be approved.

VOTE Yeas: Boyce, Culbertson, Curry, Ervin, Jernigan, Lawing, McCoy and Trotter.

Nays: None.

REASONS:

This request involves a proposal to change property from the existing R-15 district to the R-15MF district.

The following issues associated with this request can be identified·

1. Area Objectives. Would the approval of this request be consistent with overall area planning objectives?

2. Land Use/Zoning Relationship. Would the approval of this request be compatible with existing or anticipated land use and zoning patterns?

In arriving at answers to the above questions, the following facts should be considered:

1. Existing Zoning. The subject property is presently zoned R-15. Generally, the R-15 classification is the predominate zoning district in the area. However, along Swan Run Road and Circle End Road property is zoned R-15MF. The subject property shares two of its sides with that R-15MF district. Just north of the site property is zoned R-PUD.

2. Existing Land Use. Presently the petitioned property is vacant. Multi-family development adjoins the property on two sides, remaining adjacent property is vacant. To the north are two residential developments, Swan Run and Candlewyck. Scattered residential development is to the south with a good deal of vacant property also in the area.

The following general findings can be arrived at:

1. Comprehensive Plan. The Plan Map indicates residential development, 0-6 and 6-10 dwelling units per acre, in the vicinity of the petitioner's property.

Based on the above issues, facts and general findings, the following detailed findings may also be made:

1. The subject property is a rectangular-shaped parcel zoned R-15, but is adjacent to multi-family zoning on two sides.

2. The approval of this request would provide for a more reasonable multi-family zoning boundary in this area.

3. The subject property's relationship to adjoining property is suited for multi-family zoning.

4. In light of existing land use and zoning patterns, the request to change the zoning of this property to a multi-family classification is a reasonable one.

Based on the above findings, the Planning Commission recommends the petition be approved.

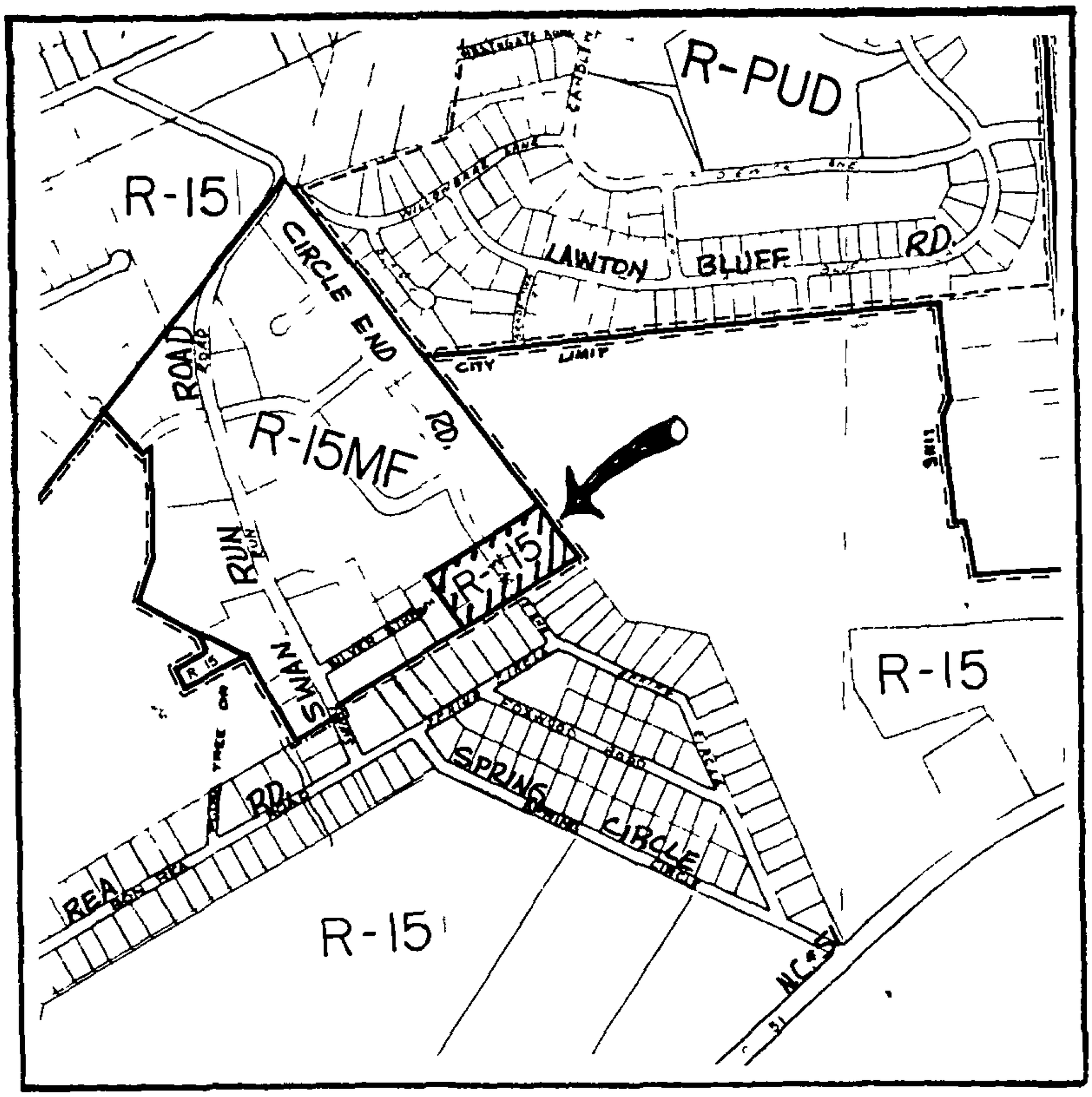
PETITIONER Louis W. Otterbourg

PETITION NO. 82-31 HEARING DATE 5/17

ZONING CLASSIFICATION, EXISTING R-15 REQUESTED R-15MF

LOCATION A 3.9 acre tract located on both sides of the 3400 block of Circle End Road, approximately 200 feet north of Spring Circle.

Acreage. 3.9



ZONING MAP NO. 29 SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE

DATE June 14, 1982

PETITION NO. 82-33

PETITIONER(S) Steak and Ale of North Carolina, Inc.

REQUEST Change from O-15 to B-1(CD)

LOCATION A 1.83 acre tract located on the southerly side of Albemarle Road, approximately 265 feet east of the intersection of Albemarle Road and Grafton Place.

ACTION The Planning Commission recommends that the petition be denied.

VOTE Yeas: Boyce, Culbertson, Curry, Jernigan, Lawing and McCoy.

Nays: Ervin and Trotter.

REASONS:

This request seeks to change the zoning on a parcel of land from O-15 to B-1(CD) to develop a restaurant in accordance with a conditional site plan.

The following issues associated with this request can be identified:

1. Area Objectives. Would the approval of this request be consistent with existing or anticipated land use and zoning patterns?

2. Albemarle Road Plan. Is this request consistent with the recently adopted Albemarle Road Plan?

3. Site Plan. Does the conditional site plan filed in conjunction with this request a reasonable plan for development and adequately address the relationship to adjacent properties?

4. Future Affect. If approved, what affect would this change have on future land use and zoning decisions in this area?

In arriving at answers to the above questions, the following facts should be considered:

1. Existing Zoning. The subject parcel is zoned O-15 and is surrounded by office (O-15) zoning and an O-15(CD) conditional office district immediately to the west. Generally south of the site, property is zoned for residential purposes including both single family and multi-family development. Along Albemarle Road are a number of zoning districts: R-9MF, O-15, B-1 and B-2. Also nearby is Eastland Mall, which is zoned B-15(CD).

2. Existing Land Use. At the present time the petitioned property is vacant. Contiguous property to the south, east and west is also vacant. To the north, across Albemarle Road, is the Hartford Insurance Company. The Lake Apartments are also just across Albemarle Road from the site. A number of personal service and retail establishments are located nearby on Albemarle Road. Single family homes are developed along Starkwood Drive and Grafton Place and the Lions Head Apartments and another new apartment project, still under construction, are developed on Reddman Road.

3. Site Plan. The site plan submitted as a part of this petition seeks approval for B-1(CD) for a restaurant. Access to the site will be via Albemarle Road. The plan indicates a future point of access to the rear to property which is zoned O-15.

The following general findings can be arrived at:

1. Comprehensive Plan 1995. The Plan Map indicates office/residential (O-6DU/A) in the vicinity of petitioner's property.

2. Transportation Improvement Program. Sharon Amity/Albemarle Intersection -- This project would install additional left-turn-only lanes for each approach of Sharon Amity Road. This project would improve level of service from Level F to Level D for the 50,000 users per day. Project has a very high priority. No funds appropriated as of 10/31/80. Cost of project is estimated to be $320,000.

   Albemarle Road/Central Avenue Arterial Signal System -- Project would interconnect ten signals along Albemarle Road and Central Avenue from Sharon Amity Road to the City limits for improved traffic flow. Project has a very high priority. No funds appropriated as of 10/31/80. Cost of project is estimated to be $180,000.

3. Albemarle Road Neighborhood Plan. Retail development is proposed on Albemarle Road between Starkwood Drive and Reddman Road. All parcels should be developed and designed in a coordinated fashion with a minimum of curb cuts, and compatible with surrounding housing.

Based on the above issues, facts and general findings, the following detailed findings may also be made:

1. The subject property is zoned O-15.

2. This request seeks B-1(CD) approval for a restaurant to be developed in accordance with a conditional site plan.

3. The subject property is located in area addressed by the recently adopted Albemarle Road Plan. The plan proposes retail usage of the subject site.

4. The Albemarle Road Plan further states that vacant property in this area should be developed and designed in a coordinated fashion in order to minimize driveway cuts.

5. Usage of the property is generally consistent with proposals contained in the Albemarle Road Plan and the site plan indicates the possibility of future driveway access to adjacent property to the east. Coordination of future development is a goal outlined in the Albemarle Road Plan.

6. Despite the general policy consistency of this request, it was felt that the use will generate an excessive amount of traffic. Likewise, it was felt that the attempt to coordinate development through driveway cuts fell considerably short of the goal in the Albemarle Road Plan to develop a coordinated retail center in the area of this request. Providing access between adjacent parcels would not reduce the number of curb cuts along Albemarle Road.

7. Use of the property should not tend to generate traffic from other areas of the city. Retail uses here should be of the neighborhood retail type which would generally tend to serve the residents of the immediate Albemarle Road area.

8. If approved, the development of the subject property will have a strong bearing on the future use of nearby vacant property and as such consideration should be given to the consequences of uncoordinated development in this area.

Based on the above findings, the Planning Commission recommends the petition be denied.

