AGENDA

Meeting Type.	B
Date:	04/15/1985

City of Charlotte, City Clerk's Office

Charlotte

IN MEETING ON APRIL 15, 1985

5:00 p.m.	-	City Council/Planning Commission Dinner 2005 Plan Discussion Rooms 237 - 239
6:00 p.m.	-	ZONING HEARINGS Board Room, Education Center

ITEM NO

1. Invocation by the Reverend Terry L. Fulks of First Alliance Church.

PUBLIC HEARINGS

2. Hearing on Petition No. 84-34 by E. C. Griffith Company for a change in zoning from R-12 to R-15MF(CD) for a 2.416 acre site fronting on Maryland Avenue, East Boulevard and Queens Road West across from the Nalle Clinic.

   Attachment No. 1-A

3. Hearing on Petition No. 85-22 by Kenneth R. Harris for a change in zoning from R-12 to R-15MF(CD) for a 4.41 acre site located at 1901 Providence Road at Vernon Drive.

   A protest petition has been filed and found sufficient to invoke the three-fourths rule requiring affirmative votes of three-fourths of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

   Attachment No. 1-B

council agenda

Mayor Harvey B Gantt Mayor Pro Tem Minette Conrad Trosch

Charlie S Dannelly
Laura Page Frech
Ann Hammond
Paul Francis Juneau
Ron Leeper
Sue Myrick
Pamella G Patterson
Herbert Spaugh, Jr
Richard Vinroot
Velva W Woollen

4. Hearing on Petition No. 85-23 by Patrick M. Nesbitt for a change in zoning from R-9 to B-D(CD); O-15(CD); and R-9(CD) for 71 ± acre site along the easterly side of I-77 south of Nations Ford Road.

Attachment No. 1-C

5. Hearing on Petition No. 85-24 by JTR Land Partnership for a change in zoning from B-D; I-1; I-2; R-9; and R-15MF(CD) to R-12MF(CD) for a 74.34 acre site west of South Boulevard between Sweden Road and the proposed relocation of Arrowood Road.

Attachment No. 1-D

6. Hearing on Petition No. 85-25 by W. J. Hilton, Jr. and wife, Frances T. Hilton, for a change in zoning from I-1 to I-2(CD) for a 4.255 acre site located at the west of Philemon Street off Craighead Road.

Attachment No. 1-E

7. Hearing on Petition No. 85-26 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from I-2(CD) to B-2 for a 1.18 acre site on the east side of Statesville Avenue, 325 feet north of Kohler Avenue.

Attachment No. 1-F

8. Hearing on Petition No. 85-27 by Roberta H. Hobbs for a change in zoning from O-6 to I-1 for a 1.47 acre site at the corner of North Church Street and West 25th Street.

Attachment No. 1-G

9 Hearing on Petition No. 85-7 by the Adam's Mark hotel Charlotte Corporation for a text amendment to the Zoning Ordinance regarding signs permitted without limitation.

Attachment No. 1-H

10. Hearing on Petition No. 85-28 by the Charlotte-Mecklenburg Planning Commission for a text amendment to the Zoning Ordinance regarding the zoning application fee structure.

Attachment No. 1-I

11. Hearing on Petition No. 85-29 by the Charlotte-Mecklenburg Planning Commission for a text amendment to the Zoning Ordinance identifying a number of amendments necessary or convenient for various purposes.

Attachment No. 1-J

BUSINESS AGENDA

12. CONSIDER ISSUANCE OF A FLOODWAY SPECIAL USE PERMIT TO MERIDIAN SOURCES CORPORATION WHICH WOULD ALLOW CONSTRUCTION OF A BOX CULVERT WITHIN LITTLE SUGAR CREEK, GRADING AND CONSTRUCTION OF DRIVEWAYS, PARKING LOT, AND A COMMERCIAL BUILDING ALONG EAST MOREHEAD STREET AT KINGS DRIVE.

The Charlotte Floodway Regulations generally prohibit any encroachment into areas designated as Floodway Districts. These same regulations provide, however, for the issuance of Floodway Special Use Permits which, if granted, would allow some minor degree of encroachment into these restricted areas. Section 8A-5 of the Charlotte Floodway Regulations prescribe the method and consideration which should be given to such requests. City Council, upon recommendation from Planning Commission, takes final action on this type of request. This process does not involve a public hearing, but does involve notifying adjacent property owners about the request and when the request will be considered at a public meeting.

Meridian Sources Corporation has applied for a Floodway Special Use Permit to allow construction of a box culvert within Little Sugar Creek, grading and construction of driveways, parking lot, and a commercial building. The Planning Commission on Thursday, March 21, 1985, voted to recommend approval of the request.

POLICY AGENDA

13. Decision on Petition No. 85-2 by Andrew J. Beall and Brunson M. Salley,Jr. for a change in zoning from R-15 to R-15MF(CD) for a 9.9 + acre site located along the southwesterly side of Sardis Road at 6612 and 6618 Sardis Road.

A protest petition has been filed and found sufficient to invoke the three-fourths rule requiring affirmative votes of three-fourths of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

The Planning Commission recommends that the petition be denied.

Attachment No. 2

14. Decision on Petition No. 84-78 by Robert Bodenhamer for a change in zoning from R-9MF to R-6MF(CD) for a .689 acre site along the east side of Finchley Road, between Shamrock Drive and Jennie Linn Drive.

The Planning Commission recommends that the petition be denied.

Attachment No. 3-K

15. Decision on Petition No. 85-9 by JHR, Inc. for a change in zoning from R-9 and I-2 to I-1(CD) for a 7.795 acre site located along the north side of I-85 west of Cannon Avenue.

The Planning Commission recommends that the petition be approved with the exception of a 200 foot area along Cannon Avenue which is to remain R-9 (see map).

Attachment No. 3-L

16. Decision on Petition No. 85-12 by William D. Simerville and Paul E. Gibson for a change in zoning from R-15 to B-1(CD) and R-15MF(CD) for a 3.8547 acre site along the northeast corner of Sharon Road and Sharon View Road.

A protest petition has been filed and found sufficient to invoke the three-fourths rule requiring affirmative votes of three-fourths of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

The Planning Commission recommends that the petition be approved.

Attachment No. 3-M

17. Decision on Petition No. 85-13 by John Crosland Company for a change in zoning from R-9 and R-9MF to R-9(CD) and R-9MF(CD) for a 67.851 acre site along the southeasterly side of Idlewild Road North about 850 feet southwest of Lawyers Road.

The Planning Commission recommends that the petition be approved.

Attachment No. 3-N

18. Decision on Petition No. 85-14 by Airlie Development Corporation for a change in zoning from R-12 and R-20MF to R-20MF, and an R-20MF Site Plan Amendment, for a 29.82 acre site off Hanson Drive, west of Providence Road.

