

AGENDA

Meeting Type:	B
Date:	06-21-1982

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 June '82

JUNE 1 - JUNE 5

- | | | |
|---|---------------------|--|
| 1 | Tuesday, 4 00 p m | BUDGET WORKSHOP City Hall Annex, Training Center |
| | Tuesday, 7 30 p m | PLANNING COMMISSION Cameron-Brown Building, First Floor Conference Room |
| 2 | 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 Education Center, Room 239 |
| | Wednesday, 5 00 p m | BUDGET WORKSHOP City Hall Annex, Training Center |
| 3 | Thursday, 8 30 a m | PLANNING COMMITTEE/PLANNING COMMISSION Cameron-Brown Building, First Floor Conference Room |
| | Thursday, 12 Noon | CITY COUNCIL TRANSPORTATION COMMITTEE City Hall, Second Floor Conference Room |
| | Thursday, 3 00 p m | SPECIAL MEETING OF CITY COUNCIL TO APPROVE ANNEXATION ORDINANCE City Hall, Council Chamber |
| | Thursday, 5 00 p m | BUDGET WORKSHOP - City Hall Annex, Training Center |
| | Thursday, 7 00 p m | PUBLIC HEARING TO DISCUSS TRANSIT SYSTEM ROUTE CHANGES City Hall, Council Chamber |
| | Thursday, 7 30 p m | TRANSPORTATION ACTION PLAN PUBLIC MEETING/FREEDOM DRIVE AREA Freedom Mall, Community Room |

THE WEEK OF JUNE 6 JUNE 12

- | | | |
|---|---------------------|--|
| 8 | Tuesday, 8 00 a m | AIRPORT ADVISORY COMMITTEE Airport Manager's Office Conference Room, Third Floor, New Terminal |
| | Tuesday, 9 00 a m | HISTORIC DISTRICT COMMISSION - Edwin Towers, First Floor Conference Room |
| * | Tuesday, 3 00 p m | FY83 BUDGET & GENERAL REVENUE SHARING PUBLIC HEARING City Hall Council Chamber |
| 9 | Wednesday | MAYOR'S DAY/RALEIGH, N C Mayor and City Council meet with Local Delegation |
| | Wednesday, 8 00 a m | CIVIL SERVICE BOARD City Hall, Third Floor Conference Room |
| | Wednesday, 7 30 p m | TRANSPORTATION ACTION PLAN PUBLIC MEETING/SOUTHPARK AREA Sharon United Methodist Church, 411 Sharon Road |
| | Wednesday, 7 30 p m | HISTORIC PROPERTIES COMMISSION City Hall, Second Floor Conference Room |

(Continued)

THE WEEK OF JUNE 13 - JUNE 19

14	Monday, 12 Noon	PLANNING COMMISSION (Work Session) Cameron-Brown Building, First Floor Conference Room
14	Monday, 7 00 p m	CITIZENS HEARING/DISTRICT 6 Eastover Elementary School, 500 Cherokee Road
14	Monday, 7 30 p m	CITY COUNCIL MEETING/DISTRICT 6 Eastover Elementary School, 500 Cherokee Road
14	Monday, 7 30 p m	TRANSPORTATION ACTION PLAN PUBLIC MEETING/WEST CHARLOTTE AREA West Charlotte High School, Auditorium
15	Tuesday, 2 00 p m	HOUSING AUTHORITY Maintenance Facility, 2600 Youngblood Street
15	Tuesday, 7 30 p m.	CHARLOTTE TREE COMMISSION Park Operations Conference Room, 701 Tuckaseegee Road
16	Wednesday, 2 00 p m	TECHNICAL COORDINATING COMMITTEE City Hall Annex, Department of Transportation Conference Room
16	Wednesday, 4 00 p.m.	EMPLOYMENT & TRAINING COUNCIL Belmont Regional Center, 700 Parkwood Avenue
17	Thursday, 8 00 a m	CHARLOTTE CLEAN CITY COMMITTEE Cameron-Brown Building, Fifth Floor Conference Room
17	Thursday, 8-00 a m.	TRANSPORTATION ACTION PLAN PUBLIC MEETING/UPTOWN AREA First Union Tower, Auditorium, 12th Floor

THE WEEK OF JUNE 20 - JUNE 26

21	Monday, 6 00 p m	CITY COUNCIL MEETING/Zoning Hearings Education Center, Board Room
22	Tuesday, 4 00 p m	MUNICIPAL INFORMATION ADVISORY BOARD Cameron-Brown Building, Third Floor Conference Room
23	Wednesday, 7 30 p m	METROPOLITAN PLANNING ORGANIZATION Cameron-Brown Building, First Floor Conference Room

JUNE 27 JUNE 30

28	Monday, 2 00 p.m	CITIZENS HEARING City Hall, Council Chamber
28	Monday, 3 00 p m	CITY COUNCIL MEETING -City Hall, Council Chamber
28	Monday, 7 30 p m	SPECIALIZED TRANSPORTATION ADVISORY COMMITTEE City Hall Third Floor Conference Room
29	Tuesday, 11 00 a m	AUDITORIUM-COLISEUM-CIVIC CENTER AUTHORITY Civic Center, Conference Room
29	Tuesday, 3 00 p.m	ZONING BOARD OF ADJUSTMENT City Hall, Council Chamber
30	Wednesday, 7 30 a m	PRIVATE INDUSTRY COUNCIL Chamber of Commerce, Action Room "A"

* ADDITIONS TO JUNE '82 MEETINGS

8	Tuesday, 12 Noon	CITY COUNCIL PLANNING & PUBLIC WORKS COMMITTEE City Hall, Second Floor Conference Room
11	Friday, 11 30 a m	CITY COUNCIL FINANCE & PROCEDURES COMMITTEE City Hall, Second Floor Conference Room

Charlotte

IN MEETING ON MONDAY, JUNE 21, 1982

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

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

ITEM NO

1. Invocation

PUBLIC HEARINGS

- 2 Joint Hearing with County Board of Commissioners and City Council on Petition by Charlotte-Mecklenburg Planning Commission to consider a text amendment to the Zoning Ordinance to add sections on Urban Development Centers and Urban Development Center-Village (UDC-V) to provide areas where moderate scale mixed use centers can locate with emphasis placed upon the development of a balance of residential, institutional, retail, office and conference center hotel uses

Attachment No. 1.

- 3 Hearing on Petition No. 82-34 by Frank W Spurrier, Jr to change zoning from B-1 to B-2(CD) for a 450 acre site located approximately 190 feet south of the intersection of Rozzelles Ferry Road (NC Hwy 16) and McClure Circle with frontages of 98 84 feet on Rozzelles Ferry Road and 105.64 feet on McClure Circle

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

ITEM NO.

4. Hearing 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.

Attachment No. 1.

5. Hearing 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 7.76 acre site located at the southwest corner of Little Rock Road and Tuckaseegee Road.

Attachment No. 1.

6. Hearing 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.

Attachment No. 1.

7. Hearing 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.

Attachment No. 1.

8. Hearing on Petition No. 82-41 by Alan and Sandra McCoy for a change in zoning from R-6MF to B-1(CD) of a .258 acre site fronting 70 feet on the east side of Hawthorne Lane, approximately 176 feet north of the intersection of Hawthorne Lane and East Eighth Street.

Attachment No. 1.

9. Hearing 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)

Attachment No. 1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

10. Hearing 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.

Attachment No. 1.

11. Hearing on Petition by Charlotte-Mecklenburg Planning Commission to amend the Charlotte Subdivision Ordinance and Section 17-62. Construction of Sidewalk and Drainage Facilities in the Charlotte City Code to clarify the responsibilities of the Planning Commission and the City Engineer for granting variances for curb, gutter and sidewalk improvements and to allow the City Engineer to recommend economic exceptions to the sidewalk and drainage requirements.

Attachment No. 1.

12. Joint hearing with the Charlotte-Mecklenburg Historic Properties Commission to consider the designation of the property known as the "Mecklenburg Investment Company Building" and the land associated therewith, located at 233-237 South Brevard Street, as historic property.

The Charlotte-Mecklenburg Historic Properties Commission has proposed the designation, and the North Carolina Division of Archives and History concur in the proposal.

The Historic Properties Commission bases its judgement on the following considerations

- 1) First office building in Charlotte built exclusively by and for black professionals,
- 2) Some of the most prominent black citizens of Charlotte were among its officers,
- 3) One of the very few remnants of old Second Ward or Brooklyn which survives;
- 4) Architectural significance of the intricate exterior brickwork and the original interior features.

Based on the current assessment and tax rate, the amount of taxes deferrable on the property would be \$377 07. The owner of the property, John Crosland Company, has requested the Commission to proceed with the designation

(continued)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

12. (continued)

The Department Review Process identified the future widening of Brevard Street, between Third and Fourth Streets as the only public project having a possible impact on the historic designation. The widening is contemplated in the distant future.

Recommend adoption of an ordinance designating the property known as the "Mecklenburg Investment Company Building" and the land associated therewith as historic property at 233-237 South Brevard Street.

Attachment No. 2.

POLICY AGENDA

13. Decision on Petition No. 82-32 by City of Charlotte Engineering Department for a change in zoning from R-9 to I-2(CD) for a 53 acre tract located on the south side of Yorkmont Road, approximately 95 feet west of the intersection of Yorkmont Road and Price Lane.

The Planning Commission recommends the petition be denied.

The minutes of the Planning and Public Works Committee meeting to review the Farmers' Market alternatives and the proposed zoning change will be sent out with the Council/Manager memo on Friday, June 18.

Attachment No. 3.

14. Recommend adoption of a resolution providing for public hearing on Monday, July 19, 1982, 6 00 p.m., Education Center, on Petitions No. 82-44 and 82-46 through 82-49 for zoning changes.

- - - - -



SCHEDULE OF MEETINGS
JUNE 21 THRU 25

Monday, June 21	Council/Planning Commission	5 00 P.M.
	Refreshments - Room 237-38 Education Center	.
	Council Meeting - Zoning Hearings	6 00 P.M.
	Board Room Education Center	
Tuesday, June 22	Planning & Public Works Committee	4 00 P.M.
	Second Floor Conference Room City Hall	
Wednesday, Juen 23	Metropolitan Planning Organization	7 30 P.M.
	Cameron-Brown Building First Floor Conference Room	

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Attachments

#1

ZONING ORDINANCE
TEXT AMENDMENT APPLICATION
CITY OF CHARLOTTE

Petition No.	<u>82-25</u>
Date Filed	<u>3/12/82</u>
Received By	<u>S. D. Watkins</u>
OFFICE USE ONLY	

Article No. II. Zoning Districts. Maps and Gen. Regs. & III. Permitted Uses, Special
(Title) Districts and Conditional Uses

Division No 1. Purpose of Zoning and Districts & 5. Urban Development Center Districts
(Title)

Section No 23-4.3. Urban Development Centers & 23-40 Urban Development Center - Village
(UDC-V)

Purpose of Change

This district is intended for application at select locations throughout the urbanized and urbanizing area. This district provides areas where moderate scale mixed use centers can locate with an emphasis on the development of a balance of residential, institutional, retail, office and conference center/hotel uses.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission

Name of Petitioner(s)
301 South McDowell Street

Address of Petitioner(s)
374-2205

Telephone Number

Signature



7

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 II, Division 1, by adding a new Section 23-4.3. Urban Development Center as follows:

Sec. 23-4.3. Urban Development Centers.

(a) UDC-V Urban Development Center-Village. This district is intended for application at select locations throughout the urbanized and urbanizing area. This district provides areas where moderate scale mixed use centers can locate with an emphasis on the development of a balance of residential, institutional, retail, office and conference center/hotel uses.

2. Amend Article III by adding a new Division 5. Urban Development Center Districts as follows:

Sec 23-40. Urban Development Center - Village (UDC-V).

(A) Intent The adopted Comprehensive Plan - 1995 calls for mixed use centers integrated within the urban fabric of this community. The intent of these centers as their functions have evolved and were clarified through the Urban Symposium process is to

1. Provide areas where a wide range of personal and professional services are available in close proximity to and in harmony with residential environments and employment concentrations;
2. Provide a focal point for public utilities and services in the area, and
3. Provide a focal point for major urban land uses in the area.