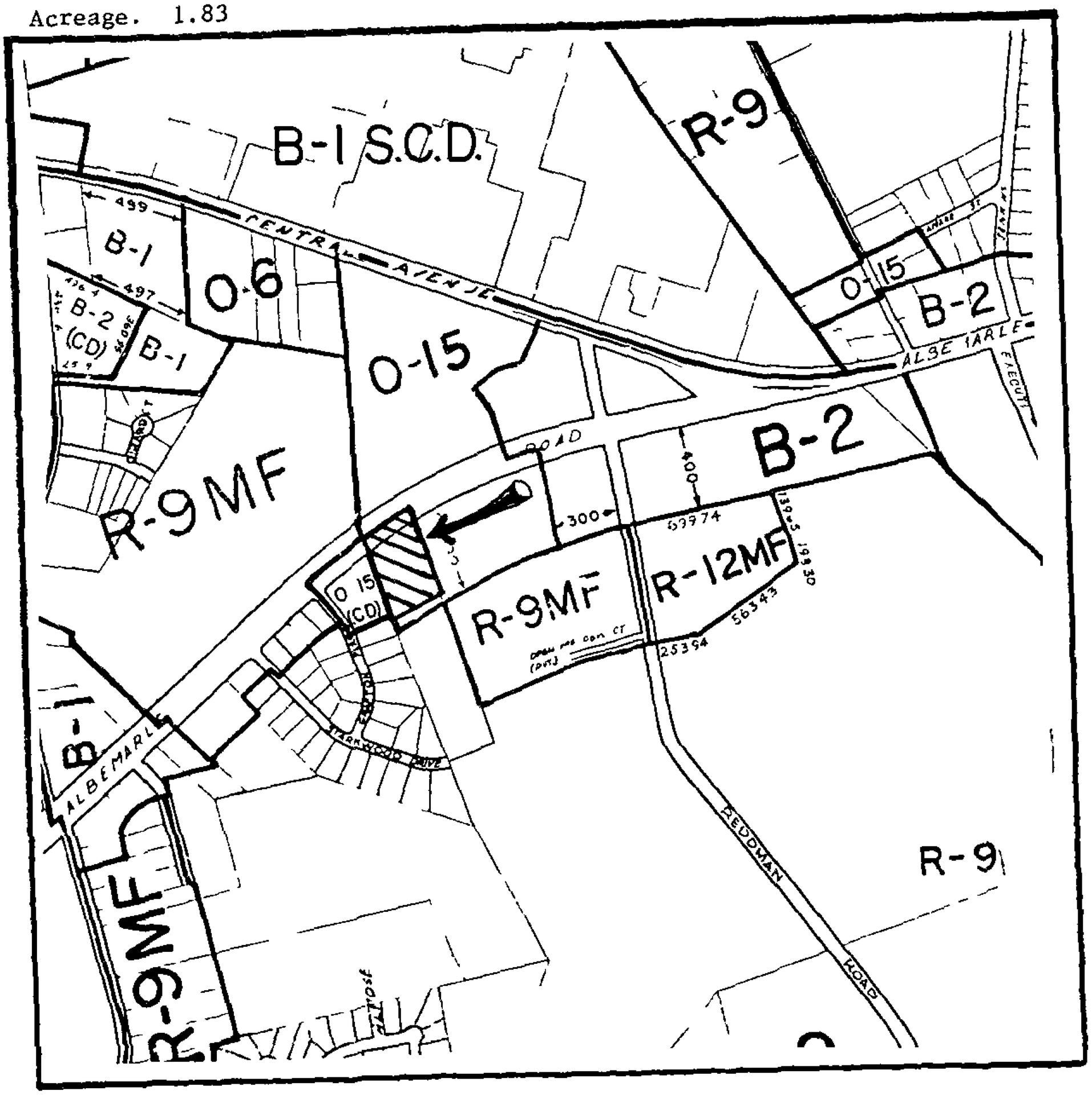
PETITIONER Steak and Ale of North Carolina, Inc.

PETITION NO. 82-33 HEARING DATE 5/17

ZONING CLASSIFICATION, EXISTING O-15 REQUESTED B-1(CD)

LOCATION A 1.83 acre tract located on the southerly side of Albemarle Road, approximately 265 feet east of the intersection of Albemarle Road and Grafton Place.

Acreage. 1.83



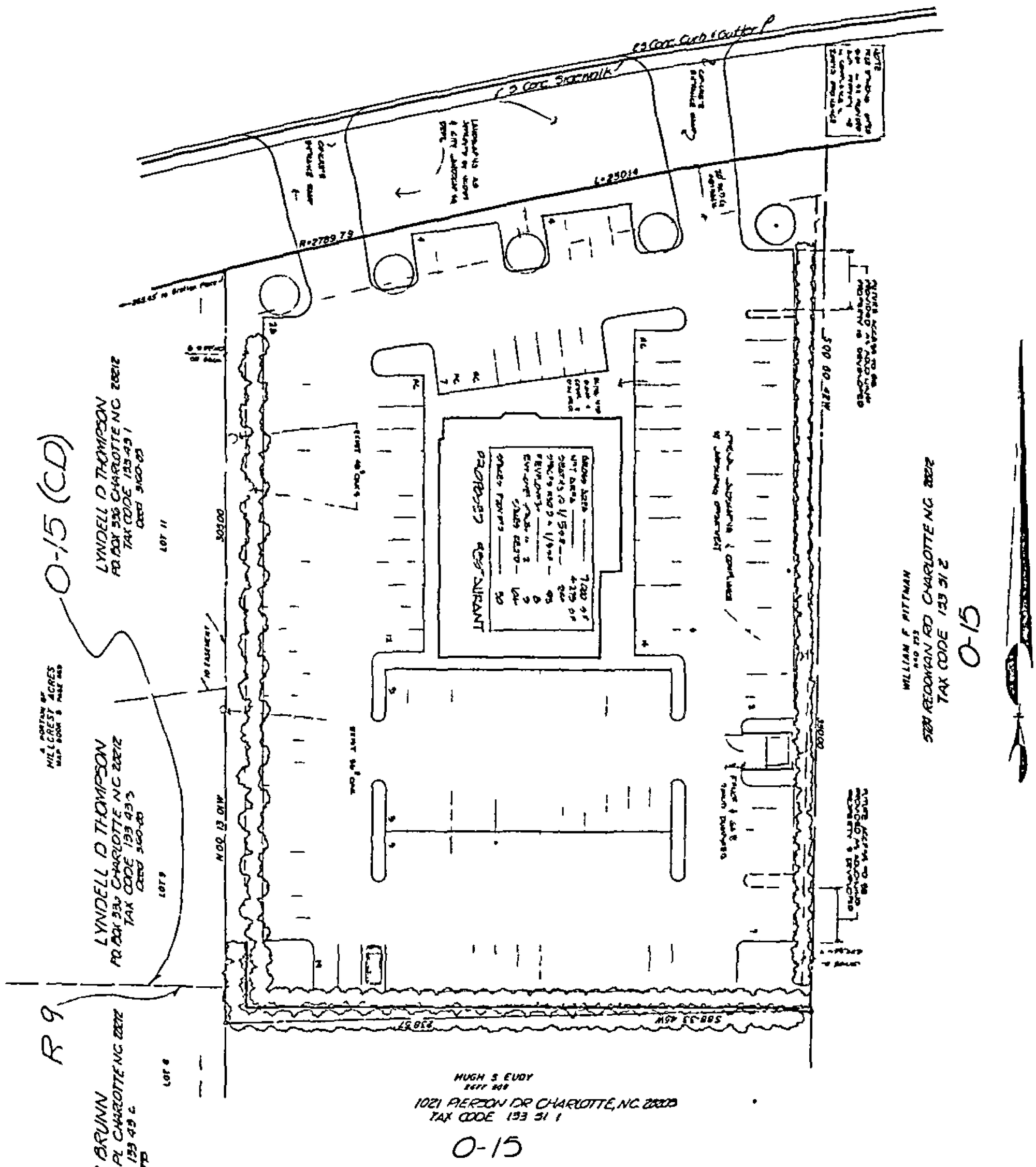
ZONING MAP NO. 23 SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE

2700 CLUB GRAND PARKWAY NORTHEAST
ATLANTA GA 30350
TAX CODE 05 01 92
DEED 3370 495
STREET ADDRESS — 5435
R 9 MF

P O BOX 120 CHARLOTTE N C 28228
TAX CODE 05 21 03
DEED 3060 992
STREET ADDRESS 5525
O-15

ALBEMARLE ROAD
60 R/W



79 547 Sq Ft 1 83 Ac

REVISIONS

R B PHARR & ASSOCIATES PA

DATE June 14, 1982

PETITION NO.

PETITIONER(S) Charlotte-Mecklenburg Planning Commission

REQUEST Amend the text of the Mecklenburg County Subdivision Ordinance Section XIII by adding a new paragraph entitled Additional Roadways to C. Freeways in order to permit the right-of-way reservation of W. T. Harris Boulevard.

ACTION The Planning Commission deferred action on this text amendment for further study by staff.

VOTE

REASONS:

CHARLOTTE-MECKLENBURG PLANNING COMMISSION
CAMERON BROWN BUILDING
301 SOUTH McDOWELL STREET
CHARLOTTE, NORTH CAROLINA 28204

MARTIN R CRAMTON JR
Planning Director

June 30, 1982

Mayor Eddie Knox
Members, City Council
Charlotte, North Carolina

Dear Mayor and Council Members:

Attached are recommendations of the Charlotte-Mecklenburg Planning Commission on petitions for rezoning which have been heard and referred to the Planning Commission for consideration. The recommendations as reflected herein were arrived at in a meeting of the Planning Commission held on June 24, 1982.

According to the adopted rules of procedure, these recommendations will be sent to the interested parties with a time period for the conveyance of any written statement set to elapse on July 9, 1982. This will then permit these matters to be placed on your agenda for consideration on July 19, 1982.

If you have any questions or wish to discuss any aspect of these recommendations, please let me know.

Respectfully submitted,

Bob Young

Robert G. Young
Zoning Hearing Supervisor

RGY:oj

Attachments

DATE June 24, 1982

PETITION NO. 82-35

PETITIONER(S) Westminster Company

REQUEST Change from R-12 to R-12MF(CD)

LOCATION A 2.46 acre tract on both sides of Riverton Court located off Old Meadow Road in the Eastwoods Subdivision.

ACTION The Planning Commission recommends the petition be denied.

VOTE Yeas: Culbertson, Curry, Jernigan, and Lawing.

Nays: Boyce and Ervin.

REASONS: (Commissioner Trotter abstained from voting as he was not at the public hearing. Commissioner Cummings was not present when vote was taken.)

The following issues associated with this request can be identified:

1. Overall Objectives. Would the approval of this request be consistent with overall zoning and land use objectives?

2. Neighborhood Affect. What affect would the approval of this request have on the potential development of other similarly situated land in this neighborhood?

3. Policy Consideration. What land use and zoning policy implications would result from the approval of this request?

4. Site Plan. Does the site plan which has been submitted as a part of this request offer a reasonable plan for development?

In arriving at answers to the above questions, the following facts should be considered:

1. Existing Zoning. The petitioned property is currently zoned R-12 for single family residences. The zoning pattern in the general vicinity reflects single family zoning, either R-12 or R-15.

2. Existing Land Use. The property in question is undeveloped at the present time. The property is subdivided into six single family detached lots on a cul-de-sac. All of the property immediately surrounding the site is also vacant. Slightly to the north begins a concentration of single family homes, which are a part of the Eastwoods Subdivision.

3. Site Plan. The site plan submitted as a part of this request indicates that six semi-detached (duplex) for sale units will be constructed. The units will be located on Riverton Court, which is a short cul-de-sac off Old Meadow Road. The minimum required lot area for each of the 12 units is 7,500 square feet.

The following general findings can be arrived at:

1. Comprehensive Plan 1995. The Plan Map indicates residential development (0-6 dwelling units per acre) and non-urban development in the general vicinity of petitioner's property.

2. Transportation Improvement Program. Albemarle Road will be widened to a multi-laned facility from Lawyers Road to Blair Road (NC 51). Project has a high priority. Cost of project is estimated at $6.8 million. The State had appropriated $200,000 as of October 31, 1980.

Based on the above issues, facts and general findings, the following detailed findings may also be made:

1. The subject property is presently zoned R-12 and was originally designed for the development of six single family detached units.

2. The property surrounding the site is zoned for single family development.

3. The property is located in the interior portion of the Eastwoods Subdivision and immediately accessed by minor, residential streets.

4. The property is felt to be inappropriately located for this request. It is away from any major nearby street, which could more adequately handle traffic and could be better suited for higher density, attached housing.

5. Approval of this request opens the very real possibility that other property similarly situated in this and other subdivisions will be requested for similar treatment. Thus the approval of this request will cloud the Comprehensive Plan for this subdivision.

6. There is presently underway a study of residential districts and a staff draft proposal is being formulated for new residential district standards. Among the items being discussed is the possibility of developments occurring in a fashion generally proposed by this rezoning petition. However, such a policy is far from the approval stage and thus to approve this request would preclude what is now being comprehensively studied and could adversely affect that policy consideration.