The Planning Commission recommends that the petition be approved.

Attachment No. 3-O

19. Decision on Petition No. 85-16 by Joseph W. Newton for a change in zoning from R-12 to R-12MF(CD) for a 4.35 acre site between Pickway Drive and Allen Road South off N. Graham Street in Derita.

A protest petition has been filed and found sufficient to invoke the three-fourths rule requiring affirmative votes of three-fourths of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

The Planning Commission recommends that the petition be denied.

Attachment No. 3-P

20. Decision on Petition No. 85-18 by Abraham Massachi for a change in zoning from R-9 and B-2 to O-6 for a .551 acre site at 7245 Wallace Lane.

The Planning Commission recommends that the petition be approved.

Attachment No. 3-Q

21. Recommend adoption of a resolution calling for public hearings on Monday, May 20, 1985, at 6:00 p.m., in the Board Room of the Education Center, on Petition Nos. 85-30 through 85-37 for zoning changes.

------ ------

Charlotte

Public Service & Information Department
City Hall, 600 E Trade Street
Charlotte North Carolina 28202
704/336-2395

Meetings in April '85

THE WEEK OF APRIL 1 - APRIL 6

1	Monday, 12 Noon	COUNCIL/MANAGER LUNCHEON (Special Presentations) - City Hall Annex, Training Center
	Monday, 2 30 p m	CITIZENS HEARING - City Hall, Council Chamber
	Monday, 3 00 p m	CITY COUNCIL MEETING - City Hall, Council Chamber
2	Tuesday, 7 30 a m	PLANNING COMMISSION/2005 Plan Advisory Task Force - Cameron-Brown Bldg , 1st Floor Conference Room
	Tuesday, 6 00 p m	PARKS ADVISORY COMMITTEE - City Hall, 3rd Floor Conference Room
	Tuesday, 7 30 p m	PLANNING COMMISSION - Cameron-Brown Bldg , 1st Floor Conference Room
3	Wednesday, 9 00 a m	CIVIL SERVICE BOARD/Hearing - City Hall, Council Chamber
	Wednesday, 1 00 p m	STORMWATER MANAGEMENT ADVISORY COMMITTEE - Cameron-Brown Bldg , 4th Floor Conference Room, Engineering Department
	Wednesday 4 30 p m	COMMUNITY RELATIONS COMMITTEE/Education Subcommittee - Community Relations Conference Room, 623 E Trade Street

THE WEEK OF APRIL 7 - APRIL 13

8	Monday	EASTER HOLIDAY - All City Government Offices Closed No City Council Meeting
9	Tuesday, 9 00 a m	HISTORIC DISTRICT COMMISSION - Edwin Towers 201 W 10th Street
	Tuesday, 12 Noon	PLANNING COMMISSION (Work Session) - Cameron-Brown Bldg , 1st Floor Conference Room
	Tuesday, 4 00 p m	CAPITAL IMPROVEMENT (CIP) WORKSHOP - City Hall Annex, Training Center
	Tuesday, 7 00 p m	YOUTH INVOLVEMENT COUNCIL - City Hall, Council Chamber
10	Wednesday, 4 00 p m	CAPITAL IMPROVEMENT (CIP) WORKSHOP - City Hall Annex, Training Center
	Wednesday, 6 00 p m	CITY COUNCIL/COUNTY COMMISSION (Local Income Tax Discussion) - City Hall Annex, Training Center
	Wednesday, 7 30 p m	HISTORIC PROPERTIES COMMISSION - City Hall, 2nd Floor Conference Room
11	Thursday, 7 30 a.m	PLANNING COMMISSION/2005 Plan Advisory Task Force - Cameron-Brown Bldg , 1st Floor Conference Room
	Thursday, 8 00 a m	BUSINESS OPPORTUNITY NETWORK ACTION COUNCIL - Chamber of Commerce
	Thursday, 4 00 p m	CAPITAL IMPROVEMENT (CIP) WORKSHOP - City Hall Annex, Training Center

(Continued on Back)

THE WEEK OF APRIL 14 - APRIL 20

15	Monday, 8 00 a m	AIRPORT ADVISORY COMMITTEE - Charlotte/Douglas International Airport, Conference Room A
	Monday, 11 00 a m.	AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY - Convention Center, Conference Room
	Monday, 11 30 a.m.	DEDICATION OF AIRPORT FIRE STATION - Charlotte/Douglas International Airport
	Monday, 5 00 p m	CITY COUNCIL, COUNTY COMMISSION, SCHOOL BOARD, PLANNING COMMISSION (Discussion of 2005 Plan) - Education Center, Rooms 237-239
	Monday, 6 00 p m	CITY COUNCIL MEETING/Zoning Hearings - Education Center, Board Room
16	Tuesday, 7 30 a.m	PLANNING COMMISSION/2005 Plan Advisory Task Force - Cameron-Brown Bldg., 1st Floor Conference Room
	Tuesday, 2 00 p m	HOUSING AUTHORITY - Fairview Home Development, 1026 Oaklawn Avenue
	Tuesday, 7 30 p.m	PLANNING COMMISSION/Community Meeting - Carmel Jr High School, 5001 Camilla Drive
17	Wednesday, 8 30 a m	CIVIL SERVICE BOARD - City Hall, 3rd Floor Conference Room
	Wednesday, 2 00 p m	TECHNICAL COORDINATING COMMITTEE - City Hall Annex, Dept of Transportation Conference Room
	Wednesday, 7 30 p m	PLANNING COMMISSION/Community Meeting - West Charlotte High School, 2219 Senior Drive
18	Thursday, 7 30 a m	CITY COUNCIL BREAKFAST (Informal Meeting with Operations Dept) - Street Maintenance, Ready Room, 900 Otts Street
	Thursday, 8 00 a m	CLEAN CITY COMMITTEE - Cameron-Brown Bldg , 5th Floor Conference Room
	Thursday, 3 00 p m	ADVISORY ENERGY COMMISSION - County Office Bldg , 4th Floor
	Thursday, 7 30 p.m	CHARLOTTE TREE COMMISSION - Park Operations, 701 Tuckaseegee Road