The Urban Development Center-Village (UDC-V) permits moderate scale mixed use centers with an emphasis on the development of a balance of residential, institutional, retail, office and conference center/hotel uses. It also provides for integrated pedestrian, automotive and transit circulation and access. Bonuses and transfers, which allow greater amounts of development, are granted when not in conflict with the overall objectives of specific area plans for the vicinity in which the UDC-V District is applied.

(B) Applicability The UDC-V District is intended for application at select locations throughout the urbanized and urbanizing area. Sites to which this District are applied must contain a minimum area of 50

acres and a maximum area of 160 acres. Such sites must also be accessed directly by at least two thoroughfares as defined on the current Thoroughfare Plan. Such sites must have water and sewer service, or executed contracts to extend such service, before any construction begins that is subject to these provisions. The site also must be on an existing transit route or located so that transit could be easily extended from existing routes in the foreseeable future. The UDC-V parameters may be increased by up to 20% of the allowable non-residential and/or residential space and by up to 20% of the maximum site area. In approving such a voluntary application to increase the UDC-V parameters, the City Council shall take into consideration whether the UDC-V location will enhance an area of regional significance with regard to the following.

- (1) transit accessibility,
- (2) major existing employment opportunities,
- (3) major employment expansion opportunities,
- (4) home-to-work proximity, or
- (5) mixed use center opportunities.

The UDC-V District may also be applied in areas where some development has occurred previously. In such cases UDC-V development must still comply with all of the provisions of this ordinance

(C) Permitted Uses

1. Residential uses - single family detached, single family attached and multi-family - separately or in conjunction with retail and/or office uses
2. Office uses - professional, business and corporate
3. Hotels and facilities for conferences, meetings or similar activities as a separate use or in conjunction with other office or retail uses
4. General and specialized retail, personal services, business services, banks, theatres, mini-warehouses or other similar services as a separate use or in conjunction with other uses.
5. Museums, libraries, churches, schools, post offices, hospitals, or other similar institutional uses.
6. Parks, playground, YMCA's, YMCA's, or similar public or private recreational facilities

(D) Development Standards.

1. Concept Plan To insure the appropriate consideration of the impacts of development upon adjacent uses, a Concept Plan shall be submitted and reviewed in accordance with Section E Concept Plan The Concept Plan shall govern the review of edge conditions, development coordination and off-site assessment in the UDC-V District

2. Application At the time of application for a change of zoning to the UDC-V District, all property owners or their agents shall certify that they have the authority to bind the property to the proffered plan and that the property will be so bound if the zoning change sought for it is approved by the City Council

3. Definitions For the purposes of this District the following definitions shall be applicable

- (a) single family detached - a structure which contains one (1) dwelling unit,
- (b) single family attached - a dwelling unit which shares by attachment or other means of fixture a common roof, wall or design element with another dwelling unit and which is not located above or below another dwelling unit and which contains its own exclusive entry,
- (c) multi-family - a structure containing two (2) or more dwelling units either sharing a common means of entry and/or designed with one dwelling unit above or below another dwelling unit;
- (d) mixed use core - that designated area which contains an integrated design of residential and retail and office uses

4. Permitted site usage The following site coverage and site usage shall be applicable in the UDC-V District.

- (a) The minimum gross floor area devoted to residential, institutional and conference center/hotel uses combined, as designated in the Concept Plan, shall be calculated as follows:

$$\begin{array}{l} \text{Minimum gross floor area} = \text{Total site area} \times 0.1 \\ \text{(in sq ft)} \qquad \qquad \qquad \text{(in sq ft)} \end{array}$$

- (b) The maximum gross floor area devoted to residential, institutional and conference center/hotel uses combined, as designated in the Concept Plan, shall be calculated as follows

$$\begin{array}{l} \text{Maximum gross floor area} = \text{Total site area} \times 0.64 \\ \text{(in sq ft)} \qquad \qquad \qquad \text{(in sq. ft)} \end{array}$$

- (c) Under no circumstances may less than 75% of the gross floor area devoted to residential, institutional and conference center/hotel uses combined be devoted to residential purposes

- (d) The maximum gross floor area devoted to retail uses, as designated in the Concept Plan, shall be calculated as follows

$$\begin{array}{l} \text{Maximum gross floor area} = \text{Total site area} \times 0.04 \\ \text{(in sq ft.)} \qquad \qquad \qquad \text{(in sq ft)} \end{array}$$

- (e) The maximum gross floor area devoted to office uses, as designated in the Concept Plan, shall be calculated as follows

$$\begin{array}{l} \text{Maximum gross floor area} = \text{Total site area} \times 0.06 \\ \text{(in sq ft)} \qquad \qquad \qquad \text{(in sq ft)} \end{array}$$

- (f) Any unused non-residential development potential may be converted to residential development space. The amount of residential developed under this provision may be equal to no more than the area of non-residential space converted
5. Conference center/hotel size permitted. The conference center/hotel gross floor area allowed is considered to be a part of the gross floor area allotted to residential and related uses, for the purposes of this ordinance. Furthermore, such conference center/hotel facilities may not exceed 100,000 square feet in gross floor area.
6. Non-residential space transfer provision. An increase of up to 20% of the maximum permitted retail gross floor area and 30% of the maximum permitted office gross floor area is permitted under the following conditions
- (a) Retail gross floor area may be added up to the limits defined above provided that for every one square foot of retail gross floor area added two square feet of office gross floor area is deleted
- (b) Office gross floor area may be added up to the limits defined above provided that for every two square feet of office gross floor area one square foot of retail gross floor area is deleted.
7. Development phasing. No more than 50% of the approved retail and office gross floor area may be constructed until at least 25% of the approved residential gross floor area of the plan is constructed or under construction
8. Parking. Parking for the permitted uses in the UDC-V District is subject to the following regulations
- (a) For the first 50% of the approved retail and office gross floor area, parking may be provided at not more than 1 space per 180 square feet of gross floor area
- (b) For the second 50% of the approved retail and office gross floor area, parking may be provided at not more than 1 space per 200 square feet of gross floor area.
- (c) Parking for medical office uses anywhere in the UDC-V District and at any phase in development may be provided at not more than 1 space per 150 square feet gross floor area even if the result is that more parking is provided than would have been under parts (a) and (b) of this section
- (d) Parking shall be provided for permitted land uses for which no specific requirements are listed in this section in accordance with the parking standards in Sec 23-61 I through 23-75
- (e) All parking lots shall have at least 10% of their area landscaped and planted. In addition the periphery of each parking lot is to be landscaped and planted so as to protect and preserve the character of the project

- (f) For every parking space provided and maintained for park-and-ride or ridesharing purposes, one additional space may be added to the general inventory of parking spaces above the maximum normally permitted
- (g) A percentage of the parking spaces provided may be for compact or small cars. Such spaces shall have minimum dimensions of 7.5 feet in width and 15 feet in length. For each parking space built for compact or small cars an additional 0.25 spaces may be added to the general inventory of parking spaces above the maximum generally permitted. The percentage of spaces which may be provided for compact or small cars shall be specified by the City Department of Transportation. This percentage shall be equal to the percentage of all cars registered in Mecklenburg County or the previous year with the North Carolina Department of Motor Vehicles that are classified as compact or subcompact

- 9 Edge conditions The uses to which the site is devoted at the points where the UDC-V District abuts other developed property must be compatible with the adjoining uses. Furthermore, development impacts on the natural features at site edges must be addressed.
- 10 Storm water runoff The storm water runoff from the UDC-V site must comply with existing State and local standards at every phase in development
- 11. Residential character The character of adjoining residential uses must be recognized and addressed
- 12 Circulation and access Street circulation and property access must be designed to minimize the impacts on area streets
- 13 Transit and rideshare service Adequate land area must be provided for the loading and unloading of transit and rideshare users within the mixed use core of the site
- 14 Site integration The site must be developed so as to integrate pedestrian and transit access with the land uses
- 15 Development standards exemptions The following standards, normally controlled by other portions of this Zoning Ordinance and Subdivision Ordinance, shall be controlled only by the provisions of the UDC-V District. Where no standards are listed in these provisions, no standards shall be imposed
 - (a) lot area,
 - (b) lot width,
 - (c) frontage on a public street,
 - (d) setback and yards,
 - (e) building separations,
 - (f) height of fences and walls,
 - (g) off-street parking,
 - (h) open space;
 - (i) street right-of-way,

- (j) sidewalks,
- (k) curb and gutter, and
- (l) street type (public or private).

(E) Concept Plan

1 Intent. By virtue of the special nature of mixed use centers and the significant role they are expected to play in the management of growth and development within the Charlotte-Mecklenburg urban area, a special process to review development is created. The emphasis of this process is on how the development proposal will impact its environment, on how the development will be managed at critical locations and on the establishment of the upper limits of the development proposed. It is therefore the purpose of this section to insure that minimum standards established for the UDC-V District are achieved and that the administrative approval of any specific building plans is accomplished in an efficient and timely manner.

2. Elements of the Concept Plan. The elements of the Concept Plan are the Development Program and the Off-Site Inventory.

3. Concept Plan review required. The proposed construction of any component approved in the Concept Plan shall not be approved for development permits by the Building Inspection Department until the Planning Director, or his designated agent, acting as an agent of the Superintendent of the Building Inspection Department has determined that the structures are in compliance with the Concept Plan and all other provisions of this ordinance

4 Concept Plan review

(a) Application Each applicant for a change of zoning to the UDC-V District must be accompanied by a Concept Plan for the proposed development. The Concept Plan and the application must be filed with the Planning Commission, and must be accompanied by a Development Program and an Off-Site Inventory.

(b) Development Program A Development Program shall indicate the following

1. total square feet of residential gross floor area proposed
2. total gross floor area proposed for retail, office, hotel and institutional uses
3. traffic impact analysis for the use mix sought
4. transit access plan
5. auto access plan
6. pedestrian access plan
7. schematic diagram indicating the general locations, amounts and types of uses
8. cross-sections showing proposed treatment of the street-scape along thoroughfares at areas of significant change in topography and intensity of use. These cross

sections may include such factors as mass, bulk, screening, buffering, curb cuts, signs, graphics, and lighting. The detail shall include at least the right-of-way of the thoroughfare as well as 20 feet on either side of the right-of-way.

- 9 cross-sections at typical locations, and to a depth of 55 feet on either side of a property line, where the site proposed for the UDC-V District abuts residentially zoned or developed property to show typical techniques to be employed in recognizing and addressing the character of adjoining residential properties. These cross sections may include such factors as privacy, bulk, height, surface water runoff, security, traffic and circulation (auto and pedestrian)
- 10 layout of a typical parking lot indicating a description of the plantings to be used in landscaping and maturation periods for these plantings

(c) Optional Project Information Additional information concerning various aspects of the proposed development may be presented such as the following.

1. detail of intended development treatment at points of environmental sensitivity, dramatic and principal views, historic and significant sites, physiographic obstruction or great opportunity
2. information on the significant trees and vegetation to be retained on the site

(d) Off-Site Inventory The Off-Site Inventory shall consist of

1. a map depicting generalized land use for all properties abutting the site with the names and addresses of all owners of this property based on the latest information available in the office of the City-County Tax Collector
2. the locations and capacity of existing public utilities

(e) Pre-application consultation Applicants are encouraged to seek a pre-application consultation with the Planning Director or his designated agent to discuss the proposed Concept Plan and its relationship to the criteria and standards listed for this District

(f) Decision on Concept Plan With respect to each application, the City Council may approve the Concept Plan, disapprove it or approve it with such modifications and conditions as may be consistent with the criteria and standards listed in this District. Within 5 business days following the City Council's determination with respect to an application for a change in zoning to the UDC-V District, the Planning Director or his designated agent shall inform the applicant, and other persons who request it, of the City Council decision on the Concept Plan

(g) Development Permit Approval Within 15 business days following the submission of an application for a development permit to construct any uses subject to this District, the Planning Director or his designated agent shall make a recommendation to the Superintendent of the Building Inspection Department. The conclusions of this recommendation shall specifically address the relationship between the proposed construction and the Concept Plan and the criteria and standards listed in this District.