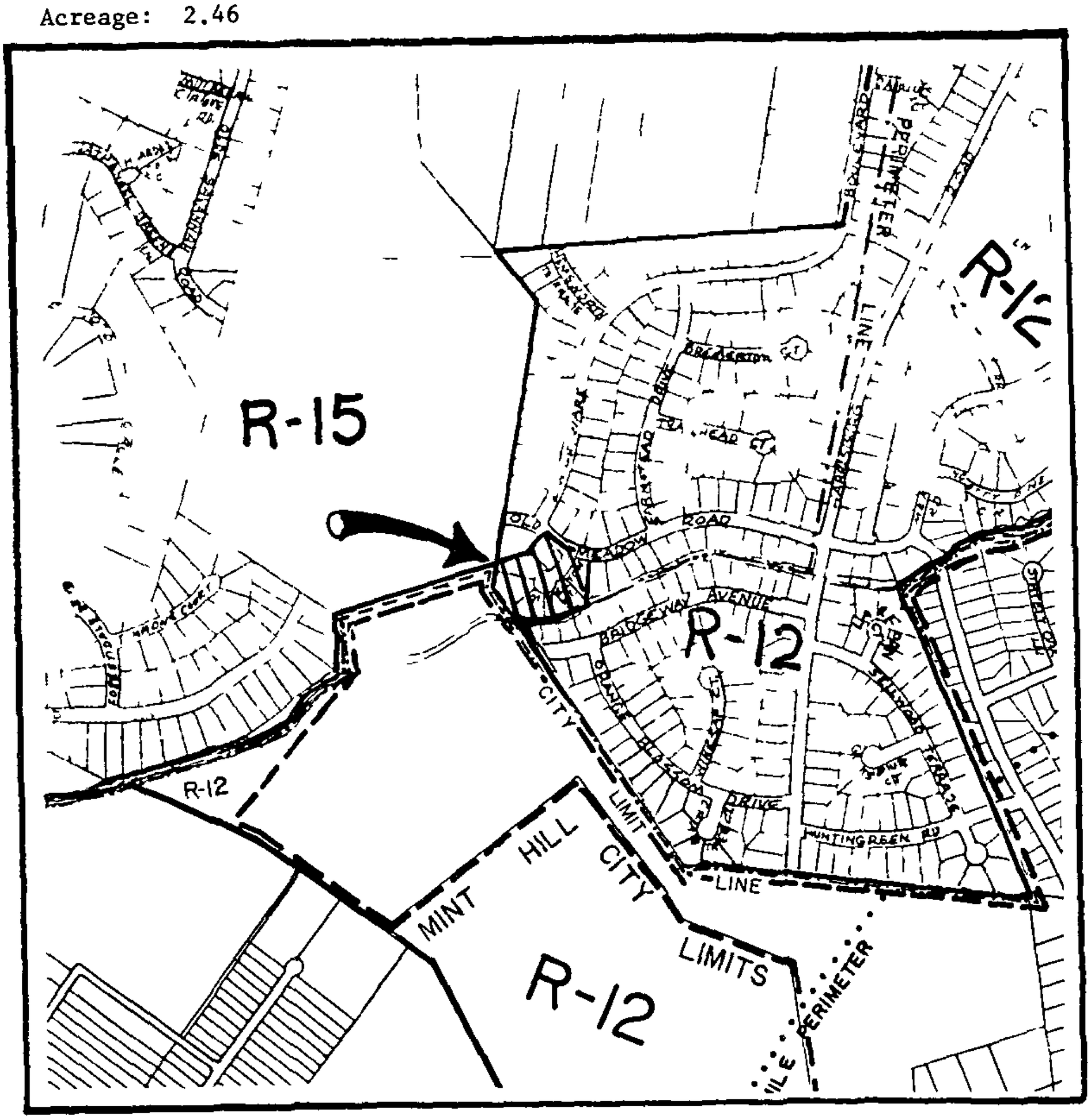
PETITIONER Westminster Company

PETITION NO. 82-35 HEARING DATE June 21, 1982

ZONING CLASSIFICATION, EXISTING R-12 REQUESTED R-12MF(CD)

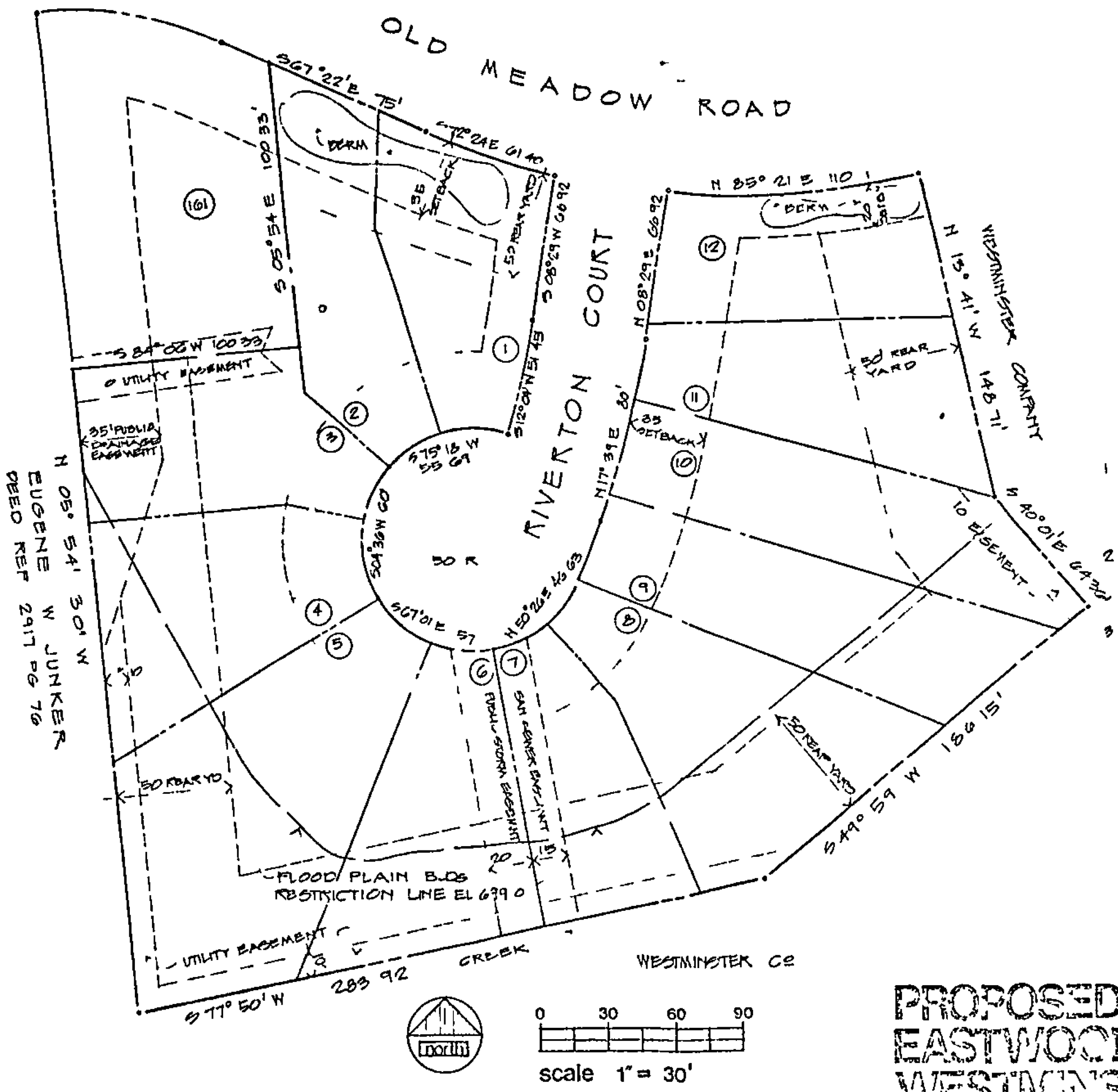
LOCATION A 2.46 acre site on both sides of Riverton Court located off Old Meadow Road in the Eastwoods Subdivision.

Acreage: 2.46



ZONING MAP NO. 46 SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



SITE DATA

TOTAL AREA	2.40 ACRES

ZONING

PRESENT	R 12
PROPOSED	R 12MFCD

USE

ONE FAMILY SEMI DETACHED DWELLINGS

NOTES

1. PLAN PREPARED BY NEWMAN BOWER ARCHITECTS W/ BOUNDARY AND SITE INFORMATION TAKEN FROM SURVEY PREPARED BY BOULD AND ASSOCIATES MERRILLVILLE IN C
2. YARD REQUIREMENTS FOR PROPOSED REZONED LOTS AREA TROSP
   SETBACK 35 SIDEYARD: 10
   MIN WIDTH 40 REA YARD: 50
3. OFF STREET PARKING TO BE PROVIDED - 2 SPACES

PROPOSED REZONING EASTWOODS SECT. 4 B WESTMINSTER COMPANY

4-6-82

DATE June 24, 1982

PETITION NO. 82-37

PETITIONER(S) Realty Investment Buyers, Inc.

REQUEST Change from R-12 and B-1SCD to B-1SCD Site Plan Amendment

LOCATION A 7.76 acre tract located at the southwest corner of the intersection of Little Rock Road and Tuckaseegee Road.

ACTION The Planning Commission recommends that the petition be approved.

VOTE Yeas: Boyce, Culbertson, Curry, Ervin, Jernigan and Lawing.

Nays: None.

REASONS: (Commissioner Trotter abstained from voting as he was not at the public hearing. Commissioner Cummings was not present when vote was taken.)

The following issues associated with this request can be identified:

1. Site Plan Amendment. Does the proposal to amend the existing site plan for the petitioned property result in an improved site plan?

2. Property Relationship to I-85/Little Rock Interchange. What affect does the construction of a new service road adjacent to the site have on the request to alter the existing site plan?

In arriving at answers to the above questions, the following facts should be considered:

1. Existing Zoning. The property in question is presently zoned R-12 and B-1SCD. Therefore most of the property is controlled by an existing, approved site plan. Property immediately to the south is zoned for business purposes. Property on the remaining sides of the site is zoned R-12 for single family residential purposes.

2. Existing Land Use. The property is largely vacant, though there is one single family residence and an old, abandoned commercial structure on the site. Property on three sides is also vacant, while to the west property is developed

with single family houses. At the Little Rock/I-85 interchange are a number of commercial uses. One day care center is nearby on Little Rock Road and there are a couple of churches and schools in the vicinity as well.

3. Site Plan. The site plan submitted with this request desires to rezone a small area and change an existing site development plan approved for the property. The existing plan is approved for a total or 76,700 square feet of commercial and office development. The new plan proposes a maximum total of 60,062 square feet. In addition the site plan recognizes the construction of a new service road adjacent to the property and the site plan reflects a driveway entrance off that new road. A minimum planting buffer of 25 feet is proposed next to adjacent single family homes.

The following general findings can be arrived at:

1. Comprehensive Plan 1995. The Plan Map indicates commercial cluster and residential development at a density of 0-6 dwelling units per acre in the vicinity of petitioner's property.

2. Transportation Improvement Program. I-85 widening. The proposed project consists of upgrading approximately 15.6 miles of existing I-85 from NC 273 in Gaston County to US 29 -- NC 49 Connector in Mecklenburg. The proposed improvements consist of widening the existing roadway from four to six lanes and reconstructing the interchange at Little Rock Road.

Based on the above issues, facts and general findings, the following detailed findings may also be made:

1. The subject property is currently zoned R-12 and B-1SCD and largely controlled through a site development plan.

2. The new plan proposes to reduce the amount of building square footage from 76,700 to 60,062 and total parking spaces have been reduced from 420 to 371.

3. A portion of the subject site will be utilized in the future for the construction of a new service road at the I-85/Little Rock Road interchange. The new plan for development makes provisions for that new road alignment.

4. There is no neighborhood/convenience shopping center in the immediate vicinity and the development of this center will help provide for the shopping and convenience needs of nearby residents.

5. The amended site plan is an improved one in that the total amount of buildable area and parking have been reduced as well as smaller massing of buildings.

