AGENDA

Meeting Type:	Z
Date.	05-19-1986
SUBJECT	

City of Charlotte, City Clerk's Office

Charlotte

FILE COPY / / 5/19/86

council agenda

Charlotte

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

Meetings in May '86

MAY 1 - MAY 3

1	Thursday, 3 30 p m	CITIZENS CABLE ADVISORY COMMITTEE/Subcommittee on Needs Assessment - WTVI, 42 Coliseum Drive
2	Friday, 3 00 p m	CITIZENS REVENUE COMMITTEE - Cameron-Brown Bldg , Planning Commission, 1st Floor Conference Room

THE WEEK OF MAY 4 - MAY 10

5	Monday, 12 noon	COUNCIL/MANAGER LUNCHEON - City Hall Annex, Training Center
	Monday, 2 00 p m.	CITIZENS HEARING - City Hall, Council Chamber
	Monday, 3 00 p m	CITY COUNCIL MEETING - City Hall, Council Chamber
6	Tuesday, 6 00 p m	CHARLOTTE ADVISORY PARKS COMMITTEE Park & Recreation Office, 310 N Kings Drive
7	Wednesday, 7 30 a m.	COUNCIL/MANAGER BREAKFAST/Disussion on Funding of 2005 Plan - Convention Center, VIP Room B
	Wednesday, 10 30 a m	AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY - Convention Center, Conference Room
	Wednesday, 6 30 p.m.	YOUTH INVOLVEMENT COUNCIL - City Hall, Council Chamber
	Wednesday, 7 30 p m	PLANNING COMMISSION - Cameron-Brown Bldg , 1st Floor Conference Room
8	Thursday, 7 30 a m	PLANNING COMMISSION/Ordinance Revision Adv Task Force - Cameron-Brown Bldg , 1st Floor Conference Room

THE WEEK OF MAY 11 - MAY 17

12	Monday, 10 00 a m	PLANNING COMMISSION (Work Session) - Cameron-Brown Bldg , 1st Floor Conference Room
	Monday, 5 00 p m	COUNCIL/MANAGER DINNER - Briarwood Elementary School, 1001 Wilann Drive
	Monday, 7 00 p m.	CITIZENS HEARING - Briarwood Elementary School, 1001 Wilann Drive
	Monday, 7 30 p m.	CITY COUNCIL MEETING - Briarwood Elementary School, 1001 Wilann Drive
13	Tuesday, 8 00 a m	AIRPORT ADVISORY COMMITTEE - Charlotte/Douglas International Airport, Conference Room A
	Tuesday, 9 00 a.m	HISTORIC DISTRICT COMMISSION - Edwin Towers, Conference Room
	Tuesday, 4 00 p m	CITY COUNCIL COMMUNITY DEVELOPMENT & HOUSING COMMITTEE - City Hall, Council Chamber
14	Wednesday, 7 30 a m	PLANNING COMMISSION/Planning Liaison Committee - Cameron-Brown Bldg , 1st Floor Conference Room
	Wednesday, 7 30 a.m	PRIVATE INDUSTRY COUNCIL - YWCA Downtown, 418 East Trade Street
	Wednesday, 12 00 noon	INSURANCE & RISK MANAGEMENT AGENCY - County Office Bldg , 4th Floor Conference Room

(Continued on Back)

THE WEEK OF MAY 11 - MAY 17 (Continued)

14	Wedneday, 6 30 p m	YOUTH INVOLVEMENT COUNCIL - City Hall, Council Chamber
	Wednesday, 7 30 p m	HISTORIC PROPERTIES COMMISSION - City Hall, 2nd Floor Conference Room
15	Thursday, 3 00 p m	ADVISORY ENERGY COMMISSION - Education Center, Room 411
	Thursday, 7 30 p m	CHARLOTTE TREE COMMISSION - Park Operations, 700 Tuckaseegee Road
	Thursday, 8 00 a m	CLEAN CITY COMMITTEE - Cameron-Brown Bldg , 5th Floor Conference Room

THE WEEK OF MAY 18 - MAY 24

19	Monday, 3 00 p.m	CITY COUNCIL/MAJOR SPECIAL USE PERMIT HEARING - City Hall, Council Chamber
	Monday, 5 00 p m.	COUNCIL/MANAGER DINNER - Education Center, Rooms 237-239
	Monday, 6 00 p m	CITY COUNCIL MEETING (Zoning hearings) - Education Center, Board Room
20	Tuesday, 7 30 a m	PLANNING COMMISSION/Planning Liaison Committee - Cameron-Brown Bldg , 1st Floor Conference Room
21	Wednesday, 8 30 a m	CIVIL SERVICE BOARD - City Hall, 3rd Floor Conference Room
	Wednesday, 1 00 p m.	HOUSING AUTHORITY - Administrative Offices, 1301 South Boulevard
	Wednesday, 2 00 p.m	TECHNICAL COORDINATING COMMITTEE - City Hall Annex, Dept. of Transportation Conference Room
	Wednesday, 6 30 p m	YOUTH INVOLVEMENT COUNCIL - City Hall, Council Chamber
	Wednesday, 7 00 p m	METROPOLITAN PLANNING ORGANIZATION - City Hall Annex, Dept. of Transportation Conference Room
22	Thursday, 7 30 a m.	PLANNING COMMISSION/Ordinance Revision Adv. Task Force - Cameron-Brown Bldg , 1st Floor Conference Room
	Thursday, 4 00 p m	PLANNING COMMISSION (Deferred Rezoning) - Cameron-Brown Bldg , 1st Floor Conference Room

THE WEEK OF MAY 25 - MAY 31

26	Monday,	MEMORIAL DAY HOLIDAY - No City Council Meeting, All City Government Offices Closed
27	Tuesday, 3 00 p m	COMMUNITY FACILITIES COMMITTEE - Charlotte-Mecklenburg Utility Dept 5100 Brookshire Blvd
	Tuesday, 4 30 p.m.	CITY COUNCIL COMMUNITY DEVELOPMENT & HOUSING COMMITTEE - City Hall, Council Chamber
	Tuesday, 4 30 p m	MUNICIPAL INFORMATION ADVISORY BOARD - Cameron-Brown Bldg , 3rd Floor Conference Room
	Tuesday, 4 30 p m	PLANNING COMMISSION/Executive Committee - Cameron-Brown Bldg , 1st Floor Conference Room
28	Wednesday, 10 00 a m	PARADE PERMIT COMMITTEE - City Hall Annex, Dept of Transportation
	Wednesday, 12 noon	CITY COUNCIL (Budget Presentation) - City Hall Annex, Training Center
	Wednesday, 6 30 p m	YOUTH INVOLVEMENT COUNCIL - Belmont Center, 700 Parkwood Ave
29	Thursday, 5 30 p m	25TH ANNIVERSARY CELEBRATION/COMMUNITY RELATIONS COMMITTEE - Convention Center

These organizations will <u>not</u> meet in May

Advisory Board for Citizens with Disabilities
Citizens Advisory Council for Hazardous Chemicals
Specialized Transportation Advisory Committee

FAGEMNDA
OREMADA
LA

Charlotte

IN MEETING MAY 19, 1986

5:00 p.m. - Dinner
Rooms 237 and 239, Education Center

Discussion of West Morehead Special Project Plan, and the Third Ward/West Trade Special Project Plan.

6:00 p.m. - ZONING HEARINGS
Board Room, Education Center

ITEM NO

1. Invocation by Reverend A. C. Hunnicutt, Greenville Memorial AME Zion Church.

PUBLIC HEARINGS

2. Hearing on Petition No. 86-46 by Belk Brothers Company and Ivey Properties, Inc. for a change in zoning from B-1(SCD) and O-6 to B-1(SCD) and B-1(SCD) Site Plan Amendment for a 69.64 acre site located at 4400 Sharon Road.

Attachment No. 1-A

3. Hearing on Petition No. 86-47 by Ed Sadler for a change in zoning from R-12 to R-15MF(CD) for a 43.2 acre site located between I-85 and Tuckaseegee Road, south of West Mecklenburg High School.

Attachment No. 1-B

council agenda

Mayor Harvey B. Gantt **Mayor Pro Tem Al Rousso**

Charlie S. Dannelly
Gloria Fenning
Ann Hammond
Ron Leeper
Roy Matthews
Cyndee Patterson
Pamella G. Patterson
Minette Conrad Trosch
Richard Vinroot
Velva W. Woollen

4. Hearing on Petition No. 86-48 by Charlotte-Mecklenburg Planning Commission for a change in zoning for Part 1 from R-9MF to R-9 for a 128 acre site located south of Cinderella Road and east of West Sugar Creek Road; Part 2 from R-9MF to R-15MF for a 30 acre site located in the general vicinity of Hershey Street, Burroughs Street and Lambeth Drive.

   Attachment No. 1-C

5. Hearing on Petition No. 86-49 by Jack's Cookie Company for a change in zoning from I-1 and R-6MF to I-1(CD) for a 3± acre tract bounded by Louise Avenue, Belmont Avenue and Pegram Street.

   Attachment No. 1-D

6. Hearing on Petition No. 86-50 by Carolina Conference Association of Seventh-Day Adventists for a change in zoning from B-1(CD) to O-15(CD) for a 4 acre tract located at 6000 Conference Drive.

   Attachment No. 1-E

7. Hearing on Petition No. 86-51 by The Charlotte-Mecklenburg Hospital Authority for a change in zoning from O-6 to R-6MF for a .422± acre site located at the southwest corner of Romany Road and Kenilworth Avenue.

   Attachment No.1-F

8. Hearing on Petition No. 86-52 by Maurice and Laura McClettie for a change in zoning from R-6 to B-1(CD) for a 7000 square foot site located at 1905 Beatties Ford Road.

   Attachment No. 1-G

9. Hearing on Petition No. 86-53 by Tommy L. Helms and Joe G. Clark for a change in zoning from R-6 to B-2 for a 11,446 square foot tract located at 4131 Avalon Avenue.

   Amendment No. 1-H

10. Hearing on Petition No. 86-54 by Carley Capital Group for a change in zoning from U-MUD to U-MUD-O for a 2.6 acre tract bounded by 5th, 6th, Tryon and College Streets.

Attachment No. 1-I

BUSINESS AGENDA

11. Consider issuance of a Floodway Special Use Permit that would allow construction of an unattached deck at 3000 Harbinger Court adjacent to Briar Creek.

The Planning Commission recommends that the request be approved.

Attachment No. 2

POLICY AGENDA

12. Recommend adoption of the West Morehead Special Project Plan as a policy guide for future land use and zoning decisions.

Attachment No. 3

13. Recommend adoption of the Third Ward/West Trade Street Special Project Plan as a policy guide for future land use and zoning decisions.

Attachment No. 4

14. Decision on Petition No. 86-29 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from B-1 and O-6 to R-6MF, R-15MF, and R-9 for a total of 12.14 acres located along West Sugar Creek Road at Cushman Street and Rutgers Avenue, north of Sofley Road, and along Cinderella Road and Gondola Avenue.

A protest petition has been filed and found sufficient to invoke the 3/4 rule requiring affirmative votes of 3/4 of Mayor and Councilmembers with regards to the parcels lying on the east side of Sugar Creek Road, but it is insufficient to invoke the 3/4 rule with regards to the parcels lying on the west side of Sugar Creek Road.

Decision was deferred from the April 21 meeting.

The Planning Commission recommends that the petition be denied.

Attachment No. 5

15. Decision on Petition No. 86-31 by the Charlotte-Mecklenburg Hospital Authority, for a change in zoning from R-6MF, O-6, B-1 and B-2 to O-6(CD) for an approximately 40 acre site located at 1000 Blythe Boulevard.

The Planning Commission recommends that the petition be approved.

Attachment No. 6-J

16. Decision on Petition No. 86-32 by Schurgin Development Corporation for a change in zoning from O-15 and R-9 to B-1(CD) and R-9(CD) for an approximately 130,000 square foot site located on the southerly side of Albemarle Road near Grafton Place.

A protest petition has been filed and found sufficient to invoke the 3/4 rule, requiring affirmative votes of 3/4 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. 6-K

17. Decision on Petition No. 86-34 by John Crosland, Jr. for a change in zoning from B-1 to B-2(CD) for a 6.742 acre site located at 800 Clanton Road, at the intersection of I-77 and Clanton Road.

The Planning Commission recommends that the petition be approved.

Attachment No. 6-L

18. Decision on Petition No. 86-37 by the Myers Park Fomeowners Association, Inc. for a change in zoning from R-6MF to R-12 for a 2.198 acre site located on Queens Road between Hopedale and Pembroke Avenues.

A protest petition has been filed and found sufficient to invoke the 3/4 rule, requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

No recommendation was given as the Planning Commission vote resulted in a tie.

Attachment No. 6-M

19. Decision on Petition No. 86-39 by Hickory Grove Baptist Church for a change in zoning from R-12 to R-I (residential institutional) for a 17.31± acre site located at 6050 Hickory Grove Road, the southwest corner of Delta Road and Hickory Grove Road.

A protest petition has been filed and found sufficient to invoke the 3/4 rule, requiring affirmative votes of 3/4 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. 6-N

20. Decision on Petition No. 86-40 by Crow Charlotte Retail #2, Ltd. for a change in zoning from O-15 to B-1(CD) for a 5.8 acre site located on Central Avenue, west of Reddman Road, with frontage also on Albemarle Road.

The Planning Commission recommends that the petition be denied.

Attachment No. 6-O

21. Decision on Petition No. 86-41 by Albert Carroll Davis for a change in zoning from R-6MF to R-6MFH for .246 acre site located at 1936 Park Road, near its intersection with Tremont.

A protest petition has been filed and found sufficient to invoke the 3/4 rule requiring affirmative votes of 3/4 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. 6-P

22. Decision on Petition No. 86-42 by Lee Stuckey, Stuckey Furniture Company, for a change in zoning from R-12 to B-2(CD) for a .66 acre site located on the north side of Gloryland Avenue off North Tryon Street.

The Planning Commission recommends that the petition be approved.

Attachment No. 6-Q

23. Decision on Petition NO. 86-43 by the Wendover Shopping Center Association for a change in zoning from B-1(CD) to B-1(CD) Site Plan Amendment for 7.9 acres located on the west side of Wendover Road, south of Latrobe Drive.

The Planning Commission recommends that the petition be approved.

Attachment No. 6-R

24. Recommend adoption of a resolution calling for public hearings on Monday, June 16, 1986, at 6:00 p.m. in the Board Room of the Education Center, on Petitions No. 86-64 through 86-73 for zoning changes.

25. Recommend adoption of a resolution calling for a joint public hearing on Monday, June 16, 1986, at 6:00 p.m., Board Room of the Education Center, of City Council and the Historic Properties Commission to consider designation of the "William Henry Belk House" (at 200 Hawthorne Lane) as historic property.

26. Recommend adoption of a resolution calling for a joint public hearing on Monday, June 16, 1986, at 6·00 p.m., Board Room of the Education Center, of City Council and the Historic Properties Commission to consider designation of the "Scott-Hoke House" (at 1717 Cleveland Avenue) as historic property.

- PENDING MATTERS -

In meeting on Monday, June 9, 1986, City Council will make nominations for appointment to the following boards and commissions.

1 Clean City Committee - Three positions for three-year terms. Two incumbents are eligible for reappointment, the other position is open for a new appointee.

2 Charlotte-Mecklenburg Planning Commission - Two positions for three-year terms One of the incumbents is completing his second full term and is ineligible for reappointment.

3. Spirit Square Board of Directors - Two positions for three-year terms. Neither incumbent is eligible for reappointment, both having served two full terms.

4. Historic District Commission - Three positions for three-year terms, two of which must be filled by resident/owners of Fourth Ward and Dilworth. All three incumbents are eligible for reappointment.

- SCHEDULE OF MEETINGS -
May 19 - 30, 1986

Monday, May 19	COUNCIL/MANAGER DINNER Education Center - Rooms 237-239	5·00 p. m.
	ZONING HEARINGS Board Room	6 00 p. m.
Monday, May 26	MEMORIAL DAY HOLIDAY (No Council Meeting, All City Offices Closed)	
Tuesday, May 27	COMMUNITY DEVELOPMENT & HOUSING COMMITTEE Council Chamber, City Hall	4 30 p m.
Wednesday, May 28	BUDGET PRESENTATION Training Center, City Hall Annex	12 00 noon

#7

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

April 16, 1986

Mayor and City Council:

RE Rezoning Petitions to be Heard in May, 1986

Attached you will find appropriate maps and copies of each petition, for rezoning petitions scheduled for public hearing on May 19, 1986 at 6 00 o'clock P.M., Fourth Floor, Education Center, 701 East Second Street

This material is intended to provide background information concerning the requests and the area in which the properties are located

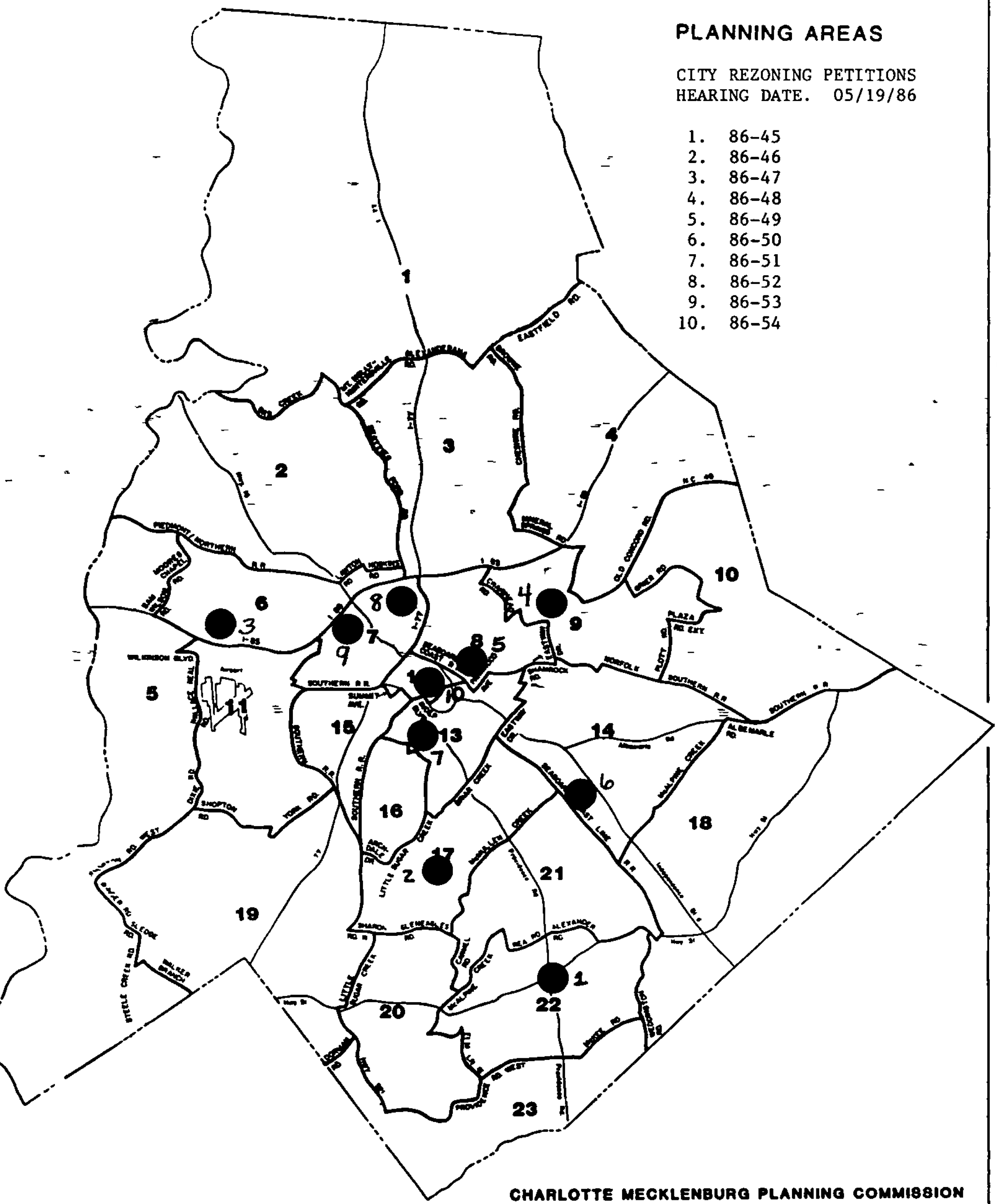
Sincerely,

Robert G Young
Land Development Manager

RGY oj

Attachments

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


PLANNING AREAS
CITY REZONING PETITIONS
HEARING DATE. 05/19/86
1. 86-45
2. 86-46
3. 86-47
4. 86-48
5. 86-49
6. 86-50
7. 86-51
8. 86-52
9. 86-53
10. 86-54
CHARLOTTE MECKLENBURG PLANNING COMMISSION
April 1983

PETITIONER Belk Brothers Co. and Ivey Properties, Inc.