(h) Appeal of Development Permit Disapproval If the Planning Director or his designated agent recommends disapproval of a development permit to construct any uses subject to this District, the grounds for such disapproval shall be stated in writing to the Superintendent of the Building Inspection Department and the applicant. After such disapproval an appeal from the recommendation of the Planning Director may be taken to the Planning Commission. The Planning Commission may disapprove in whole or in part, or otherwise modify the action of the Planning Director. A development permit to construct any uses subject to the District recommended for approval by the Planning Commission shall be eligible for consideration by the Superintendent of the Building Inspection Department.

(i) Procedures Applicants for a change of zoning to the UDC-V District shall be given the opportunity to present their petition to the City Council within a time not to exceed 45 minutes. Opponents of such a proposed change in zoning, as a group, shall be allowed an equal amount of time. With the exception of these time provisions, all other rules of procedure governing hearings for a change of zoning shall be applicable.

(j) Amendments to an approved Concept Plan Amendments to an approved Concept Plan shall be processed in a manner consistent with the requirements for approval of a Concept Plan. However, changes in detail which do not alter the basic relationships of the proposed development to adjacent properties or which do not alter the uses permitted or increase the density or intensity of development may be authorized, without public hearing, by the Planning Director.

(k) Compliance with approved Concept Plan Development of any site or project for which a Concept Plan has been approved shall comply with the provisions, conditions and restrictions of any - of the approved Concept Plan. Failure to comply with such provisions, conditions or restrictions shall be considered a violation of the zoning ordinance.

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 _____, Page _____.

Ruth Armstrong,
City Clerk

THE URBAN DEVELOPMENT CENTER-VILLAGE (UDC-V) CONCEPT

What is this proposal?

The ordinance draft proposal transmitted to you is for a mixed use zoning category. This proposal is for "moderate" scaled development in a foreseen system of four such ordinances- small medium, and large urban centers and an employment center. The first three categories will include residential and non-residential uses, though no industrial uses are foreseen. The employment center's emphasis will be non-residential concentration. This proposal would allow up to 4.46 million square feet of residential, institutional and conference center/hotel space; up to 278,784 square feet of retail space; and up to 418,176 square feet of office space on a site of up to 160 acres. There are provisions for increasing these parameters by up to 20% in certain instances.

What problems might this proposal generate?

The innovations in this mixed use zoning category which might generate controversy include the following:

- the magnitude of the uses permitted
- the lack of detail about internal relationships required in the plan
- the options for expanding the supply of parking on the site
- the authority of the Planning Director to permit amendments to the plan via administrative procedures in certain instances
- the "newness" of the concept to Charlotte-Mecklenburg

Why is such a proposal necessary?

In recent years pressures on land development have changed. Factors influencing that change include

- increases in 2 wage earner, but smaller households
- increases in sensitivity to energy shortfalls in the location and design of development
- increases in construction and maintenance costs
- increases in the importance of environmental factors and site availability in the design of development
- changes in mobility and mode choice patterns among the population
- increases in the sophistication of urban residents on development matters as well as in their ability to "short circuit" the development process

Also conventional zoning tends to encourage fragmentation and dispersion of mutually supportive uses. Conventional zoning requires modification if it is to be effective in how growth is organized.

A key response to these factors is the mixed use center concept. This new development form often contains retail, office, institutional and residential uses. These associations of uses serve to hedge the risks of incremental and uncoordinated investments in these uses while boosting occupancy by insuring an ongoing activity center.

What does this proposal do?

The philosophy of this draft proposal is summarized as follows:

- to encourage unified planning for high impact development
- to protect and preserve the character and value of existing and future residential development in the area
- to provide opportunities for improved home-to-work relationships
- to encourage the development of focal points for public utilities, facilities and services by concentrating major urban land uses
- to provide considerable flexibility to the developer in these times of variable economics in terms of development phasing, internal site design and the mix of uses
- to require the integration of auto, pedestrian and transit access into the site plan
- to encourage the provision of small car parking spaces and thereby decrease the area devoted to parking lots
- to protect and enhance the elements of good streetscape along thoroughfares
- to enable the market to respond to changing economic and demographic factors such as rising housing and transportation costs to the individual

How was this proposal produced?

This ordinance proposal is the product of a six-month long process that has required a close working relationship between the public and private sectors. The time line for this product has been as follows

- August 1981- After several months of exploratory discussions, several land owners and interests from different parts of the County approach the Planning Director with proposals in various stages of completion- for mixed use centers.
- Sept. 1981 - CMPC staff performs appropriate research and generates a draft proposal for a mixed use ordinance.
- Oct. 1981 - CMPC staff and several development interests review, in detail, the draft proposal and agree upon revisions.
- Nov. 1981 - Following a brief review by Planning Commissioners, the Implementation Committee of the Planning Commission convenes a working group of widely varied development interests and completes detailed revisions to the previous draft proposal.

- Feb. 1982 - Final draft proposal submitted to Planning Commissioners, and later to a composite group of Planning Commissioners, City Councilors and County Commissioners for detailed review and familiarization with the concepts and procedures of the proposal.

In the near future it is hoped that the final draft proposal will be reviewed and recommended for public hearing. With whatever amendments that are generated by that process, an approved ordinance may be a reality by late April.

MAY

Urban Development Center - Village District
Summary of Elements

Intent

- allows moderate scale employment, housing and services to be clustered (mixed use development)
- provides a focal point for public utilities/services
- provides a focal point for major urban land uses.

Applicability

- 50 - 160 acre sites
- provision for sites up to 192 acres (160 x 120%) when well situated with regard to transit, employment concentrations, etc.
- applicable in undeveloped and partially developed areas.

(Note: Attachment A of this summary identifies maximum development potentials for sites of 50, 160 and 192 acres.)

Permitted Uses

- residential: detached, attached and multi-family, separately or in conjunction with other uses
- office
- retail
- hotel/conference facilities
- institutional
- recreational.

Concept Plan Required

(Elements = Development Program and Off-Site Inventory)

Development Program Elements

- proposed land use types
- gross floor areas of land use types
- transit/auto/pedestrian access plans
- traffic impact analysis
- attention to streetscape on thoroughfares
- attention to edges (55 ft. from property line)
- attention to parking lot landscaping/screening.

Off-Site Inventory Elements

- identification of adjoining land uses and property owners
- identification of location and capacity of public facilities.

Development Standards

- minimum and maximum residential limits
- no limit on housing types, emphasis on residential floor area and not number of units to allow maximum marketing flexibility
- non-residential transfer provisions: 20% or 30% increases of retail or office, respectively, maximums allowed if for every 1 sq. ft. of retail added 2 sq. ft. of office is deleted (and vice versa)
- development phasing: at least 25% of approved residential must be built before more than 50% of non-residential can be built
- tailored parking requirements
- differing standards for differing development phases
- required landscaping
- incentives to provide park and ride/rideshare spaces
- incentives to provide compact car spaces
- attention to impact at property edges
- attention to storm water run off at all phases of development
- attention to residential character of adjoining uses
- attention to circulation and traffic impacts
- provide a place for transit/rideshare loading.

Process

- process and standards to be explained in yet-to-be written Development Guidelines booklet
- voluntary application for rezoning
- pre-application conference recommended
- building permit issuance tied to an approved Concept Plan and approval by Planning Director
- new extended time in hearing procedure
- amendments not affecting intensity or density accomplished administratively
- appeal from Planning Director's recommendation on building permit is through the Planning Commission.

Attachment A

50 acre site

residential, et. al. = 217,800 S. F. = 217 du @ 1000 S. F./du (min.)
= 1,393,920 S. F. = 1393 du @ 1000 S. F./du (max.)

retail = 87,120 S. F. (max.)

office = 130,680 S. F. (max.)

w/non-residential transfers
(120% retail) retail = 104,544 S. F. (max.)

office = 95,832 S. F. (max.)

(130% office) retail = 67,518 S. F. (max.)

office = 169,884 S. F. (max.)

160 acre site

residential, et. al. = 696,960 S. F. = 696 du @ 1000 S. F./du (min.)
= 4,460,544 S. F. = 4,460 du @ 1000 S. F./du (max.)

retail = 278,784 S. F. (max.)

office = 418,176 S. F. (max.)

w/non-residential transfers
(120% retail) retail = 334,541 S. F. (max.)

office = 306,662 S. F. (max.)

(130% office) retail = 216,058 S. F. (max.)

office = 543,629 S. F. (max.)

192 acre site (160 acres x 1.2)

residential, et. al. = 836,353 S. F. = 836 du @ 1000 S. F./du (min.)
= 5,352,653 S. F. = 5,353 du @ 1000 S. F./du (max.)

retail = 334,541 S. F. (max.)

office = 501,811 S. F. (max.)

w/non-residential transfers
(120% retail) retail = 401,449 S. F. (max.)

office = 367,994 S. F. (max.)

1/2
1/2
1/2
1/2
1/2

(Note: Residential, et. al., refers to total square feet devoted to residential, hotel/conference and institutional uses combined.)

office = 652,354 S. F. (max.)

(130% office) retail = 259,270 S. F. (max.)

PETITIONER Frank W. Spurrier, Jr.

PETITION NO. 82-34

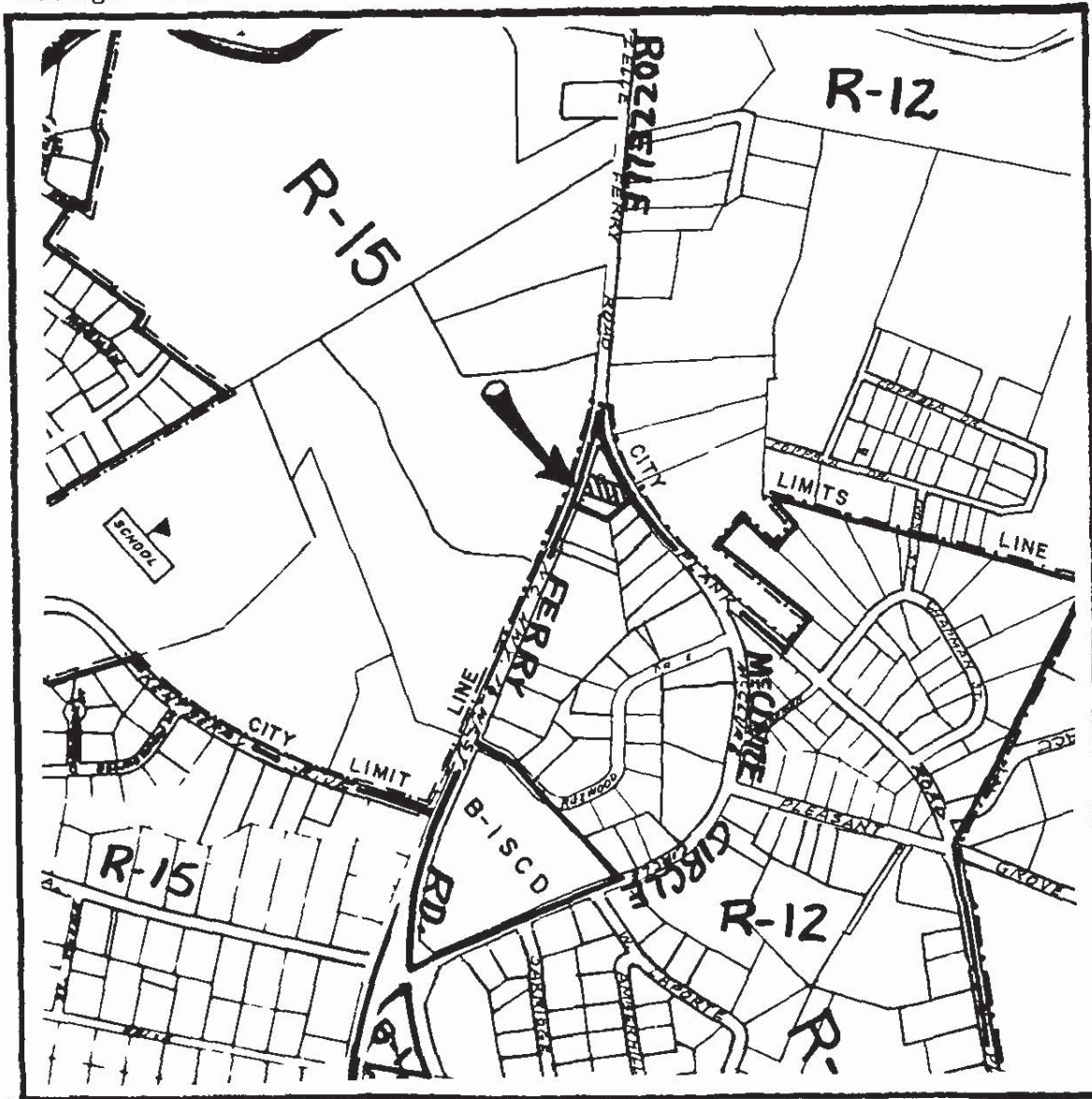
HEARING DATE June 21, 1982

ZONING CLASSIFICATION, EXISTING B-1

REQUESTED B-2(CD)

LOCATION A .450 acre parcel located approximately 190 feet south of the intersection of Rozzell Ferry Road (NC Hwy. #16) and McClure Circle with frontages of 98.84 feet on Rozzell Ferry Road and 105.64 feet on McClure Circle.