THE WEEK OF APRIL 21 - APRIL 27

20-25	Saturday-Thursday	SPRINGSCENE CHARLOTTE'S BLOOMIN' EVENT - Uptown
22	Monday, 12 Noon	COUNCIL/MANAGER LUNCHEON - City Hall Annex, Training Center
	Monday, 2 30 p m	CITIZENS HEARING - City Hall, Council Chamber
	Monday, 3 00 p m	CITY COUNCIL MEETING - City Hall, Council Chamber
23	Tuesday, 2 00 p m	COMMUNITY FACILITIES COMMITTEE - Utility Dept , 5100 Brookshire Blvd
	Tuesday, 4 30 p m	MUNICIPAL INFORMATION ADVISORY BOARD - Cameron-Brown Bldg , 3rd Floor Conference Room
	Tuesday, 7 00 p m	YOUTH INVOLVEMENT COUNCIL - City Hall, Council Chamber
24	Wednesday, 12 Noon	INSURANCE AND RISK MANAGEMENT AGENCY - County Office Bldg , 4th Floor, Commissioners Conference Room
	Wednesday, 7 00 p m	METROPOLITAN PLANNING ORGANIZATION - City Hall Annex, Dept of Transportation Conference Room
25	Thursday, 7 30 a m	PLANNING COMMISSION/2005 Plan Advisory Task Force - Cameron-Brown Bldg , 1st Floor Conference Room
26-28	Friday-Sunday	SPRINGFEST 85 - Uptown

APRIL 28 - APRIL 30

29	Monday, 4 00 p m	PLANNING COMMISSION/Executive Committee - Cameron-Brown Bldg , 1st Floor Conference Room
30	Tuesday, 7 30 a m	PLANNING COMMISSION/2005 Plan Advisory Task Force - Cameron-Brown Bldg , 1st Floor Conference Room

4 Neighborhood Context The site lies within the Tryon Hills neighborhood

DETAILED FINDINGS

1 This rezoning involves a 1 47 acre site at the corner of North Church Street and West 25th Street Current zoning on the property is 0-6 and the petitioner is seeking I-1 in order that a warehouse can be constructed on the property

2 The site has a relationship to properties that are zoned both I-2 as well as R-6MF The I-2 zoning in the area is, however, primarily oriented to North Tryon Street while the multi-family zoning is oriented to West 25th Street and other nearby residential streets

3 The existing 0-6 classification was established to provide a transition or a buffer between the neighborhood and industrial areas It is believed that the 0-6 zoning is still relevant to with regard to that purpose and that the I-1 will be a detriment to the nearby neighborhood environment

4 As the petitioner states the purpose of the rezoning is to construct a warehouse This type of construction and activity associated with it will tend to bring more noise, more trucks, etc and thereby have an adverse impact on the Tryon Hills Apartments and neighborhood

5 The housing stock in the Tryon Hills Apartments is representative of a housing stock that is needed to be maintained for the area The apartments themselves are well maintained and provide a nice living environment for the residents Every effort should be made to maintain the area The zoning request is seen as one which would move in the opposite direction of that goal

6 The site does lie withing the North Tryon Corridor Special Project Study, but that study has not yet been completed Staff had some discussion about recommending deferral of this request until that study is done, but in the final analysis felt that the more appropriate recommendation would be to deny the request based upon the information listed just above

7 Based upon the above, then, it is believed that the rezoning is not in the best interest of the overall zoning and land use patterns anticipated for the area nor for the Tryon Hills area It is recommended that the petition be denied

'Subject to further refinement following public hearing

File Copy

CHARLOTTE

April 11, 1985

Mayor Harvey Gantt
Members, City Council

Chairman Marshall Smith
Members, Planning Commission

Dear Council and Commission Members

Enclosed you will find copies of the pre-hearing staff analysis reports for upcoming cases to be heard on Monday night You have previously received map copies and other information In addition to that information please use the staff analysis as a guide for Monday's hearing

Sincerely,

Robert G Young
Zoning Coordinator

RGY oj

Attachments

cc Pat Sharkey, City Clerk

Charlotte Mecklenburg Planning Commission 301 South McDowell Street Charlotte, NC 28204 704/336-2205

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No 84-34

Petitioner	E C Griffith Co
Location	A 2 4 acre site fronting on Maryland Avenue, East Boulevard, and Queens Road West
Request	Change from R-12 to R-15MF(CD) R-12 = single family residential R-15MF(CD) = multi-family residential with a conditional plan

ISSUES

1 Infill Housing How does this proposal relate to policies designed to promote infill housing opportunities?

2 Site Plan What site plan conditions and features are important to consider?

3 Zoning/Land Use Relationships How would the approval and implementation of this request relate to existing zoning and land use patterns?

4 New Plan/Hearing How does the site plan in this case compare to an earlier version?

BACKGROUND

1 Existing Zoning The rezoning site is zoned R-12 A large area nearby is also zoned R-12 Other single family areas in the vicinity are zoned R-6 Multi-family zoning exists in the form of small areas zoned R-20MF and R-6MF Office zoning is located along both sides of Kings Drive from Brunswick Avenue to Queens Road as well as along East Boulevard from Lombardy Circle to Queens Road

2 Existing Land Use The site is vacant Surrounding the site are single family homes, the Junior League, tennis courts at Freedom Park and the Nalle Clinic Other single family homes relating to the Dilworth and Myers Park neighborhoods comprises the major land use pattern of the vicinity Office and business uses are close by along East Boulevard Myers Park Elementary School is a few blocks away

3 Site Plan The conditional site plan proposes a townhouse for-sale project consisting of 18 dwelling units One point of access from Maryland Avenue is shown The units are arranged in three clusters and create courtyard type settings The site is heavily wooded and major trees will remain Screening adjacent to single family areas will also be provided Overall density is 7 4 du's/acre The plan also shows a typical architectural elevation A five foot screen wall will be constructed adjacent to single family areas Setbacks from Maryland Avenue and East Boulevard shall be 50 feet

4 Infill Housing Policy The Charlotte-Mecklenburg Planning Commission endorses the concept of infill housing development on vacant sites Infill housing development means the construction of housing units on vacant sites within the urban/suburban area where water and sewer, as well as other urban services, are available Locational factors to consider are those which relate to major transportation corridors, proximity to higher density zoning and uses, proximity to natural open spaces and public lands Density and design are also important features to consider

5 Previous Public Hearing This petition was previously heard at public hearing on May 21, 1984 That plan proposed 14 units Since that time the Martin Development Group has become involved and proposes the plan in this case

GENERAL FINDINGS

1 Comprehensive Plan (1976) Indicates residential development at an overall density of 0-6 dwelling units per acre in the immediate vicinity of the petitioner's property This document is in the process of being updated

2 Pre-Hearing Staff Input Staff worked with the petitioner and encouraged the plan and its application

3 Neighborhood Context The site is located in Myers Park Several inquiries have been received by staff The neighborhood leadership has expressed concern/opposition to the request

DETAILED FINDINGS

1 The rezoning site is currently zoned R-12 The petitioner is proposing R-15MF(CD) so that a townhouse for-sale project can be constructed

2 A total of 18 units at an overall density of 7 4 du's/acre is proposed (Refer to Background #3 for site plan details)

3 The site is rather uniquely situated in that it directly relates to adjoining residential, non-residential and recreational uses It is well within convenient distance of other commercial, convenience, personal services, medical and educational opportunities For example, Freedom Park is adjacent as the Nalle Clinic