PETITION NO 86-46 HEARING DATE May 19, 1986

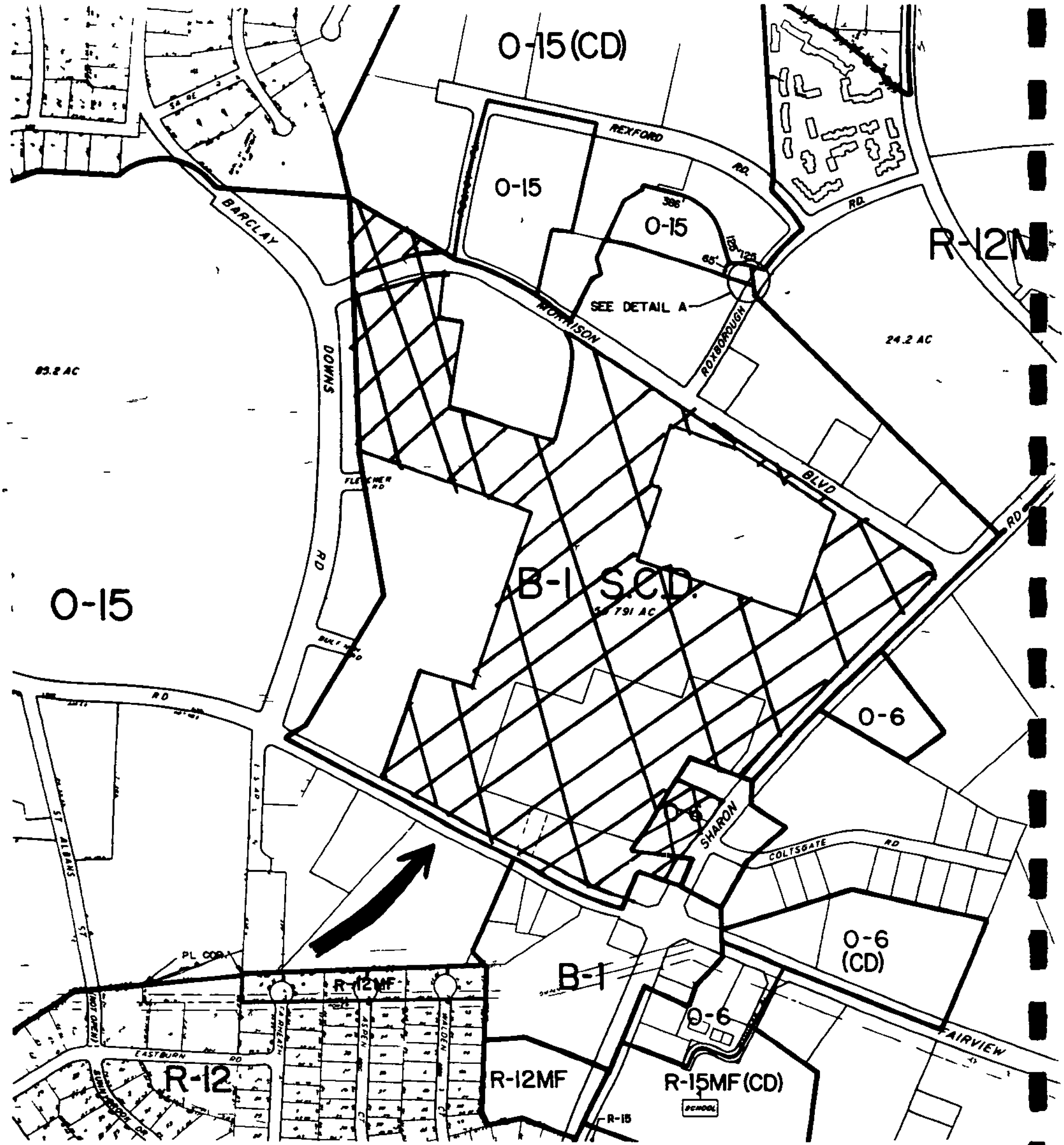
ZONING CLASSIFICATION, EXISTING B-1SCD & O-6 REQUESTED B-1SCD and a B-1SCD Site Plan Amendment

LOCATION An approximately 69 acre site located near the intersection of Sharon and Fairview Roads.

(See Attached Map)

ZONING MAP NO. 135 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


O-15(CD)
REXFORD
RD.
O-15
O-15
R-12M
BARCLAY
SEE DETAIL A
MORRISON
ROXBOROUGH
24.2 AC
83.2 AC
SNOWS
BLVD
RD
B-1 S.C.D.
O-15
O-6
SHARON
COLTSGATE
RD
O-6
(CD)
B-1
O-6
FAIRVIEW
R-12MF
R-12
R-12MF
R-15MF(CD)
SCHOOL
R-15
ST ALBANS
EASTBURN
RD
PL COR

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 86-46
Date Filed 4/1/86
Received By DLS
OFFICE USE ONLY

Ownership Information

Property Owner BELK BROTHERS COMPANY and IVEY PROPERTIES, INC.

Owner s Address c/o J.V. Properties, SouthPark, 4400 Sharon Rd., Charlotte, NC 28211

Date Property Acquired See Rider-1.

Deed Reference See Rider-1. Tax Parcel Number See Rider-1.

Location Of Property (address or description) Near the intersection of Sharon and Fairview Roads.

Description Of Property

Size (Sq Ft -Acres) See Rider-1. Street Frontage (ft) 5,000 (approx.)

Current Land Use Shopping center or undeveloped.

Zoning Request

Existing Zoning B-1(SCD)* and O-6 Requested Zoning B-1(SCD)

*Changes to approved plan, only, pursuant to § 3202.5 of Zoning Ordinance.

Purpose of zoning change See Rider-2.

Robert C. Sink
ROBINSON, BRADSHAW & HINSON, P.A.
Name of Agent

1900 Independence Center
101 North Tryon Street
Agent s Address

Charlotte, NC 28246
(704) 377-2536
Telephone Number

BELK BROTHERS COMPANY
By: [signature]
Name of Petitioner(s)

IVEY PROPERTIES, INC.
By: [signature]
Address of Petitioner(s)

4400 Sharon Road
Charlotte, NC 28211
Telephone Number

(704) 364-4411
Signature

Signature of Property Owner if Other Than Petitioner

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 86-46

Petitioner	Belk Brothers Co and Ivey Properties, Inc
Location	An approximately 69 acre site located at the intersection of Sharon and Fairview Roads
Request	Change from B-1SCD and O-6 to B-1SCD and a B-1SCD Site Plan Amendment

ISSUES

1. SouthPark Land Use Study How does the proposed expansion of the SouthPark Mall as requested in this case relate to overall goals contained in the SouthPark Land Use Plan?

2 Benefits of Proposed Expansion What benefits can be derived from the expansion of this mall in terms of overall planning, zoning and land use policy for the area?

BACKGROUND

1 Existing Zoning. The property involved in the request is presently zoned B-1SCD B-1SCD zoning is also located across the site on Morrison Boulevard A small area of B-1 zoning is located at the southwest corner of Sharon and Fairview Roads as well as parcels on each of the remaining corners at the intersection Office zoning is concentrated in several areas around the site including portions of Morrison Boulevard and Rexford Road, Fairview Road across from the site as well as Barkley Downs, and to the east of the site near Sharon Road along Fairview Otherwise the pattern is residential in character and includes both single family and multi-family districts

2 Existing Land Use. The subject site is the location of the SouthPark Mall The Sharon Shopping Center is also located across from the site as well as the specialty center, Specialty Shops on the Park A large concentration of office development is generally associated with the immediate SouthPark area Offices are located along Fairview to the west of the site, particularly between Barkley Downs and Park Road Extension Another concentration is located north of Morrison Boulevard and a smaller area to the east of the site near Sharon Road There are also wide areas of concentrated multi-family development including several apartment projects along Colony Road as well as smaller projects on Sharon Road south of the Fairview Road intersection. Otherwise the area's residential development pattern is single family in character.

3 Site Plan The proposed site plan outlines a planned expansion of the SouthPark Mall The plan proposes two new department stores each of which would total 140,000 square feet as well as other new mall stores which

would include a maximum of 40,000 square feet Thus, the planned expansion is a combined total of 320,000 square feet The plan also includes a present area zoned 0-6 which would be rezoned and used for parking purposes The parking would be internally accessed Also, the additional retail space will require additional parking and that will take place both in terms of new surface lots as well as some new deck parking There are no other changes to the plan by way of building arrangements, driveway access points, etc

GENERAL FINDINGS

1 2005 Plan. The 2005 Plan envisions a major mixed use center generally at the intersection of Sharon Road and Fairview Road

2 1978 SouthPark Land Use Study This study recognizes SouthPark as a regional shopping facility As far as the mall itself is concerned the study further recognizes its potential expansion The plan calls for the expansion and indicates that it should be concentrated at the SouthPark Mall block.

3 Fairview Road Improvements. This project will widen Fairview Road between Park Road and Barkley Downs Drive to provide an unbalanced six-lane section comprised of three east bound lanes, two west bound lanes and a sixth lane for left turns. This project is scheduled for FY 86

4 Pre-Hearing Staff Input. Staff met with the petitioner prior to the submission of the application and generally encouraged the request based on proposals contained in the SouthPark Land Use Study

5 Pre-Hearing Departmental Comments (Summary)

1 C-DOT Comments were unavailable as of the preparation of this report, but are expected to be completed by the time of the public hearing on this matter.

2 Fire Department No comment.

3 C-MUD Water and sewer services are available

4 Engineering Department Comments were unavailable as of the preparation of this report, but are expected by the time of the public hearing on this matter

6. Neighborhood Context The site is located in the area defined as the SouthPark area

DETAILED FINDINGS·

1. This request involves property located at the intersection of Sharon and Fairview Roads, which is the present location of the SouthPark Mall The zoning request seeks to amend the existing B-1SCD site plan for the mall as well as to rezone a small area from 0-6 to B-1SCD, also

2 The purpose of the request is to provide for the expansion of the mall Two new major department stores and other shops are proposed which would increase the size of the mall by another 320,000 square feet The present mall size is approximately 1,000,000 square feet

3 The mall is at the hub of a major mixed use center in Charlotte Retail, office and residential development are generally associated with this immediate vicinity

4. Despite its size the mall has for some time been recognized for the potential of an expansion such as proposed here The 1978 SouthPark Land Use Study which has been adopted as an overall policy guide for the area recognized such an expansion

5 The land use plan believed that the potential expansion should be recognized because of its practically as well as the need to plan for the area in such a way as to concentrate the retail activity in one location The best location for that high concentration is the mall itself

6 Thus, the planned expansion here is entirely consistent with what has been anticipated and what is called for in publicly adopted plans

7 Staff has not identified any technical concerns or problems with the site plan As of the preparation of this material, however, the Charlotte Department of Transportation had not submitted its comments Obviously there will be an increase in traffic associated with the expansion, but it is believed that the positive aspects of the expansion and its benefits will outweigh any potential traffic issues that may arise as a result of the expansion

8 The SouthPark area has been one of high quality development including all phases and types of development activity The SouthPark Mall itself at the present time is undergoing major renovations in order to maintain its status as a well designed mall This expansion will fit in with those overall plans for the mall and the area

9 No comment here would be entirely complete without a reference to the large landholdings of the Harris family across Sharon Road from SouthPark Mall Time and again it has been rumored for zoning changes that would intensify it The 2005 Plan indicates this general area as the focus for a major mixed use center, which obviously would include the SouthPark Mall, but also the potential for some changes in zoning on the Harris property that would compliment the mixed use concept here

10 Based upon the above circumstances, the petition is encouraged for approval

*Subject to further refinement following public hearing

PETITIONER Ed Sadler

PETITION NO. 86-47 HEARING DATE May 19, 1986

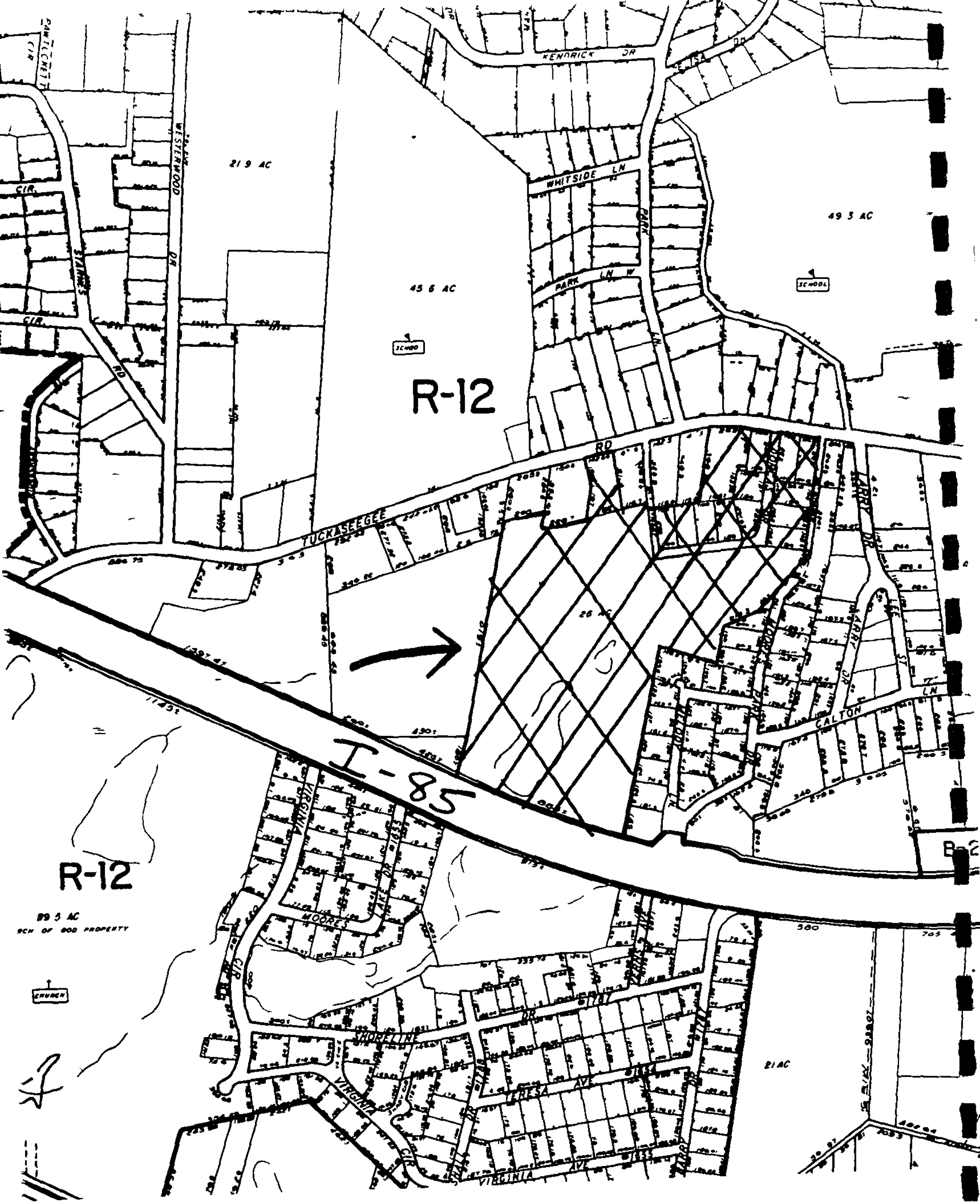
ZONING CLASSIFICATION, EXISTING R-12 REQUESTED R-15MF(CD)

LOCATION A 43.2 acre site located between I-85 and Tuckaseegee Road south of West Mecklenburg High School.

(See Attached Map)

ZONING MAP NO. 85 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


KENDRICK DR
WHITSIDE LN
PARK LN W
PARK
WESTERWOOD
RD
STANDIS
CIR
21.9 AC
45.6 AC
49.5 AC
SCHOOL
R-12
TUCKASEEGEE
RD
I-85
CALTON
LN
R-12
89.5 AC
MOORES
AVE
VIRGINIA
SHORELINE
DR
VIRGINIA
AVE
21 AC
CHURCH

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 86-42
Date Filed 4/1/86
Received By DLS

OFFICE USE ONLY

Ownership Information

Property Owner Irene R. Sadler Estate, et. al.

Owner's Address 7233 Tuckaseegee Road

Charlotte, NC 28214

Date Property Acquired (See attached listing)

Deed Reference (See attached listing) Tax Parcel Number (See attached listing)

Location Of Property (address or description) Between I-85 and Tuckaseegee Road

south of West Mecklenburg High School

Description Of Property

Size (Sq Ft Acres) 43.288 acres Street Frontage (ft) 717.78 feet

Current Land Use vacant

Zoning Request

Existing Zoning R-12 Requested Zoning R-15MF(CD)

Purpose of zoning change To allow the development of a planned development for varied housing densities.

Fred E. Bryant, Planner
Name of Agent

1850 E. Third St., Charlotte, NC 28204
Agent's Address

333-1680
Telephone Number

Mr. Ed Sadler
Name of Petitioner(s)

4726 Larkspur Square, Va. Beach, VA 23462
Address of Petitioner(s)

(804) 467-2126
Telephone Number

Edward R. Sadler
Signature

George R. Sadler X
Signature of Property Owner if Other Than Petitioner

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 86-47

Petitioner	Ed Sadler
Location	A 43 2 acre site located between I-85 and Tuckaseegee Road across from West Mecklenburg High School
Request	Change from R-12 to R-15MF(CD).

ISSUES.

1. Site Plan What aspects of the conditional site plan are important to evaluate, including such things as density, relationships to adjoining property, access, etc ?

2. West Side Planning Goals How does this request relate to overall planning and housing goals for the west side of Charlotte?

BACKGROUND

1. Existing Zoning The property involved in the rezoning request is presently zoned R-12 Property that surrounds it is zoned the same classification The R-12 district is located generally throughout this area

2. Existing Land Use The subject property is vacant Single family homes are located along Tuckaseegee Road in this area as well as a concentration of homes which adjoin the site along its easterly boundary A small park is located further west of the site on Tuckaseegee and two schools are immediately across the site West Mecklenburg High School and Wilson Junior High School

3 Site Plan The conditional site plan outlines a residential project that would include a total of 358 units on the property The overall density would be 8 7 dwelling units per acre Access would be gained by way of two private streets which would both intersect with Tuckaseegee Road The plan is designed such that two separate projects could be established on the property One area would contain a patio home development containing 38 dwelling units at an overall density of 3 7 units per acre while the remaining balance of the site would be an apartment project with 320 units The overall density of the apartment project would be 9 7.

GENERAL FINDINGS

1 2005 Plan The 2005 Plan indicates an area of existing residential development surrounding the subject property. Residential development is promoted in the area and should fill in the remaining open land interspersed with areas which are already developed

2 I-85 Improvements This project would widen I-85 from four lanes to eight lanes and reconstruct interchanges when needed.

3 Pre-Hearing Staff Input Staff discussed this matter with the petitioner prior to the submission of the application. Staff indicated that some form of attached or higher density housing could be appropriate depending upon the exact nature of a conditional site plan

4 Pre-Hearing Departmental Comments (Summary)

1 Fire Department The Fire Department indicates that the water supply in the area is marginally supportive for multi-family development Several factors will have to be taken into consideration including such things as building construction classification, height and arrangement to other buildings on the site when seeking Fire Department approval.

2 Engineering No comments except that an additional five feet of right-of-way should be secured along Tuckaseegee Road

3. C-DOT. The site as currently zoned could generate 1900 to 2100 trips per day whereas the proposed zoning would raise that to a total of 3100 to 3300 trips per day The increased traffic generated by this site would change the level of service in the peak hours at Little Rock and Tuckaseegee Road from Level of Service "B" to Level of Service "D" in the A.M. peak hour and Level of Service "C" in the P M peak hour C-DOT also commented that a left turn lane should be provided into the project, but due to some constraints that could be difficult considering the placement of existing private streets It is suggested that the private street serving the patio homes should be moved west The relocated street could connect internally with the street that would serve the apartment complex

4. C-MUD Water is located on Tuckaseegee Road and sewer service is in the general vicinity

5. Building Standards. Comments were unavailable as of the preparation of this material, but are expected by the time of the public hearing.

5 Neighborhood Context The site is located in the Forest Pawtuckett neighborhood

DETAILED FINDINGS.

1 The site involved in this petition is approximately 43 acres and located between I-85 and Tuckaseegee Road on the south side of Tuckaseegee between West Mecklenburg High School and Wilson Junior High School Current zoning on the property is R-12 and the petitioner is seeking R-15MF(CD)

2 The petitioner has filed a conditional request and is planning a residential development for the property. (For further details refer to Background #3)

3 The property is located in western portions of Charlotte. Historically the west side has not been a strong residential market, but recently more attention has been paid to the need for greater housing opportunities in the area

4. The site's location between Interstate I-85 and Tuckaseegee Road along with the relationship to schools in the area does present the opportunity for definite housing possibilities for the site Considering its relationship to the major thoroughfare some higher density also seems appropriate To date only single family development has occurred in the area, however

5 Every effort should be made to promote housing in the area and the approval of this petition is seen as a possibility to do that But while staff does promote the concept of housing and indeed multi-family housing on the site, there are a number of concerns which must be addressed and overcome before staff approval can be gained here

6 For example, it is vitally important that a mixture of single family development occur on this site in addition to the planned multi-family development This may be especially true along Tuckaseegee Road or perhaps adjacent to areas which are already single family in nature At the present time the site plan proposes very little by way of separation between planned multi-family buildings and existing single family homes

7 Further, access is also seen as a problem, both from an overall planning/design perspective as well as traffic safety More attention needs to be paid to movement into the site as well as the treatment of a street which is planned on a vacant lot between two existing single family homes.

8 Other technical concerns have been identified including the treatment of storm water management on the site, the desirability of some additional right-of-way along Tuckaseegee Road and the clarification of buffer and landscape areas throughout and around the site

9 In summary staff basically rejects the site plan that has been submitted with this application Unless major changes can be made staff would have to recommend against the petition On the other hand if the petitioner can be more sensitive to the issues raised here then staff would be willing to examine that site plan in light of overall planning and housing goals for the area

*Subject to further refinement following public hearing

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 86-48 HEARING DATE May 19, 1986

ZONING CLASSIFICATION, EXISTING Part 1: R-9MF Part 2: R-9MF REQUESTED Part 1: R-9 Part 2: R-15MF

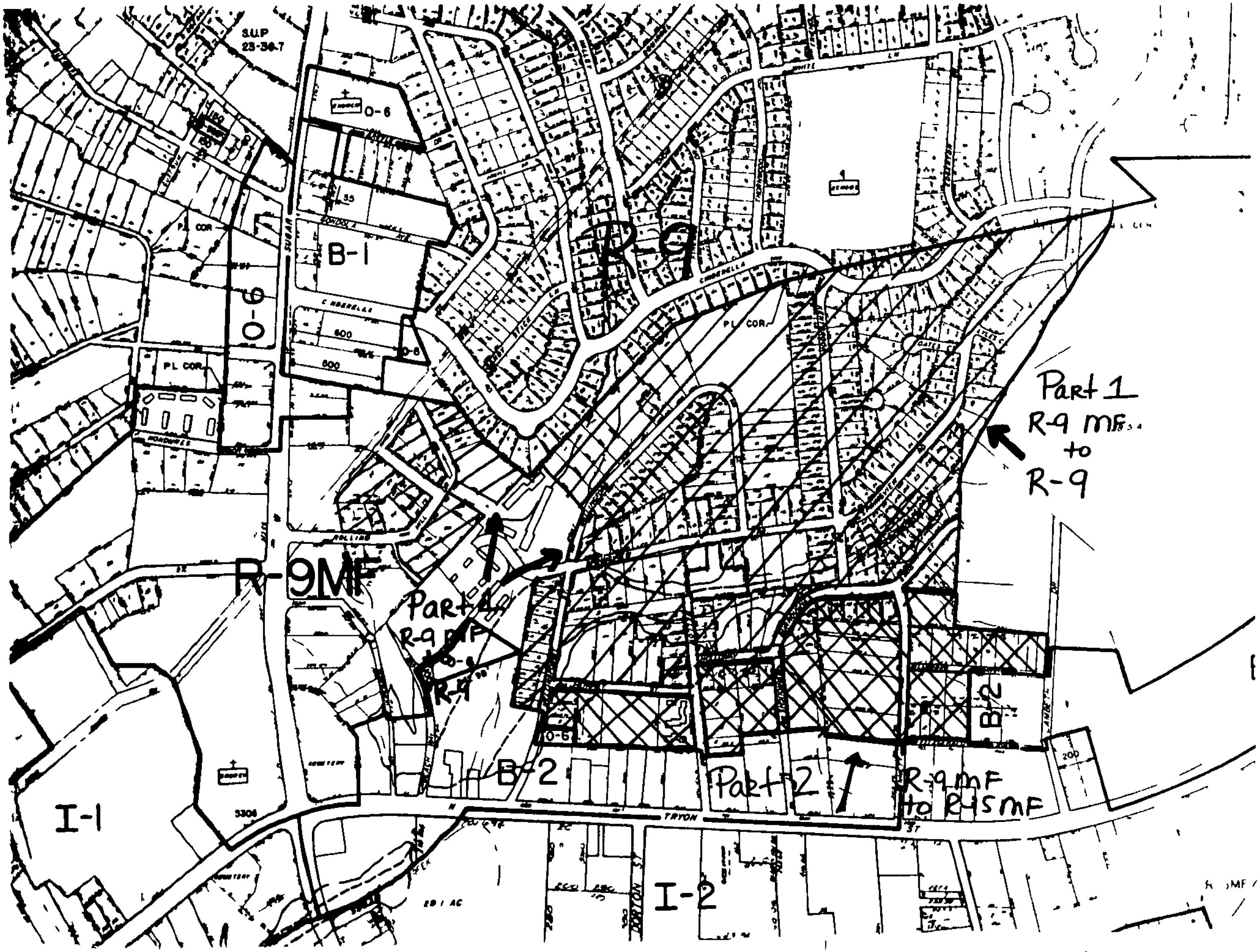
LOCATION Part 1: Approximately 128 acres located south of Cinderella Road and east of West Sugar Creek Road.