Acreage .450



ZONING MAP NO. 55

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



OFFICIAL REZONING APPLICATION

CITY OF CHARLOTTE

Petition No. 82-34
Date Filed April 8, 1982
Received By [Signature]
OFFICE USE ONLY

Ownership Information

Property Owner Frank W. Spurrier heirs (Frank W. Spurrier, Jr., Agent)
Owner's Address 1201 Berryhill Road
Charlotte, N. C. 28208
Date Property Acquired April 14, 1954
Deed Reference Book 1684, Page 97
Tax Parcel Number part of 35-171-07

Location Of Property

Highway 16 (Rozzell's Ferry Road) at McClure Circle
Description Of Property
Size (Sq Ft Acres) 0.450 acres
Street Frontage (ft) 98.84 feet
Current Land Use Currently not used. Last use was Duckworth Furniture Store

Zoning Request

Existing Zoning B-1
Requested Zoning B-2 Conditional
Purpose of zoning change To be used as storage for wholesale candy business. Owner will
use existing access points to property.

Thomas E. Cummings, Attorney

Name of Agent 907 Cameron Brown Building, Charlotte N.C. 28204

Agent's Address 704/332-2692

Telephone Number

Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

Frank W. Spurrier, Jr.

Name of Petitioner(s) 1201 Berryhill Road, Charlotte, N

Address of Petitioner(s) 704/377-1607

OFFICIAL REZONING APPLICATION

CITY OF CHARLOTTE

Petition No	82-35
Date Filed	April 8, 1982
Received By	<i>J.D. Watkins</i>
OFFICE USE ONLY	

Ownership Information

Property Owner WESTMINSTER COMPANY

Owner's Address P.O. Box 25383, CHARLOTTE, N.C. 28212

Date Property Acquired DECEMBER 21, 1973

Deed Reference BOOK 3641, PAGE 948 Tax Parcel Number 109-425-02thw.07

Location Of Property (address or description) SECTION 4-B, EASTWOODS

SUBDIVISION: LOTS 162 thru 167 ON RIVERTON CT. 1/4 OLD MEADOW RD.

BOOK 19, PG. 177

Description Of Property

Size (Sq Ft Acres) 2.46 ACRES

230 LF - RIVERTON CT.
300 LF - OLD MEADOW

Current Land Use VACANT

Zoning Request

Existing Zoning R-12

Requested Zoning R-12 MF (CP)

Purpose of zoning change TO PROVIDE MORE AFFORDABLE HOUSING THAT IS

COMPATIBLE WITH THE EXISTING AREA

Name of Agent _____

Agent's Address _____

Telephone Number _____

Signature _____

Telephone Number _____

Address of Petitioner(s) _____

Box 25383, CHARLOTTE, N.C.

WESTMINSTER COMPANY

Signature of Property Owner if Other Than Petitioner _____

PETITIONER Realty Investment Buyers, Inc.

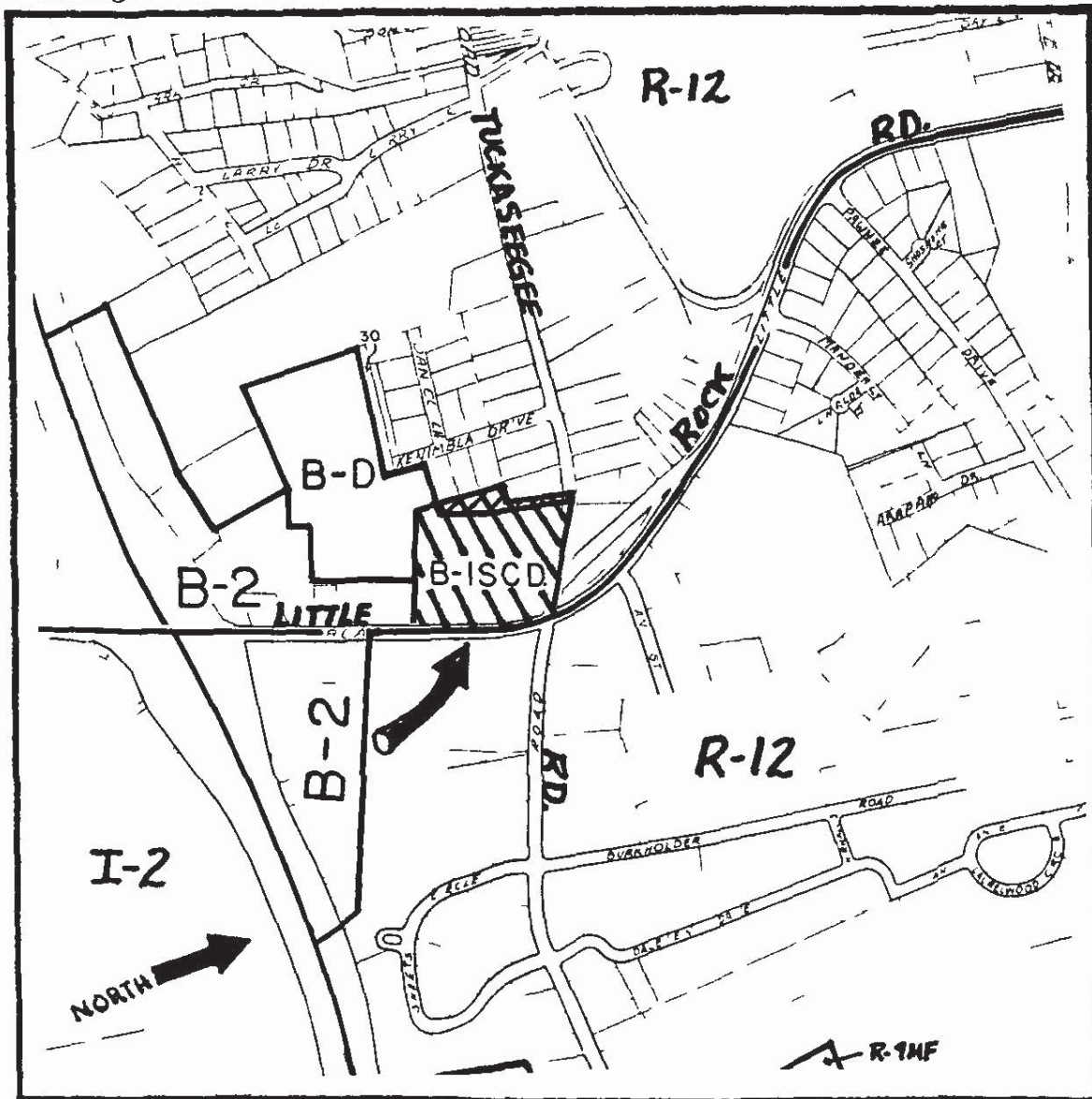
PETITION NO. 82-37

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 Tuckasegee Road.

Acreage: 7.76



ZONING MAP NO. 49

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



OFFICIAL REZONING APPLICATION

CITY OF CHARLOTTE

Ownership Information

Property Owner Henry C. Rhyme (Individual & Executor of Daniel P. Rhyme, Sr., EST.)
Owner's Address 2626 Mary Anne Drive
Charlotte, N. C. 28214
Date Property Acquired August 26 1980
Deed Reference 4334-894
Tax Parcel Number Portion 55-351

Location Of Property

(address or description) Southwest corner of
Little Rock Road and Tuckasee Road

Description Of Property

Size (Sq Ft-Acres) 7.76 acres
Current Land Use Vacant except for one abandoned commercial structure
and one house to be removed

Zoning Request

Existing Zoning B-1 SCD and R-12
Requested Zoning B-1 SCD with site plan revised
Purpose of zoning change Revise existing site plan with minor addition to the West

Name of Agent Fred E. Bryant

Agent's Address 1850 E. Third St. Suite 216 28204

Telephone Number 333-1680

Telephone Number

Name of Petitioner(s) Realty Investment Buyers, Inc

Address of Petitioner(s) Suite 2425, CNB Plaza 28280

Address of Petitioner(s) 374-1307

Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

OFFICE USE ONLY

Received By S D Walk

Date Filed May 5, 1982

Petition No 82-37

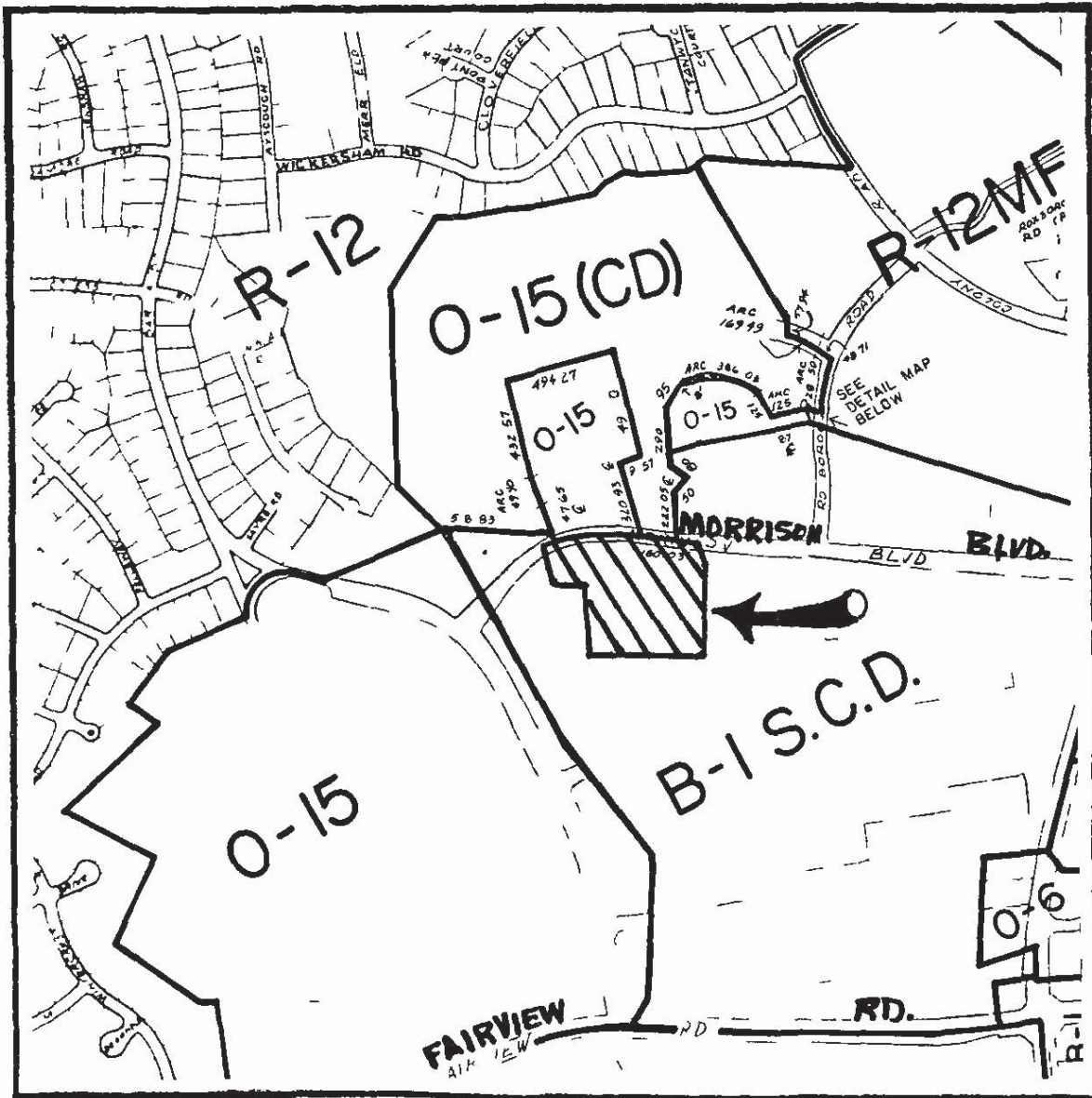
PETITIONER Guest Quarters Development Company - Charlotte