4 The request is conditional in nature and the site plan offers many desirable features The units are arranged in small clusters Circulation areas are internal In addition, the site is wooded and perimeter areas will be left substantially undisturbed and other significant trees will also remain

5 The site offers an excellent opportunity to provide an infill housing proposal It is felt to be a "classic" site in that it meets the significant criteria established by policy for consideration it is surrounded by residential, non-residential and institutional uses, along major transpor-

tation corridors, adjacent to public recreational spaces, available for water, sewer and other services, and offers a naturally wooded site in combination with a conditional plan which stipulates desirable features, which when implemented, will compliment the existing neighborhood

6 Housing opportunities of the type proposed here should be encouraged Such proposals are consistent with overall planning objectives for this area Architecturally, the petitioner has tried to be sensitive and has indicated on the plan renderings which incorporate elements of the Tudor style, which is often seen in the Myers Park area

7 It should be noted that the plan in this case proposes four more units than the previous plan, but is just as good, if not better, than the earlier version The Martin Development Group, who is proposing this plan, has worked hard to secure approval from both Planning and the neighborhood Though they may not have been successful with the neighborhood, it is staff's opinion that this will result in a quality housing development which will not be detrimental to the neighborhood or adjoining properties

8 Based upon the above, the request is encouraged for approval Overall site planning features outline a very fine infill housing concept Implementation of the petition will compliment the area and offer an alternative housing style that will both be harmonious with the immediate surroundings and help meet housing demands

*Subject to further refinement following public hearing

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No 85-22

Petitioner	Kenneth R Harris
Location	A 4 4 acre site at 1901 Providence Road at the intersection of Vernon Drive
Request	Change from R-12 to R-15MF(CD) R-12 = single family residential R-15MF(CD) = multi-family residential with a conditional plan

ISSUES

1 Site Plan What aspects and conditions of the conditional site plan are important to consider in evaluating this request?

2 Infill Housing Policies How does this request relate to housing objectives and policies related to infill?

3 Overall Zoning, Land Use and Housing Objectives If this petition were to be approved how would it relate to land use and zoning pattersn for the area as well as housing opportunities for the neighborhood?

BACKGROUND

1 Existing Zoning The property involved in this request is zoned R-12 and is surrounded by R-12 zoning as well The R-12 classification begins at Briar Creek and generally covers an area south of the petition to Wendover Road where the district changes to R-15 North of Briar Creek single family areas are generally zoned R-12 as well as a smaller area of R-9 zoning whereas across Providence Road is another area of R-15 Northwest of the site along the northly side of Briar Creek is an area zoned R-20MF

2 Existing Land Use The site has a single family residence on it The predominant land use pattern throughout the vicinity is that of single family homes Northwest of the site along Briar Creek and Providence Road is a day care center A small non-conforming business area is also located north of the site along Providence Road just south of Beverly Drive

3 Site Plan The conditional site plan proposes a condominium development which would contain a total of 22 units Three units would be located in the existing home on the site which would be retained The overall density would be 5 3 units per acre Access to the site would be gained via two driveways from Vernon Drive The units would be arranged around the house in a series of four clusters Setback from Providence Road would be a minimum of 40 feet and a minium of 30 feet from Vernon Drive Along he southerly edge of the site adjacent to single family areas a screen wall and planting buffer will be established as well as an evergreen

planting buffer along the driveway which exits along Vernon Drive adjacent to other single family areas Existing trees will be retained where it is possible and 20 feet of new right-of-way is to be dedicated along Providence Road

GENERAL FINDINGS

1 Comprehensive Plan 1995 (Adopted 1976) The plan indicates residential development at an overall density of 0-6 dwelling units per acre in the vicinity of the petitioner's property This plan is in the process of being updated

2 Pre-Hearing Staff Input Staff discussed this matter with the petitioner and generally offered encouragement of the concept of some higher density housing on the site It was indicated that the plan would have to relate to the area in terms of density, housing style, etc in order to be successful

3 Neighborhood Context The site is located within the area defined as the Wendover neighborhood Staff has received a number of inquiries from nearby residents and a protest petition has been filed

DETAILED FINDINGS

1 The property involved in this request is 4 4 acres in size and located at the intersection of Providence Road and Vernon Drive The current zoning is R-12 and the petitioner is seeking R-15MF(CD)

2 As part of the rezoning request the petitioner has filed a conditional site plan which stipulates a for-sale townhouse project A total of 22 units at an overall density of 5 3 units per acre is proposed (For further details see Background #3)

3 The site has frontage on Providence Road which is a major thoroughfare as well as Vernon Drive which is a neighborhood street The immdiate area is completely related to single family zoning and development and in particular Vernon Drive is a street characterized by large homes on generally large lots Due to the site's relationship to Providence Road as well as the fact that only one house sits on nearly 4 5 acres, it is believed that the request to locate a somewhat higher density zoning for the area can be considered appropriate The density proposed is low and the overall plan offers a housing style and other features which can be compatible with nearby single family areas

4 Further, the proposal is consistent with infill housing policies which have been designed to fit such sites as the one involved in this petition Infill housing sites to be successful should relate to major thoroughfares, have lower densities, be related to mass transit lines, be related to open space or park areas, have a proximity to other areas for higher density as well as commercial or convenience services This site offers many of those opportunities

5 Though the site is completely surrounded by single family zoning the site plan offers a low density plan with a housing style that can be compatible with the area It should be noted, too, that closeby is a large area zoned for R-20MF that was originally approved for multi-family, but has since been changed to accommodate a small lot cluster detached project The idea of multi-family zoning in this area, then, is not a new one

6 The major question to be answered is whether or not the site plan and its components offer the conditions to make the ultimate implementation of the plan compatible with the neighborhood In this regard the plan has been developed with existing topography and tree cover in mind The townhouse for-sale unit arranged in small clusters as proposed here offers a housing type which is suitable for the environment that is related to it In addition, the retention of the existing home will offer a focal point and architectural base for the project Most of the trees around the perimeter of the site will be retained and the areas closest to adjacent single family areas will be screened and buffered either through new landscape planting or a garden wall All of the features are desirable and allow the project to assimilate successfully into the existing neighborhood The only exception to this is a driveway which runs along the northerly/ easterly side of the site A driveway here may cause an adverse impact to properties immediately adjoining it

7 In summary this proposal offers a quality housing opportunity for the area The site plan and the units themselves appear to offer many reasonable and desirable features Approval of this request will offer housing opportunities for the residents in a very convenient location to employment areas, shopping services and the uptown area It is therefore recommended that the petition be approved

'Subject to further refinement following public hearing

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 85-23

Petitioner	Patrick M Nesbitt
Location	A 71± acre site along I-77 at Nations Ford Road
Request	Change from R-9 to B-D(CD), O-15(CD) and R-9(CD) R-9 = single family residential B-D(CD) = distributive business with a conditional plan O-15(CD) = office development with a conditional plan R-9(CD) = single family residential with a conditional plan

ISSUES

1 Traffic How will a development of this magnitude compound traffic problems at I-77 and Nations Ford Road?

2 Relationship to I-77 How does the site's configuration and relationship to I-77 bear on the appropriateness of the request to establish additional non-residential zoning in the area?