Part 2: Approximately 30 acres in the vicinity of Hershey St., Burroughs St. and Lambeth Drive.

(See Attached Map)

ZONING MAP NO. 77 & 78 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


S.U.P
23-36-7
O-6
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PL COR
PL COR
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R-9MF
Part 1
R-9 MF
to
R-9
Part 4
R-9 MF
R-9
O-6
B-2
Part 2
R-9MF
to R-15MF
B-2
I-1
TRYON
I-2

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 86-48
Date Filed 4/1/86
Received By [illegible]
OFFICE USE ONLY

Ownership Information

Property Owner: See Attached Lists

Owner's Address: See Attached Lists

Date Property Acquired: N/A

Deed Reference: See Attached Lists

Tax Parcel Number: See Attached Lists

Location Of Property (address or description)

See Attached Sheet

Description Of Property

Size (Sq Ft -Acres): Part 1: 128 acres Part 2: 30 acres

Street Frontage (ft.)

Current Land Use: Part 1: Single Family and Multi-Family
Part 2: Single Family, Multi-Family

Zoning Request

Existing Zoning: Part 1· R-9MF Part 2· R-9MF

Requested Zoning: Part 1. R-9
Part 2: R-15MF

Purpose of zoning change:
To comply with the North Tryon/I-85 Residential Corridor Special Study

Name of Agent

Agent's Address

Telephone Number

Name of Petitioner(s): Charlotte-Mecklenburg Planning Commission

Address of Petitioner(s): 301 South McDowell Street

Telephone Number: 336-2205

Signature

Signature of Property Owner if Other Than Petitioner

NORTH TRYON/HIDDEN VALLEY SMALL AREA REZONING PETITION

Petition No 86-48

This petition is sponsored by the Charlotte-Mecklenburg Planning Commission as part of the zoning implementation measures proposed in the small area plan for this vicinity The petition is comprised of two parts Part 1 is approximately 128 acres located generally south of Cinderella Road and east of West Sugar Creek Road This area is presently zoned R-9MF and the petition is requesting R-9 Part 2 of this petition is approximately 30 acres of land in the general vicinity of Hershey Street, Burroughs Street and Lambeth Drive The present zoning here is R-9MF and the requested zoning classification is R-15MF

The area encompassed in the petition is residential in character with the predominant residential type being a single family residence A small amount of duplex and multi-family development is also included in the request Along Rolling Hill Drive is a mixture of single family development along with a limited amount of duplex units and one small apartment That area is proposed for single family zoning and therefore the duplex and apartment development would become non-conforming The remaining area of Part 1 is spread out along a number of minor neighborhood streets in the general vicinity and the property which is residentially developed is done so with single family homes Thus, the change to single family in these areas will not create any adverse effects

South of this area lies the portion of the rezoning request which comprises Part 2 That area is also largely single family in character though some limited amounts of multi-family has also occurred The change to R-15MF would not create any non-conforming uses here either.

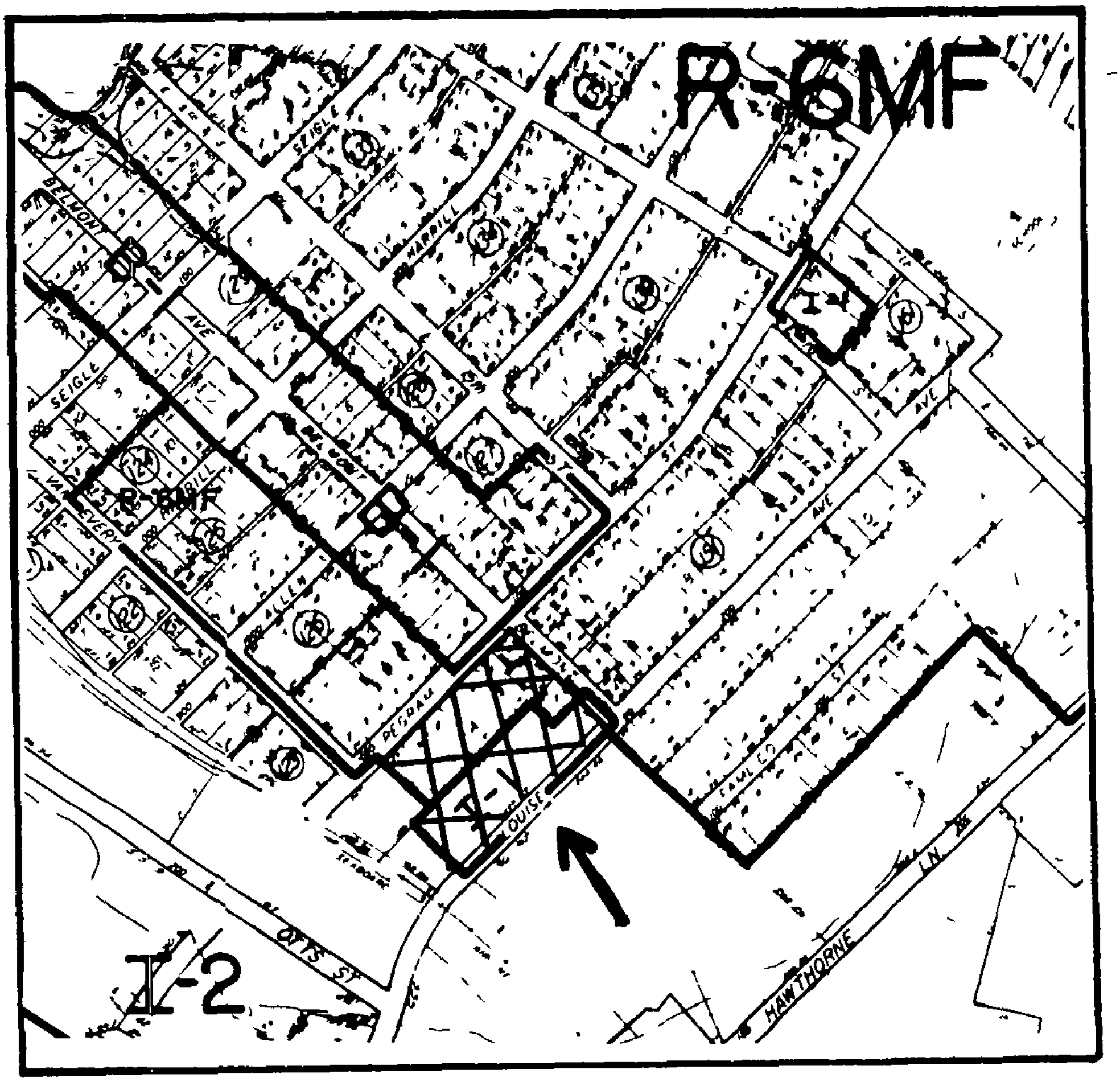
The change to multi-family in Part 2 will provide a transition between the proposed single family areas to the north and the commercial zoning to the south which is oriented along North Tryon Street The portion of the request dealing with proposed single family areas is a recognition of the strong single family pattern and neighborhood character of the area as well as its relationship to other currently zoned single family areas north of its location

PETITIONER Jack's Cookie Co.

PETITION NO. 86-49 HEARING DATE May 19, 1986

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

LOCATION Approx. 3 acres bounded by Louise Avenue, Belmont Street and Pegram Street.



ZONING MAP NO. 101 & 102 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 86-49
Date Filed 4/1/86
Received By DL-S
OFFICE USE ONLY

Ownership Information

Property Owner Jack's Cookie Company

Owner's Address P. O. Box 9000
Charlotte, NC 28299

Date Property Acquired 081-152-01 (7/23/82); 081-152-02,10 (11/5/85); 081-152-03 (11/29/85); 081-152-04,06 (11/15/85); 081-152-05 (10/22/85); 081-152-07 (10/11/85); 081-152-08,09 (11/1/85)

Deed Reference 081-152-01 (4559-090) 081-152-05 (5110-016) 081-152-02,10 (5118-852) 081-152-04,06 (5123-646) 081-152-03 (5132-643) 081-152-07 (5106-046) 081-152-08,09 (5115-547)

Tax Parcel Number 081-152-01,02,03,04, 06,07,08,09,10,11

Location Of Property

(address or description) Block bounded by Louise, Belmont and Pegram

Description Of Property

Size (Sq Ft Acres) 3 acres ±

Street Frontage (ft) 470'± on Louise 298' on Belmont

Current Land Use Vacant

Zoning Request

Existing Zoning I-1 and R-6MF

Requested Zoning I-1(CD)

Purpose of zoning change To permit the construction of a storage building as an addition to the existing baking plant.

Fred E. Bryant, Planner
Name of Agent

1850 E. Third St., Charlotte, NC 28204
Agent's Address

333-1680
Telephone Number

Jack's Cookie Company
Name of Petitioner(s)

P. O. Box 9000, Charlotte, NC 28299
Address of Petitioner(s)

334-7811
Telephone Number

Richard H. Gem
Signature

Signature of Property Owner if Other Than Petitioner

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 86-49

Petitioner	Jack's Cookie Company
Location	Approximately 3 acres bounded by Louise Avenue, Belmont Avenue and Pegram Street
Request	Change from I-1 and R-6MF to I-1(CD)

ISSUES

1. Likelihood of Residential Development for this Property. What is the potential likelihood of residential development occurring on the portion of the site presently zoned for multi-family purposes?

2 Site Plan What aspects of the conditional site plan are important to evaluate?

3. Relationship to Overall Zoning Patterns. How would this zone change relate to overall zoning and land use patterns that presently exist in this area?

BACKGROUND:

1 Existing Zoning The petitioned property is presently zoned both I-1 and R-6MF. The area of I-1 zoning is oriented to Louise Avenue whereas the multi-family is oriented to Pegram Street The site is also bounded by I-2 zoning across Louise Avenue and across from the Seaboard Railroad right-of-way Other portions of the site are bounded by R-6MF zoning as well as a portion which is zoned B-1 The B-1 area extends along both sides of Belmont Avenue from Pegram Street and extends for several blocks northwest from the site

2 Existing Land Use The petitioned property is vacant at the present time The petitioner operates a bakery across Louise Avenue from the property as well as on a site at the intersection of Otts Street and Louise Avenue. Otherwise much of the area nearby is devoted to residential purposes, although many lots in the immediate vicinity are vacant or have dilapidated housing associated with it Along Pegram Street at the Belmont intersection there is also an area of rundown business uses, also.

3 Site Plan The conditional site plan proposes the property for warehouse purposes The maximum building area for the warehouse will be just over 56,000 square feet. A new parking area containing some 88 spaces is also shown adjacent to Louise Avenue. Two driveway points from Louise Avenue are shown as well as one from Pegram Street. Screening along Belmont Avenue and Pegram Street will consist of a combination of trees and evergreen plantings The entire area will be enclosed with a chain link fence

GENERAL FINDINGS

1. 2005 Plan. The 2005 Plan indicates an area of existing employment and residential development surrounding the subject property. As a general goal the plan calls for the preservation of inner city neighborhoods.

2 Central Avenue/Hawthorne Lane Intersection Improvements. This project would provide left turn lanes on each approach on Central Avenue Hawthorne Lane would be widened near the intersection to allow for two southbound thru lanes

3. Pre-Hearing Staff Input Staff met with the petitioner prior to the submission of the application Staff generally encouraged the request although there was some mention of possible concern as the rezoning related to residential areas nearby. However, given the fact that half of the site is already unconditionally zoned I-1 it was believed that it was certainly reasonable to look at an overall CD approach for the site that would allow for the expansion of Jack's Cookie Company

4 Pre-Hearing Departmental Comments (Summary)

   1. Fire Department No comments.

   2 C-MUD The area is served presently by water and sewer

   3. C-DOT Comments were unavailable as of the preparation of this material, but are expected by the time the matter is heard at public hearing

   4 Engineering Comments were unavailable as of the preparation of this material, but are expected by the time the matter is heard at public hearing

5 Neighborhood Context The property is located in the Belmont neighborhood

DETAILED FINDINGS

1 This petition involves approximately 3 acres bounded by Louise Avenue, Belmont Avenue and Pegram Street. Present zoning for this property is a combination of I-1 and R-6MF and the petitioner is seeking to rezone the entire property to I-1(CD)

2. The purpose of the change is to permit the construction of a storage/ warehouse building as an addition to the existing Jack's Cookie Bake Plant

3 Half of this property is already zoned I-1 and would permit the proposed use, but obviously the portion zoned multi-family does require the zone change. The request to combine all of the site under a CD plan is desirable in that it permits restricted development for this property under the control of the CD plan.

4 Jack's Cookie Company has been an operating business in this area for many many years The present bakery is no longer sufficient for the needs of the business and expansion will facilitate the goals of the company

5 In examining the present land use pattern and zoning pattern it becomes apparant that there really is very little neighborhood to protect in this case Many lots stand vacant and on others there is dilapidated housing Much of the housing that does exist is very marginal It is therefore highly unlikely that given this setting new residential development will occur on the portion of the property zoned for residential purposes

6 The site also has a direct relationship to existing I-2 zoning as well as portions which abut B-1 zoning. The residential zoning associated with this site is somewhat squeezed in between two areas of non-residential zoning

7 It seems, therefore, that the proposed expansion will now utilize the property rather than it remain in a vacant/derelict state. The expansion and the improvements to the site will improve the area. It might be interesting to note, also, that the petitioner in this case does employ many residents in the area

8 As far as the site plan is concerned, staff has only a few comments relative to changes which might be desirable These principally relate to access For example, one driveway is shown adjacent to the railroad right-of-way on Louise Avenue and that should be moved farther away In addition, there is also a driveway to Pegram Street which should be eliminated It is also important that the plan be very clear in terms of its screening and landscaping as well as to insure that street trees will be planted in accordance with the tree ordinance The screening/tree planting is necessary in order to minimize the effects of a chain link fence which the plan proposes for the perimeter of the site

9 Based upon the above circumstances, the petition is encouraged for approval The request is seen as an opportunity to fulfill necessary and needed expansion for a viable business in the area while at the same time help to improve the area's appearance by providing for new construction and new employment opportunities in the neighborhood If minor site plan changes can be achieved then staff would have no problem with the request

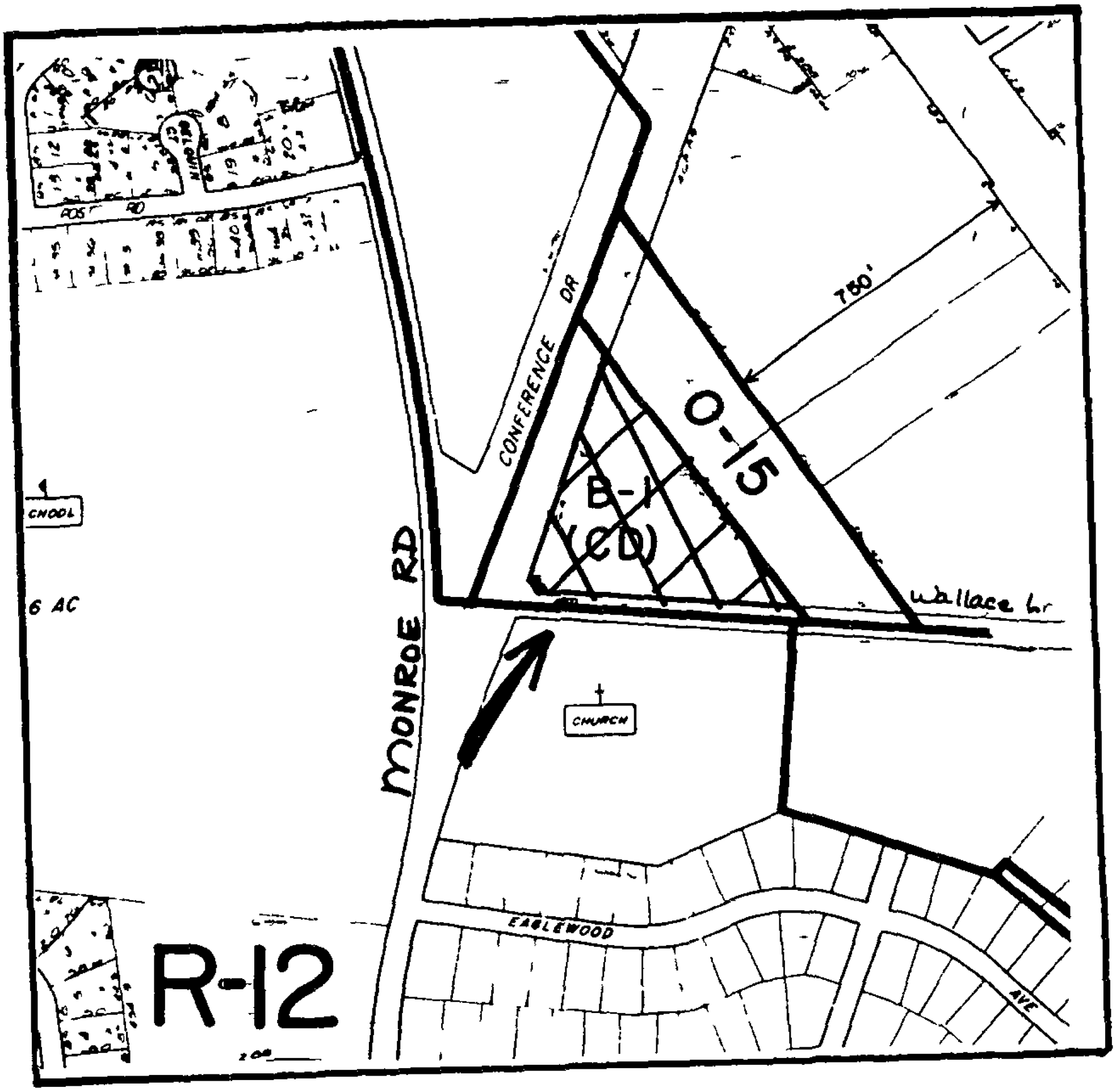
*Subject to further refinement following public hearing

PETITIONER Carolina Conference of Seventh-Day Adventists, Inc.

PETITION NO. 86-50 HEARING DATE May 19, 1986

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

LOCATION A 4 acre site located at 6000 Conference Drive.



ZONING MAP NO. 123

SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 86-50
Date Filed 4/1/86
Received By DRS
OFFICE USE ONLY

Ownership Information

Property Owner Carolina Conference Association of Seventh-day Adventists, Inc

Owner s Address 6000 Conference Drive, Charlotte, N.C. 28212

Date Property Acquired 1-14-71

Deed Reference Book 3258, Page 205 Tax Parcel Number 191-22-6

Location Of Property (address or description) 6000 Conference Drive, Charlotte, North Carolina 28212

Description Of Property

Size (Sq Ft -Acres) ~~5.584~~ 4 acres acres inclusive of 1.584 acres for road right of way Street Frontage (ft) See attached copy

Current Land Use Administration of church-activities of Seventh-day Adventists for North and South Carolina.

Zoning Request

Existing Zoning B1CD Requested Zoning O15CD

Purpose of zoning change To expand Administrative Headquarters and provide more office space.

Bailey Patrick, Jr
Name of Agent

900 Baxter Street, Post Office Box 35566
Charlotte, N C 28235
Agent s Address

704/372-1120
Telephone Number

Carolina Conference Assoc o Seventh-day Adventists, Inc
Name of Petitioner(s)

6000 Conference Drive
Address of Petitioner(s)

Charlotte, NC 28212
704/535-6720
Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 86-50

Petitioner	Carolina Conference of Seventh-Day Adventists, Inc
Location	A 4 acre site located at 6000 Conference Drive
Request	Change from B-1(CD) to O-15(CD)

ISSUES

1 Background/Explanation of Zoning Request What has been the recent zoning background for this site and how has that led to the submission of the application request in this case?

2 Conformancy with Overall Zoning/Land Use Patterns How would the approval of this request better relate the site to existing and anticipated zoning and land use patterns in the area?

BACKGROUND

1 Existing Zoning The subject property is presently zoned B-1(CD) The area immediately south and west is zoned R-12 whereas areas just north are zoned multi-family The remaining boundary of the site adjoins an area of O-15 zoning and then from that point extending to Independence Boulevard is an area of B-2 zoning which extends along both sides of Independence

2. Existing Land Use The property is the Carolina Headquarters of the Seventy-Day Adventists Across Monroe Road from the site is East Mecklenburg High School whereas a church is across Wallace Lane from the property An apartment complex is located north of the site whereas other residential development in the area is mostly single family, although there is another apartment complex located east of the site along Wallace Lane and another under construction Some office development lies adjacent to the site, but most property in the vicinity towards Independence Boulevard is retail and service oriented

3 Site Plan The site plan proposes expansion of the existing facility which is located on the property. A total of 60,000 square feet of space is proposed for the site A proposed phase one expansion would include new space totaling 7,500 square feet This expansion along with the existing square footage of the present building would total 25,000 square feet. Thus, future building development on the site would be limited to an additional 35,000 square feet.

4 Recent Rezoning This site was rezoned from O-15 to the present B-1(CD) in 1984 The plan at that time was intended to recognize some retail sales activity that had been going on for some time at the property A 5,000 square foot area devoted to the retail sale of religious literature, religious records, tapes and visual aids as well as non-flesh protein

foods for vegeterian diets was approved That plan did not provide for any other expansion of any sort on the property

5 Proposed Request/Explanation Considering the restrictions of the B-1(CD) zoning listed above, the petitioner found it necessary to propose this site plan in order to allow for other expansion which would utilize the site for further office space. The petitioner is in desperate need of additional space but was restricted by the B-1(CD) plan Following some discussion it was determined that the petitioner could file a request to rezone the property back to an O-15 classification and utilize a CD concept which would permit the expansion that was desired At the same time the retail sales which had been legitimized and recognized under the B-1(CD) zoning could also continue, but now those activities will be non-conforming and no other additional retail space will be permitted if the rezoning is approved.