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

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

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~~



OFFICIAL REZONING APPLICATION

CITY OF CHARLOTTE

Ownership Information

Property Owner Ivey Properties, Inc. and Belk Brothers Company

Owner's Address c/o Belvey Co., 4400 Sharon Road, Charlotte, N.C. 28211

Date Property Acquired February 12, 1980

Deed Reference Book 4281, page 46 in Mecklenburg Registry Tax Parcel Number Part of 177-061-04

Location Of Property (address or description) Part of existing B-1SCD (South Park)

area fronting on southerly margin of Morrison Boulevard. See survey filed as a part of this submission.

Description Of Property

Size (Sq Ft - Acres) 6.0 Acres Street Frontage (ft) Morrison Blvd.

Approx. 669.86 feet on Sly margin of

Current Land Use Vacant portion of previously approved B-1SCD area known as "South Park"

Zoning Request

Existing Zoning B-1SCD

Change to approved Plan and conditions of development Requested zoning per Sec. 23-35(f)

Purpose of ~~zoning~~ change To accommodate hotel facility for guest suites and related amenities

as shown on schematic plan filed as a part of this submission.

Name of Agent Benj. S. Horack

Name of Agent 1250 City National Center, Charlotte, N.C. 28202

Agent's Address 704/377-2500

Telephone Number 704/377-2500

NOTE: Petitioner requests that all communications be sent c/o Benj. S. Horack, Attorney.

Signature

Signature of Property Owner if Other Than Petitioner

Telephone Number

Address of Petitioner(s) 804/625-1627

Name of Petitioner(s) One Bank Street Norfolk Virginia 23510

GUEST QUARTERS DEVELOPMENT COMPANY- CHARLOTTE (a Virginia Limited Partner-

OFFICE USE ONLY

Received By SD WALKINS

Date Filed May 5, 1982

Petition No 82-38

April 27, 1982

Charlotte-Mecklenburg Planning Commission
Cameron-Brown Building
S. McDowell Street
Charlotte, North Carolina 28204

Re: Petition of GUEST QUARTERS DEVELOPMENT COMPANY - CHARLOTTE
for modification of B-1SCD (South Park) Plan for Portion
Fronting on Southerly Margin of Morrison Boulevard
(Part of Tax Code No. 177-061-04)

Gentlemen:

Reference is made to the above-mentioned Petition which has been
or will be filed by GUEST QUARTERS DEVELOPMENT COMPANY - CHARLOTTE.

Please be advised that as owners of the above-mentioned Parcel, we
authorize and approve the filing of that Petition and hereby
designate GUEST QUARTERS DEVELOPMENT COMPANY - CHARLOTTE as
our agent to do and perform any and all proceedings relating thereto.

Very sincerely yours,

BELK BROTHERS COMPANY

By: _____

[This copy
to be executed
by Ivey Properties,
Inc. only]

IVEY PROPFRTIFS, INC.

By: 2 1 - [Signature]

April 27, 1982

Charlotte-Mecklenburg Planning Commission

Cameron-Brown Building

S. McDowell Street

Charlotte, North Carolina 28204

Re: Petition of GUEST QUARTERS DEVELOPMENT COMPANY - CHARLOTTE
for modification of B-1SCD (South Park) Plan for Portion
Fronting on Southernly Margin of Morrison Boulevard
(Part of Tax Code No. 177-061-04)

Gentlemen:

Reference is made to the above-mentioned Petition which has been
or will be filed by GUEST QUARTERS DEVELOPMENT COMPANY - CHARLOTTE.

Please be advised that as owners of the above-mentioned Parcel, we
authorize and approve the filing of that Petition and hereby
designate GUEST QUARTERS DEVELOPMENT COMPANY - CHARLOTTE as
our agent to do and perform any and all proceedings relating thereto.

Very sincerely yours,

IVEY PROPERTIES, INC.

By: _____

[This copy
to be executed
by Belk Brothers
Company only]

BELK BROTHERS COMPANY

By: _____

Kerry Robinson
Executive Vice President

PETITIONER David D. Little

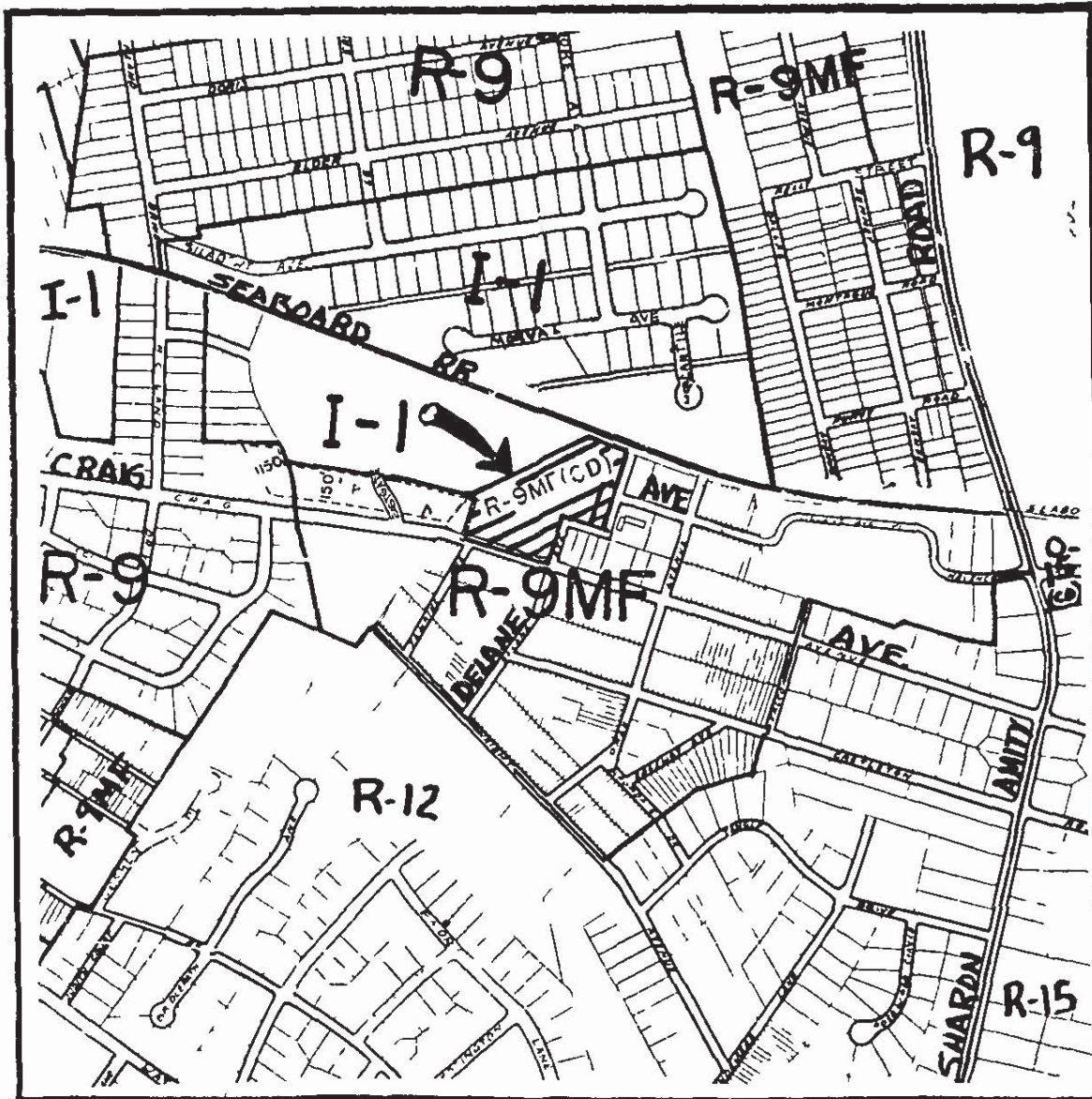
PETITION NO. 82-40

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.

Acreeage: 5.26



ZONING MAP NO. 24

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



OFFICIAL REZONING APPLICATION

CITY OF CHARLOTTE

Ownership Information

Property Owner White Oak Manor, Inc.

Owner's Address P.O. Box 3281

Spartanburg, S. C.

Date Property Acquired 15/Jan/81 31/Dec/1980 9/Oct/81

Deed Reference 4476, 0829, 4389, 0579, 4386, 0362

Tax Parcel Number 157-166-14
157-166-16
157-155-15
157-155-17

Location Of Property (address or description) Ortig Avenue @ Delane Avenue

Description Of Property

Size (Sq Ft-Acres) 5 Acres

Street Frontage (ft) 808 feet

Current Land Use Raw Land

Zoning Request

Existing Zoning R9MFC

Requested Zoning R9MFC

Purpose of zoning change Site plan amended from original due to soil composition and city ordinances.

Joe Logan

Name of Agent

McGwire Properties, Inc.