3 Site Plan What aspects of the conditional site plan are important to consider and evaluate?

4 Neighborhood Objectives What aspects of the proposal here foster neighborhood planning goals?

BACKGROUND

1 Existing Zoning The property involved in this petition is currently zoned R-9 as is a substantial area generally to the south of the site R-9 zoning also is located across I-77 from the site as well At the Nations Ford/I-77 interchange is a concentration of both business and office zoning At the Arrowood Road/I-77 interchange there is a similar concentration of non-residential zoning, but in this case the classifications are B-D and I-1 South of the site along Nations Ford Road are a number of properties which are multi-family zoned including the R-20MF district, R-6MF and R-9MF classifications

2 Existing Land Use The subject property is vacant Several commercial uses have established at the Nations Ford/I-77 interchange At I-77 and Arrowood Road are three existing business/industrial parks and a new one is being developed (Royal Insurance site) The Colony Acres subdivision is nearby the property

3 Site Plan The conditional site plan outlines a development that primarily consists of a business park containing such uses devoted to research, development, sales, service and other distributive business activities Maximum building area will not exceed 155,000 square feet In addition, a

hotel is proposed which would contain no more that 350 rooms Finally, a portion of the plan proposes a residential area with a new public street opposite the intersection of Nations Ford Road and Farmhurst Drive A total of 33 single family lots is shown on 12,000 square foot minimum lots A buffer, which in some instances is quite substantial, will separate the single family area from the non-residential areas of the plan In terms of arrangement the B-D(CD) and O-15(CD) areas are related more to I-77 whereas the R-9(CD) area is located along Nations Ford Road adjacent to Short Hills Drive There will be no connection between the office and business areas with the proposed single family area

GENERAL FINDINGS

1 Comprehensive Plan 1995 (Adopted 1976) The plan indicates a district or community park in the immediate vicinity of the subject property This plan is in the process of being updated

2 Arrowood Road/I-77 Interchange Improvements Recently the State has announced plans to upgrade this interchange due to the construction of an additional business park in the area, which will be the new headquarters of Royal Insurance Company

3 Pre-Hearing Staff Input Staff discussed this matter with the petitioner before the application was filed Staff pointed out that there are now traffic problems associated with the Nations Ford Road and I-77 interchange In addition there would be concern about how the proposal would relate to adjoining single family areas

4 Neighborhood Context The site is located within the Colony Acres neighborhood

DETAILED FINDINGS

1 This petition involves a 71 acre site which streches along I-77 just south of Nations Ford Road Currently the property is zoned R-9 The petitioner is seeking three different classifications R-9(CD), B-D(CD) and O-15(CD)

2 This request involves a mixed use project which will include an area devoted to single family zoning and development as well as a hotel and distributive business park (For further information on the site plan please consult Background #3)

3 The site is located at the Nations Ford and I-77 interchange This interchange is now suffering from some traffic congestion and has always been a problem due to the design of the interchange and its relationship with Archdale Drive A project of this magnitude will undoubtedly add to the traffic congestion that is currently being experienced here For example C-DOT estimates that 3,000 to 4,000 trips could be generated by the site under current zoning, but would increase to about 6,700 to 8,000 trips if approved The I-77/Nations Ford interchange now operates at Service Level E C-DOT is concerned about additional traffic here

4 Obviously the issue of traffic cannot be ignored, but on the other hand the property's long exposure to I-77 and rather narrow configuration does not lend itself particularly well to the existing R-9 zoning The general area, particularly near Arrowood Road, has been developing as an employment center and this proposal is very similar in that a distributive business park and associated uses is proposed Therefore, from a land use perspective the rezoning request is consistent with the existing environment in what might be logically expected for the area

5 An important aspect of the plan is that it is not entirely non-residential The business park and hotel will be buffered from existing single family areas by the retention of an R-9(CD) district which will contain about 33 new single family lots Further, there will be no vehicular connection between the areas and consequently there will be no problems with cut-thru traffic

6 Staff understands that the petitioner has been working closely with neighborhood representatives in the development of this proposal While there is likely still to be some concern or opposition, apparently this plan is specifically in response to some of the conversations with area leaders

7 As was mentioned at the outset the biggest impact that can be associated with this request is that of traffic In this regard staff has evaluated the impacts and feels that a change to the plan can enhance the potential traffic problem Currently the public street which is proposed to service the business park has only one point of access and that is Nations Ford Road If the plan could be extended so that it would extend through the site and stop as a stub at the property line, then the distinct possibility is setup that the street could be connected with an adjoining B-D(CD) tract, which is similarly approved for a business park, and thereby have public street which is extended through Arrowood Road This would then allow traffic to be not only concentrated at Nations Ford Road but have the added convenience of having access to Arrowood Road and the interchange there as well Every possible effort should be made by the petitioner to look into this and staff understands from the petitioner's agent that this indeed may be a possible change that can be accomplished

8 Based upon the above considerations staff would encourage the petition However, it should be clearly understood that the issue of traffic impacts is cause for concern and that every possible means including the change to the site plan which was mentioned above should be examined before final approval is given

*Subject to further refinement following public hearing

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No 85-24

Petitioner	JTR Land Partnership
Location	A 74 3 acre site west of South Boulevard between Sweden Road and the proposed location of Arrowood Road
Request	Change from B-D, I-1, I-2, R-9 and R-15MF(CD) to R-12MF(CD) B-D = distributive business I-1 = light industrial I-2 = heavy industrial R-9 = single family residential R-15MF(CD) = multi-family residential with a conditional plan R-12MF(CD) = multi-family residential with a conditional plan

ISSUES

1 Traffic/Relationship to Adjoining Thoroughfares What traffic impacts can be anticipated with this project and how do those impacts relate to the existing street system?

2 Site Plan What features and conditions of the site plan are important to consider and evaluate in this request?

3 Overall Area Objectives Is this request consistent with overall planning objectives for the vicinity?

4 Land Use Relationships If this request were approved what resulting land use patterns would be established, particularly with respect to the relationship of residential uses to non-residential zoning classifications?