GENERAL FINDINGS

1. 2005 Plan The 2005 Plan indicates the area near the site as existing residential development.

2. Pre-Hearing Staff Input. Staff met with the petitioner prior to the submission of the application. Because of the unusual nature of the request, staff and the petitioner sat down to review notes and conditions of the plan to insure that the petitioner's needs were being met as well as providing for a plan that could be understood and administered.

3 Pre-Hearing Departmental Comments (Summary)

1 Engineering. No comments except for one which references street improvements which are planned at the intersection of Conference Drive and Monroe Road Engineering Department indicated that street improvements accomplished as part of this rezoning should be in accordance with those plans. No right-of-way is needed, however

2 Building Standards Department Building Standards commented that some additional parking is needed in order to comply with those required of the proposed expansion Although the existing building is located outside of the required side yard, one notation does have an incorrect dimension for a side yard and that was noted

3. Fire Department No comments

4. C-MUD. Water and sewer are available to service the property

5. C-DOT Comments were unavailable as of the preparation of this report, but are expected by the time the public hearing on this matter is held

4 Neighborhood Context The site is located within the area defined as the East Mecklenburg and Parkview East neighborhoods

DETAILED FINDINGS

1 The property involved in this petition is a 4 acre site located at 6000 Conference Drive This site is the headquarters for the petitioner and is currently zoned B-1(CD) The petitioner is seeking a change to 0-15(CD)

2 This request represents a downzoning which in this case is a return to office zoning on this property As was noted earlier, the property was changed in 1984 to the current classification in order to recognize retail sales on the site (Refer to Background #3 and #4 for further details)

3. The petitioner needs additional office space for expansion The proposed rezoning would allow that. The site plan provides adequate guidelines and restrictions for such expansion, while at the same time limiting the current amount of retail sales on the property

4. The return to office zoning here will be consistent with the former zoning on the property and more in line with overall zoning patterns in the area Staff had a concern in the 1984 petition when the property was rezoned for business purposes and is glad to see the property return to a more suitable zoning classification.

5 It is believed that with this request and this site plan the problems associated with this site have now been adequately addressed and solved The petitioner has worked closely with staff, the Planning Commission and City Council to insure that the zone change here is done in an orderly fashion

6 Based upon the above circumstances, the petition is encouraged for approval

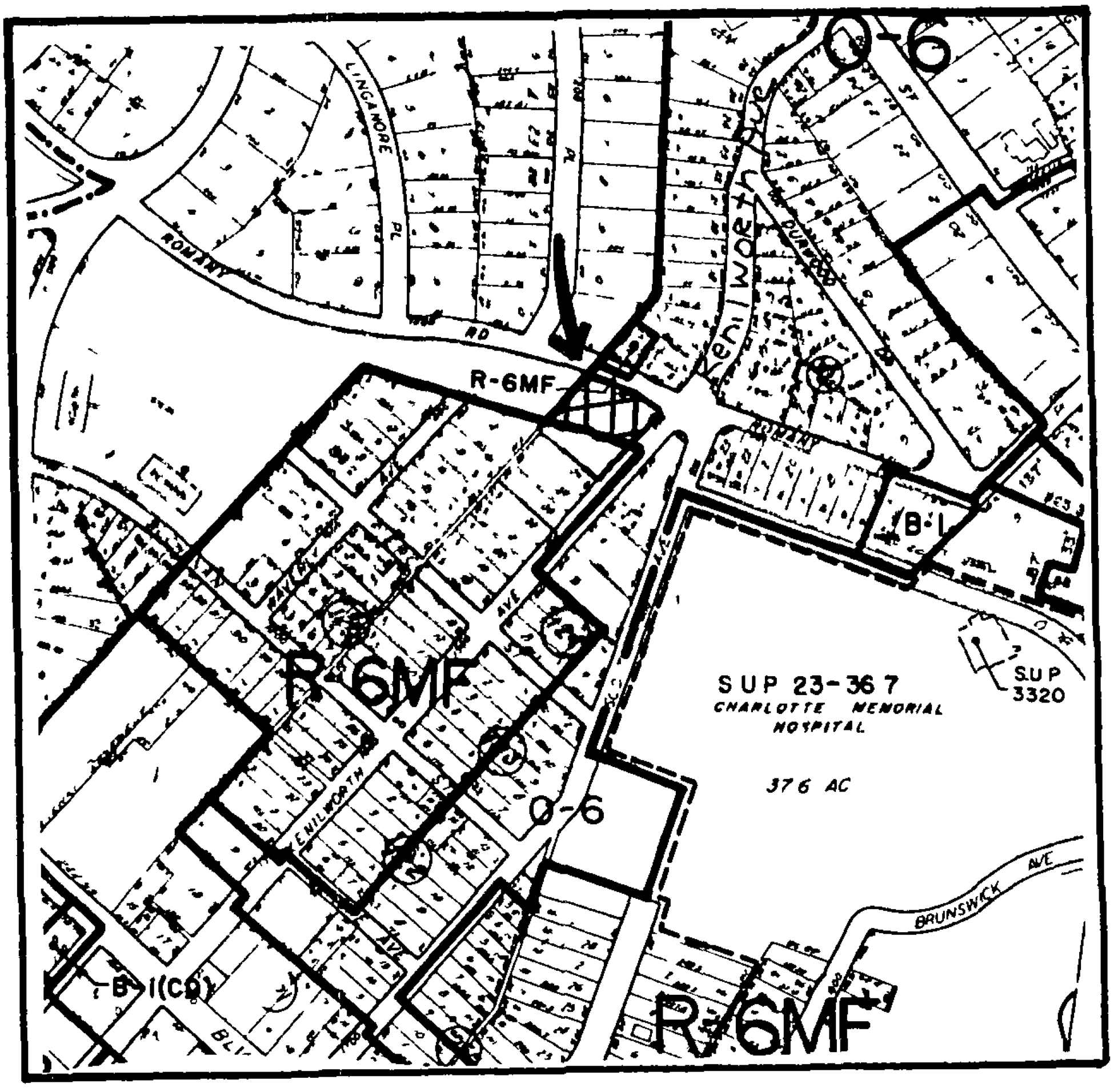
*Subject to further refinement following public hearing.

PETITIONER Charlotte-Mecklenburg Hospital Authority

PETITION NO. 86-51 HEARING DATE May 19, 1986

ZONING CLASSIFICATION, EXISTING O-6 REQUESTED R-6MF

LOCATION A .42 acre site located at the southwest corner of Romany Road and Kenilworth Avenue.



ZONING MAP NO. 111 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 86-51
Date Filed 4/1/86
Received By DLS
OFFICE USE ONLY

Ownership Information

Property Owner The Charlotte-Mecklenburg Hospital Authority

Owner s Address P.O. Box 32861
Charlotte, NC 28232

Date Property Acquired April 1983

Deed Reference 4647 0050 Tax Parcel Number 123-125-26 & 28

Location Of Property (address or description) Southwest Corner of Romany Road and Kenilworth Avenue

Description Of Property

Size (Sq Ft -Acres) ~~.83~~ .422 Acres ± Street Frontage (ft) 175' X 254'

Current Land Use Multi-Family Residential

Zoning Request

Existing Zoning ~~R-6 MF and~~ O-6 Requested Zoning R-6 MF

Purpose of zoning change To Provide Single Zoning Designation for Entire Parcel.

Zachary J. Zapack, AIA
Name of Agent

P.O. Box 32861, Charlotte, NC 28232
Agent s Address

338-2139
Telephone Number

The Charlotte-Mecklenburg Hospital Authority
Name of Petitioner(s)

P.O. Box 32861
Charlotte, NC 28232
Address of Petitioner(s)

(704) 338-2145
Telephone Number

Harry A. Nurkin
Signature Harry A. Nurkin, Ph.D.

Signature of Property Owner if Other Than Petitioner

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 86-51

Petitioner	Charlotte-Mecklenburg Hospital Authority
Location	A .83 acre site located at the southwest corner of Romany Road and Kenilworth Avenue
Request	Change from O-6 to R-6MF

ISSUES

1. Relationship to Dilworth Neighborhood How does the property relate to the Dilworth neighborhood?

2. Benefits Derived From Change. What benefits to the neighborhood would be derived if this zoning change were approved? How would those benefits relate to overall goals for the preservation of inner city neighborhoods?

BACKGROUND·

1. Existing Zoning The property involved in this petition is currently zoned O-6 Generally at the Romany/Kenilworth Avenue intersection and extending northward is a pattern of O-6 zoning The O-6 pattern also extends southward along Scott Avenue towards the direction of East Boulevard Other portions of Kenilworth Avenue are zoned R-6MF and much of the Dilworth neighborhood itself is zoned either R-6 or R-6MF Commercial zoning is concentrated along East Boulevard

2 Existing Land Use The subject property is used for multi-family residential purposes. Three duplex units are located on this site at the present time Nearby along neighborhood streets is a wide variety of residential uses, though most are single family in character The pattern does change along Scott and Kenilworth where there is a larger percentage of lots used for office purposes. Many of these offices are medical in nature and are in some way a spin-off of the Charlotte Memorial Hospital, which is the single most dominant land use feature of the immediate area

GENERAL FINDINGS

1 2005 Plan The 2005 Plan indicates an area of existing residential development in the vicinity of the subject property. The plan also recognizes the location of the Charlotte Memorial Hospital. The plan calls for the preservation of older inner city neighborhoods, including the Dilworth area.

2. Dilworth Small Area Plan The plan speaks to the Scott/Kenilworth corridor by indicating that existing land uses should be retained. The plan proposes no land use changes within this corridor.

3. Pre-Hearing Staff Input Staff accepted the submission of the application, but had had no detailed conversations with the petitioner prior to the submission of the application

4. Pre-Hearing Departmental Comments (Summary).

   Due to the fact that the petition is a downzoning and not conditional in nature, departments that normally comment did not in this case

5. Neighborhood Context The property lies within the Dilworth neighborhood The petitioner in this case worked very closely with the neighborhood and has filed it based on conversations with the neighborhood group.

DETAILED FINDINGS.

1. The property involved with this request is a parcel of land located at the corner of Romany Road and Kenilworth Avenue. Present zoning is 0-6 and the request seeks R-6MF for the property.

2. The property is currently used for residential purposes despite the 0-6 classification Three duplex units are located on the site. The existance of office zoning here does pose a potential threat to the residential character of the lot.

3. The petitioner in this case, the Charlotte-Mecklenburg Hospital Authority, has worked closely with Dilworth neighborhood representatives in the past and on this case as well The hospital and the neighborhood have worked closely in order to insure that the hosiptal can be a good neighbor to Dilworth. As far as this case is concerned, the Hospital Authority is proposing the zone change in order that the R-6MF classification would provide for a single zoning designation for the entire tax parcel

4 Further, the removal of the 0-6 zoning will help insure the stability of the neighborhood and maintain residential usage of the property Other areas zoned 0-6 to the north of the property have converted for the most part to office usage

5. The 2005 Plan strongly encourages the preservation of valuable inner city neighborhoods The proposed zoning in this case would obviously enhance that goal and enhance the overall planning and preservation goals for Dilworth

6 Based upon the above circumstances, the petition is encouraged for approval

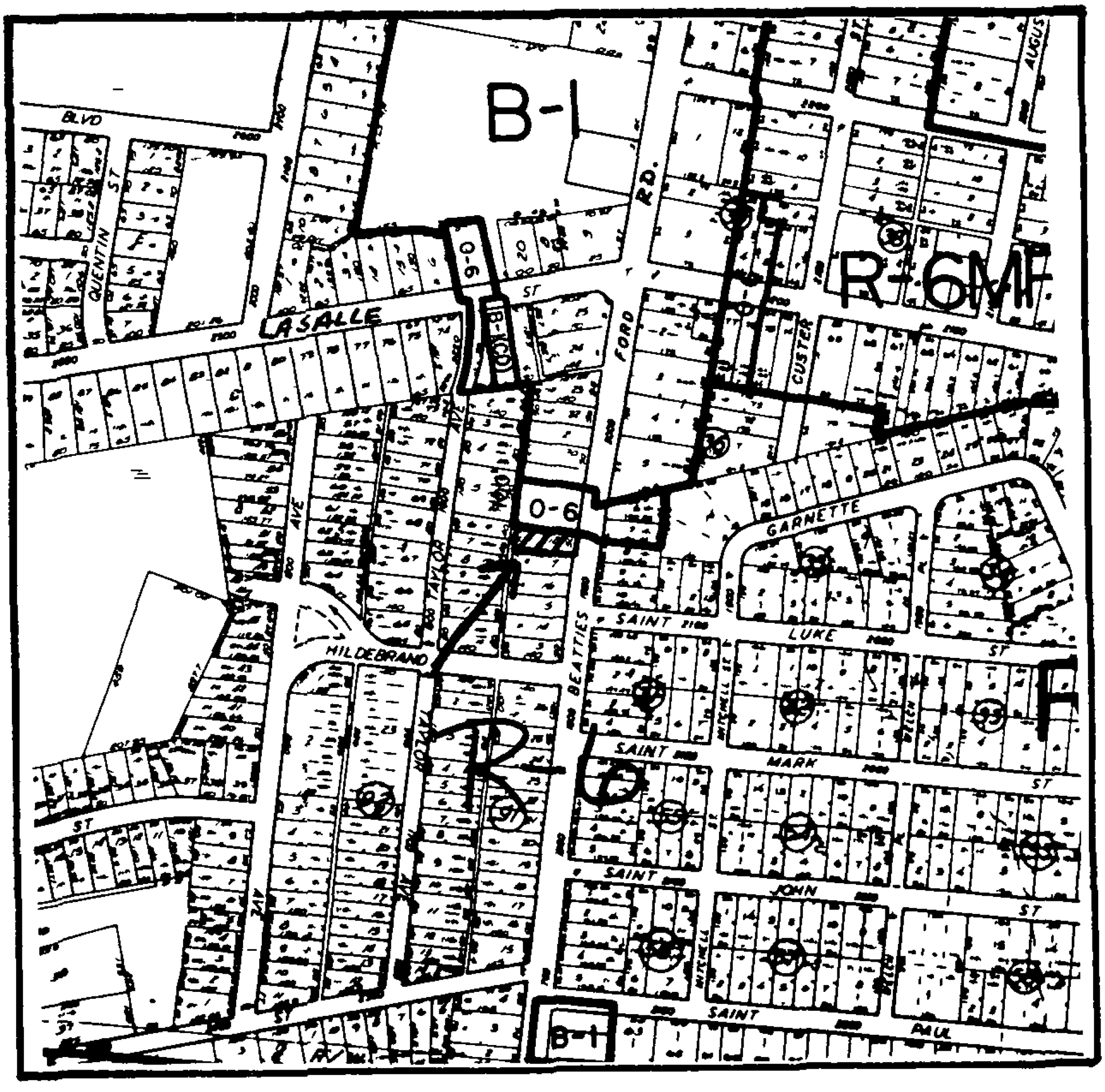
*Subject to further refinement following public hearing.

PETITIONER Maurice and Laura McClettie

PETITION NO. 86-52 HEARING DATE May 19, 1986

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

LOCATION A 7,000 square foot site located at 1905 Beatties Ford Road.



ZONING MAP NO. 79 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 86-52
Date Filed 4/1/86
Received By DLS
OFFICE USE ONLY

Ownership Information

Property Owner Maurice & Laura McClettie

Owner s Address 5836 McBride Street
Charlotte, North Carolina 28215

Date Property Acquired 02-04-86

Deed Reference Book 5168 page 684 Tax Parcel Number 069-126-18

Location Of Property (address or description) 1905 Beatties Ford Road

located in the city of Charlotte, county of Mecklenburg, state of North Carolina

Description Of Property

Size (Sq Ft -Acres) 7000 square feet Street Frontage (ft) 50 feet

Current Land Use residential

Zoning Request

Existing Zoning R6 Requested Zoning B1 (CD)

Purpose of zoning change Catering service and business offices

Michael Strickland
Name of Agent

2304 Booker Ave. Charlotte, NC 28216
Agent s Address

372-3692
Telephone Number

Maurice & Laura McClettie
Name of Petitioner(s)

5836 McBride Street
Address of Petitioner(s)

535-5374
Telephone Number

Laura S McClettie
Signature

Signature of Property Owner if Other Than Petitioner

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 86-52

Petitioner	Maurice and Laura McClettie
Location	A 7,000 square foot site located at 1905 Beatties Ford Road.
Request.	Change from R-6 to B-1(CD)

ISSUES

1 Beatties Ford Small Area Plan How does this request relate to goals contained in the Beatties Ford Small Area Plan?

2 Site Plan What aspects of the conditional site plan are important to evaluate? What technical problems have been identified?

3 Effect of Neighborhood. What potential effects on the neighborhood character and stability could result if this zoning change were approved?

BACKGROUND

1 Existing Zoning The subject property is presently zoned R-6 The site is surrounded on three sides by R-6 zoning and this district is representative of the zoning for a large area in the Beatties Ford neighborhood. The northerly boundary of the site does lie adjacent to an O-6 area and farther north of that near the LaSalle intersection and stretching towards I-85 the pattern changes to B-1 along Beatties Ford Road.

2 Existing Land Use The property in question has a single family residence on it Other single family residences are concentrated throughout the vicinity, both along Beatties Ford itself and various other neighborhood streets North of the site the pattern changes to non-residential and includes a mixture of various commercial uses that extend towards the direction of I-85

3. Site Plan The conditional site plan proposes to use the property for business purposes, specifically a catering service. The existing structure would be retained and parking for the business would be located to the rear of the structure Screening along the side adjoining the residential zoning would be required

GENERAL FINDINGS

1 2005 Plan The 2005 Plan shows an area of existing residential development surrounding the site.

2 Beatties Ford Small Area Plan. The plan calls for the University Park neighborhood to be maintained and protected as a single family neighborhood.

3 Beatties Ford Road Widening This project would widen Beatties Ford Road to a multi-lane facility from I-85 to Capps Hill Mine Road

4. Pre-Hearing Departmental Comments (Summary)

1. Building Standards The Building Standards Department identified the fact that a catering business is not a use eligible under a B-1 zoning classification The business requires at least a B-2 zoning

2 C-DOT The site could generate 12 to 16 trips per day as currently zoned and 30 to 35 trips per day if rezoned This increase would have no effect on traffic conditions. The driveway as shown does not comply with the minimum width to meet Charlotte code regulations Beatties Ford is a major thoroughfare The petitioner should reserve or dedicate at least five feet of additional right-of-way to meet current needs.

3 Engineering The Engineering Department has no comments except to indicate Beatties Ford would need additional right-of-way The Engineering Department indicates an additional 20 feet of right-of-way would be necessary in order to comply with its status as a major thoroughfare

4 Fire Department No comments

5 C-MUD Water and sewer are available to service the property.

5 Pre-Hearing Staff Input Staff had no contact with the petitioner prior to the submission of the application

6. Neighborhood Context The property is located in the University Park neighborhood

DETAILED FINDINGS

1 This petition involves a parcel of land which fronts on Beatties Ford Road The property is currently zoned R-6 and the petitioner is seeking B-1(CD).

2 The petitioner states on the application that the property would be used for a catering business The petitioner has also filed a site plan in conjunction with the request.

3. It is vital to point out that a catering business is not allowed in a B-1 category Staff has attempted to reach the petitioner to further discuss the application and indeed to seek a withdrawal of the request A couple of meetings which have been set up were cancelled by the petitioner Therefore, if the property were rezoned to B-1(CD) one of the uses that could not be used for the site would be a catering service

4 However, it is staff's strong belief that the petition should be denied. The Beatties Ford frontage and overall neighborhood should be protected

from zone change requests such as this one. The neighborhood stability is fragil and a zone change of this type is a step in the wrong direction.

5 The Beatties Ford Small Area Plan would not envision this type of change and would seek to preserve the neighborhood stability

6 Further, a change of this type would very well lead to others and those would totally break down the overall quality and living environment of the neighborhood

7 Based upon the above reasons, the petition is strongly recommended against It suffers from not only technical problems but major problems in terms of overall planning and publicly adopted goals for the area

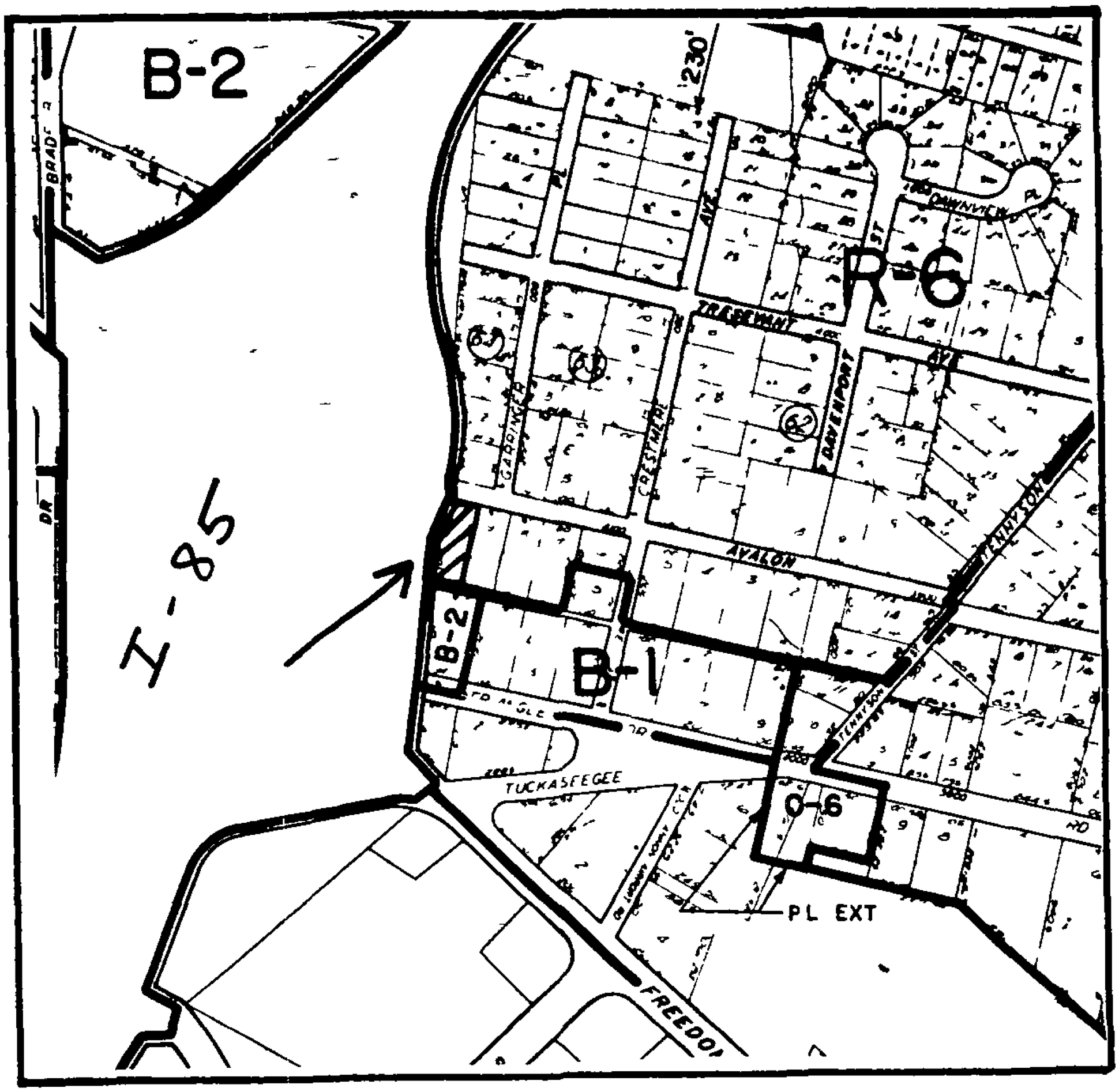
*Subject to further refinement following public hearing

PETITIONER Tommy L. Helms and Joe G. Clark

PETITION NO. 86-53 HEARING DATE May 19, 1986

ZONING CLASSIFICATION, EXISTING R-6 REQUESTED B-2

LOCATION A 11,446 square foot site located at 4131 Avalon Avenue.