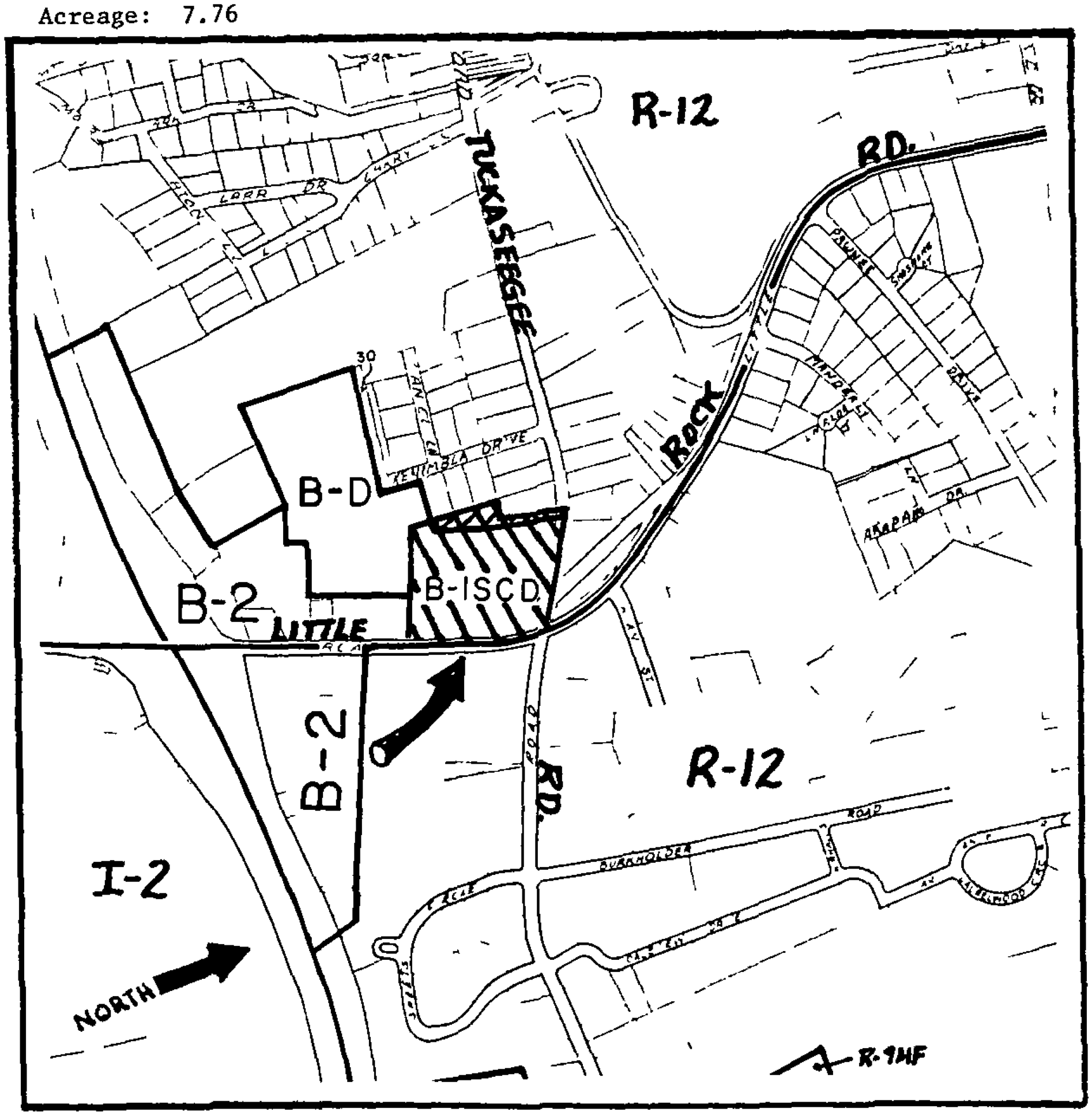
PETITIONER Realty Investment Buyers, Inc.

PETITION NO. 82-37 HEARING DATE June 21, 1982

ZONING CLASSIFICATION, EXISTING R-12 & B-1SCD REQUESTED B-1SCD Site Plan Amendment

LOCATION A 7.76 acre tract located at the southwest corner of Little Rock Road and Tuckaseegee Road.

Acreage: 7.76



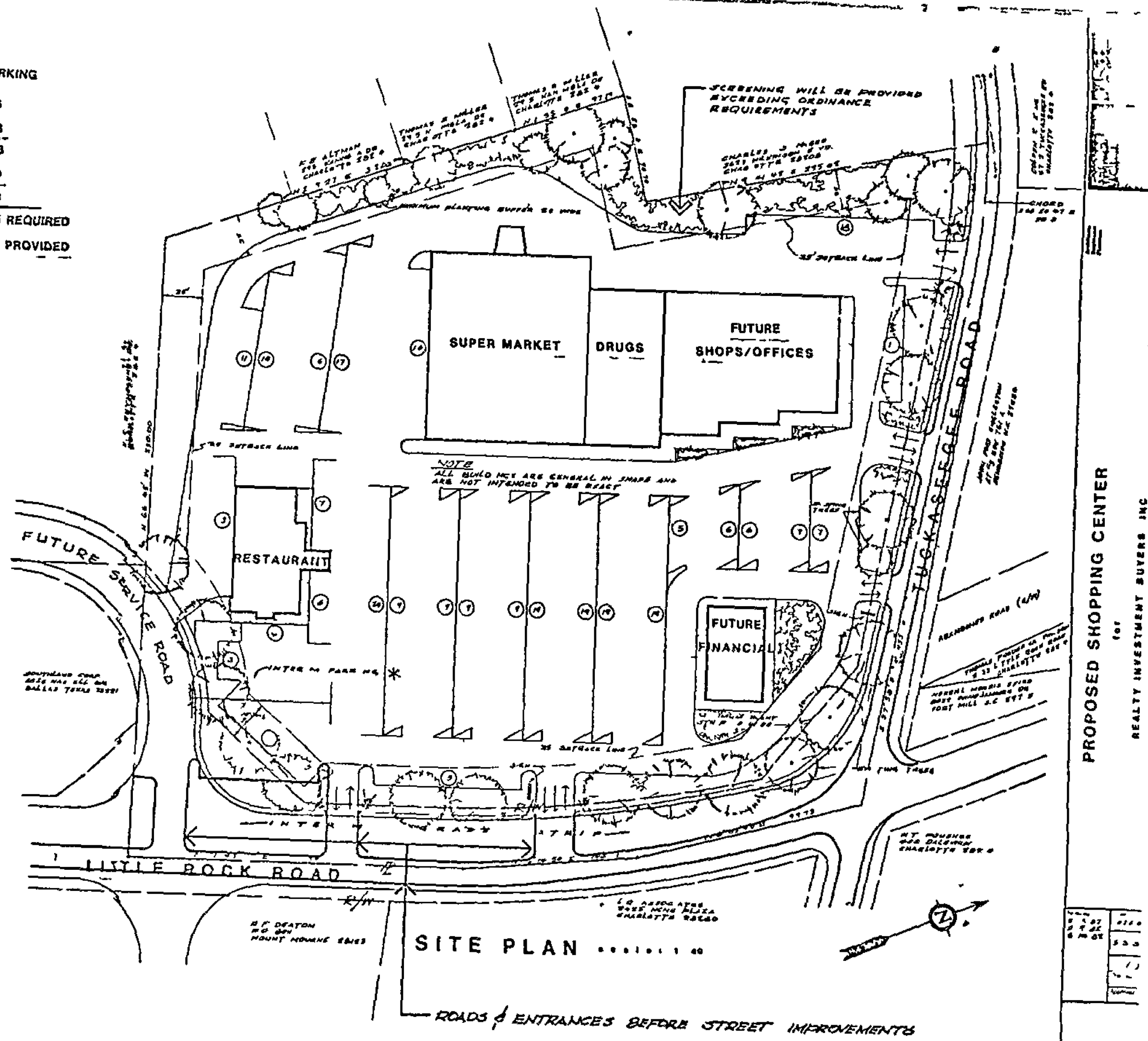
ZONING MAP NO. 49 SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE

SUMMARY

		PARKING
SUPER MARKET	23272	116
DRUGS	8640	43
SHOPS/OFFICES	16750	83
FINANCIAL	4000	40
RESTAURANT	7400	83
TOTAL	60062	365 REQUIRED
		371 PROVIDED

* INTERIM IMPROVEMENTS
UNTIL SUCH TIME AS THE SERVICE ROAD IS CONSTRUCTED BY THE STATE PARKING AND OTHER TEMPORARY IMPROVEMENTS MAY BE PLACED IN THE AREA AS INDICATED



DATE June 24, 1982

PETITION NO. 82-38

PETITIONER(S) Guest Quarters Development Company - Charlotte

REQUEST Change from B-1SCD TO B-1SCD Site Plan Amendment

LOCATION A 6.57 acre tract located in the northwest quadrant of the SouthPark Mall block.

ACTION The Planning Commission recommends the petition be approved.

VOTE Yeas: Boyce, Culbertson, Curry, Ervin, Jernigan and Lawing.

Nays: None.

REASONS: (Commissioner Trotter abstained from voting as he was not at the public hearing. Commissioner Cummings was not present when vote was taken.)

The following issues associated with this request can be identified:

1. Proposed Use. Is the proposal to construct a hotel on the site consistent with overall objectives for the SouthPark area?

2. Needed Service. Is there an identified need for this type of service in the SouthPark area?

3. SouthPark Study. Is this request consistent with policies contained in the SouthPark Study?

4. Site Plan Features. Are the development features of the site plan designed in such a way as to be compatible with the existing as well as anticipated development environment?

5. Traffic Generation. What amount of traffic will be generated by this use? How does it compare to other uses that would generate additional traffic to SouthPark?

In arriving at answers to the above questions, the following facts should be considered:

1. Existing Zoning. The property in question is currently zoned B-1SCD and is a part of the original area approved for the SouthPark Mall. No use has ever been suggested or approved for this portion of the SouthPark Mall block. Across Morrison Boulevard from the site, property is zoned both O-15 and O-15(CD) and property the westerly side of Barclay Downs Drive is also zoned O-15. Northeast of the site property principally related to Colony Road and Sharon Road is zoned R-12MF.

2. Existing Land Use. The subject site is currently vacant. The block on which this site is located is developed with the SouthPark Mall. Across Morrison Boulevard property is developed with The Park, a large office complex, as well as Specialty Shops on the Park, a small retail shopping center. The Celanese facility is to the west, while farther north is residential development, both single family and multi-family.

3. SouthPark Study. In 1978 a study was adopted by the Planning Commission and City Council which proposed development policies for the SouthPark area.

4. Previous Zoning History. In the past the SouthPark area has been the subject of several zoning and land use controversies. Proposals to develop The Park and Specialty Shops on the Park were particularly contested by area residents who were concerned about the developments and traffic they would attract to the area.

The following general findings can be arrived at:

1. Comprehensive Plan 1995. The Plan Map indicates regional shopping center/office/residential (10-20 DU/A) development in the general vicinity of petitioner's property.

2. Transportation Improvement Program. Runnymede/Fairview Road Arterial Traffic Signal System would place signals along Barclay Downs Drive and Morrison Boulevard in a progressive system which will have the capability to change timing plans several times per day on an automatic basis. Project has a very high priority. Cost of project is estimated at $180,000. No funds have been appropriated as of October 31, 1981.

3. SouthPark Land Use Study. Any additional plans for office, commercial, or other uses should make use of the already built-in facilities of the area and accommodate the development conditions that prevail here. Non-residential should continue to concentrate and not be allowed to gravitate away from the SouthPark Mall block and Morrison Boulevard area. Also, future development here should take into consideration the transportation demands of the area so that overall transportation planning may be facilitated.

Based on the above issues, facts and general findings, the following detailed findings may also be made:

1. The subject property is currently zoned B-1SCD with no use approved for the site.

2. The SouthPark area is an urban center, with a wide variety of uses developed. The SouthPark Mall is a regional shopping center containing approximately 1,000,000 square feet and The Park, across the street on Morrison Boulevard, is a large office park development which serves as the regional headquarters for several firms.

3. Because of the development activities in this area, and particularly due to the regional/office nature of the area, a hotel has often been suggested as an appropriate and needed service use at SouthPark.

4. The proposal to locate a hotel on the SouthPark block is consistent with policies contained in the SouthPark Study and it's role as an urban center.

5. It is important to realize that Morrison Boulevard is developing as an urban boulevard with an interesting streetscape/curb appeal. New development should be sensitive to that environment.

6. The conditional site plan submitted as a part of this request indicates a great deal of landscaping and that most of the hotel facility will be a maximum of five stories and a smaller portion to the rear will be a maximum of eight stories. Thus the hotel design is compatible with the urban environment and streetscape.

7. Compared to other retail or office uses which could be developed on the site, the proposed hotel compares very favorably as far as traffic generation characteristics is concerned.

8. It should be recognized that the SouthPark Mall block and area in general still has many opportunities yet for development. Therefore the most important planning issue is not whether or not development is going to occur, but how best to provide for appropriate development based on overall, publicly defined goals that are sensitively designed to be compatible with existing and anticipated land use patterns.