BACKGROUND

1 Existing Zoning The property involved in this petition has several existing zoning classifications associated with it B-D, I-1, I-2, R-9 and R-15MF(CD) R-15MF(CD) is also located just north of the site as well as sharing a portion of the westerly boundary of the property B-D zoning occupies a common boundary to the site to the south as well as I-1 and I-2 zoning The I-2 zoning extends further south along South Boulevard adjacent to the railroad right-of-way in this vicinity Other areas nearby are zoned R-9 for single family development as well as R-6MF and R-9MF for multi-family development Finally, a small tract of land is zoned B-D(CD) directly across South Boulevard from the site

2 Existing Land Use This site is open land at the present time One single family residence adjoins the site along South Boulevard while multi-family development is located to the west of the property along Arrowood Road A small industrial park located between Sweden and Hebron Road is located south of the site Across South Boulevard is an area of strip commercial development which contains a wide variety of commercial

and personal convenience services East of that is an area largely devoted to single family zoning with some multi-family development as well

3 Site Plan The conditional site plan filed with this request indicates that a maximum of 773 multi-family units will be constructed on the site Overall density will be 10 4 dwelling units per acre Access into the site will be gained via Sweden Road as well as South Boulevard and the relocated portion of Arrowood Road With regard to that new roadway the petitioner has agreed to help construct that roadway between South Boulevard and where it intersects with the existing Arrowood Road Further, the petitioners have indicated that the access to South Boulevard is temporary and when the new portion of Arrowood Road is constructed that access to South Boulevard will be abandoned A note on the plan also indicates that the petitioners will construct no more than 300 dwelling units of the proposed 773 before completing their obligation with regard to Arrowood Road General development notes indicate that overall development is expected to provide a mixture of building styles and types and that individual development areas shall be designed to minimize large parking areas A lake on the site will be retained as a focal and design amenity

4 Petition 85-10 This petition was originally secheuled for public hearing recently and involved the property that is under consideration here as well as a larger area adjoining it However as the petitioner began to work with staff on this matter it was determined that it would be best if the petition were withdrawn and restudied and a new petition then filed That new petition is the one under consideration in this case

GENERAL FINDINGS

1 Comprehensive Plan 1995 (Adopted 1976) The plan indicates residential development at an overall density of 0-6 dwelling units per acre in the vicinity of the petitioner's property This plan is in the process of being updated

2 Arrowood Road Relocation Right-of-way for the relocation of Arrowood Road has been acquired To date no construction has taken place

3 Hebron Road Connection The Major Thoroughfare Plan shows a connection of Hebron Road between Nations Ford Road and South Boulevard This improvement is in the CIP but has not yet been scheduled for funding

4 Pre-Hearing Staff Input Staff discussed this matter with the petitioner prior to the application's submittal Staff indicated that because the petition involves less land and far fewer units than the earlier request that the impacts, particularly those related to traffic, should be far less Staff once again advised the petitioner that some recommendation regarding the relocated Arrowood Road might become an issue in the case The biggest issue again would be the matter of traffic and traffic movement on the existing street system

5 Neighborhood Context The property is not located within any defined neighborhood

DETAILED FINDINGS

1 This request involves a tract of land which is approximately 74 acres in size and is located on the westerly side of South Boulevard between the proposed relocation of Arrowood Road and Sweden Road The current zoning on the property is B-D, I-1, I-2, R-9 and R-15MF(CD) The petitioner is seeking R-12MF(CD)

2 The petitioner has filed a conditional site plan which restricts the development of the property to that plan (For further information refer to Background #3)

3 This property represents a portion of a rezoning site recently proposed for public hearing, but which was withdrawn prior to the actual hearing taking place That request involved some 1600+ units being proposed on the site Staff was quite concerned about the traffic impacts of that proposal

4 Similarly in this case staff is still concerned, but the number of units has been reduced to 773 Further the petitioner has voluntarily provided a phasing plan which would restrict the site to no more than 300 dwelling units being constructed at which time the petitioner agrees to help with the funding/construction of the proposed Arrowood Road realignment This obviously is quite desirable from the aspect of traffic dispursement with this site as well as the implementation of the thoroughfare plan

5 Construction of that roadway will also eliminate a proposed access to the site from South Boulevard across a railroad right-of-way

6 Arrowood Road has recently been the subject of much attention However, the portions which have come under the most scrutiny have been those to the west of this site at or near I-77 That area continues to grow as an employment center, particularly with the recent announcement of Royal Insurance to locate in the area

7 Because of the rapid growth of the area as an employment base it is important to try and provide housing opportunities in this area as well The eastern segments of Arrowood Road have previously experienced some multi-family development and it is a known fact that east of South Boulevard a recent announcement for a 1000 or so multi-family units was made Thus, traffic is of some concern here However, from a land use perspective the approval of this petition does offer the opportunity for housing close to the rapidly developing employment base In addition it should be kept in mind that immediately adjacent to the site are other areas which will still be zoned for non-residential purposes and provide the opportunity for a very close proximity of housing to employment This is considered a good idea It would be desirable, though, to have some aspects of the plan in this case clarified to provide for some improved relationships between the new multi-family planned here and the existing B-D zoning

which will lie across the street The use of greater setbacks and or berms and screening techniques will help in this regard In addition it has been pointed out that the Mecklenburg County Greenway Plan does envision a greenway in the area and the petitioner should provide for that in this plan where regulated floodplain comes into play

8 As of the preparation of this report the Charlotte Department of Transportation has not officially provided their comments on this petition, but it is known that there is concern with regard to traffic As mentioned above the petitioner realizes their obligation and plans to help relieve the traffic burden in the area

9 In summary it is believed that many of the aspects of this petition are desirable from a land use perspective It will provide additional housing opportunities closeby to a growing employment area and will therefore cut down on travel time to and from each other This petition represents a scale down version of an earlier proposal and is therefore more sensitive to the impacts of traffic In so doing this scaled down version also leaves in place some existing B-D zoning which will provide for employment immediately adjacent to the site While there is some concern about the joint use of residential and non-residential traffic on proposed streets here it is nevertheless believed that with some modifications design solutions can be made so that the two uses can be compatible with one another

*Subject to further refinement following public hearing

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 85-25

Petitioner	W J Hilton, Jr
Location	A 4 2 acre site at the west end of Philemon Street off Craighead Road
Request	Change from I-1 to I-2(CD) I-1 = light industrial development I-2(CD) = heavy industrial development with a conditional plan

ISSUES

1 Proposed Use/Site Plan What aspects and conditions of the conditional site plan and the proposed use should be considered and evaluated in determining the appropriateness of this petition?