ZONING MAP NO. 87 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 86-53
Date Filed 4/1/86
Received By DLS
OFFICE USE ONLY

Ownership Information

Property Owner TOMMY L. HELMS and JOE G. CLARK

Owner s Address 3131 Tuckaseegee Road, Charlotte, N. C. 28208

Date Property Acquired June 8, 1983

Deed Reference Deed Book 4673, Page 911 Tax Parcel Number 065-033-10

Location Of Property (address or description) 4131 Avalon Avenue, Charlotte, N. C.

Description Of Property

Size (Sq Ft -Acres) 11446, sq. ft. Street Frontage (ft) 50.72 feet

Current Land Use One single family unit

Zoning Request

Existing Zoning R-6 Requested Zoning B-2

Purpose of zoning change To make more appropriate use of this parcel which abuts I-85 and is unsuitable for residential use. The adjoining properties have already been rezoned for business use, and the highest and best use of the property is for business purposes.

Name of Agent
H. PARKS HELMS

Agent s Address Hamel, Helms, Cannon, Hamel & Pearce
2300 First Union Plaza
Charlotte, N. C. 28282
Telephone Number
(704) 372-4884

Name of Petitioner(s)
TOMMY L. HELMS and
JOE G. CLARK

Address of Petitioner(s)
3131 Tuckaseegee Road
Charlotte, N. C. 28208
Telephone Number
(704)

Signature

Signature of Property Owner if Other Than Petitioner

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 86-53

Petitioner Tommy L. Helms and Joe G Clark

Location· An 11,446 square foot site located at 4131 Avalon Avenue

Request Change from R-6 to B-2

ISSUES

1 Relationship to Neighborhood How does the property relate to the existing neighborhood and what impacts to the neighborhood would result if the zoning change were granted?

2 Future Effect. If this request were approved, what potential effects on land use and zoning decisions in the future could result?

BACKGROUND

1 Existing Zoning The parcel involved in the request is presently zoned R-6 The R-6 category spreads out among other neighborhood streets in the vicinity To the south of the property is a parcel zoned B-2 and other parcels along Triangle Drive and Tuckaseegee Road are zoned B-1 Other business and industrial zoning is located at the Freedom Drive and I-85 interchange area.

2 Existing Land Use A single family structure is located on the lot Other single family homes are located along Avalon and other nearby neighborhood streets in this area Nearby along Triangle Drive the pattern changes to non-residential and there is a mixture of office and business development The concentration of commercial development increases along Freedom Drive where there is a wide variety of commercial uses and shopping opportunities, including Freedom Mall

GENERAL FINDINGS

1 2005 Plan The 2005 Plan indicates an area of existing residential development surrounding the subject property

2 I-85 Improvements. This project would widen I-85 from four lanes to eight lanes and reconstruct interchanges when needed

3 Pre-Hearing Departmental Comments (Summary)

1 Fire Department No comment

2 C-MUD Water and sewer service is available to service the property

3 C-DOT. Comments were unavailable as of the preparation of this material, but are expected by the time the public hearing on the matter is held

4 Building Standards. No comment

4 Pre-Hearing Staff Input. Staff received the application and had no prior contact before the submission of the request

5 Neighborhood Context. The site is located in the Hoskins/Thomasboro neighborhood.

DETAILED FINDINGS.

1 The property involved in this request is a parcel of land that fronts on Avalon Avenue. The present zoning is R-6 and the petitioner is requesting B-2.

2 The petitioner states in his application that the purpose of the zone change is to make the zoning more appropriate because of its relationship to I-85. The petitioner states that the highest best use for the property is for business purposes

3 Business zoning is located to the rear of the property B-2 zoning and a larger area of B-1 zoning are associated with Triangle Drive and Tuckaseegee and Freedom Drive. However, Avalon is a quite neighborhood street and has no business zoning associated with it at the present time.

4 Even though the property does lie adjacent to the I-85 right-of-way it nonetheless is part of a strong area of single family homes The proposed rezoning would clearly impact the neighborhood and might very well possibly lead to other similar requests in this area This zone change and those that could potentially follow would have detrimental impacts on the overall quality and stability of the neighborhood

5 Further, the request is unconditional in nature and a wide variety of potential business uses could result here including many which could be harmful in terms of noise, lights, traffic, etc A billboard would also be possible under this requested zoning classification Even if a conditional approach were involved and one is not advised here, staff would nonetheless not favor this request

6. There are improvements planned to I-85, but in the case of the Tuckaseegee Road and Freedom Drive improvements, all of those would take place within the existing right-of-way according to preliminary designs There would be no impact on the site involved in this request Thus the property's existing relationship to I-85 will be the same as in the future. The property seems well suited under its current zoning and should not be rezoned as requested in this case.

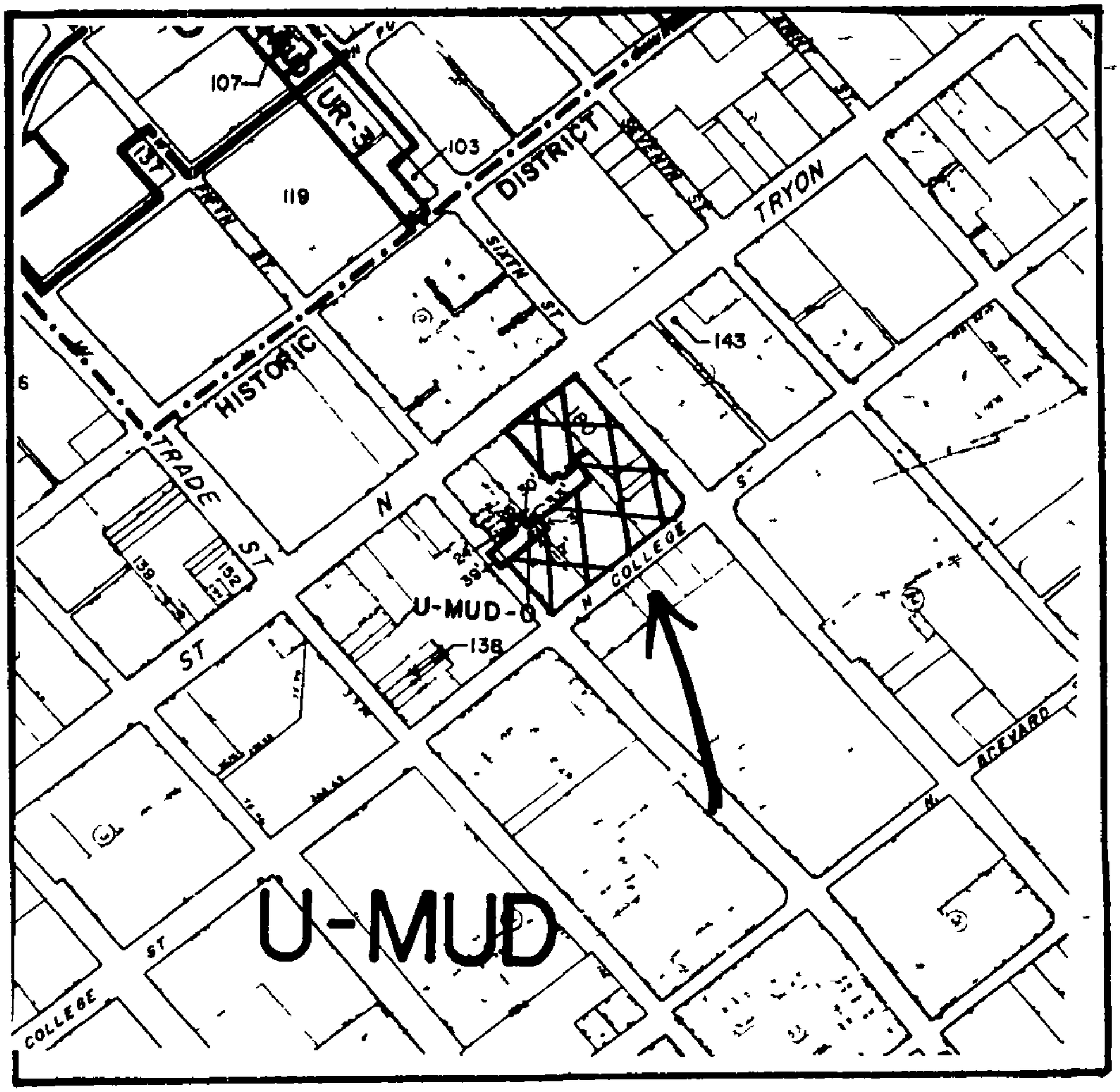
*Subject to further refinement following public hearing.

PETITIONER Carley Capital Group

PETITION NO. 86-54 HEARING DATE May 19, 1986

ZONING CLASSIFICATION, EXISTING U-MUD REQUESTED U-MUD-O

LOCATION An approximately 2.6 acre site bounded by Fifth, Sixth, Tryon and College Streets.



ZONING MAP NO. 102 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 86-54
Date Filed 9/1/86
Received By WE
OFFICE USE ONLY

Ownership Information

Property Owner City of Charlotte with Air Rights by Carley Capital Group

Owner's Address P.O. BOx 238

Newell, NC 28126

Date Property Acquired November, 1985

Deed Reference _____ Tax Parcel Number 080-011-1 & 2 and 080-011-10 thru 16

Location Of Property (address or description) 3/4 of block bounded by 5th & 6th Streets and Tryon & College Streets ending behind and beside Kimbrell's

Description Of Property

Size (Sq Ft-Acres) approx. 2.6 Street Frontage (ft) approx. 1112

Current Land Use Parking Lot

Zoning Request

Existing Zoning UMUD Requested Zoning UMUD-O

Purpose of zoning change to create a partially covered arcade along 5th Street and College Street ranging in width from 12'-0" to 20'-0" by allowing Carley to place some building columns & elements with the 12'-0" setback and less than 20'-0" height to the overhangs.

Name of Agent

Agent's Address

Telephone Number

Carley Capital Group
Name of Petitioner(s)

P.O. Box 238
Address of Petitioner(s)

704/547-0731
Telephone Number

James W. Clay
Signature James W. Clay

Signature of Property Owner if Other Than Petitioner

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 86-54

Petitioner	Carley Capital Group
Location·	An approximately 2 6 acre site bounded by Fifth, Sixth, Tryon and College Streets
Request	Change from U-MUD to U-MUD-0

ISSUES

1. Uptown Goals How does the development of the Marketplace foster overall planning goals for the uptown area?

2 Proposed Optional Provisions The uptown zoning ordinance does allow for options to minimum design standards What are the options proposed in this case and do those favorably relate to the overall objectives for the design and zoning of the uptown area?

BACKGROUND.

1. Existing Zoning The subject property is zoned U-MUD. All of the area in the vicinity is likewise zoned except a small portion of the Marketplace site which adjoins the rezoning property in this case That site has previously been rezoned to the U-MUD-O district.

2 Existing Land Use The site is presently developed with a parking lot and some older commercial buildings Being located in the uptown area as it is, the area surrounding the property is a wide mixture of surface parking lots, institutional and cultural uses as well as a large concentration of office and business uses Residential areas nearby include the Fourth Ward and First Ward areas

3 Site Plan The site plan outlines the proposed Uptown Marketplace project The plan specifically shows some of the detailed plans for landscaping and pedestrian movement along portions of East Sixth Street, North College Street and East Fifth Street In conjunction with the request the petitioner has filed a series of design options that generally focus upon sidewalk and pedestrian areas.

GENERAL FINDINGS

1. 2005 Plan The 2005 Plan indicates an area of existing employment surrounding the site The plan calls for the development of a festive Marketplace uptown near the First Ward area

2 Pre-Hearing Staff Input Staff assisted the petitioner with the submission of the application Staff provided technical assistance and guidance with

regard to the necessary application requirements for public hearing of consideration of this matter

3 Pre-Hearing Departmental Comments (Summary)

1 C-DOT Waiver requests should not compromise any site distance requirements for driveways The pedestrian/conduit system on the northwest corner should be at the back of the sidewalk Relocation of any light and traffic poles must be paid by the developer The location of walkway columns must be approved by the Engineering Department

2. C-MUD The area is currently served with water and sewer

3 Engineering Engineering requested that the developer endeavor to establish a minimum height for the pedestrian bridge of 17 feet. If that is not feasible a report should be filed indicating why.

4 Building Standards. Comments were unavailable as of the preparation of this material

5 Fire Department. This project should not limit or restrict access to the site by fire apparatus Minimum height of overhangs and other elements should be 14 feet to allow fire trucks to pass beneath.

4. Neighborhood Context. The site is located in an area defined as the Uptown area

DETAILED FINDINGS

1 The site in question is an uptown location bounded by Fifth, Sixth, Tryon and College Streets. The current zoning here is U-MUD and the petitioner is seeking U-MUD-O.

2 The site is the location of a planned Uptown Festival Marketplace The public sector and the private sector have joined together to promote this project. This type of project was foreseen in such plans as the RTKL Plan for the uptown area as well as the 2005 Plan

3. The U-MUD-O district provided the opportunity for a developer in the uptown area to modify certain basic standards and requirements that would ordinarily be difficult if not impossible to enforce, but at the same time provide the opportunity for a well designed alternative to meet the overall objective of a particular design standard

4. The petitioner in this case has already been granted a small portion of the site for a U-MUD-Optional classification In this case the petitioner has once again applied for the district and outlined the reasons why such optional provisions are necessary These principally deal with pedestrian circulation and relationship of landscaping to the street

5. Planning staff has reviewed these matters and found the request by the developer to be reasonable The overall design goals for this project will still be maintained and provide the developer with alternative means to bring this project to fruition

6. This project is seen as an important catalyst in the overall vitality of the uptown environment. Its completion will add a new dimension to uptown and every reasonable effort should be made to continue to promote this and facilitate this project

7 Based upon the above circumstances, staff would encourage the approval of the request

*Subject to further refinement following public hearing

#2

APPLICATION
FLOODWAY SPECIAL USE PERMIT
CHAPTER 8A-CITY CODE
FLOODWAY REGULATIONS
CHARLOTTE, NORTH CAROLINA

No. _____

2-3-86
DATE SUBMITTED

What will occur in the Floodway District that will require a Special Use Permit? (structure,fill,dredging,etc.) _____

12X12 - PCNCH - DECK. 4X8 -

Proposed activity will occur at: _____

3000-HARBINGER-CT

095 102 66 | EVIAR CREEK | 9 of 15

095 102 66	EVIAR CREEK	9 OF 15
Parcel Number	Floodway Involved	Floodway Sheet No.

From grade proposed vertical encroachment is 4'± 4 1/2 feet.

Proposed Horizontal Encroachment into the Floodway District is 40'± 40 1/2 feet.

Four plans are attached as required by Section 8A-5(b) of The City Code.

APPLICANT	(If different than applicant) PROPERTY OWNER
Jack R. Gilley	
Signature	Signature
Jack R. Gilley & Jane J. Gilley	
3000 HARBinger Ct	
Street Number	Street Number
Charlotte 28205 NC	
City State	City State
568-0605	
Phone	Phone

Form 00184 (6-81)

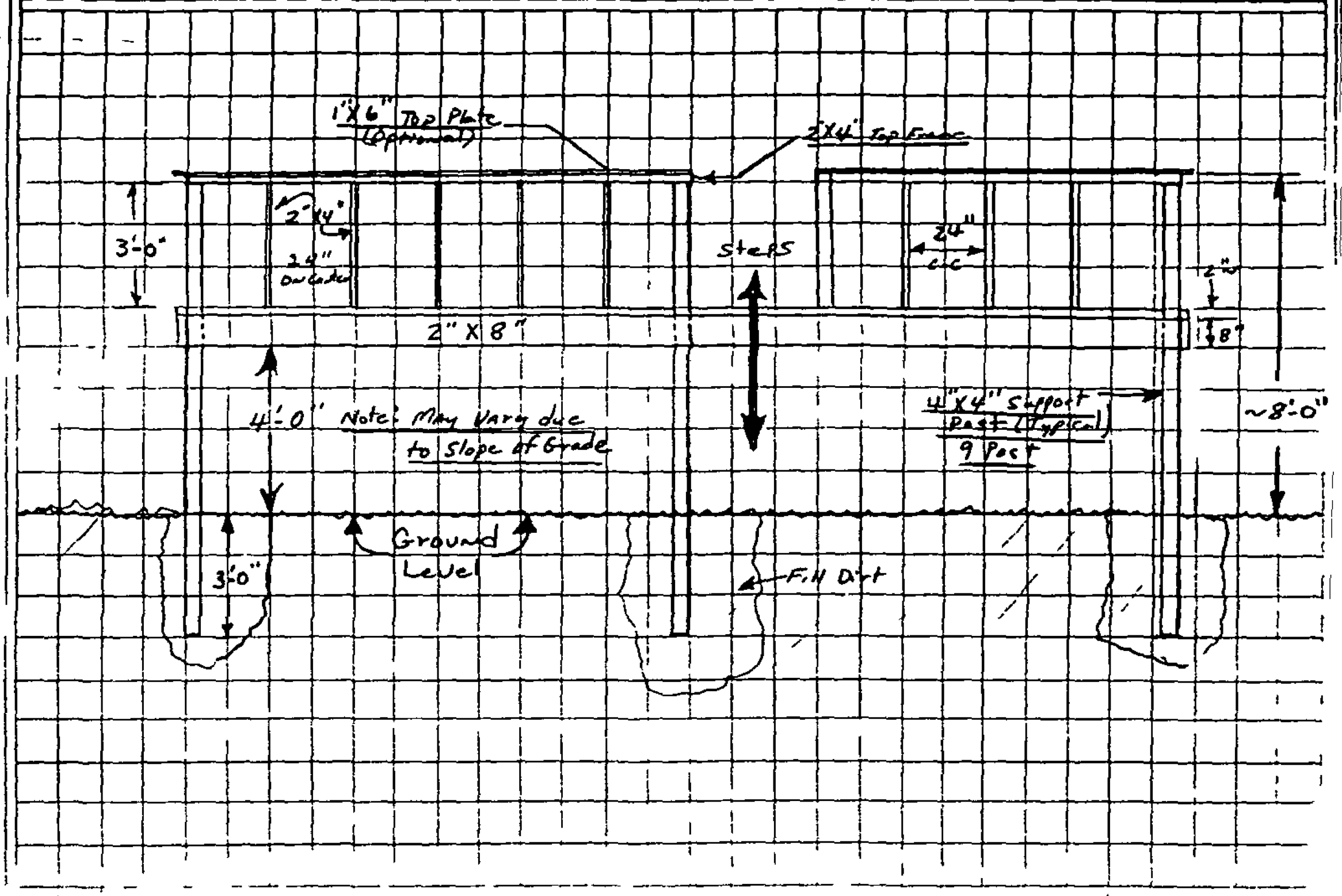
DUKE POWER COMPANY

Dev./Station _____ Unit ____ File No. _____

Subject _____

By _____ Date _____

Sheet No. ____ of ____ Problem No. _____ Checked By _____ Date _____



Front View

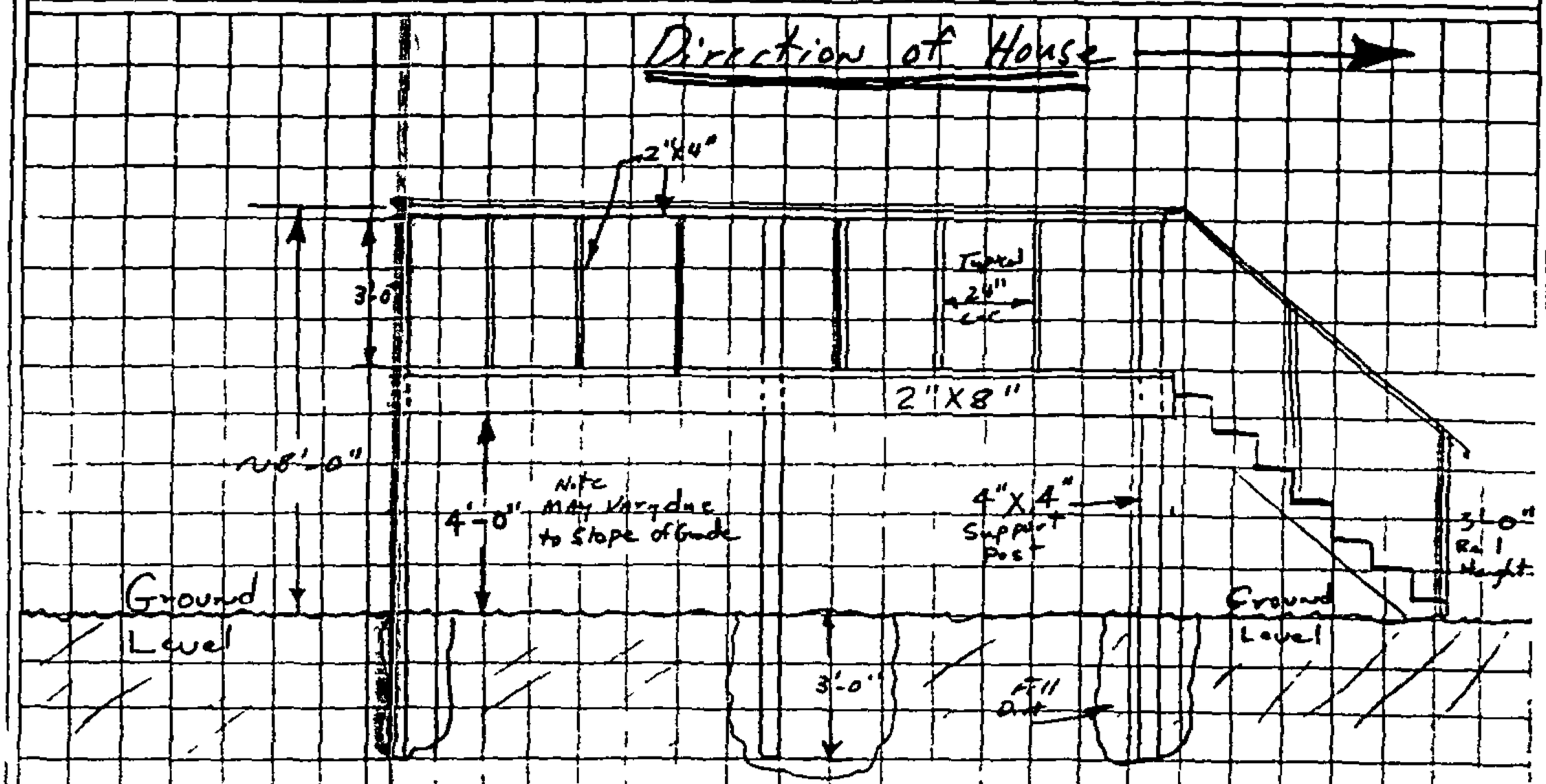
Form 00184 (6-81)

Dev./Station _____ Unit ____ File No. _____

Subject _____

By _____ Date _____

Sheet No. ____ of ____ Problem No. _____ Checked By _____ Date _____



Note: 2"X8" Material treated Pine Grade #2 (or Better)
4"X4" Supports Grade #2 approved for Ground Contact.