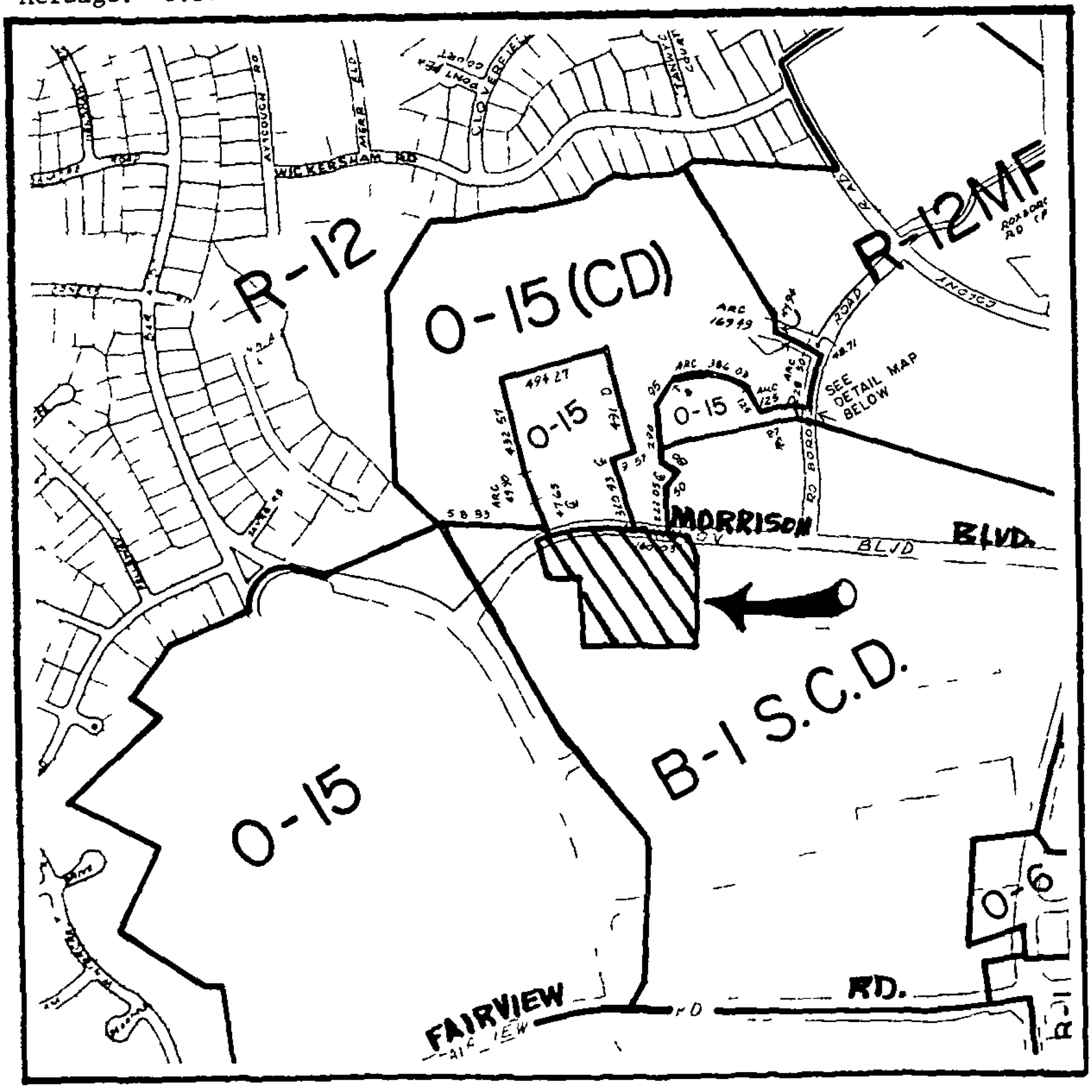
PETITIONER Guest Quarters Development Company - Charlotte

PETITION NO. 82-38 HEARING DATE June 21, 1982

ZONING CLASSIFICATION, EXISTING B-1SCD REQUESTED B-1SCD Site Plan Amendment

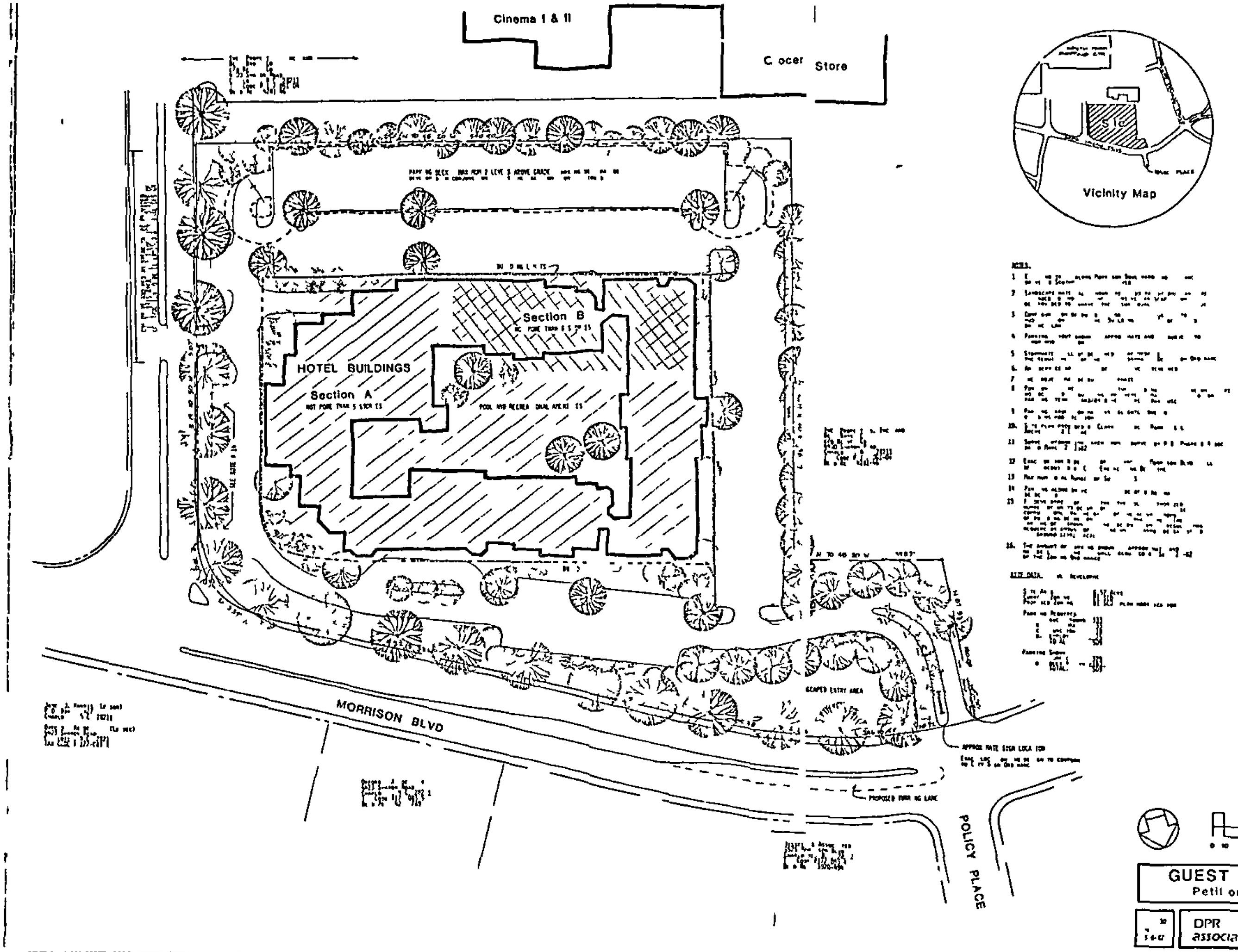
LOCATION A 6.57 acre site located in the northwest quadrant of the South Park Mall block with approximately 670 feet of frontage on the southerly side of Morrison Boulevard.

Acreage: 6.57



ZONING MAP NO. 27 SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE


Cinema I & II
Store
Vicinity Map
HOTEL BUILDINGS
Section A
Section B
MORRISON BLVD
POLICY PLACE
GUEST QUARTERS
Petition No 82 38
DPR
associates

DATE June 24, 1982

PETITION NO. 82-40

PETITIONER(S) David D. Little

REQUEST Change from R-9MF(CD) to R-9MF(CD) Site Plan Amendment

LOCATION A 5.26 acre tract fronting 395 feet on the easterly side of Craig Avenue and adjoining Delane Avenue.

ACTION The Planning Commission recommends the petition be approved.

VOTE Yeas: Boyce, Culbertson, Curry, Ervin, Jernigan and Lawing.

Nays: None.

REASONS: (Commissioner Trotter abstained from voting as he was not at the public hearing. Commissioner Cummings was not present when vote was taken.)

The following issues associated with this request can be identified:

1. Site Plan Amendment. Is the proposed site plan amendment consistent with the spirit and intent in which the original plan was approved and will, in fact, a better site plan be realized by this request?

In arriving at answers to the above questions, the following facts should be considered:

1. Existing Zoning. The subject property is currently zoned R-9MF(CD). Contiguous property to the east, south and west is also zoned R-9MF, while to the northwest and north of the property there is a large area zoned I-1. The remaining zoning pattern in the general vicinity reflects single family zoning districts.

2. Existing Land Use. The subject property is vacant with the exception of a duplex located along Delane Avenue. Across Craig Avenue from the subject parcel is an apartment complex and other apartment development is nearby in several locations. Single family residential development, however, predominates the area. To the northwest and adjacent to the subject property is the Board of Education's garage and school bus storage facility. Across

from that facility is the Craig Avenue Presbyterian Church. To the north of the subject property is a large tract which is currently vacant.

3. Previous Zoning History. Petition 81-68 amended an existing approved plan for this site by adding a small parcel of land to the area. Subsequent to that approval the petitioner began in earnest to develop the property, but soil samples and engineering requirements indicated improper locations for some of the buildings. The building locations were changed so dramatically that administrative approval of a site plan change could not be granted. Thus the petitioner had no choice but to apply for a site plan amendment and a new public hearing.

The following general findings can be arrived at:

1. Comprehensive Plan 1995. The Comprehensive Plan generally indicates residential development (6-10 dwelling units/acre) and industrial development in the vicinity of the petitioned property.

Based on the above issues, facts and general findings, the following detailed findings may also be made:

1. The subject property is zoned R-9MF(CD) and approved for a nursing home facility.

2. The request to amend the existing plan is a result of on-site/engineering problems which were identified following the approval of the existing site plan.

3. The request to amend the site plan results in an improved plan for development in that some building mass and streetscape relationships are improved and some parking areas are moved to internal locations and better screened.

4. In light of an improved site plan and the circumstances upon which the case is being heard again, it is believed the site plan amendment is an appropriate one.