2 Surrounding Development Pattern How does the proposed use relate to the existing development pattern?

BACKGROUND

1 Existing Zoning This site is currently zoned I-1 and is generally surrounded by I-1 zoning as well One small portion of the site is adjacent to R-6MF zoning which is related to an area across a creek from the site The I-1 zoning also extends along North Tryon Street in this vicinity There is also an abundance of I-2 zoning which generally streches between Craighead Road and Sugar Creek Road Other non-residential districts in the area include O-6 and B-2 Residential areas are zoned R-6 and R-6MF and those are located mostly in an area south of the petition

2 Existing Land Use This site is currently vacant Much of the property which lies adjacent to it is also vacant A non-conforming lumber yard fronts on Craighead Road to the east of the site Along Philemon Street there are a few non-conforming single family homes, which are in a deteriorating state of condition Across Craighead from the site is a large area devoted to concrete manufacturing and fabrication and other heavy industrial activity Along North Tryon Street is a wide variety of commercial uses

3 Site Plan The petitioner wishes to change the subject from I-1 to I-2(CD) for the purpose of manufacturing, storing and selling concrete products The plan indicates that a 5,000 square foot building will be constructed on the site The plan also calls for outdoor storage areas The property will be accessed by Philemon Street

GENERAL FINDINGS

1 Comprehensive Plan 1995 (Adopted 1976) The plan indicates residential development at an overall density of 10-20 dwelling units per acre in the vicinity of the petitioner's property This plan is in the process of being updated

2 North Tryon Corridor Special Project The subject property is located within the North Tryon Corridor Special Project study area No recommendations have been made regarding the subject property as of this date The study has not yet been completed

3 North Charlotte Community Development Target Area The site lies within the North Charlotte Community Development Target Area, but there is no land use plan for the area

4 Pre-Hearing Staff Input Staff discussed the matter with the petitioner prior to the application being submitted and offered advise as to how to prepare the conditional site plan

5 Neighborhood Context The site is not located within any defined neighborhood

DETAILED FINDINGS

1 The property involved in this rezoning request is a 4 2 acre tract at the end of Philemon Street off of Craighead Road Current zoning is I-1 and the petitioner is requesting an I-2(CD) district

2 The petitioner is proposing to locate a facility which would manufacture, store and sell concrete products This type of use would require the I-2 district The petitioner has made the application conditional in nature and has filed a site plan stipulating the above use and associated conditions

3 On the face of it the petition would seem to be somewhat questionable in light of the existing zoning pattern that surrounds the property Light industrial zoning nearly surrounds the site and I-2 zoning is closest at Craighead Road However a closer examination of some of the facts surrounding this petition does indeed open the possibility for a favorable consideration of this request

4 First of all a large non-conforming use, Abernathy Lumber Company, occupies some of the area now zoned I-1 This type of use would normally fall into an I-2 category Secondly, the site is a rather small one and is somewhat isolated from other properties, including a small portion of a residential zoning area across the creek from the site In addition the type of use proposed by the petitioner is not foreign to the area Closeby is a large facility devoted to a very similar type of operation that is proposed here Considering all these facts it is apparent that the area is overwhelmingly industrial in nature Even some of the I-1 property is used for I-2 uses under the grandfather clause

5 In addition to the above the site in question is associated with some regulated floodplain and provides for a large buffer to the creek and adjoining residential areas It would appear then that approval of this petition would not cause any adverse affect to adjoining properties and is consistent with the existing development pattering in the general vicinity

6 The prospect of the light industrial area being developed such is probably remote given the fact that it has stayed vacant all these years This may be due in large part to the fact that the area off Craighead Road is so strongly industrial in nature that a light industrial user does not find the existing environment compatible with that kind of use It may be, then, that over the years the I-1 district may be replaced by I-2 type uses

7 Based upon the above considerations the petition is encouraged for approval It should be pointed out that staff has discussed with the petitioner some minor design clarifications that should be made, such as a rearrangement of building and storage areas Assuming that the petitioner agrees to these then this request does have merit

*Subject to further refinement following public hearing

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 85-26

Petitioner	Charlotte-Mecklenburg Planning Commission
Location	A 1 18 acre site on the east side of Statesville Avenue, just north of Kohler Avenue
Request	Change from I-2(CD) to B-2 I-2(CD) = heavy industrial development with a conditional plan B-2 = general business

ISSUES

1 Circumstances Involving the Request to Rezone What are the circumstances which surround the request by the Planning Commission to rezone this property, particularly as it relates to the conditional district plan that was approved for this site a few years ago?

2 Existing Zoning Pattern What is the existing zoning pattern in this area and how does the current zoning relate to it?

3 Return to B-2 Zoning Why does the request involve a change in zoning to the B-2 classification?

4 Neighborhood Setting and Effect of Industrial Zoning What is the current state of the commercial zoning at the site and the immediate vicinity? What has been the effect of industrial zoning on the site?

BACKGROUND

1 Existing Zoning This rezoning petition involves a site which is currently zoned I-2(CD) Property north and south of it as well as across Statesville Road is zoned B-2 and the B-2 in particular extends as a strip along the westerly side of Statesville Road Residential areas nearby are zoned R-6MF and R-6 There is also a large concentration of industrial zoning, particularly I-2, south of the site between Statesville Road and Graham Street

2 Existing Land Use This site has a commercial building on it at the present time Other commercial activity is located in the vicinity, usually in the form of small businesses and neighborhood services There is a church across the street as well as a funeral home immediately north of the site The Double Oaks Community is located in the immediate vicinity as well as other streets nearby which are developed with a mixture of single family and multi-family uses Farther south is a concentration of industrial and business uses

3 Existing Site Plan This property is currently zoned I-2(CD) and as such there is an existing site plan in effect That plan was approved in 1978 and called for three specific types of uses to locate on the site Those were fabrics wholesales, assembly of small electric motors and garment sewing

4 Recent Rezoning Request Mr Francis Proctor recently filed a petition, No 84-68, which sought to amend the existing I-2(CD) plan by allowing a wider variety of industrial uses on the property At that time staff recommended that the petition be deferred so that the site could be studied more closely in connection with staff's overall review of older CD plans and their compliance Staff's investigation and report to Planning Commission revealed that the plan to use the site for industrial purposes had failed and that the building and site were not in particularly good shape and that the uses were no longer in business As a result it was recommended as part of the CD review work program item that this site should be considered in a public hearing form to rezone the property back to B-2, which was its former zoning Planning Commission accepted that and forwarded a finding to Council on March 13, 1985 Accordingly, then, the Planning Commission sponsored this petition and has processed it for public hearing (A copy of that memo is attached)

GENERAL FINDINGS

1 Comprehensive Plan 1995 (Adopted 1976) The plan indicates residential development at an overall density of 0-6 dwelling units per acre in the vicinity of the subject property The plan also calls for a neighborhood shopping nearby the property This plan is in the process of being updated

2 Statesville Avenue Widening This project involves the widening of Statesville Avenue to four lanes from I-85 to La Salle Street

3 Pre-Hearing Staff Input Staff notified the petitioner of Planning Commission's action to sponsor a rezoning petition Other than that communication staff has had no contact with the property owner