Side View

DUKE POWER COMPANY

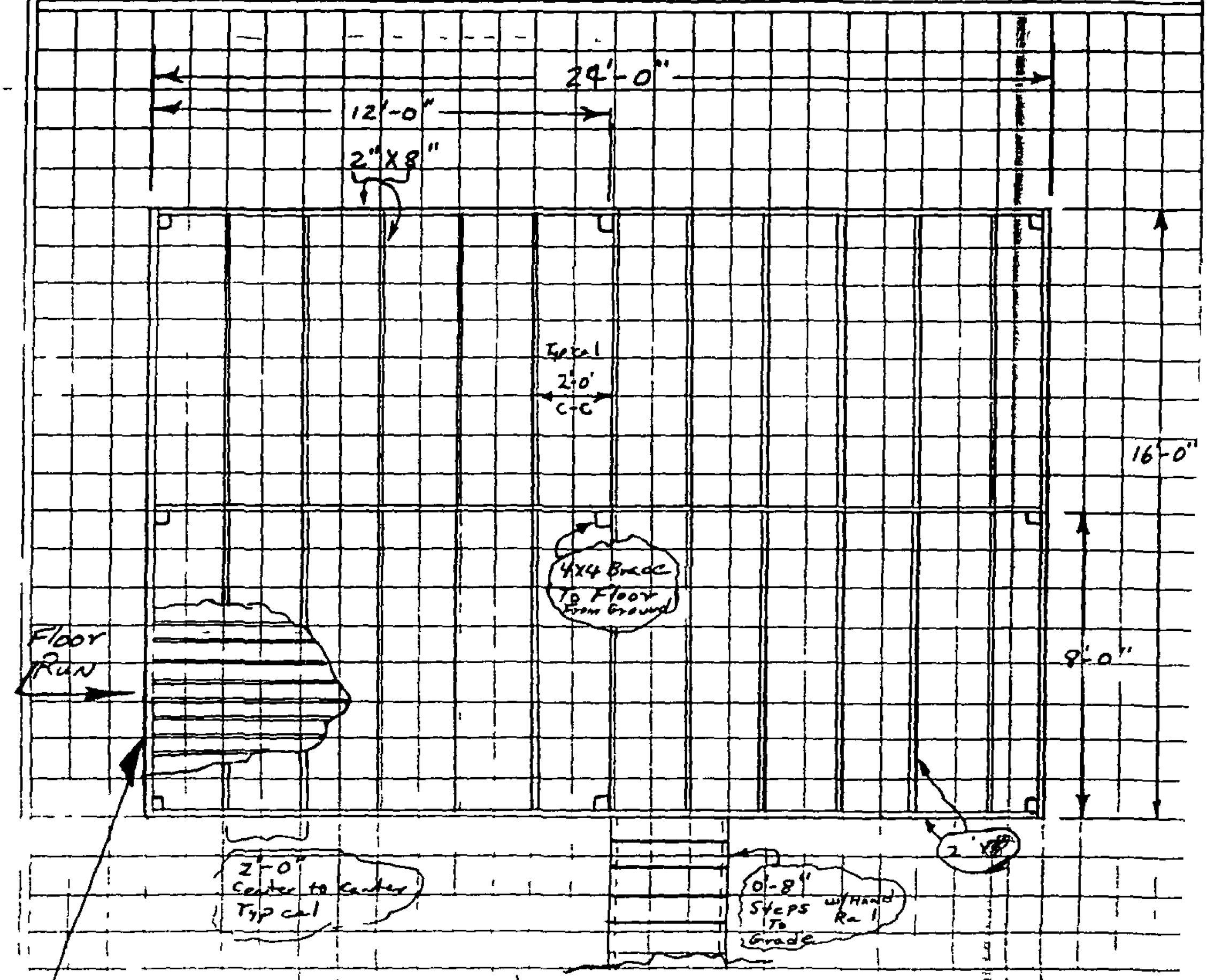
ym 00184 (6-81)

Dev./Station _____ Unit ____ File No. _____

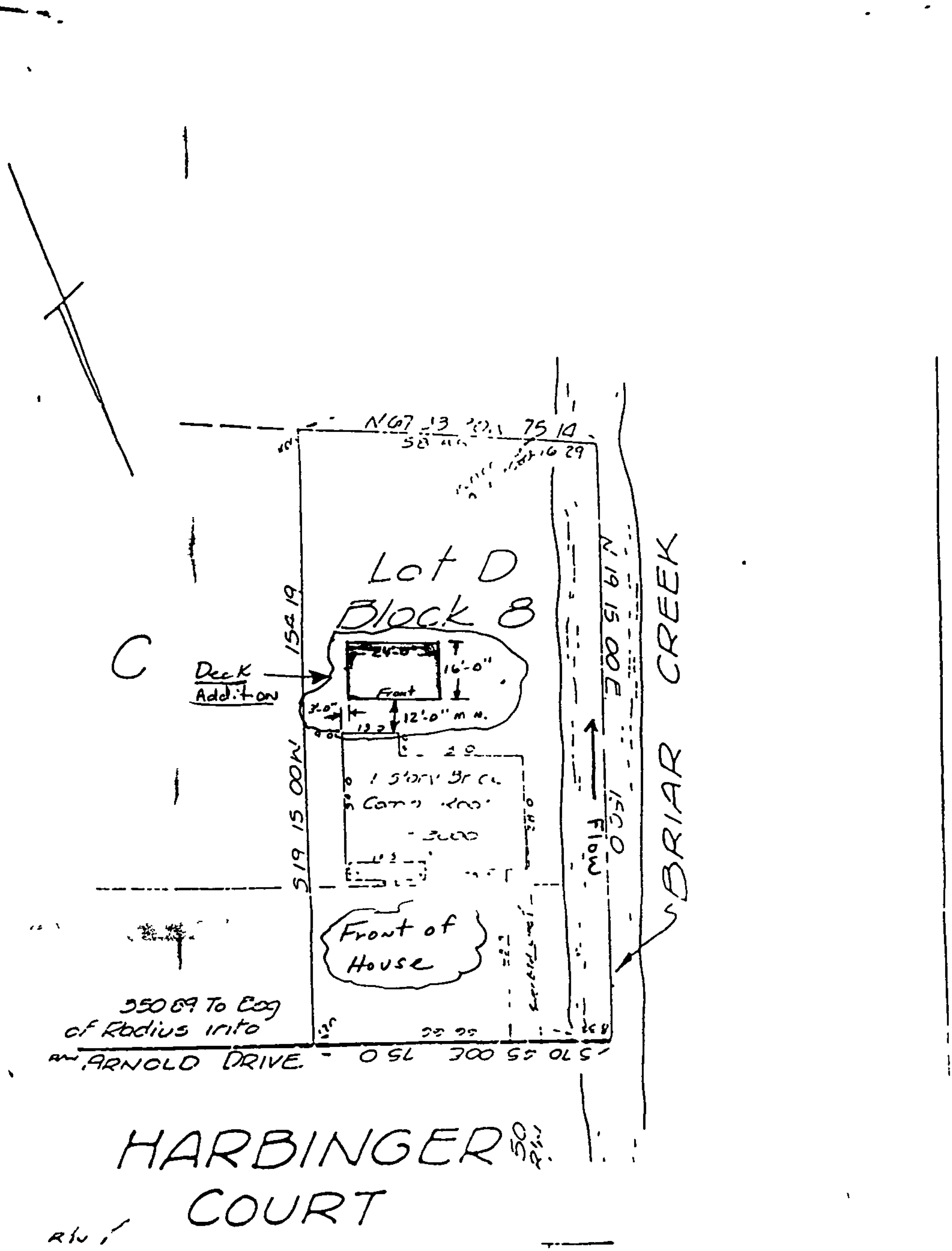
Subject _____

By _____ Date _____

Sheet No. ____ of ____ Problem No. _____ Checked By _____ Date _____



Top View


Lot D
Block 8
Deck Addition
Front
16'-0"
12'-0" min.
1 Story Brick
Front of House
154.19
519
N 19 15 00 E
BRIAR CREEK
350 89 To Beg of Radius into
ARNOLD DRIVE
HARBINGER COURT

THE WEST MOREHEAD SPECIAL PROJECT

INTRODUCTION

In 1984, the Charlotte Uptown Development Corporation identified the need to study the West Morehead area, an "industrial slum" located within Charlotte's Uptown Rejuvenation of the adjacent Third Ward neighborhood and the West Trade Street corridor, as well as the continued building boom along Tryon Street, have emphasized the decay in the West Morehead section, the only portion of the Uptown not addressed by a study

The project occupies the western extreme of Uptown Charlotte bounded by. Interstate 77 to the west, the Interstate 277 loop under construction to the south, South Mint and West Fourth Streets forming the eastern flank, the main Norfolk Southern railroad line east of South Cedar Street (between West First and West Fourth Streets), and West First Street between the rail line and I-77.

BACKGROUND

LAND USE

(Refer to enclosed maps)

Much of the industrial area of the Uptown is devoted to railroad lines controlled by the Norfolk Southern Railroad These rail lines slice the Uptown into three distinct pieces, each of which has its own land use character as described in the following·

AREA I

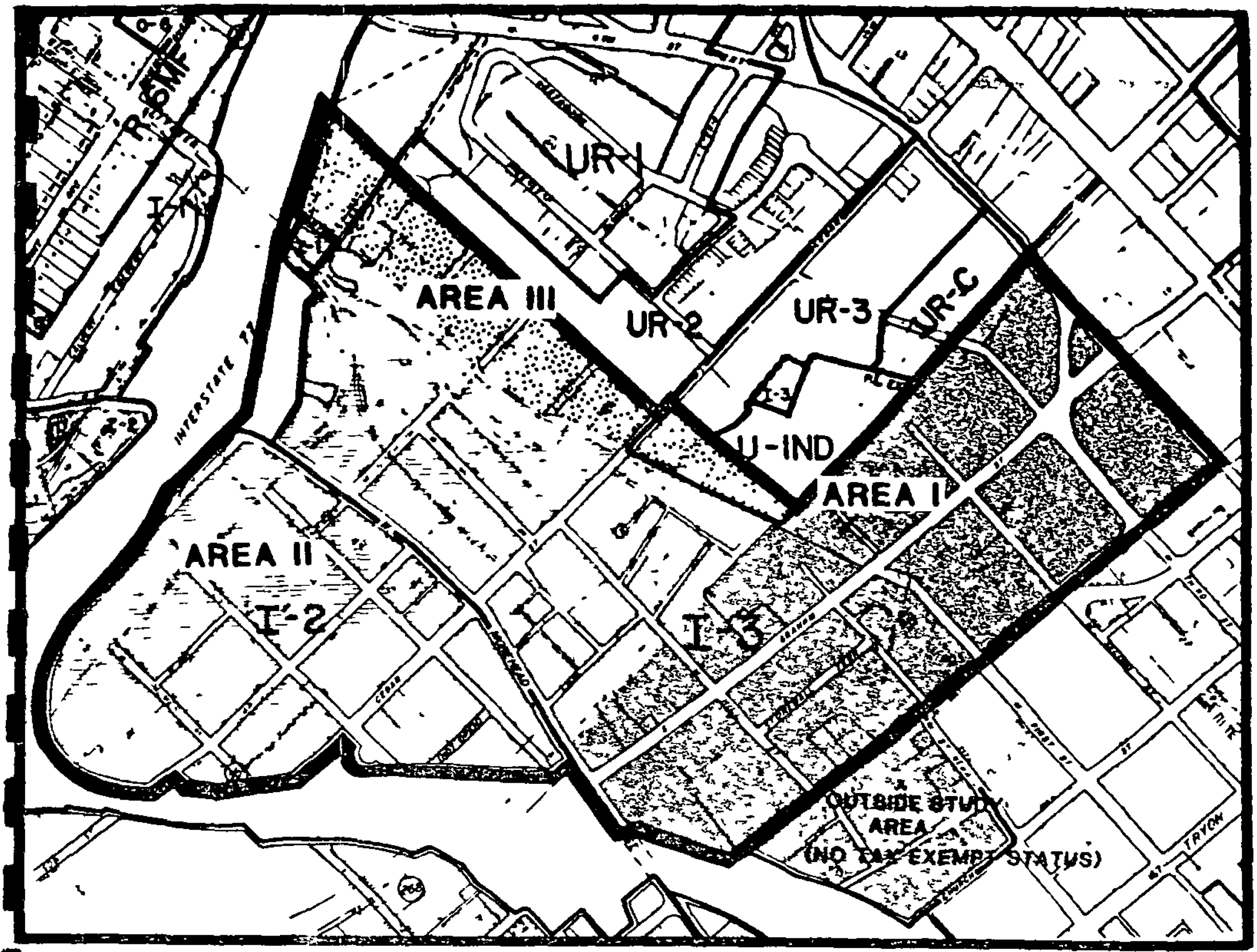
To the east of the main rail line, along South Graham and South Mint Streets, the predominant use is open land devoted to parking for Uptown commuters. A mix of retail and wholesale activities follows. Magnolias Nursing Home occupies a former hospital site between South Graham and South Mint Streets and houses the only residents in Area I.

AREA II

To the west of the main Southern Railway line and to the south of the former Piedmont Northern Railroad spur line is a section characterized by moderate to heavy industry, encompassing wholesale, warehouse and manufacturing facilities Included is a financially troubled foundry on South Cedar Street.

AREA III

To the north of the former Piedmont Northern Railroad spur line, sandwiched between rail and West First Street, is an agglomeration of notable old industrial buildings. The western section is devoted to manufacturing and wholesale trade, while the eastern two blocks contain a religiously affiliated mission devoted to rehabilitating the indigent. (The recycling and resale of refurbished goods help support the operation.) Area III fronts directly on the redeveloping Uptown neighborhood of Third Ward. In fact, a high quality condominium development has been constructed next to these aging industrial buildings on the north side of West First Street.

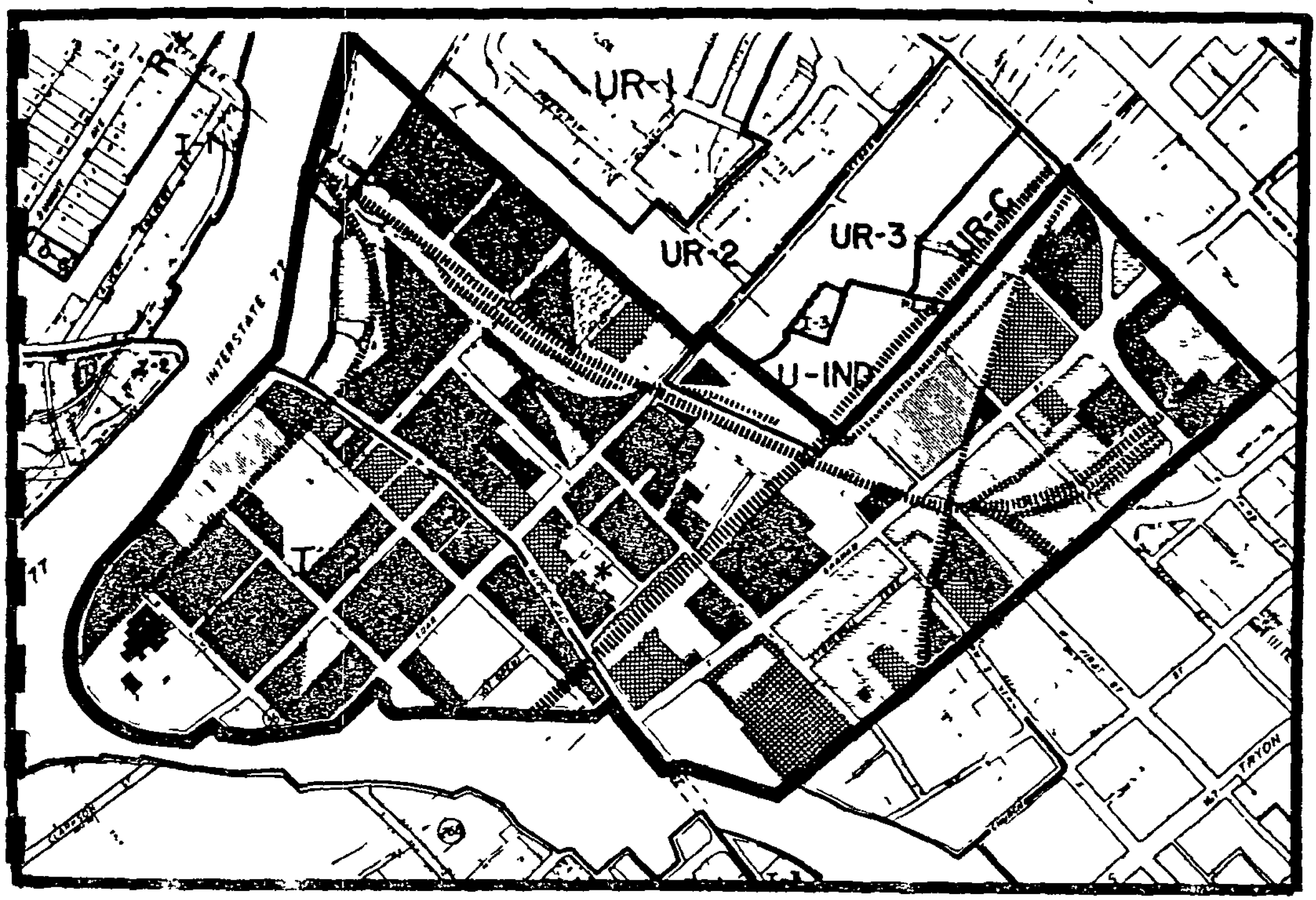


WEST MOREHEAD SPECIAL PROJECT PROPOSALS

TAX EXEMPT STATUS
NO CHANGE IN ZONING

CHANGE ZONING TO U-MUD

TAX EXEMPT STATUS
CHANGE ZONING TO UR-C



WEST MOREHEAD SPECIAL PROJECT
LAND USE

- INDUSTRIAL
- RETAIL
- OFFICE
- UTILITY
- RAILROAD
- INSTITUTIONAL
- PARKING
- HEALTH CARE FACILITY
- VACANT
- VACANT BUILDING

* BUILDING UNDER CONSTRUCTION

PROBLEM IDENTIFICATION

The West Morehead area suffers from neglect. As Charlotte's explosive growth occurred in the post-war period, many industries moved out to newer industrial parks in the suburban fringe. Left behind were firms choosing to stay for several reasons. First, Industrial (I-2 and I-3) zoned land had few controls on land use and appearance. Second, the central location was either essential to the operation or, at least convenient. Finally, business owners occupied delapidated buildings and had no incentives for repairs

Several additional constraints hamper a renewal. Currently, the area is adjacent to Interstate 77, as well as the Uptown. Unfortunately, transportation access is less than adequate. Only a north I-77 entry ramp exists for West Morehead Street. South bound trucks must currently drive either to the Trade Street/I-77 interchange (via the Third Ward residential section) or to the U.S. 74/I-77 cloverleaf by first traveling South Mint Street and the present Independence Boulevard. To complicate matters, interstate drivers can only reach this section indirectly through the beforementioned Trade Street/I-77 and U S. 74/I-77 interchanges.

The area's image as a hard industrial, deteriorating downtown fringe also discourages new investment. Reinforcing this image is the view drivers have from I-77, elevated and overlooking much of the West Morehead area. The current delapidated condition of aging industrial buildings is the foreground view as interstate travelers pass Charlotte Uptown skyline.

Also constraining renewal is the great number of small parcels having fragmented ownership. This is especially true along South Cedar, Hill, and West Morehead Streets, west of the Norfolk Southern Rail line, and on South Graham and South Mint Streets, between West Third and Hill Streets. Land assemblage is needed to open opportunities for large scale development.

Creating yet another problem are the numerous rail lines traversing the area and associated problems of topography. The rail lines literally bisect the region into at least three distinct sections In addition, at-grade streets meet or are blocked by many of the lines

Land controlled by utility or railroad ownership presents a challenge to redevelopment. Much of this acreage is currently devoted to open space for parking and abandoned tracks. This is particularly evident in the section between South Graham and South Mint Streets Obviously, this could affect land assemblage for future development.

Finally, current zoning is unacceptable if this section of the Uptown is ever to improve its image I-2 and I-3 industrial zoning predominate and give virtually no control over land use. Hence, the area is dotted with exposed storage yards and junked parcles.

POSITIVE FACTORS

Before recommendations are made, several positive factors should be noted. These elements are reviewed with the potential for redevelopment.

1. The location is excellent. The study area is part of Charlotte's Uptown where the network of roads and rail lines all converge. Also, South Mint and South Graham Streets are only two to three blocks from the high-rise office concentration fronting on Tryon Street.

2. Infrastructure is already in place. Water, sewer, electricity, natural gas, streets and rail have all been developed with the industrial high-use customer in mind

3 The area is accessible I-77 forms the western boundary of the study area presently constructed as an inadequate gateway to the region Fortunately, the future I-277 loop frames the southern perimeter and will be completed by 1988 This will enhance access, eliminating the need for trucks to traverse Third Ward

4. Presently, a quarter of the area's acreage is vacant Open land coupled with depressed land values could avail needed space for an expanding downtown office market

5. Without public assistance, rennovation and new construction is occurring. This includes. warehousing and retailing along South Mint and South Graham Streets, warehousing in the vicinity of West Morehead and Morris Streets and rehabilitative services and light manufacturing on West First Street. In total, approximately thirteen businesses have built or rehabilitated structures.