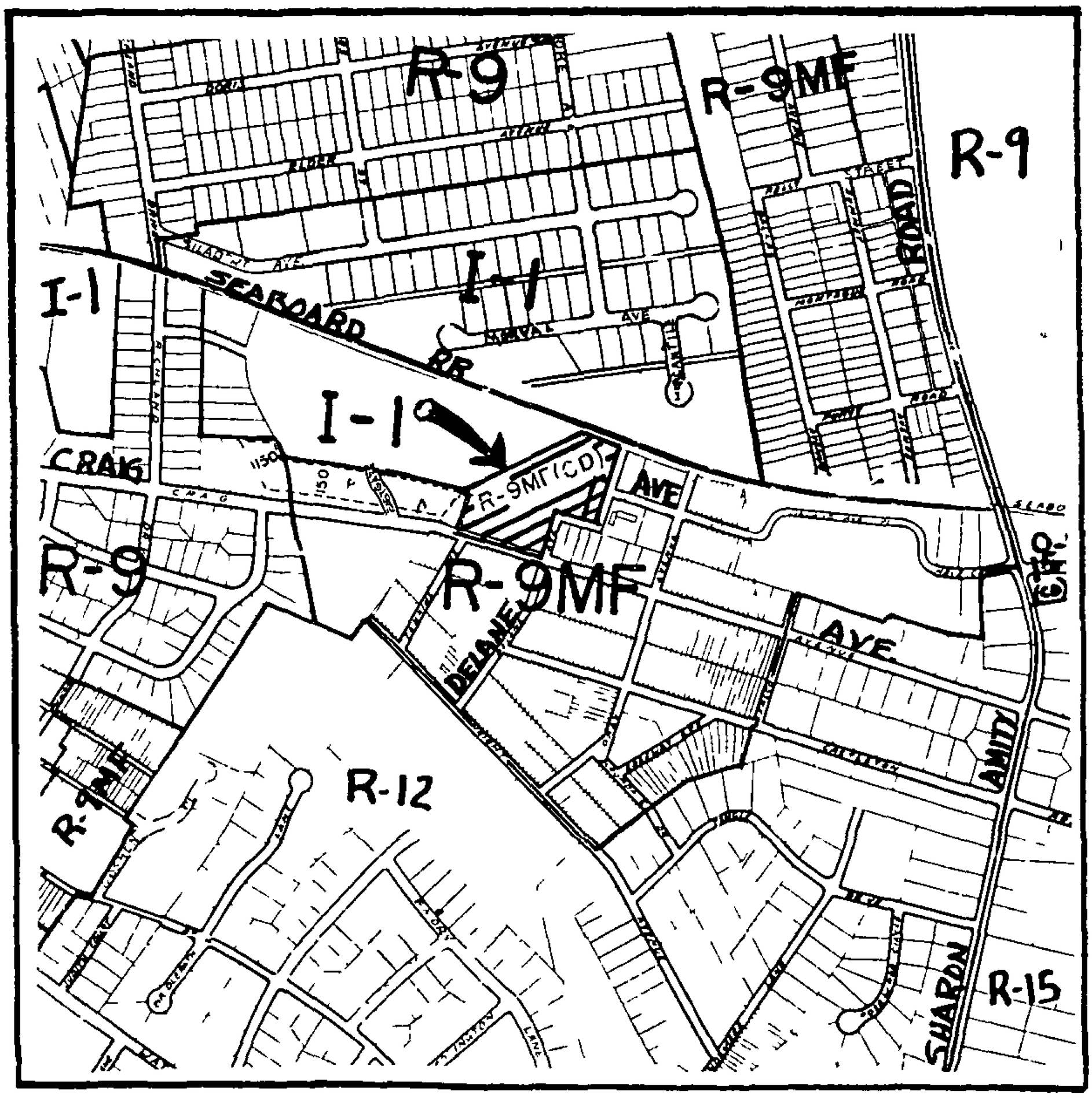
PETITIONER David D. Little

PETITION NO. 82-40 HEARING DATE June 21, 1982

ZONING CLASSIFICATION, EXISTING R-9MF(CD) REQUESTED R-9MF(CD) Site Plan Amendment

LOCATION A 5.26 acre site fronting 395 feet on the easterly side of Craig Avenue and adjoining Delane Avenue.

Acreage: 5.26



ZONING MAP NO. 24 SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE

ZONING CRITERIA

DENSITY PROPOSED

100 BED NUR NG HOME REST HOME
43 6 0 SELF CARE UNITS

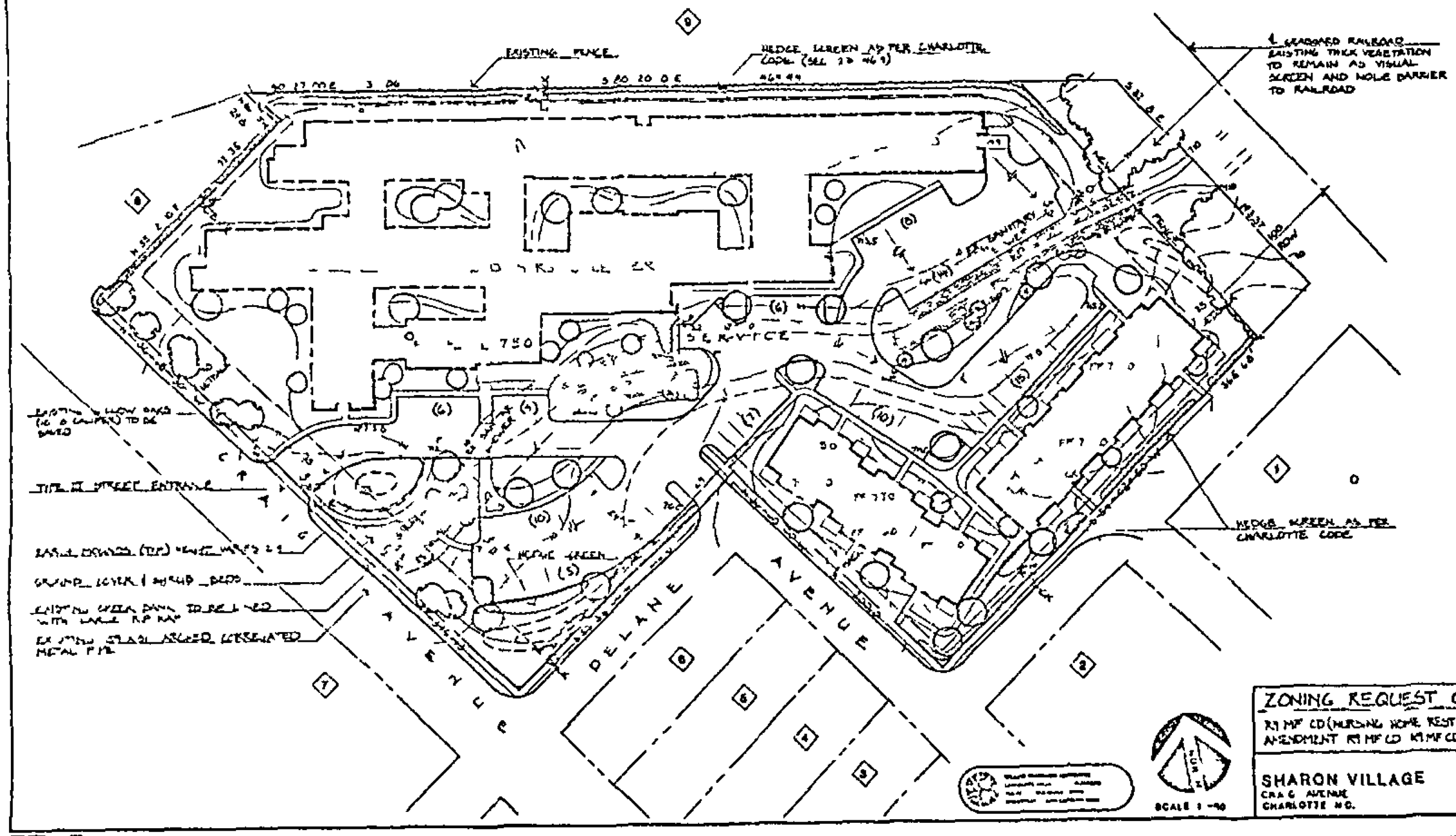
DENSITY ALLOWED

227 < 3 SF LAND AREA (5 22 ACRES)
9 000 SF FIRST FIVE PATIENTS
216 3 3 SF
NOTE FOR EVERY 5 PATIENTS NEED 2500 SF
2 6 3 SF ÷ 2500 SF = 87 4
875 A 5 PATIENTS = 437 PATIENTS ALLOWED
223 PATIENTS PROPOSED

PARKING

SPACE / 4 PATIENTS 223 ÷ 4 = 56 SPACES
SPACE / 2 EMPLOYEES 40 ÷ 2 20 SPACES
76 SPACES REQUIRED
85 SPACES SHOWN

NOTE PREVIOUS PLAN OF 1 25 82 SHOWED 3 SELF CARE BUILDINGS WITH 21 339 SF THIS PLAN HAS 2 SELF CARE BUILDINGS WITH 20 664 SF



ADJACENT PROPERTY OWNERS

1 CRAIG D
2 CRAIG D
3 DILLARD B.
4 DANNER T
5 DILLARD B.
6 DILLARD, B.
7 ADRIAN RM
8 BAILEY (HUNTLEY)
9 CHAR MECK BOARD OF ED.

ZONING REQUEST CHANGE FROM

R3 MF CD (NURSING HOME REST HOME & HOME FOR AGED) & R3 MF TO PLAN AMENDMENT R3 MF CD R3 MF CD (NURSING HOME REST HOME & HOME FOR AGED)

SHARON VILLAGE
CRAIG AVENUE
CHARLOTTE N.C.

CECIL ASSOCIATES INC.
ARCHITECTS-ENGINEERS
SPARTANBURG S C

SCALE 1 = 40

DATE June 24, 1982

PETITION NO. 82-41

PETITIONER(S) Allan and Sandra McCoy

REQUEST Change from R-6MF to B-1(CD)

LOCATION A .258 acre site fronting 70 feet on the easterly side of Hawthorne Lane, approximately 176 feet north of the intersection of Hawthorne Lane and East 8th Street.

ACTION The Planning Commission deferred action on this petition pending a study by staff of customary home occupations.

VOTE

REASONS:

DATE June 24, 1982

PETITION NO. 82-42

PETITIONER(S) Vernon P. and Elsie C. Keziah

REQUEST Change from R-9 to B-1(CD)

LOCATION A .41 acre parcel located at the northwest corner of Tuckaseegee Road and Bradford Drive.

ACTION The Planning Commission recommends that the petition be approved.

VOTE Yeas: Boyce, Culbertson, Curry, Ervin, Jernigan, Lawing and Trotter.

Nays: None.

(Commissioner Cummings was not present when vote was taken.)

REASONS:

The following issues associated with this request can be identified:

1. Area Objectives. Would the approval of B-1(CD) zoning at this location be compatible with overall planning goals for the area?

2. Future Affect. If approved what affect would the approval of this petition have on future land use and zoning decisions in the area?

3. Property Configuration and Relationship to I-85 and Tuckaseegee Road Improvements. Does the configuration and relationship of this property to I-85 and Tuckaseegee Road and the improvements planned for these roadways bear on the ultimate usage of this property?

4. Conditional Zoning. Does the fact that this request is now a conditional one, rather than the previous general rezoning request (#82-20) have an affect on this request?

5. Proposed Use/Traffic Generation. Is the proposed use compatible with the area, particularly from the standpoint of the traffic that would be generated by the use?

In arriving at answers to the above questions, the following facts should be considered:

1. Existing Zoning. The property in question is zoned R-9 as is property on the northerly side of Tuckaseegee Road in this area. On the southerly side of Tuckaseegee Road frontage property is zoned for both office and commercial usage, with B-2 zoning being located across from the site. Further south and relating to I-85 is property zoned for industrial purposes.

2. Existing Land Use. The site is presently developed with a single family structure. A pattern of single family homes exists to the west of the site. Across Tuckaseegee Road is the Days Inn Motel. Freedom Mall and other commercial uses are across I-85 on Freedom Drive.

3. Site Plan. The site plan indicates that the property will be utilized for a combination beauty salon/gift shop and residence. The present residential structure will remain and access to the site will be via driveways from Tuckaseegee Road and Bradford Drive.

4. Previous Zoning Case. Rezoning petition 82-20 by the petitioner requested the property be rezoned to B-1. The Planning Commission recommended denial, but City Council recommended the petitioner file a new petition for B-1(CD) and that a new public hearing be held on the matter.

The following general findings can be arrived at:

1. Comprehensive Plan 1995. The Plan Map indicates residential development with 0-6 units per acre in the area of the petitioner's property.

2. Transportation Improvement Program. The I-85 Widening Charlotte Bypass Project consists of upgrading approximately 15.6 miles of existing I-85 through Charlotte from N.C. 273 in Gaston County to the U.S. 29 - N.C. 49 Connector in Mecklenburg County. The project consists of widening the existing roadway from four to six lanes and reconstructing all deficient interchanges and structures. The project will cost a total of $84,450,000 with $10,700,000 allocated for FY 82.

Based on the above issues, facts and general findings, the following detailed findings may also be made:

1. The subject property is currently zoned R-9.

2. Across the street on Tuckaseegee Road from the site property is zoned for non-residential purposes.

3. Unlike the recent petition presented by the petitioner, this request offers a conditional plan to control the development of the property. Use of the property is proposed to be a combination residence and beauty salon/gift shop.