Agent's Address

334-7383

Telephone Number

Telephone Number

Address of Petitioner(s)

803/582-7503

Signature

[Handwritten Signature]

Signature of Property Owner if Other Than Petitioner

OFFICE USE ONLY

Petition No 82-40

Date Filed May 6, 1982

Received By S. D. [Handwritten]

PETITIONER Allan and Sandra McCoy

PETITION NO. 82-41

HEARING DATE June 21, 1982

ZONING CLASSIFICATION, EXISTING R-6MF

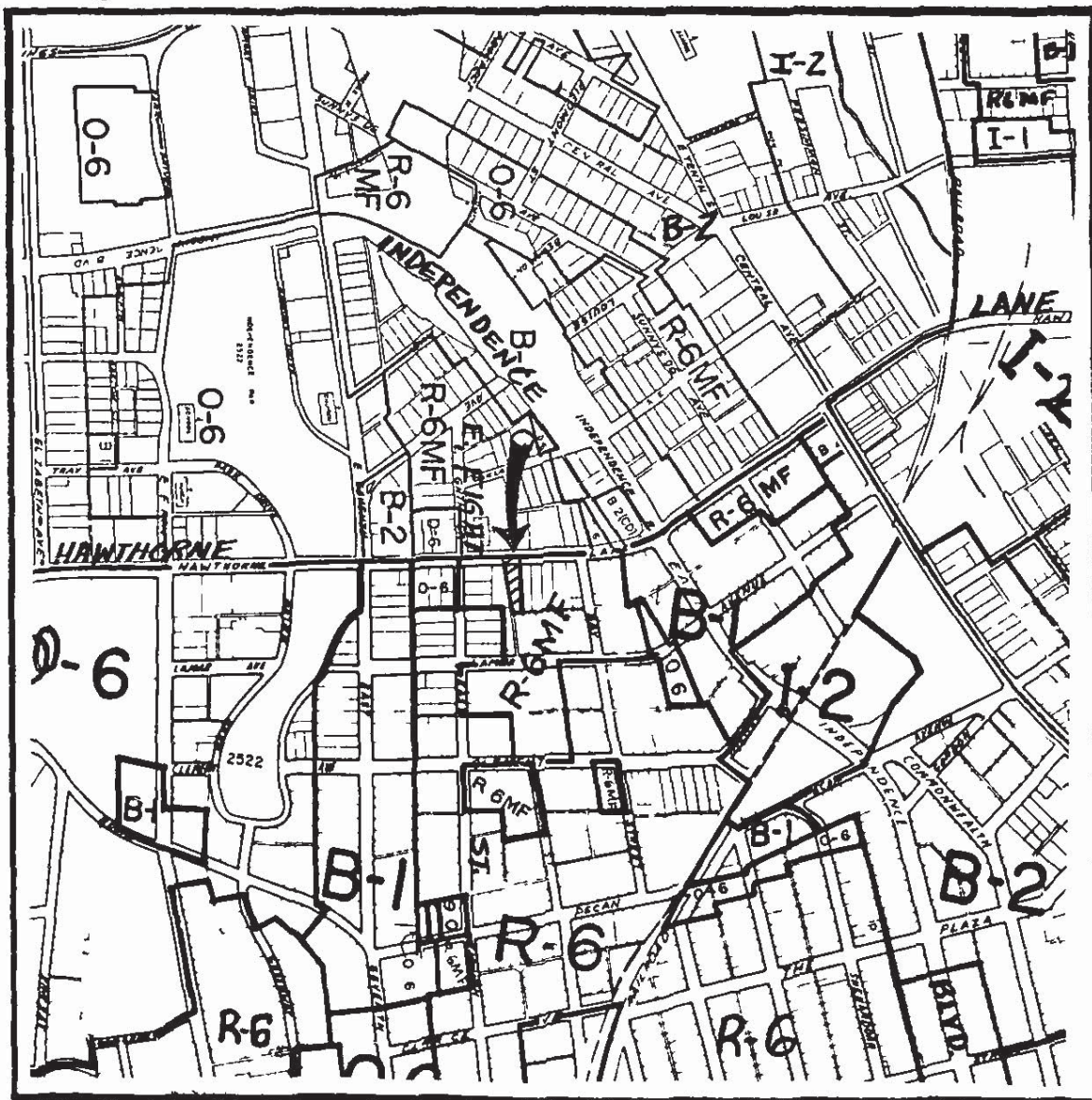
REQUESTED B-1(CD)

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.

Acreage .258



ZONING MAP NO. 7

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



OFFICIAL REZONING APPLICATION

CITY OF CHARLOTTE

Ownership Information

Property Owner Allan L. McCoy and wife, Sandra D. McCoy
Owner's Address 514 Hawthorne Lane, Charlotte, NC 28204

Date Property Acquired July 15, 1979

Deed Reference Book 4225 Page 0372

Tax Parcel Number 127-12-20 19

Location Of Property

(address or description) 514 Hawthorne Lane
Charlotte, North Carolina 28204

Description Of Property

Size (Sq Ft Acres) 11,275 sq. ft.
Current Land Use Residential
Street Frontage (ft) 70' on Hawthorne Lane

Zoning Request

Existing Zoning R-6 MF
Requested Zoning B1 CD

To allow owner-occupant to continue to operate his television repair shop in his basement using approximately 1,350 sq. ft.

John W. Gresham

Name of Agent 951 S. Independence Blvd., Suite 730

Agent's Address 704/375-8461

Telephone Number

Allan and Sandra McCoy

Name of Petitioner(s) 514 Hawthorne Lane

Address of Petitioner(s) 704/375-7866

Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

OFFICE USE ONLY

Received By S. D. [Signature]

Date Filed May 19, 1982

Petition No 82-41

PETITIONER Vernon P. and Elsie C. Keziah

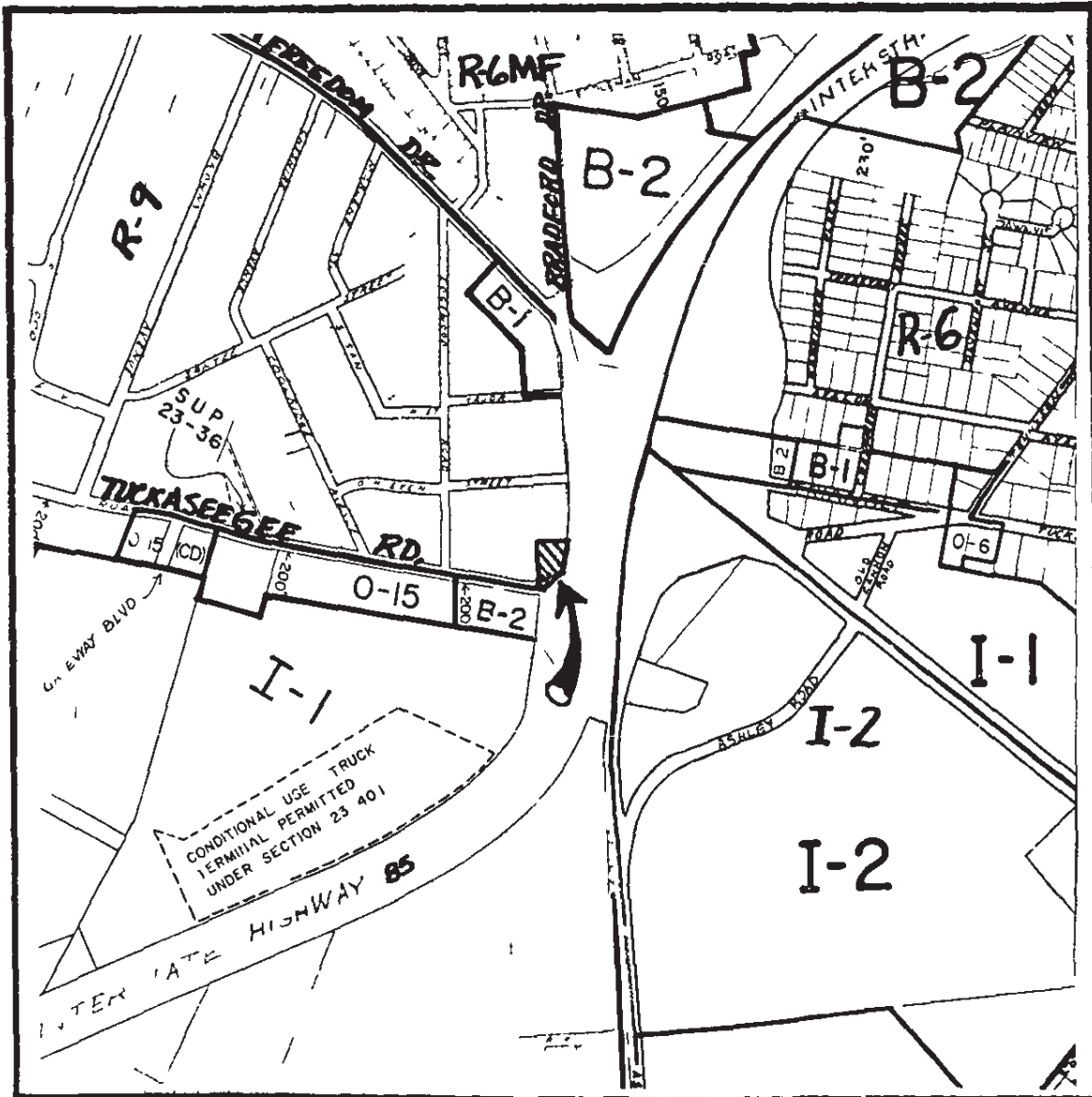
PETITION NO. 82-42

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 Tuckasegee Road and Bradford Drive (Adjacent to Interstate 85)

Acreage: .41



ZONING MAP NO. 13

SCALE 1" = 800'

~~PROPERTY~~ PROPOSED FOR CHANGE



OFFICIAL REZONING APPLICATION

CITY OF CHARLOTTE

Petition No. 82-42
 Date Filed May 6, 1982
 Received By S. D. [Signature]
 OFFICE USE ONLY

Ownership Information
 Property Owner Norman Paul Royal, Jr. and wife, Cora E. Royal
 Owner's Address 937 Westgate Ave Charlotte, N.C. 28208

Date Property Acquired Jan 6, 1982

Deed Reference Deed Book 4503 Page 0408 Tax Parcel Number 059-015-10A 059-015-09

Location Of Property (address or description) 4400 Shuckassee Rd Charlotte, N.C. 28208 and adjoining Rear Lot

Description Of Property

Size (Sq Ft-Acres) 41 ac
 Street Frontage (ft) 125'
 Current Land Use Residence (unimproved) one lot at rear of house.

Zoning Request

Existing Zoning R-9
 Requested Zoning B-1(e-d)

Purpose of zoning change To purchase house for use as a

Beauty shop and small gift shop, with
rest of house used as residence for Norman

Name of Agent Norman P. & Cora E. Royal, Jr.

Agent's Address 937 Westgate Ave Charlotte

Telephone Number 394-1424

Signature Norman P. Royal

Signature of Property Owner if Other Than Petitioner Same

PETITIONER Newman Manor Associates Ltd.

PETITION NO. 82-43

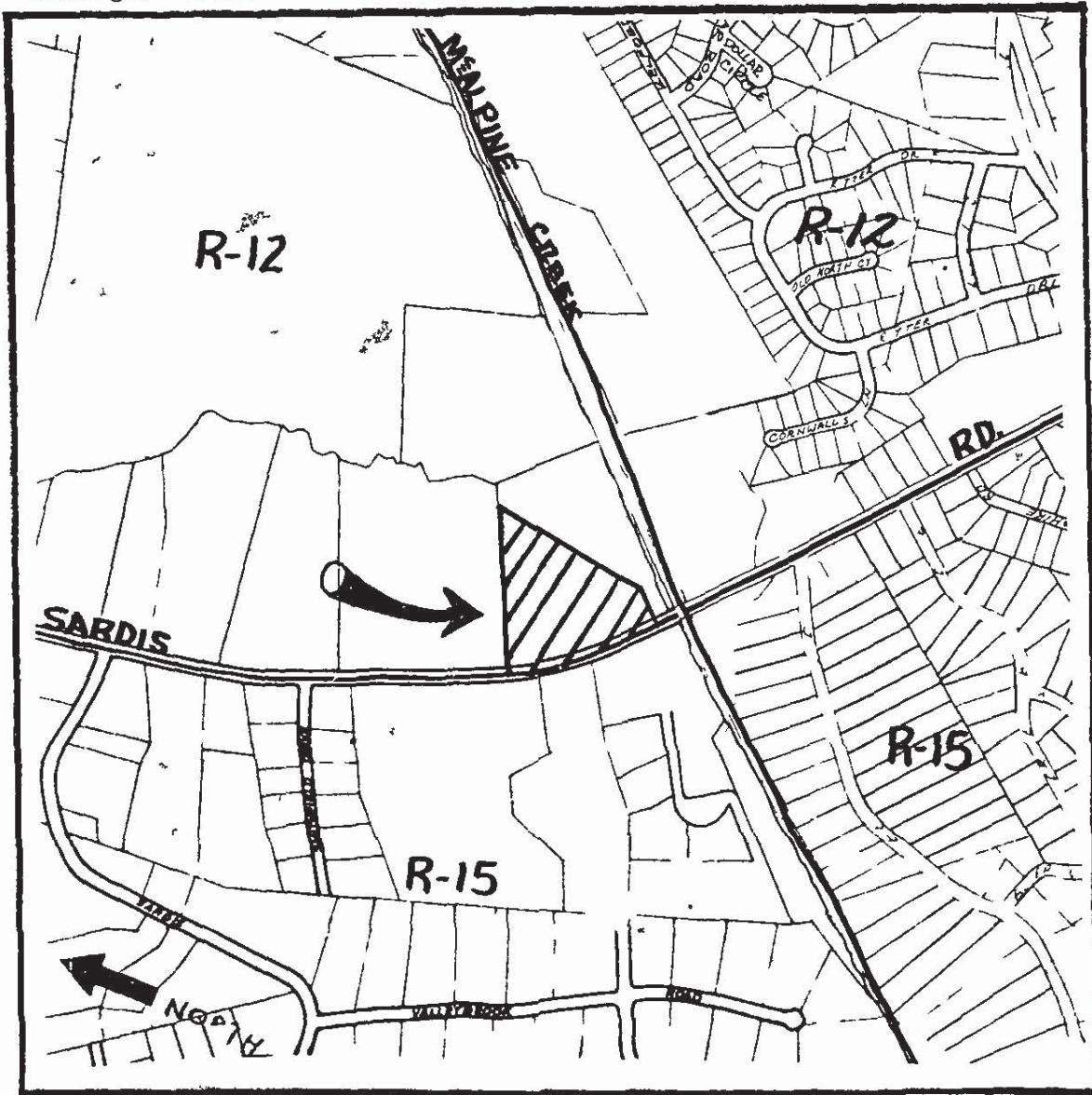
HEARING DATE June 21, 1982

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.