4 Neighborhood Context The property is located in the Durid Hills neighborhood

DETAILED FINDINGS

1 The property involved in this request is currently zoned I-2(CD) The site is 1 1 acres in size and located along Statesville Avenue just north of Kohler Avenue

2 The Planning Commission is the sponsor of this request and is seeking to rezone the site to B-2 This request comes to public hearing by way of staff and Commission review of older conditional district plans, of which this was one The request to locate B-2 zoning is simply derived from the fact that prior to the I-2(CD) being placed on the site the property was

zoned B-2 If approved this will simply return the property to its former classification

3 This petition is unique in that it is the first proposed by Planning Commission to be rezoned as part of its review of CD cases The Planning Commission spent considerable time debating the merits of this and has found that it believes it is more desirable and pragmatic to rezone the property back to B-2 The approval for I-2(CD) was based on the fact that it was going to offer employment opportunities here, but in actuality that has not been the case The site is unsightly and does not add to the neighborhood

4 Considering the fact that all of the property in the immediate vicinity is zoned B-2 it appears that the most logical zoning here is to return to that classification Business zoning here will still enable many uses to be used on the site In fact B-2 would allow many more uses than the current restrictive I-2(CD) which is now in place, which now allows three uses

5 A lot of improvements have been made to the Double Oaks Community to help provide housing in the area These efforts have been made to help maintain the neighborhood But zoning changes such as the one a few years ago to I-2(CD) will not help Those kinds of changes tend to be more detrimental than helpful The case here serves to prove that point

6 Based upon the above circumstances it is recommended that this petition be approved Returning the site to B-2 is more compatible with the existing neighborhood environment and will at the same time will provide more development opportunities for the property owner than the current I-2(CD) The neighborhood will continue to have to make strides to maintain itself, but at least the public sector can provide the needed regulatory land use guidance to help prevent adverse impacts

Subject to further refinement following public hearing

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

March 13, 1985

Mayor Harvey B. Gantt
Members, Charlotte City Council

Dear Mayor and Council Members

During the last several months planning staff has been involved in a process to review old conditional district rezoning petitions in accordance with Section 3202.4 of the Charlotte Zoning Ordinance In part, that section says that "if it is determined by the Planning Commission that active efforts to comply with the approved plan are not proceeding, a report will be forwarded to the City Council which may recommend that action be initiated to remove the conditional district" in accordance with the normal procedure for rezoning.

You may recall that in October of 1984, Rezoning Petition No. 84-68 by Francis C. Proctor, Jr. was held at public hearing. This request involved a site plan amendment to an existing I-2(CD) district. At that time action on this petition was deferred in order to allow staff to review the status of this property in light of the existing site plan. Please note that the property was rezoned to I-2(CD) in 1979. Staff's analysis of this property, which is located on Statesville Road just north of Kohler Avenue, indicated that the approved uses were no longer in operation and that the general appearance of the site was not conducive to promoting the site or the general area. Therefore, staff concluded and recommended to the Planning Commission that the property be rezoned back to B-2.

Planning Commission accepted this finding on January 24, 1985 and has initiated a new petition which they are sponsoring. This Petition is No. 85-26 and will be heard at public hearing in April and the pending Petition No. 84-68 has been deferred.

This memorandum is being transmitted to you for the purpose of receiving as information the Planning Commission's findings with regard to their review of the conditional district plan. As is customary, you will receive as additional information as part of your packet for your April rezoning petitions. That information will come at a later date.

For your convenience, information is attached, showing the location and the

Cameron Brown Building • 301 South McDowell Street • Charlotte North Carolina 28204 • (704) 336-2205

staff report. If there is any additional information that I can provide you with regarding this matter or the overall process, please contact me.

Sincerely,

Robert G. Young,
Zoning Coordinator

cc Carol L. Jennings, Assistant City Manager

cc Francis Proctor, Jr.,
1610 East Morehead Street
Charlotte, N. C. 28207

City Case # 21

CONDITIONAL ZONING REVIEW CHECKLIST

- PETITION NUMBER. 79-47 & 84-68
- ZONING DISTRICT (as granted through the CD process). B-2 to I-2 (CD)
- APPROVAL DATE 12/17/79
- PROJECT ADDRESS Easterly side of Statesville Ave about 325' north of Kohler Ave
- STAFF FIELD REVIEW DATE 11/27/85
- PRESENT OWNER. Francis E. Proctor, Jr. & John S. Proctor, Jr
- ORIGINAL PETITIONER (if different from present owner). Home Furniture of Charlotte, Inc
- CURRENT PROJECT STATUS This is an existing building that was given a conditional use status to allow 3 specific uses. Those uses are no longer in the building which remains vacant & in deteriorated condition
- VICINITY MAP: Attached ✓
- CITY or COUNTY City
- CONDITIONS AS PER APPROVED SITE PLAN.

The conditions of petition # 79-47 were for 3 specific industrial uses in an existing building.

PETITION 84-68 seeks to expand on the industrial uses permitted in the building as well as retain all of the uses allowed in the B-2 districts. This is a current petition which has been deferred until action is taken on petition 79-47

Staff Recommendations: rezone to B-2.

CMPC Recommendations:

Action:

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 85-27

Petitioner	Roberta H Hobbs
Location	A 1 47 acre site at the corner of North Church Street and West 25th Street
Request	Change from O-6 to I-1 O-6 = office development I-1 = light industrial development

ISSUES

1 Relationship to Adjoining Neighborhood How does this request relate to an adjoining residential area? What negative results are foreseen if this petition is approved?

2 Overall Zoning/Land Use Pattern How does the site currently relate to existing zoning and land use patterns?

BACKGROUND

1 Existing Zoning The subject property is currently zoned O-6 Land adjacent to it is zoned O-6 and I-2 The I-2 classification is primarily related to major thoroughfares and railroad rights-of-way along North Tryon Street and Graham Street Residential areas nearby are zoned R-6MF and R-6 A protion of the rezoning site lies adjacent to R-6MF zoning

2 Existing Land Use The rezoning site is currently vacant A small portion of one boundary of the site is also vacant but otherwise the site is related to either existing industrial development or existing residential development Along North Tryon Street is a concentration of a wide variety of non-residential uses and the same can be said for North Graham Street as well Lying between these two thoroughfares are a number of residential areas including the Tryon Hills area The Tryon Hills Apartments lie directly adjacent to the site at one corner

GENERAL FINDINGS

1 Comprehensive Plan 1995 (Adopted 1976) The plan indicates a commercial/office mix in the immediate vicinity of the petitioner's property This plan is in the process of being updated

2 North Tryon Corridor Special Project The rezoning site is located within the North Tryon Corridor Special Project study area No recommendations have been made regarding the subject property as of this date The study has not yet been completed

3 Pre-Hearing Staff Input Staff discussed the application with the petitioner, but did not encourage the application