6. The rebirth of the adjacent Third Ward neighborhood is a plus for the study area's fringe along West First Street. Clarkson Green is a new, high quality condominium development between West First Street and Greenleaf Avenue. Nearby, several old, quaint industrial buildings have undergone or are under consideration for rennovation.

7. Public sector actions have already been initiated A certification study was undertaken in the Spring of 1985 to determine the number of blighted buildings A prerequisite to any redevelopment plan, it revealed that 72% of the area's structures were either deteriorated or in completely dilapidated condition Consequently, on November 18, 1985, the Charlotte City Council approved low interest money to aid in rennovation and new construction Entitled "Redevelopment Area No. 5", the objectives included setting certain design standards upon loan recipients in an orchestrated effort to improve the study area's appearance. Targeted specifically for the portion west of the Norfolk Southern rail line, the goal of improving appearances may eventually alter the present negative image

8. Because of the flurry of construction around Tryon Street (east of the Norfolk Southern rail line), the natural market forces were considered so strong that a redevelopment plan was not deemed necessary. There are indications that the market may already be working as competition for office space increases. "Back of office" uses (those office uses not needed in high profile locations) may dictate the construction of new buildings along South Mint Street and beyond.

PRELIMINARY FINDINGS

The Charlotte-Mecklenburg Planning Commission (CMPC), assisted by the Charlotte Uptown Development Corporation (CUDC), set out to explore the area's potential and to design and implement a plan to improve the area. A consulting firm, Zuchelli, Hunter and Associates, Inc. (ZHA) from Annapolis, Maryland was hired to study the situation The objectives of the study were:

1) To conduct a market analysis to determine land use possibilities
2) To outline the area's constraints and assests
3) To make recommendations

ZHA research included interviews with public officials, local business owners, as well as realtors. Statistics included· population trends and projections, employment, recent and predicted growth in income, and a survey of key employment sectors such as services, wholesale and retail trade.

The ZHA study conclusions centered on six recommendations·

1) Expand the urban redevelopment area to include West Morehead
2) Establish a commercial loan program
3) Create a residential loan program
4) Begin a coordinated West Morehead marketing effort
5) Consolidate small parcels of land
6) Establish a multi-tenant business incubator project to facilitate revitalization

Planning staff analysis concurred with the majority of these goals with the exception of the proposal for a residential loan program. The boundaries of the study area were reduced to omit the former Third Ward scrap yard site, thus eliminating any potential for housing

CMPC RECOMMENDATIONS

The following recommendations are categorized according to those responsible for implementation Several have already been accomplished

PUBLIC SECTOR

TO BE CARRIED OUT BY THE

CHARLOTTE-MECKLENBURG PLANNING COMMISSION

* Complete a certification study on blighted structures, assessing the area's eligibility for low interest loans. (Project completed.)

* Prepare a redevelopment plan based on the certification that sets up a low interest loan program for rehabilitation and new construction. (Project completed.)

* Introduce a certification study and redevelopment plan to the Charlotte City Council for approval. Designate CUDC as administrator of the redevelopment plan's loan program. (Project completed November 18, 1985.)

* Change the zoning in Area I (and an adjacent I-3 portion outside the study area, between I-277 and Stonewall Street) from I-3 to U-MUD.

* Change the zoning in Area III from I-3 to UR-C.

* Identify infrastructure in need of improvements. This includes curb and gutter and sidewalk repairs, better street lighting, possible street tree plantings (especially along heavily traveled roads and gateways), culverts, etc

TO BE CARRIED OUT BY THE

CHARLOTTE UPTOWN DEVELOPMENT CORPORATION

* Implement the Redevelopment Plan with a commercial loan program for renovation or new construction inside Area II and Area III.

* Investigate the possibility of public/private partnership ventures that could induce reinvestment into the area

* Explore the idea of a multi-tenant, business incubator project in the study area to facilitate revitalization and development of desired businesses.

* Implement a marketing program to lure business into the West Morehead area

* Facilitate a project to consolidate fragmented land ownership and a corresponding marketing program to promote united vacant parcels.

* Promote a West Morehead business owners association whose purpose would be to alter the area's negative image through strategies such as a marketing program and an organized clean-up campaign.

* Explore the possibility of reusing abandoned railroad track acreage either for resale or open space. Of particular interest is the fate of the former Piedmont Northern spur line between West First and Hill Streets. A potential reuse may be open space with a pedestrian walkway or a tramway to transport residents between the Third Ward neighborhood and Mint/Tryon Streets employment core

FUTURE ACTIONS BY THE PUBLIC SECTOR

* Since the region has a history of ground water contamination by local businesses, identify those firms involved in the sale, transport or use of hazardous chemicals and promote its monitoring The North Carolina Department of Human Resources in Raleigh would be responsible for this task

* The Charlotte-Mecklenburg Planning Commission and the Charlotte Uptown Development Corporation should combine efforts to sponsor a design charet for the West Morehead area. The purpose would be to explore the potential for future land use. Following the example of the West Trade Street charet, experts in their respective fields would be invited to collaborate on the project.

PRIVATE SECTOR

* Reserve the portion in Area I as future expansion for Uptown Tryon Street expansion By not expanding Redevelopment Area No 5 beyond the Norfolk Southern rail line boundary, natural market forces combined with a U-MUD zoning designation will dictate future land uses

CONCLUSIONS

Though the West Morehead area suffers from neglect, it holds many assets that can unlock the barriers to redevelopment Through the coordinated efforts of several agencies, low interest money is now available through the new "Redevelopment Area Number 5" Still to come will be the actual consolidation of parcels, the improvement of infrastructure, corrective rezonings and a marketing strategy The final outcome of these efforts will not only be reflected in a renewed interest in the area but more important, in a fresh image

#4

THIRD WARD PLAN

INTRODUCTION

At one time, Charlotte consisted of four wards The Third Ward neighborhood is a portion of the original Third Ward quadrant A charming uptown neighborhood, Third Ward had many grand homes in the West Trade Street corridor These homes no longer stand and the neighborhood has been divided by several major thoroughfares Strip commercial zoning has also evolved The negative impacts created by the widening of West 5th Street, the construction of the West 4th Street extension, and the Trade-4th connector have significantly contributed to the decline of the neighborhood by separating it into three, disjointed parts with no unity between the three The strip commercial zoning of the West Trade Street corridor bisecting Third Ward, has led to the piecemeal development of non-neighborhood businesses, many of which are deteriorating and contribute to the blighted image of Third Ward

However, there are some encouraging signs that may eventually lead to a renaissance of Third Ward Beginning in the mid 70's, under the Community Development Department, a substantial number of homes south of West 4th Street extension were renovated Public improvements were also made In the early 80's over 125 new condominiums were built under a low-interest loan program that is still in effect Recently, the streetscape along West Trade Street was improved, which may be yet another catalyst for revitalization

But Third Ward remains a divided neighborhood This plan was designed to guide development in Third Ward in such a way that the fragmented neighborhood will once again be unified. The plan focuses on revitalization of West Trade Street corridor Both land use and urban design components have been evaluated.

PLAN OBJECTIVES

- o conserve the existing housing stock
- o provide for new residential development compatible with Third Ward's character and needs and which helps to unify the fragmented portions.
- o develop a mixture of retail office and residential uses in the West Trade corridor that have a pedestrian scale and enhance it as a gateway to Uptown Charlotte

PLAN PROPOSALS

SOUTH OF WEST 4TH STREET EXTENSION

This area contains the majority of the housing in Third Ward as well as several tracts of vacant land Objectives for improving this area are

- o Preserve the existing residential character of the area
- o Provide for infill development on vacant land that would be consistent with the established character of the area

Based upon the objectives, the following improvements are recommended

1. Area A - This area is dominated by single family detached housing; it should remain so The current zoning of UR-1 is appropriate Efforts should be made to rehabilitate deteriorating homes

2. Area B - This area consists primarily of newly constructed townhouses and multiple family units, zoned UR-2 Vacant land should be built in the same manner.

3 Area C - This vacant tract of land consists of 2 5 acres and fronts on West 1st Street The current zoning of UR-2 is appropriate Pedestrian access to this parcel from Greenleaf Street should be developed along the old right of way of Elliott and McNinch Streets In addition, the parking lot at the end of West First Street should be connected to Greenleaf Avenue to provide better access to Frazier Park

4. Area D - Formerly occupied by a scrap metal salvage yard and other industrial uses, this vacant tract of land consists of 13-17 acres It is currently zoned UR-3, UR-C, U-IND and 1-3. Development of the tract may include both residential and non-residential uses, however, a significant residential component is required with intensity ranging from medium density along the Cedar Street frontage to high density toward the interior of the site In order to facilitate this type of development, it is proposed that the UR-C, U-IND and 1-3 be rezoned to UR-3.

Urban Design Recommendations - Building heights should be a maximum of three stories along Cedar Street to be compatible with development on the west side of Cedar Street. They may vary from five to eight stories at the interior of site, but should not block views of uptown A buffer of 100' should be provided along the southern railway within which recreational facilities or parking can be located

The development of Area C, which has over 1400 feet of street frontage presents an excellent opportunity for improving the appearance of Cedar Street, enhancing the street as a pedestrian link through Third Ward Specific streetscape proposals for Cedar Street and other Third Ward Streets will be developed as part of the Uptown Streetscape Plan, currently being developed by planning staff.

IRWIN AVENUE/WACCAMAW STREET AREA

The construction of the Trade-4th Street connector and West 4th Street extension have made this a rather tenuous area Much of the housing is in good condition, while some has deteriorated considerably. But excellent tree cover and hilly terrain help to make this a desirable residential area. A portion of the area, west of Sycamore Street, lies within the floodplain of Irwin Creek

The principal objective here is to maintain the existing housing stock and to provide appropriately scaled infill development Recommendations for this segment of Third Ward are as follows·

1 Area E - The housing stock in this area should be conserved, and rehabilitation efforts should be intensified to prevent further deterioration. Homes on the north side of Waccamaw should be relocated to the south side of Waccamaw, or to other areas in Third Ward Adding this land to the vacant city-owned tract to the north will not only make it larger and more marketable, but will give it better access and more development potential

2 Area F - Primarily vacant and zoned UR-2, this city-owned parcel is appropriate for medium density, single family attached or multiple family development

Urban Design Recommendations - The location of this parcel, at the beginning of the West Trade corridor, makes it a very strategic parcel Structures should have a very strong Trade Street orientation with access off Sycamore and Waccamaw Streets, and with parking behind the units Buildings should be no more than three stories to minimize adverse impacts to the neighborhood below Waccamaw Street

3. Area G - This floodplain parcel should be incorporated into Frazier Park, and a pedestrian bridge should be built over Irwin Creek The two existing homes on the tract should be relocated if possible.

WEST TRADE STREET CORRIDOR

The two block-wide West Trade Street corridor, passes through the middle of Third Ward A variety of incoherent land uses line the street It is crucial that the redevelopment of this corridor be done in such a way that it unifies the fragmented portions of Third Ward The following objectives have been established

- o Develop a mixture of retail, office, and limited residential uses compatible with and complementary to the existing neighborhood
- o Provide for pedestrian scaled development that has strong street orientations and that builds upon and improve existing pedestrian linkages.

1 Area H - This 5 block area constitutes the heart of Third Ward and lies along the "gateway" portion of West Trade Street Because of the significance of the gateway aspect of this corridor, careful attention should be given not only to the type of use, but also to the design and orientation of those uses This area is currently zoned U-MUD, Urban Mixed Use District, which encourages the coordinated development of a wide variety of office, retail and residential uses with special attention given to street level pedestrian relationships Within the context of the U-MUD district the uses within this corridor should blend from freeway service uses near I-77 to an extension of the urban core office/retail towards the railroad A limited residential component should also be included

Urban Design Recommendations - The design charette of June, 1984 recommends the establishment of a "main street" theme for West Trade Street to build upon the established character of Third Ward and to enhance the pedestrian character of the corridor. To achieve this, a strong Trade Street frontage of three to five story buildings should be established These buildings should have a pedestrian scale with balconies, porches, awnings and other architectural features adding to the main street theme Pedestrian scaled lighting would also be appropriate

4 Area I - Currently occupied by Chesapeake Paper Company, this area consists of a substantial brick warehouse complex These buildings offer a good opportunity for adaptive reuse into specialty shops and offices in the future

5. Area J - With the exception of the southern railway office building and a used car lot, this tract is vacant Mixed use development is recommended with an emphasis on retail and office uses The southern railway building should be the focal point of development

6. Area K - The plan recognizes the existence of Mt Moriah Baptist Church and supports the continuation of this neighborhood institution

NORTH OF 5TH STREET

The area north of West 5th Street is predominantly residential in character with some office and commercial uses fronting 5th Street The Irwin Avenue Optional School and campus, a significant amenity, dominates the area Just north of the school lies Elmwood/Pinewood Cemetery, a valuable open space

The objective is to maintain the residential character while providing for appropriately scaled infill development

Recommendations are as follows

1 Area L - Preserve existing housing stock where feasible New housing should be single family attached or multiple family with a three-story maximum It is proposed that two residential parcels of land at Sycamore and West 6th Streets be rezoned from O-6 to UR-2

2 Area M - Maintain the existing open space of Irwin Avenue School and connect it to Frazier Park with a Greenway along Irwin Creek between West Trade and West Fifth Streets In the future, if the school should cease to function, the school building should be kept and reused for residential purposes Medium to high density infill development should occur on parcels adjacent to the school. To facilitate this type of development, it is proposed that the school site be rezoned from UR-C, Urban Commercial, to UR-3.

Urban Design Recommendations - Development should not take place on property located directly in front of the school as it would block the view of the attractive building. Development adjacent to the existing neighborhood should be limited to three stories, while development adjacent to the cemetery could be five or six stories

3. Area N - Elmwood/Pinewood Cemetery - This represents a valuable open space in the midst of an urban area Because it borders both Third and Fourth Wards there is a good opportunity to provide a pedestrian connection between the two In addition, the cemetery should be developed with jogging and fitness trails more active use The chain link/barbed wire fence that surrounds the cemetery should be removed or replaced with a more attractive fence, and evergreen plantings should be planted along the northern boundary to provide a screen from adjacent, industrial uses.

STREETSCAPE PLANS

One of the principal means through which some degree of unity and connectivity between the fragmented portions of Third Ward can be achieved is through streetscape plans Recommendations for improving all Third Ward streets will be made in the Uptown Streetscape Plan currently being prepared by planning staff

Specifics to be addressed in the streetscape plans are as follows

- consistent streetscape patterns particularly on north-south streets in an effort to link together the fragmented portions of Third Ward.

- extensive tree plantings along the Trade-4th connector to soften that thoroughfare.
- reconstruction of portions of the West Trade Street bridge over Irwin Creek to include balustrades or stone facing to give it more of a pedestrian scale
- emphasizing Cedar Street as the major north-south auto/pedestrian connector in Third Ward by establishing a consistent streetscape throughout

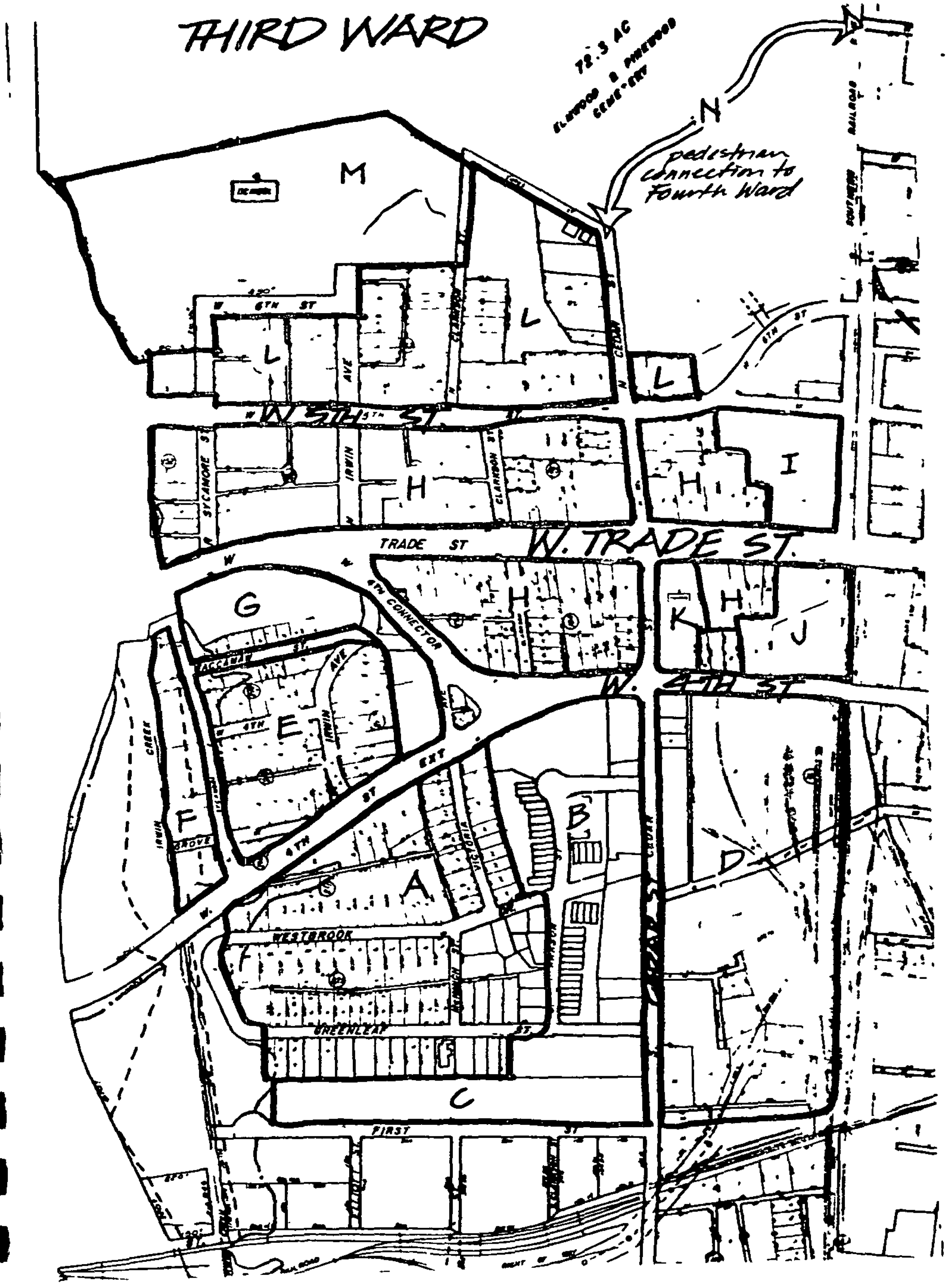
(In all cases, streetscape plans will make recommendations for sidewalks of varying widths to accommodate the amount of expected pedestrian traffic.)

URBAN DESIGN GUIDELINES

Where the plan makes urban design recommendations above and beyond zoning ordinance requirements, basic urban design guidelines will be incorporated into the Third Ward Redevelopment Plan to achieve the desired objectives

CONCLUSION

The proposed land use plan for Third Ward will establish the most appropriate land uses for the area, striking a balance between residential conservation, new multi-family construction and commercial and office development. It is imperative that proposals for new development be reviewed within the context of the established urban design guidelines to achieve the highest degree of unity between the different land uses


THIRD WARD
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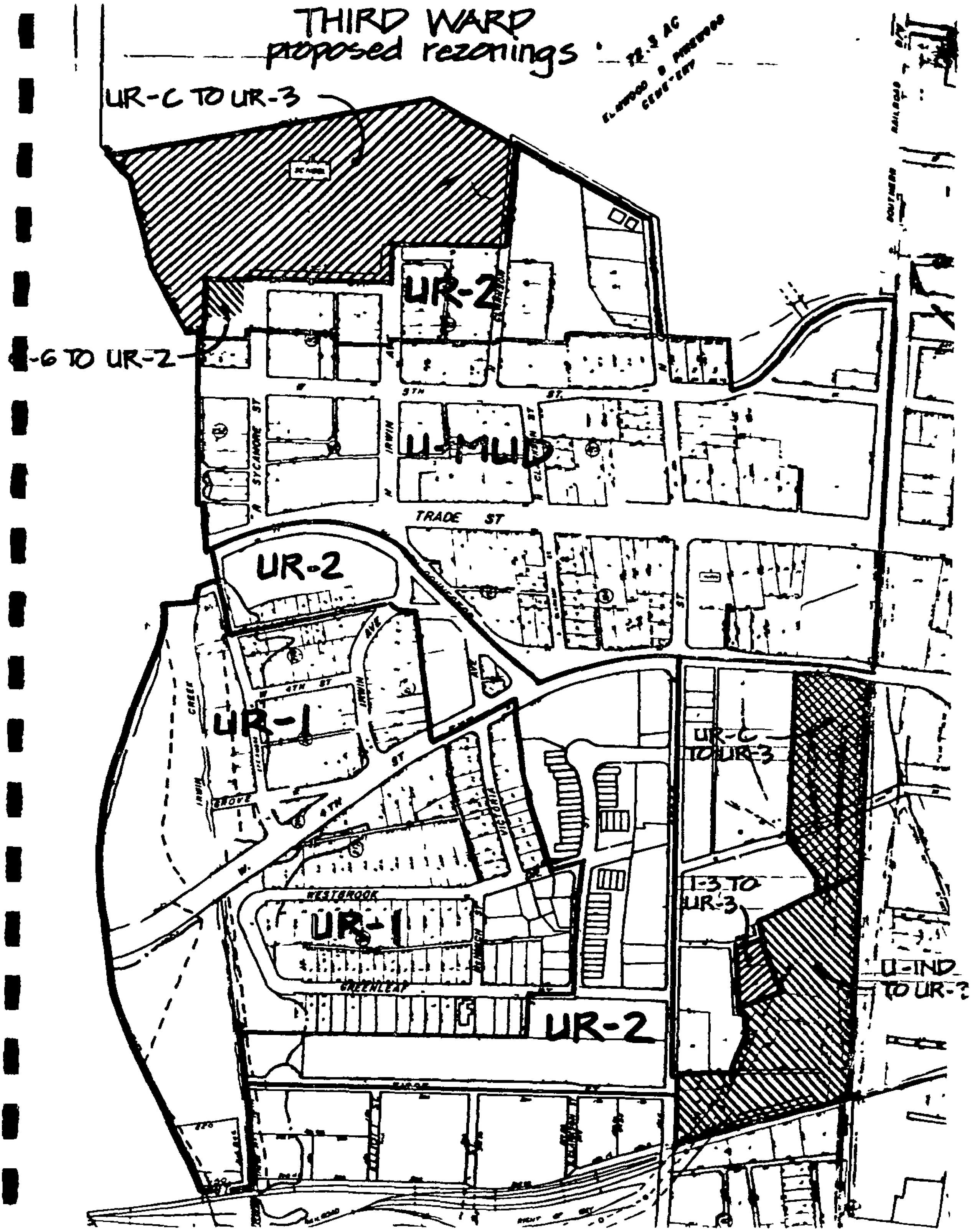


#5

DATE: March 20, 1986

PETITION NO.: 86-29

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST. Change from B-1 and 0-6 to R-6MF, R-15MF and R-9.