Acreeage: 6.691



ZONING MAP NO. 26

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



OFFICIAL REZONING APPLICATION

CITY OF CHARLOTTE

OFFICE USE ONLY

Petition No. 82-43

Date Filed March 6, 1982

Received By *[Signature]*

Ownership Information

Property Owner Newman Manor Associates Ltd.

Owner's Address Post Office Box 1737, Matthews, North Carolina 28105

Date Property Acquired March 23, 1982

Deed Reference Book 4521 at Page 203

Tax Parcel Number 189-171-18

Location Of Property

7300 Block of Sardis Road, (address or description) borders McAlpine Greenway, Charlotte Christian School and Sardis Road

Description Of Property

Size (Sq Ft - Acres) 6.691

Street Frontage (ft) 697 ± feet

Current Land Use Vacant

Zoning Request

Existing Zoning R-12

Requested Zoning R-20MF

Purpose of zoning/change See Attachment "A"

[Signature]
Bailey Patrick, Jr.

Name of Agent

P. O. Box 35566, Charlotte, N.C. 28235

Agent's Address

(704) 372-1120

Telephone Number

Newman Manor Associates Ltd.

Name of Petitioner(s)

P. O. Box 1737, Matthews, N.C. 28105

Address of Petitioner(s)

(704) 847-442

Telephone Number

NEWMAN MANOR ASSOCIATES LTD.

Signature

[Signature]

~~By: General Partner~~

~~By: General Partner~~

ATTACHMENT A
TO THE REZONING APPLICATION OF
NEWMAN MANOR ASSOCIATES, LTD.

PURPOSE OF REQUESTED REZONING CHANGE:

The Applicant requests rezoning of this 6.691 acre parcel from R-12 to R-20MF as shown on the Plan accompanying this Application.

The subject property is located within the City of Charlotte on the eastern margin of Sardis Road in the 7300 Block between the McAlpine Greenway and the Charlotte Christian School. There is a private lake consisting of approximately 2-1/2 acres just across Sardis Road from the property. Currently there are no improvements on the property and it is entirely covered with soft and hard wood trees.

The accompanying Site Plan proposes to change the zoning for the property from R-12 to R-20MF. R-20MF zoning is sought because the Applicant recognizes the desirability of conforming its Project to high development standards and allowing a maximum amount of development control through site plan submissions. All development will take place within the interior of the property and the Project will have only one means of access to and from Sardis Road.

The Applicant proposes to construct 42 two and three bedroom Townhouse or Condominium units (an average density of 6.27 units per acre which is consistent with the 1995 Comprehensive Plan).

In developing its Site Plan, the Applicant has taken care to provide adequate buffers between its Project and the development across Sardis Road and the Charlotte Christian School Complex which is located north of the site by providing buffer zones of 50 feet each along Charlotte Christian School's boundary and along the McAlpine Greenway and a buffer of 75 feet along Sardis Road.

The Applicant believes that these "owner type" uses and the applicable density limitations not only provide a suitable transition between the Charlotte Christian School and the McAlpine Greenway but also insure compatibility with nearby existing and future single family developments.

Due to the irregularity in the shape of the property, its development into a townhouse or condominium for sale project would

Given the sharp increase in the costs of housing and land development in recent years, the Applicant respectfully submits that the development proposed for this tract can best achieve the objectives of providing attractive, varied and affordable homes for the upper middle income market and comforts with sound, long-range planning techniques already identified by the City of Charlotte and the Charlotte-Mecklenburg Planning Commission.

The Applicant believes that these salient features in combination with other restrictions imposed by its Site Plan will result in a development plan that is well designed and environmentally sensitive.

According to the City's Department of Transportation, the average number of trips the Project would generate after full development is projected to approximate 250 trips per day. The Applicant is further advised that should it develop the property as single family units (a potential of 20 four bedroom housing units), the average number of trips generated would range between 240 to 300 trips per day. Thus, development of the parcel in the fashion proposed would generate less traffic than would its development as a single-family subdivision.

enable the developer to leave undisturbed a substantially higher percentage of the existing trees and foliage than would be possible were the property developed as a single family subdivision. Moreover, the 30% limitation imposed for permissible building area will insure little, if any, encroachment on the privacy of other residents in the area.



AN ORDINANCE AMENDING CHAPTER 17, ARTICLE IV, SECTION 17-62 OF
THE CODE OF THE CITY OF CHARLOTTE.

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

Section 1. Chapter 17, Article IV, Section 62(a) is
amended by adding the word "(e)" as follows:

"(a) Except as provided in subsections 17-62 (b), (c)
and (e) below,..."

Sec. 2. Chapter 17, Article IV, Section 62 is amended
by adding new subsections (e) and (f) to read as follows:

"Sec. 17-62(e). Exception. In cases where the City
Engineer determines that the likelihood of future street
widening and other street improvements, considered together
with the expense of acquiring right-of-way to accommodate
such improvements, makes the value of the applicant's
dedication to the City of additional property along the
present right-of-way exceed the cost to the City of itself
installing curb, gutter, and/or drainage which would otherwise
be required of the applicant, the City Engineer may recommend
to City Council an acceptance of dedication in lieu of
street improvements. It shall be the responsibility of
the applicant for such exception to request and supply
information sufficient to support such an exception.
The City Engineer's determination that grounds for such
exception do not exist and decision not to forward a
recommendation to Council shall not be appealable."

"Sec. 17-62(f) In cases where the applicant's proposed
plat requires approval under the provisions under Chapter
18 of this Code (Charlotte Subdivision Ordinance), the
Planning Commission or City Council shall have the variance
powers otherwise granted the City Engineer under the provisions
of this Section 17-65, but such power shall be exercised
only after consultation with and the receipt of a recommendation
from the City Engineer."

Sec. 3. This ordinance shall become effective upon adoption.

Approved as to form:


City Attorney



ORDINANCE _____

AMENDING CHAPTER 18
ARTICLE II

AN ORDINANCE AMENDING CHAPTER 18, ARTICLE II, SECTION 27 OF THE
CODE OF THE CITY OF CHARLOTTE.

BE IT ORDAINED BY THE City Council of the City of Charlotte,
North Carolina:

Section 1. Chapter 18, Article II, Section 27 is amended
by adding the word "(a)" before the first paragraph and by adding
a new subsection (b) to read as follows:

"Sec. 18-27(b). In cases where an applicant subject to
the provisions of this Chapter 18 wishes a variance from
the sidewalk and drainage facilities required by Sec.
17-60 et seq. of this Code, such request for variance
shall be heard by the Planning Commission or City Council
in accordance with the standards and procedures set forth
in Sec. 17-65 instead of by the City Engineer. The City
Engineer's advice and recommendation shall be requested
sufficiently in advance of any hearing and decision on
such variance request to allow his position on such variance
request to be given full consideration."

Sec. 2. This ordinance shall become effective upon adoption.

Approved as to form:

Henry W. Underhill, Jr.
City Attorney



AN ORDINANCE DESIGNATING THE PROPERTY KNOWN AS THE "MECKLENBURG INVESTMENT COMPANY BUILDING" AND THE LAND ASSOCIATED THEREWITH, AS HISTORIC PROPERTY, AT 233-237 SOUTH BREVARD STREET, CHARLOTTE, NORTH CAROLINA, AS RECORDED ON PARCEL NUMBER 125-024-06 IN THE MECKLENBURG COUNTY TAX OFFICE.

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

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

WHEREAS, the building, erected in 1921-1922, was the first office building in Charlotte built exclusively by and for black professionals; and

WHEREAS, the building exhibits an especially fine example of intricate brick corbeling; and

WHEREAS, the building is one of the very few remnants of Brooklyn, a major turn-of-the-century black neighborhood in Charlotte; and

WHEREAS, the building is situated on its original site; and

WHEREAS, the Mecklenburg Insurance Company had some of the most prominent black Charlotteans among its officers; and

WHEREAS, the property known as the "Mecklenburg Investment Company Building" is vested in fee simple to the John Crosland Company.

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

1. That the property known as the "Mecklenburg Investment Company Building" and the land associated therewith, is hereby designated as historic property pursuant to Part 3B, Article 19, Chapter 160A, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated on a tract of property at 233-237 South Brevard Street,

Charlotte, North Carolina, as recorded on Parcel 125-024-06 in the Tax Office of Mecklenburg County, North Carolina.

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

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

4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign shall be placed on said property. If the owner objects, the sign shall be placed on a nearby public right-of-way.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

Approved as to form:

Henry W. Underhill Jr.
City Attorney

RETURN TO: Charlotte-Mecklenburg Historic Properties Commission
3500 Shamrock Drive
Charlotte, NC 28215



#3



CHARLOTTE-MECKLENBURG PLANNING COMMISSION

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

MARTIN R CRAMTON JR
Planning Director

May 28, 1982

Mayor Eddie Knox
Members, City Council
Charlotte, North Carolina

Dear Mayor and Council Members:

Attached is a recommendation of the Charlotte-Mecklenburg Planning Commission on a petition for rezoning which has been heard and referred to the Planning Commission for consideration. The recommendation as reflected herein was arrived at in a meeting of the Planning Commission held on May 20, 1982.

According to the adopted rules of procedure, this recommendation will be sent to the interested parties with a time period for the conveyance of any written statement set to elapse on June 7, 1982. This will then permit this matter to be placed on your agenda for consideration of decision on June 21, 1982.