4. By retaining and refurbishing the existing structure, the residential character of the use is maintained.

5. The beauty salon and gift shop will generate little traffic when compared to other B-1 uses and, thus, will not adversely affect traffic flow.

6. A re-examination of the property's configuration and relationship to I-85 and Tuckaseegee Road tends to support a favorable rezoning of the property. Most other property similarly situated is non-residentially zoned.

7. The conditional zoning process is an improtant factor in this request. By limiting the use of the property many potentially adverse uses have been eliminated from consideration. In addition the residential integrity of the existing structure is maintained.

8. The approval of this request raises the possibility that other property nearby might request similar treatment, particularly those on Tuckaseegee Road between Edgewood Road and the subject property. However, any of these potential requests would likewise be examined on a case by case basis.

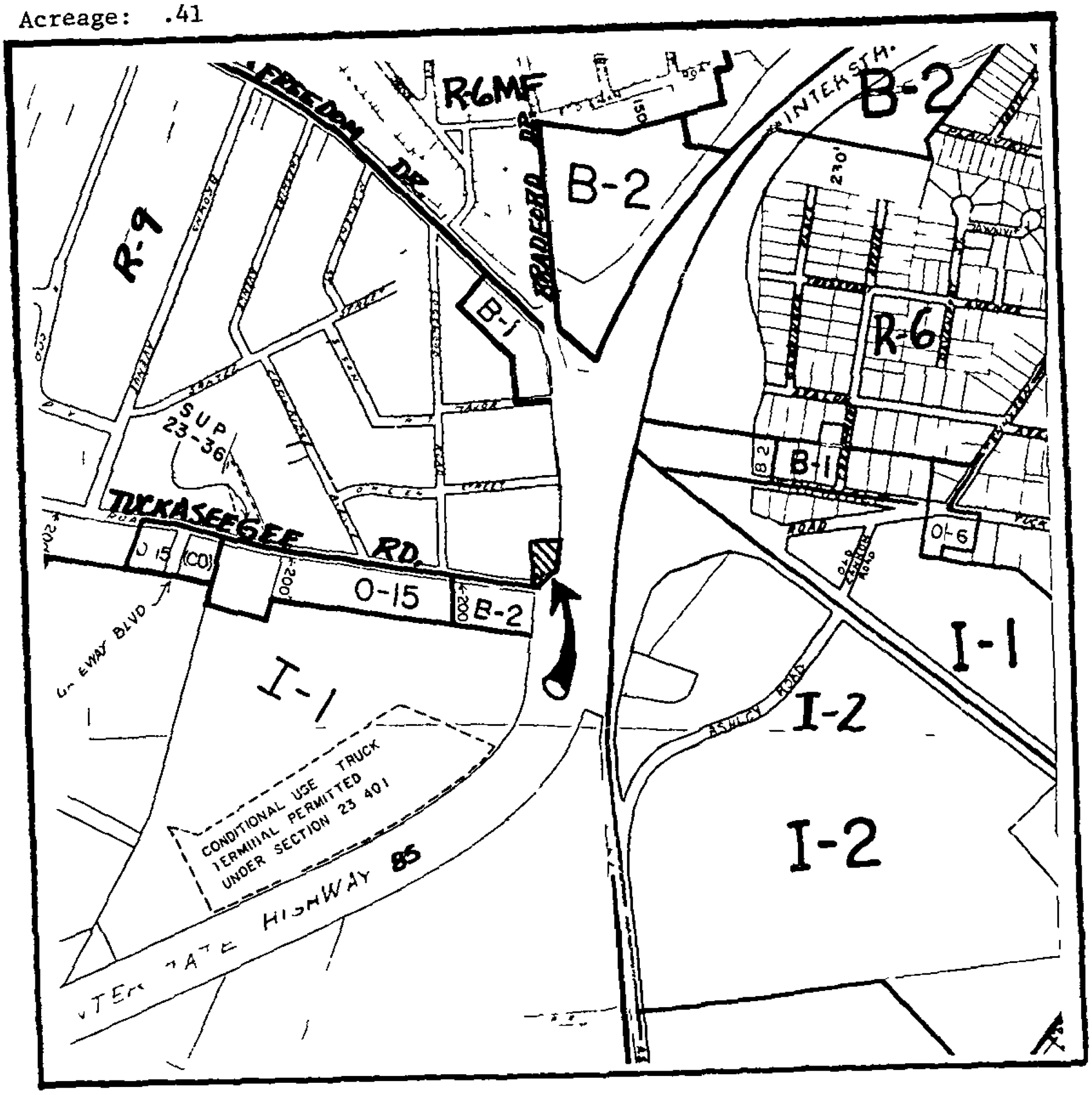
PETITIONER Vernon P. and Elsie C. Keziah

PETITION NO. 82-42 HEARING DATE June 21, 1982

ZONING CLASSIFICATION, EXISTING R-9 REQUESTED B-1(CD)

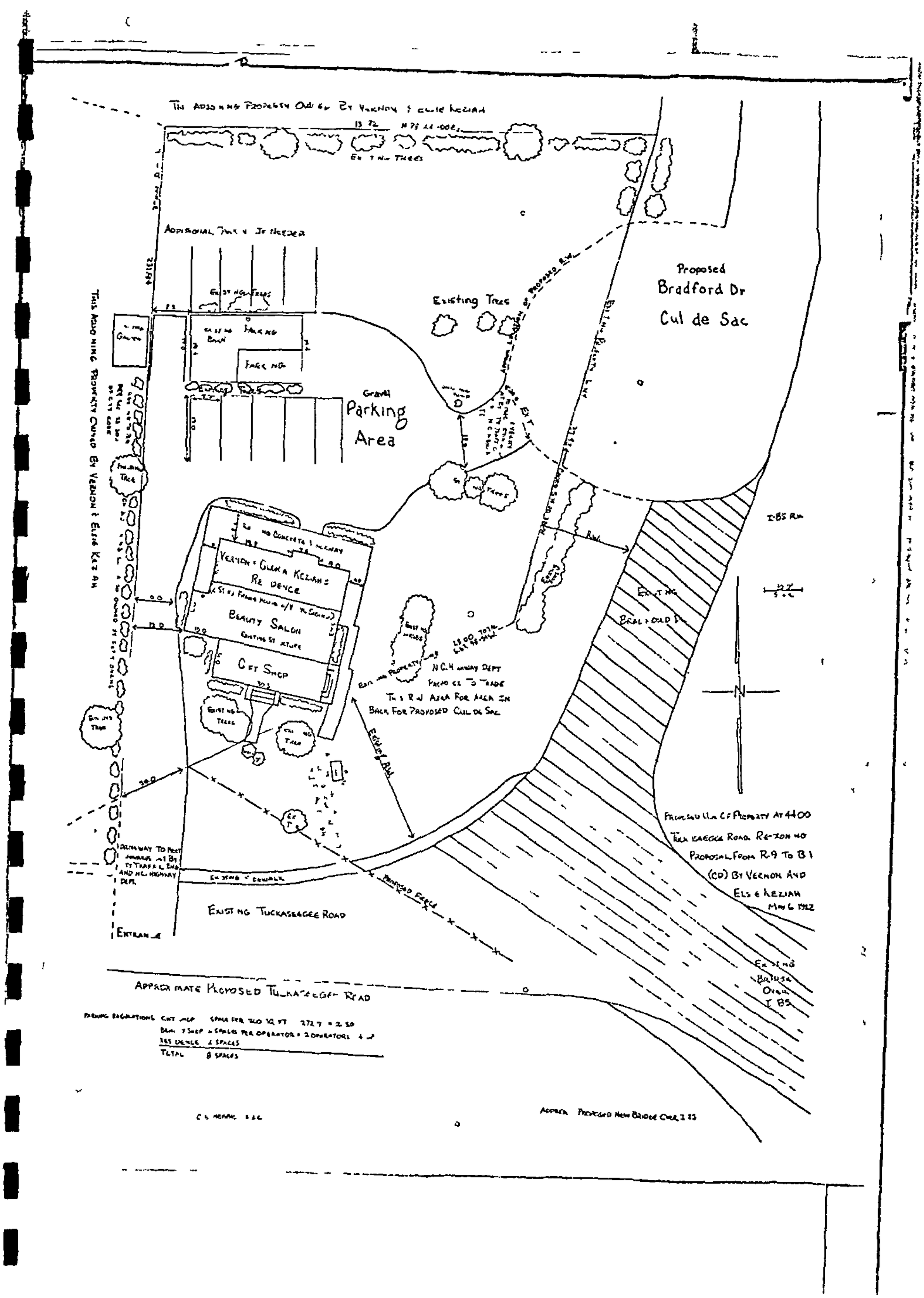
LOCATION A .41 acre parcel located at the northwest corner of Tuckaseegee Road and Bradford Drive (Adjacent to Interstate 85)

Acreage: .41



ZONING MAP NO. 13 SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE


Proposed
Bradford Dr
Cul de Sac
Existing Trees
Gravel
Parking
Area
Existing Trees
Vernon & Gloria Kellam's
Re Dence
Beauty Salon
Gift Shop
N.C. Highway Dept
Trade
This R/W Area For Area In
Back For Proposed Cul de Sac
Existing R/W
Existing Tuckaseegee Road
Approximate Proposed Tuckaseegee Road
Entrance
Existing
Building
Over
I 85
Approx. Proposed New Bridge Over I 85
Parking Regulations Gift Shop 5 Spaces Per 200 Sq Ft 272.7 = 2 Sp
Beauty Shop 4 Spaces Per Operator 2 Operators 4 Sp
Residence 2 Spaces
Total 8 Spaces

DATE June 24, 1982

PETITION NO. 82-43

PETITIONER(S) Newman Manor Associates, Ltd.

REQUEST Change from R-12 to R-20MF

LOCATION A 6.69 acre tract located on the easterly side of Sardis Road at McAlpine Creek.

ACTION The Planning Commission recommends the petition be approved.

VOTE Yeas: Boyce, Culbertson, Cummings, Curry, Ervin, Jernigan and Lawing.

Nays: None.

REASONS: (Commissioner Trotter abstained from voting as he was not at the public hearing.)

The following issues associated with this request can be identified:

1. Overall Objectives. Would the approval of this request be consistent with overall planning objectives for this area?

2. Future Affect. If approved what affect would this change have on future land use and zoning decisions in this area?

3. Site Plan. Does the site plan submitted as a part of this request offer a reasonable plan for development that is sensitively designed to the surrounding environment, particularly with respect to density?

In arriving at answers to the above questions, the following facts should be considered:

1. Existing Zoning. The property in question is presently zoned R-12 as is property located on the easterly side of Sardis Road in the general vicinity. On the westerly side the zoning pattern remains single family, but the district classification changes to R-15.

2. Existing Land Use. The subject property is presently undeveloped. The property is also contiguous on one side to the McAlpine Greenway. On the northerly side is the Charlotte Christian School. Generally the land use pattern is reflective of single family usage or undeveloped land.

3. Site Plan. The site plan submitted with this request proposes a low density (4.8 du's/acre) attached housing project. The site is bordered by McAlpine Greenway on one side. The plan provides for one driveway along Sardis Road and further proposes a 75' setback along the roadway.

The following general findings can be arrived at:

1. Comprehensive Plan 1995. The Plan Map indicates residential development (0-6 dwelling units per acre) and regional/community park in the general area of petitioner's property.

2. Capital Improvement Program. Bridge Replacement Program will finance the replacement of substandard bridge at Sardis Road North and McAlpine Tributary. Project will cost $265,000 and is scheduled for 1982-83 Fiscal Year.

3. Boyce Road District Park Development will finance the construction of a park in the Boyce Road area, which will include the construction of tennis courts, picnic areas, camping facilities, and nature trails. Project cost is $282,000. Prior to July 1, 1981, $12,000 had been appropriated. Project was scheduled for the 1981-82 Fiscal Year. Funding Source is the 1978 Recreation Bond.

4. Transportation Improvement Program. Sardis Road will be widened between Randolph Road and Rama Road to four lanes at appropriate locations. Cost of project is estimated at $1.25 million. Funds appropriated as of 10/31/80 totaled $460,900.

Based on the above issues, facts and general findings, the following detailed findings may also be made:

1. The subject property is zoned R-12, which permits about 3.5 single family dwelling units/acre.

2. The property is bounded on three sides by the McAlpine Creek Greenway and Charlotte Christian School, which helps provide for favorable land use relationships.