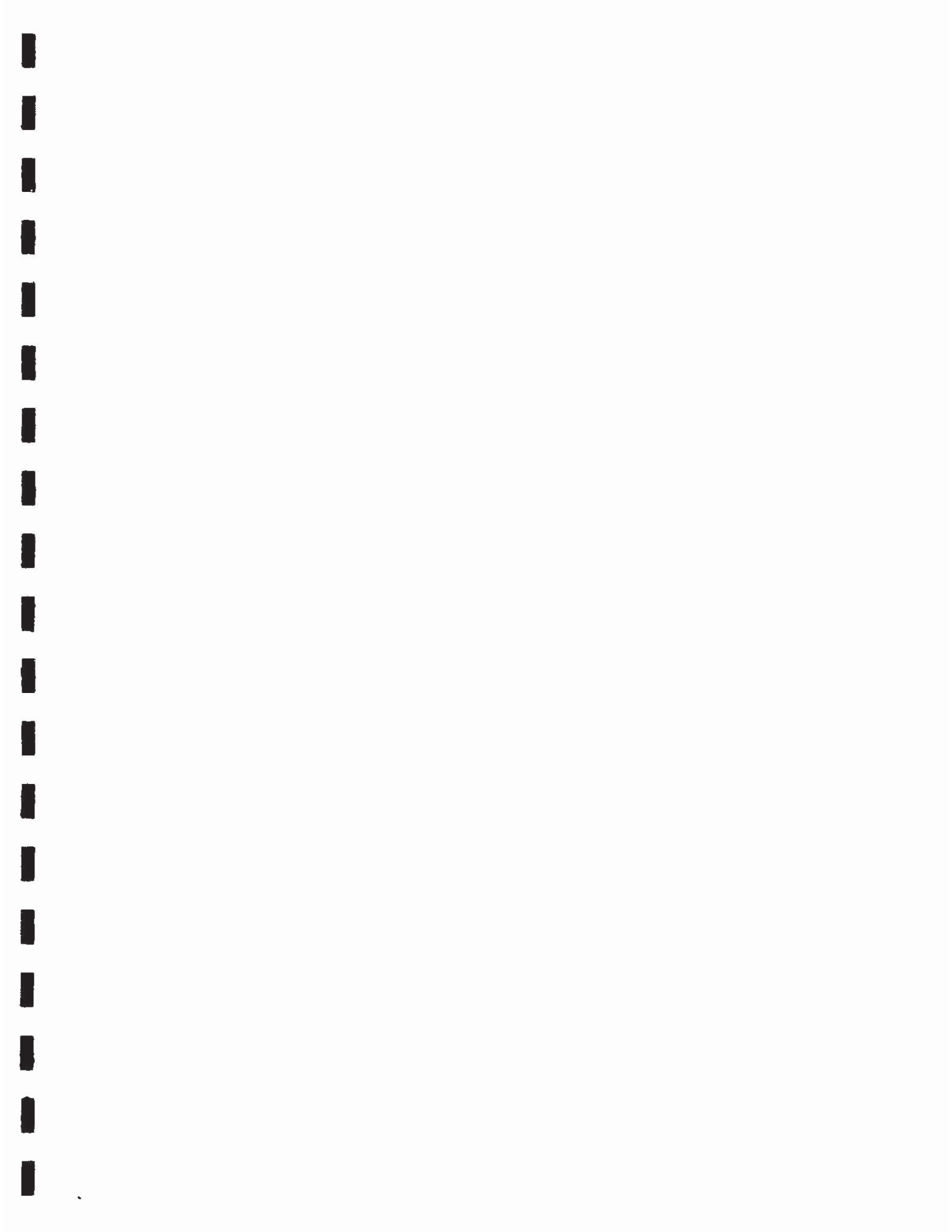
If you have any questions or wish to discuss any aspect of this recommendation, please let me know.

Respectfully submitted,

Robert G. Young,
Zoning Hearing Supervisor

RGY:ns

Attachment



DATE May 20, 1982

PETITION NO. 82-32

PETITIONER(S) City of Charlotte - Engineering Department

REQUEST Change from R-9 to I-2(CD)

LOCATION A 23⁺ acre tract located on the southerly side of Yorkmont Road, approximately 905 feet west of the intersection of Yorkmont Road and Price Lane.

ACTION The Planning Commission recommends the petition be disapproved.

VOTE Yeas: Boyce, Culbertson, Cummings, Curry, Ervin, Evans, Jernigan, Lawing, McCoy.
Nays: None

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

This petition requests that a tract of land be rezoned to I-2(CD) in order to establish a regional farmers' market.

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 zoning and land use patterns?
2. Character/Appearance of Yorkmont Road/Billy Graham Parkway. What affect would the approval of this request for a farmers' market have on the desired appearance and character of Yorkmont Road and the Billy Graham Parkway?
3. Future Affect. If approved what affect would this change have on future land use and zoning decisions in this area?
4. Development Along Yorkmont Road. What future land use and zoning pattern is appropriate for Yorkmont Road?
5. Proposed Use/Location. Is the location for this proposed farmers' market an appropriate one?

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

1. Existing Zoning. The site is presently zoned R-9. The R-9 classification surrounds the property on three sides, with R-9MF zoning to the north. The predominant zoning pattern in the area is residentially oriented. The exception to this is land farther to the east which is zoned I-1(CD).

2. Existing Land Use. The petitioned property is undeveloped except for a single family residence. Generally, property in the immediate vicinity is vacant. Much of the land is government owned. Farther north of site is the Irwin Creek Treatment Plant, while to the east along Price Lane are a few single family homes. To the west at the Yorkmont Road/Wilmont Road intersection is the Camp Green Prison facility.

3. Site Plan. The site plan submitted as a part of this petition requests approval to I-2(CD) to accommodate a regional farmers' market. The market would have both retail and wholesale sales. The market would be accessed from Yorkmont Road and will be screened on all sides by a 100 foot buffer. Also on the property will be an office building, which is shown to be a maximum of 6,000 square feet in size.

4. Billy Graham Parkway. The Billy Graham (Airport) Parkway is under construction and scheduled for completion in late 1982. The Parkway adjoins Yorkmont Road and is designed as a limited access roadway. This new road will serve motorists going to and from Charlotte/Douglas International Airport.

The following general findings can be arrived at:

1. Comprehensive Plan 1995. The Plan Map indicates residential development at a density of 0-6 dwelling units per acre in the vicinity of subject property.

2. Capital Improvement Program. This project would construct a 16 inch water main in Yorkmont Road from South Tryon Street to Wilmont Road to make an adequate supply of water available to the Steel Creek Area. At the present time, the project is unfianced and has a low priority. Project has an estimated cost of \$630,000.

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

1. The subject property is a 23+ acre tract and is presently zoned R-9.

2. The subject property is a portion of an overall 260+ acre tract owned by the City of Charlotte.

3. With the construction of the Billy Graham Parkway and its relationship to the airport, emphasis should be given to the appearance and physical environment of this area.
4. Recently zoning approvals have been granted along Yorkmont Road in this area for quality hotel and office park developments.
5. The long term future land use pattern for undeveloped property along Yorkmont Road near this site is not single-family residential as presently zoned.
6. It is felt that a farmers' market at this location would generally tend to depress an otherwise potentially quality environment/market for office/light industrial parks.
7. It is further believed that this location will tend to serve a wholesale market. Consumer/retail sales may be somewhat limited due to the location of this site.
8. Presently there is no water main serving this portion of Yorkmont Road. The Fire Department has expressed concern over this. There are plans to construct a 16 inch water main in Yorkmont Road, but the project is unfunded and has a low priority.
9. Comments and presentations made at public hearing on this matter indicated the general trend has been to locate farmers' market in urban areas, particularly downtown locations. A downtown farmers' market would be more desirable than the proposed location of this market.
10. It is felt that a regional wholesale/retail farmers' market is not compatible with the emerging character of the parkway corridor.
11. Finally, the proposed 23+ acre tract should not be rezoned and sold in the proposed piecemeal fashion. This site is a portion of a very attractive 260+ acre tract along Yorkmont Road. To determine the best long range zoning and land use pattern for this area the City should prepare a land use concept plan together with a description of any potential intention to sell any land holdings in this area. This will give the citizens of Charlotte the greatest benefit based upon a defined public purpose.

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

PETITIONER City of Charlotte - Engineering Department

PETITION NO. 82-32

HEARING DATE 5/17

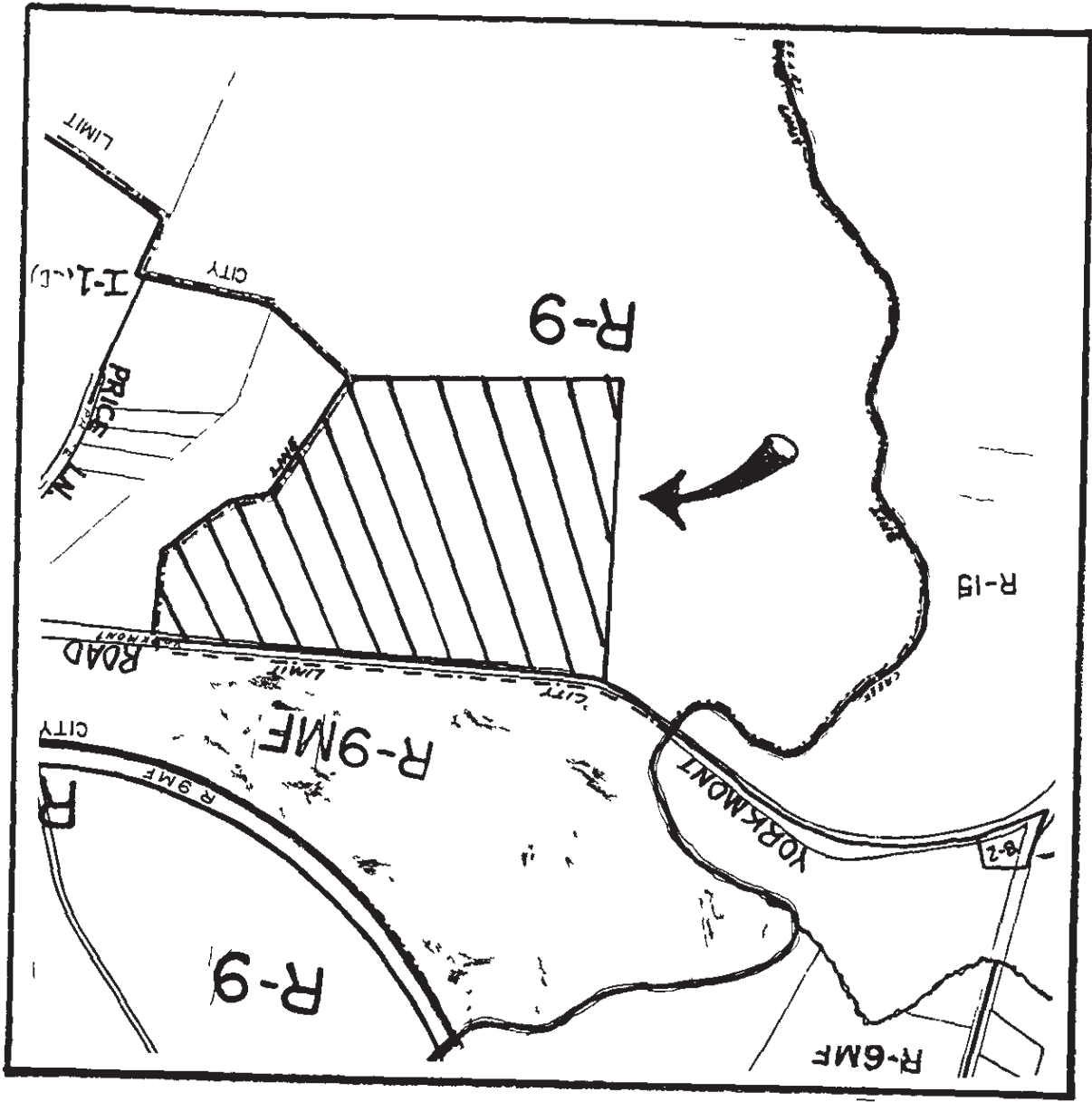
ZONING CLASSIFICATION, EXISTING R-9 REQUESTED I-2(CD)

LOCATION A 53+ acre tract located on the southerly side of Yorkmont Road,

approximately 905 feet west of the intersection of Yorkmont Road and Price

Lane.

Acres. 53+



SCALE 1" = 800'

ZONING MAP NO. 36

PROPERTY PROPOSED FOR CHANGE



City of Charlotte
Charlotte-Mecklenburg Department
9000 Park Road
Charlotte, NC 28210

Billy Graham Parkway



Elizabeth Price Graham
901 Applesford Road
Charlotte, N.C. 28211

Total Area 22.71 ac
Buffer Zone 0.71 ac
Developable area 14.00 ac

Charlotte City Limits

City of Charlotte
Charlotte-Mecklenburg Department
9000 Park Road
Charlotte, NC 28210

1. L of 24 trees and other natural landscaping shall be maintained for the entire term of 100 years. Where necessary, additional trees and plants shall be installed to supplement the natural screening.
2. Screen's location or removal, location, height, etc. shall be determined in accordance with zoning requirements.
3. Other buildings will be maximum 6000 square feet.
4. Front and side zone setbacks will be simple level.

Request for Permit N
Form # 0 (2010)
For regional permits use the
form # 1 and administrative
costs by the month
April 1st 0
\$0.50 per sq. ft. max