3. The site plan submitted with this request proposes a low density(4.8 du's/acre) attached housing. That level of density is compatible with the surrounding area and is compatible with the comprehensive plan projection for the area.

4. The site plan also proposes undisturbed buffer areas around the perimeter of the project, which will further screen the project from the street and nearby development.

5. This site and accompanying plan for control offers many positive aspects for attached housing.

6. This request is compatible with plans and policies for the area and, thus, is considered highly appropriate for the proposed zoning and use.

7. Because of this site's location and the conditional aspect of this request, approval of this petition does not necessarily indicate that other requests for zone changes nearby will likewise be appropriate or desirable.

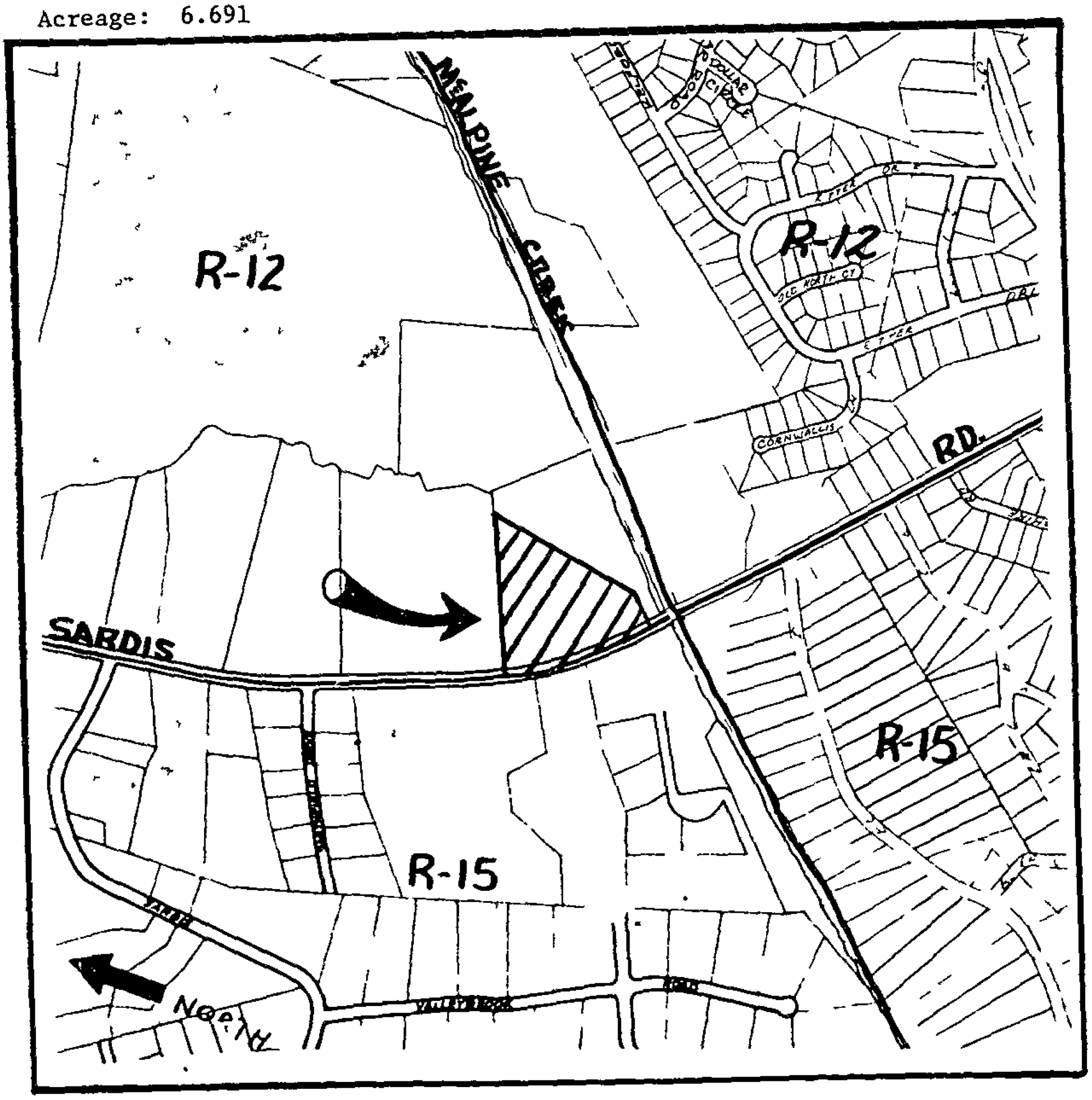
PETITIONER Newman Manor Assoiates Ltd.

PETITION NO. 82-43 HEARING DATE June 21, 1982

ZONING CLASSIFICATION, EXISTING R-12 REQUESTED R-20MF

LOCATION A 6.691 acre site fronting approximately 697 feet on the northerly side of Sardis Road, approximately 168 feet west of where McAlpine Creek intersects with Sardis Road.

Acreage: 6.691



ZONING MAP NO. 26 SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE

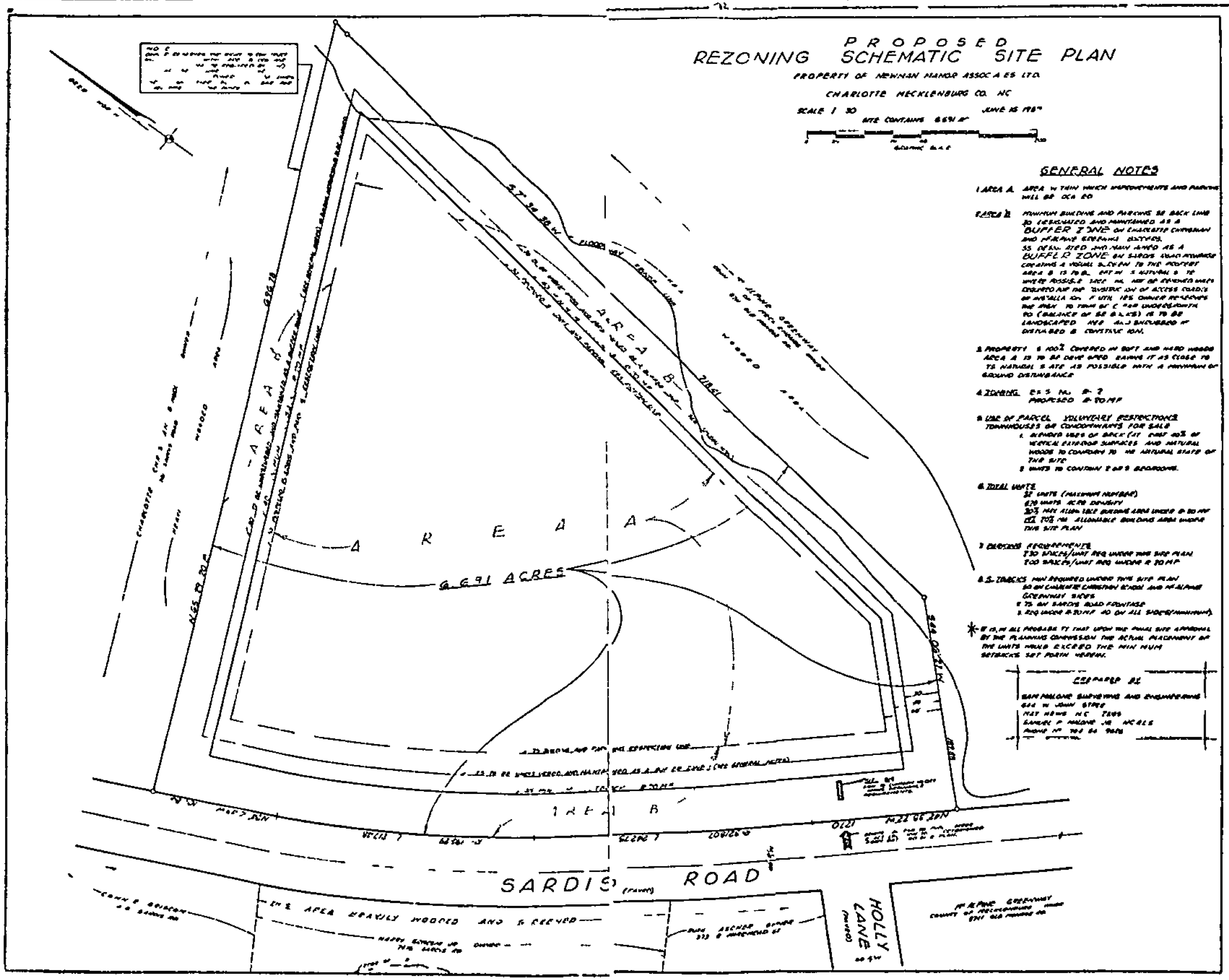
PROPOSED REZONING SCHEMATIC SITE PLAN

PROPERTY OF NEWMAN MANOR ASSOCIATES LTD.

CHARLOTTE MECKLENBURG CO. NC

SCALE 1" = 30' JUNE 15 1987

SITE CONTAINS 6.691 AC



GENERAL NOTES

1. AREA A — AREA IN THIN WHICH IMPROVEMENTS AND PARKING WILL BE LOCATED

2. AREA B — MINIMUM BUILDING AND PARKING SETBACK LINE TO BE DESIGNATED AND MAINTAINED AS A BUFFER ZONE ON CHARLOTTE CHRISTIAN AND MEADOWLAKE ESTATES. SS DESIGNATED AND MAINTAINED AS A BUFFER ZONE ON SARDIS ROAD FRONTAGE CREATING A VISUAL SCREEN TO THE PROPERTY. AREA B IS TO BE KEPT IN ITS NATURAL STATE WHERE POSSIBLE. TREES MAY NOT BE REMOVED WHEN CONSTRUCTING THE DIVERSION OF ACCESS ROADS OR INSTALLATION OF UTILITIES. OWNER RESERVES THE RIGHT TO TRIM BUT CLEAR UNDERGROWTH TO (BALANCE OF SETBACK) IS TO BE LANDSCAPED. NEW AND DISTURBED BY CONSTRUCTION.

3. PROPERTY IS 100% COVERED IN SOFT AND HARD WOODS. AREA B IS TO BE DEVELOPED LEAVING IT AS CLOSE TO ITS NATURAL STATE AS POSSIBLE WITH A MINIMUM OF GROUND DISTURBANCE.

4. ZONING: EXISTING R-7. PROPOSED R-20MF

5. USE OF PARCEL: VOLUNTARY RESTRICTIONS
   TOWNHOUSES OR CONDOMINIUMS FOR SALE
   1. EXTERIOR USES OF BRICK (AT LEAST 40% OF VERTICAL EXTERIOR SURFACES) AND NATURAL WOODS TO CONFORM TO THE NATURAL STATE OF THE SITE.
   2. UNITS TO CONTAIN 2 OR 3 BEDROOMS.

6. TOTAL UNITS
   [illegible] UNITS (MAXIMUM NUMBER)
   [illegible] UNITS ACRE DENSITY
   30% MAX ALLOWABLE BUILDING AREA UNDER R-20MF
   (ALL 70% THE ALLOWABLE BUILDING AREA UNDER THIS SITE PLAN

7. PARKING REQUIREMENTS
   [illegible] SPACES/UNIT REQ UNDER THIS SITE PLAN
   [illegible] SPACES/UNIT REQ UNDER R-20MF

8. S.S. TRACTS: MIN REQUIRED UNDER THIS SITE PLAN
   50 OF CHARLOTTE CHRISTIAN SCHOOL AND MEADOWLAKE GREENWAY SITES
   1. 75 OF SARDIS ROAD FRONTAGE
   2. REQ UNDER R-20MF 40 ON ALL SIDES (MINIMUM).

* IT IS, HOWEVER, ALL PROBABILITY THAT UPON THE FINAL SITE APPROVAL BY THE PLANNING COMMISSION THE ACTUAL PLACEMENT OF THE UNITS WOULD EXCEED THE MINIMUM SETBACKS SET FORTH HEREIN.

PREPARED BY

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[illegible] W. JOHN STREET
MATTHEWS N.C. 28105
SAMUEL P. MALONE JR. RLS
PHONE NO. 704 [illegible]