LOCATION Approximately 12.14 acres located along West Sugar Creek at Cushman Street and Rutgers, north of Sofley Road, and along Cenderella Road and Gondola Avenue.

ACTION The Planning Commission recommends that the petition be denied.

PART WEST OF SUGAR CREEK ROAD

VOTE: Yeas: Curry, Griffin, Lawing and M. Smith.

Nays: Wheeler.

(Commissioner Lewis abstained from voting Commissioners Clodfelter, Lowery and S. Smith were not present when vote was taken.)

PART EAST OF SUGAR CREEK ROAD

VOTE Yeas Curry, Griffin and Lawing

Nays: M. Smith and Wheeler

(Commissioner Lewis abstained from voting Commissioners Clodfelter, Lowery and S. Smith were not present when vote was taken.)

REASONS

The area in this petition comprises slightly over 12 acres and located along West Sugar Creek at Cushman Street and Rutgers Avenue, north of Sofley Road and along Cincerella Road and Gondola Avenue The application requests to change the present B-1 and 0-6 zoning associated with this property to R-6MF, R-15MF and R-9.

Small Area Plan Recommendations

The portion of this request which lies on the southerly side of Cinderella Avenue is presently zoned B-1 and 0-6 and the petition seeks R-15MF. This area is comprised of two lots of which the majority is zoned B-1. If commercial development of these lots were to occur, it would penetrate too far into the Hidden Valley residential neighborhood. If residential development were to occur, it would be of very high densities under current zoning. Given these

concerns and considering adjacent land uses, multi-family for this area seems most appropriate and it is therefore recommended that the R-15MF district, which accommodates densities up to approximately 12 units per acre, be utilized for this area

The area of the petition lying north of Cinderella to Gondola Avenue is presently zoned B-1 and the petition is seeking R-6MF. The property is the site of the Hidden Valley Apartments. The recommendation associated with this is based upon the desire to have zoning reflect the actual land use Rezoning the site to R-6MF will do that and will preclude and commercial development on this site if it were to ever occur

The area of the petition located on the north side of Gondola comprises property currently zoned B-1 and the petition seeks R-9 This area is similar in character to the previously described area to the south of Cinderella in that it penetrates into the Hidden Valley neighborhood. However, since single family homes are adjacent to one side a lower density would be more appropriate The recommendation here is to rezone the property to R-9 initially, with the possibility to later consider conditional rezoning to the R-20MF district This would allow single family attached development at densities up to about 8 units per acre.

The remaining area of the petition lies along the westerly side of Sugar Creek opposite Gondola Avenue This area is presently zoned O-6 and the petition seeks R-9 zoning This area is comprised of several lots which are used for single family purposes, though it appears one residential structure is used in conjunction with an office or as an office in and of itself.

In order to prevent further stripping of non-residential uses along Sugar Creek Road and to maintain the existing housing stock it is recommended that this area be rezoned to single family R-9. Subsequently, under a conditional rezoning, single family attached could be entertained at densities up to 8 units per acre utilizing the R-20MF district Rezoning this property will strengthen a residential character along Sugar Creek Road and will serve to impede further commercial and office use in the general area

Planning Commission Discussion/Action

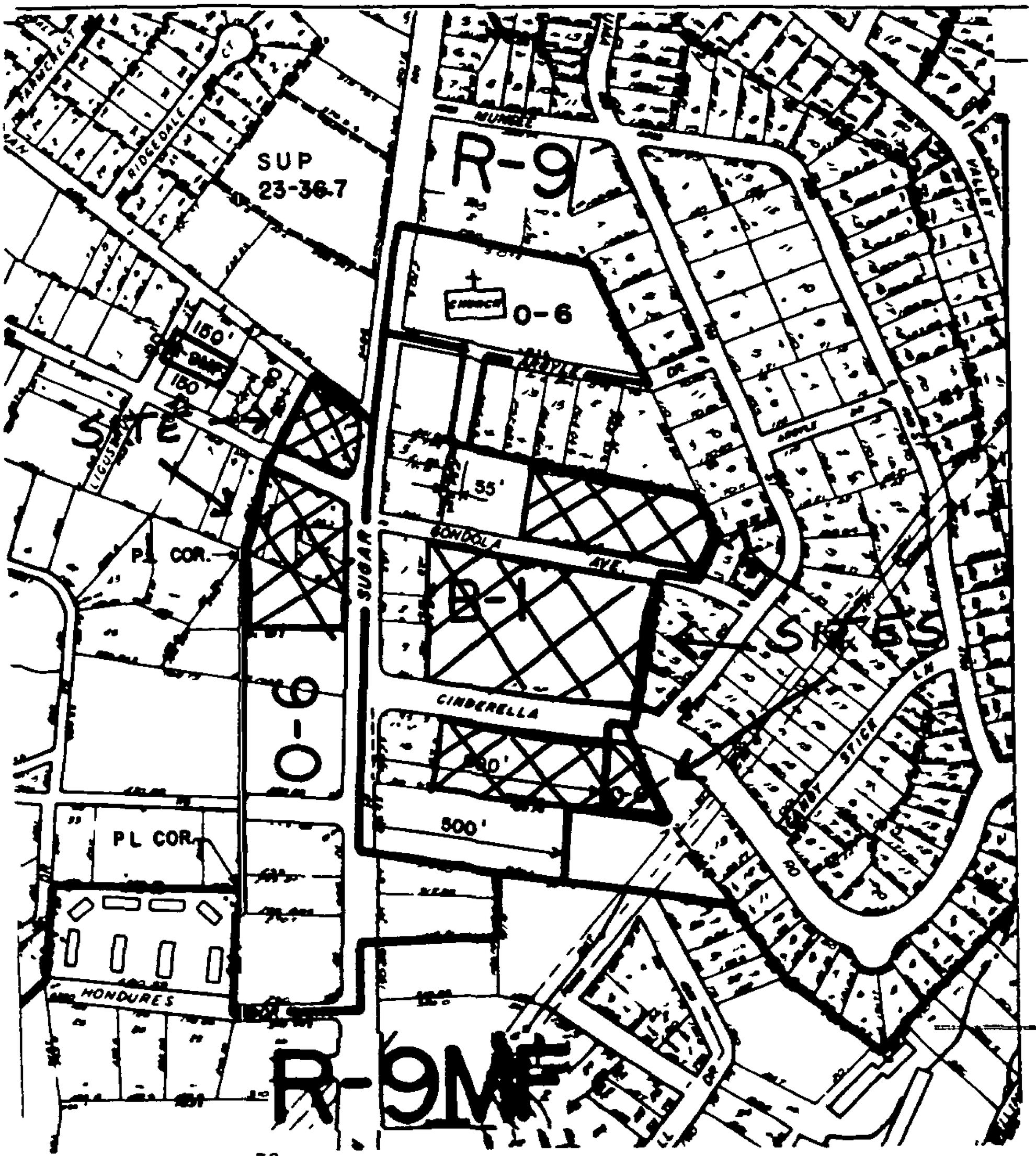
The Planning Commission handled this matter with two votes. The area of the petition was divided along Sugar Creek Road The area east of Sugar Creek Road was recommended for denial by a 3-2 vote while the area on the west side was recommended for denial by a 4-1 vote There was little discussion prior to the voting, but Planning Commission was concerned about the orientation and relationship of this property to Sugar Creek Road. Planning Commission believed that the recommendations of the small area plan, especially those to single family zoning, were not reasonable Therefore, Planning Commission recommends that the petition be denied

PETITIONER CHARLOTTE-MECKLENBURG PLANNING COMMISSION

PETITION NO. 86-29 HEARING DATE 03/17/86

ZONING CLASSIFICATION, EXISTING B-1, O-6 REQUESTED R-6MF, R-15MF and R-9

LOCATION 12.14 acres located along W. Sugar Creek at Cushman Street and Rutgers Avenue, north of Sofley Road and along Cinderella Road and Gondola Avenue



ZONING MAP NO. 78 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#6

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

May 2, 1986

Mayor Harvey Gantt
Members, City Council
Charlotte, North Carolina

Dear Mayor and Council Members

Attached are recommendations of the Charlotte-Mecklenburg Planning Commission on petitions for rezoning which have been heard and referred to the Planning Commission for consideration The recommendations as reflected herein were arrived at in a meeting of the Planning Commission on April 24, 1986

According to the adopted rules of procedure, these recommendations will be sent to the interested parties with a time period for the conveyance of any written statement set to elapse on May 12, 1986 This will then permit these matters to be placed on your agenda for consideration on May 19, 1986

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

Respectfully submitted,

Robert G Young
Land Development Manager

RGY oj

Attachments

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

DATE	April 24, 1986
PETITION NO	85-51
PETITIONER(S)	Charlotte-Mecklenburg Planning Commission
REQUEST	Consideration of a text amendment to the City of Charlotte Zoning Ordinance, Sections 1102, 3000, 3100 and 3300 (Demolition Landfills)
ACTION	The Planning Commission deferred action until May 12, 1986

DATE	April 24, 1986
PETITION NO	85-67
PETITIONER(S)	Charlotte-Mecklenburg Planning Commission
REQUEST	Change from R-9MF and B-1 to R-12MF
LOCATION	A 44 12 acre site on York Road, directly across from the York Road Landfill site
ACTION	The Planning Commission deferred action until May 12, 1986

DATE	April 24, 1986
PETITION NO	86-24
PETITIONER(S)	F & G Corporation
REQUEST	Change from R-12 to B-2(CD)
LOCATION	A portion of an 11 92 acre site located in the 6600 block of North Tryon Street
ACTION	The Planning Commission deferred action pending further study

DATE April 24, 1986

PETITION NO 86-31

PETITIONER(S) Charlotte-Mecklenburg Hospital Authority

REQUEST Change from R-6MF, O-6, B-1, and B-2 to O-6(CD)

LOCATION Approximately 40 acres located at 1000 Blythe Boulevard

ACTION The Planning Commission recommends that the petition be approved

VOTE Yeas Clodfelter, Curry, Griffin, Lawing, M Smith, S Smith and Wheeler

Nays Emory, Lewis and Lowery

REASONS

ISSUES

1 Reason for Request What is the reason behind rezoning the property to the requested classification?

2 Neighborhood Goals and Hospital Goals If the petition is approved, what neighborhood goals can be accomplished by it as well as those of the hospital?

BACKGROUND

1 Existing Zoning The property within the petition boundary is zoned a variety of districts R-6MF, O-6, B-1 and B-2 Because the site is located within the inner city a wide variety of zoning districts are dispursed throughout the immediate vicinity Residential areas nearby are zoned R-6MF while many streets, particularly the major ones, are zoned either for office or business uses

2 Existing Land Use The property is presently the site of Charlotte Memorial Hospital and the Florence Crittenton Home along with associated parking and other support uses The Charlotte Rehabilitation Hospital is also located on the property Nearby areas are developed with residential uses particularly along portions of South Kings Drive, Garden Terrace, and many other nearby neighborhood streets Major thoroughfares in the area such as East Boulevard, Morehead Street and portions of Kings Drive are developed with a variety of non-residential uses, most of which are neighborhood retail and service oriented

3 Site Plan The proposed site plan proposes to tie all of the property under a uniform 0-6(CD) classification to promote a medical center campus The plan provides for various screening and landscaping improvements throughout the property and other measures that would enhance the overall appearance of the property About 1 3± million square feet of building area now exists on the site and the plan provides for an additional 2 0 million square feet

GENERAL FINDINGS

1 2005 Plan The plan specifically indicates this area as one of existing employment bordered by existing residential A community commercial center is to be located at East Boulevard and Kenilworth Strategies will include the development of an enterprise area which will include the three hospitals encouraging high intensity districts of office, shops and housing

2 Pre-Hearing Staff Input Staff assisted in the submission of the rezoning application

3 Neighborhood Context The site is located in the Dilworth neighborhood

4 Pre-Hearing Departmental Comments (Summary)

1 C-MUD Water and sewer is available to service this site

2 Engineering No comment except to observe the normal development permit process

3 Fire Department No comment except that any additional trees or landscaping should not reduce the access of fire apparatus to buildings

4 C-DOT Rezoning will not affect existing traffic conditions

5 Building Standards No comments

DETAILED FINDINGS

1 The petitioner in this request is the Charlotte-Mecklenburg Hospital Authority The request encompases approximately 40 acres in property with current zoning being a combination of R-6MF, 0-6, B-1 and B-2 Portions of the property also are associated with a special use permit The request seeks to rezone all of the property to 0-6(CD)

2 The petitioner has filed a conditional site plan which emphasises landscaping and screening improvements spread throughout the property in question The intent of the request is to tie all of the property into a medical center campus-like setting

3 The petitioner has had extensive conversations and input with the Dilworth neighborhood It is understood that the neighborhood is in favor of the request

4 There is no problem with the request generally speaking A few observations are noted, however First of all, the special use permit which does act as an overlay to portions of this property does need to be terminated Until such time as the termination takes place through action by the Minor Special Use Permit Board the special use permit conditions will still be in effect despite the possible rezoning of the property

5 Further, the plan filed with the application is silent as to expansion possibilities for existing buildings or for new buildings It is assumed that the Hospital Authority does have expansion ideas and the plan definitely needs to address this situation or else there will be subsequent plan amendments (Note This was taken care of in a post-hearing note, which was made part of the site plan)

6 It is commendable that the neighborhood and the hospital officials have gotten together to recognize the significant impact that the hospital and its environment has on the community Obviously, the community at large needs this facility and it is likely to expand as future needs dictate By addressing common needs and concerns that expansion can proceed in a more orderly fashion with little or no conflict to surrounding areas Thus both the hospital and neighborhood benefit from the request

7 Based upon the above circumstances, Planning Commission does recommend the approval of the petition

Minority Opinion
The minority opinion expressed the viewpoint that screening and buffering is not clear and the fact that there was no firm concept plan for future development of the property

Staff Opinion
The staff agreed with Planning Commission

PETITIONER CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY

PETITION NO. 86-31 HEARING DATE 03/17/86

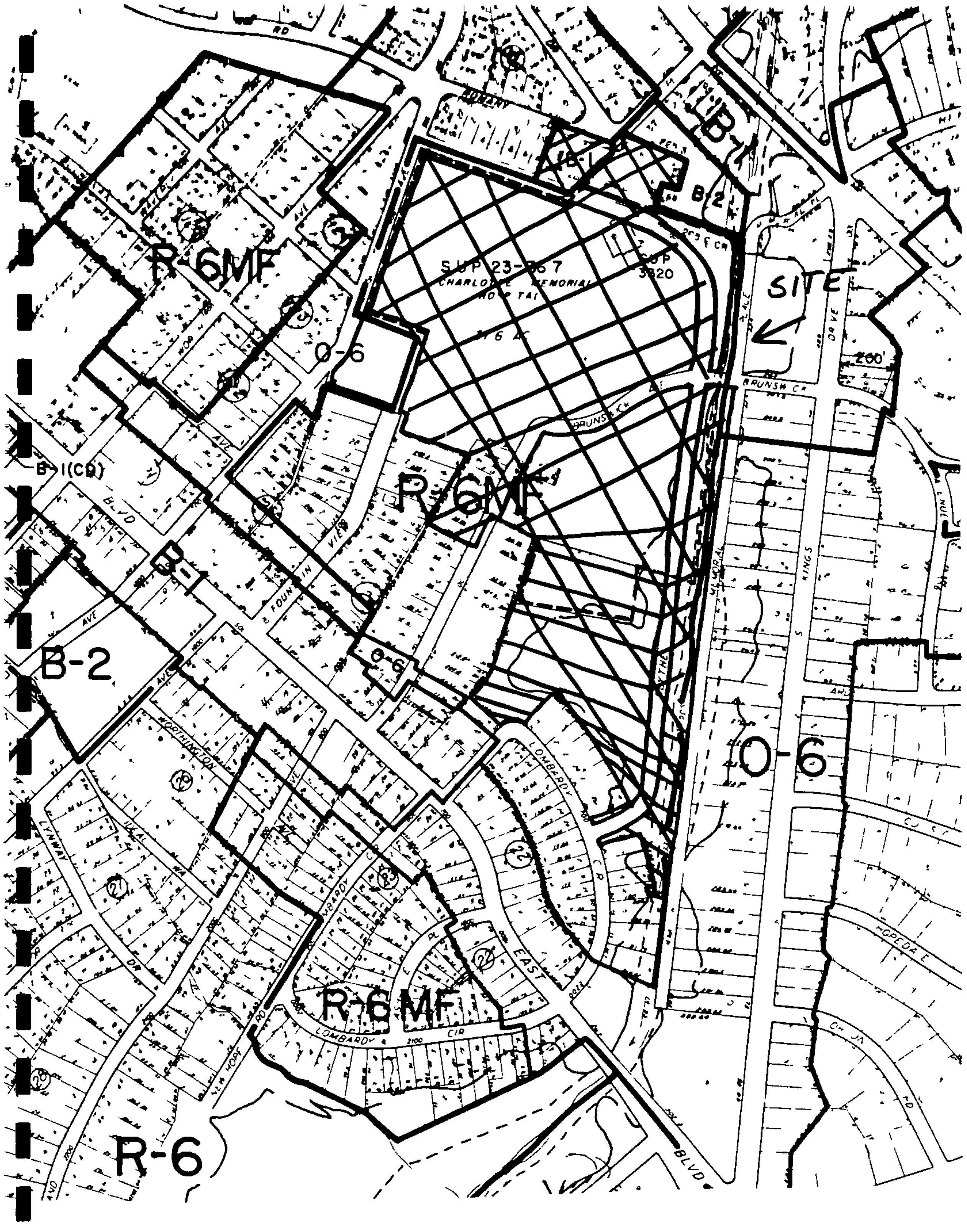
ZONING CLASSIFICATION, EXISTING R-6MF, O-6, B-1, B-2 REQUESTED O-6(CD)

LOCATION Approximately 40 acre site located at 1000 Blythe Blvd.

PLEASE SEE ATTACHED MAP

ZONING MAP NO. 111 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


R-6MF
B-1
B-2
SITE
O-6
SUP 23-067
CHARLOTTE MEMORIAL HOSPITAL
SUP 3820
BRUNSWICK
KINGS
MORAL
LOMBARDY
EAST
WORTHINGTON
LYNWAY
NEW HOPE
HOPEDALE
BLVD
CIR
R-6

DATE April 24, 1986

PETITION NO 86-32

PETITIONER(S) Schurgin Development Corporation

REQUEST Change from O-15 and R-9 to B-1(CD) and R-9(CD)

LOCATION An approximately 130,000 square foot site on the southerly side of Albemarle Road near Grafton Place

ACTION The Planning Commission recommends that the petition be approved

VOTE Yeas Clodfelter, Curry, Emory, Lawing, Lewis, Lowery, S Smith and Wheeler

Nays M Smith

(Commissioner Griffin abstained from voting as he wasn't present at public hearing)

REASONS

ISSUES

1 Albemarle Road Small Area Plan Does the rezoning request conform to land use and zoning policies contained in the Albemarle Road Small Area Plan?

2 Site Plan What aspects of the conditional site plan are important to evaluate?

3 Relationship to Neighborhood What is the relationship of this site to adjoining residential properties and to the Grafton/Starkwood neighborhood?

BACKGROUND

1 Existing Zoning The property involved in this petition is zoned two classifications O-15 and R-9 Adjoining the site along its easterly boundary is a B-1(CD) tract as well as an area zoned R-9MF Most of the remaining borders of the southerly and westerly sides of the site are either R-9 or R-9MF Similarly, R-9MF zoning extends across Albemarle Road from the site Along Albemarle Road generally to the east is a combination of O-15 and B-2 zoning Large areas somewhat further south of the site are zoned R-15MF(CD) and extend generally from Sharon Amity Road to Reddman Road

2 Existing Land Use The subject property is vacant A number of single family homes are located along Starkwood Drive and Grafton Place, though

there is an area which fronts on Albemarle between the two streets which is vacant The Lake Apartments are located across from the site as is the Hartford Insurance Company office The Reddman Square Shopping Center also adjoins the easterly boundary of the site Other commercial and office uses are generally located farther east along Albemarle Road A concentration of multi-family development is occurring along Reddman Road

3 Proposed Site Plan (Amended at Public Hearing) The conditional site plan proposes a shopping center for the site which would include a maximum area of 26,800 square feet Access into the site would be located only from Albemarle Road The plan also provides for an access to the adjoining shopping center Screening/landscaping will be provided, especially in the area adjoining a single family residence An illustrative rendering of the center is also provided

4 Public Hearing Amendment The plan was modified at public hearing A portion of the petition on the corner of Albemarle and Grafton was deleted

GENERAL FINDINGS

1 2005 Plan The 2005 Plan specifically shows an area along Albemarle Road as existing employment with other existing residential development generally to the south of the site Community commercial centers are located east and west along with the Eastland Mall to the north

2 Albemarle/Sharon Amity Intersection Improvements Intersection improvements will be made at the intersection of Albemarle and Sharon Amity with dual left turn lanes on approaches to Albemarle Road and right turn lanes on approaches to Sharon Amity

3 Albemarle Road Small Area Plan The petitioned property is located within the study boundaries of the Albemarle Road Small Area Plan Specifically, a portion of the site is recommended for potential change to a retail classification for neighborhood commercial/service uses An area immediately to the east was also proposed for a similar rezoning and was rezoned accordingly to allow a speciality shopping center Other portions of the property proposed for retail zoning are not called for in the small area plan

4 Pre-Hearing Staff Input Staff discussed the matter with the applicant prior to the submission of the application Staff indicated that portions of the site were recommended for retail zoning, but other portions were not Staff urged that the petitioner needed to work closely with Task Force representatives as well as neighborhood leaders in the development of the site plan

5 Pre-Hearing Departmental Comments (Summary)

1 C-DOT This site could generate between 1700 and 1900 trips per day as currently zoned Under the proposed rezoning it could generate 4700 to 4900 trips per day with 365 occurring during the morning peak hour and 617 trips occurring during the afternoon peak hour Albemarle

Road currently has a traffic volume of about 30,600 trips per day The additional traffic generated by the development would have a noticeable effect on traffic conditions in this area

2 Fire Department Hydrant tests at Grafton Place and Albemarle Road indicate a low water supply pressure for the development of the proposed shopping center The Fire Department recommends the proposed building be equipped throughout with an automatic fire sprinkler system Also, additional fire hydrants will be needed on the site to comply with hydrant spacing requirements of the City Fire Code

3 Building Standards Department No comments

4 Engineering Department No comments except those that are normally associated with the development/permit process

5 C-MUD Water and sewer is available to service the property

6 Neighborhood Context The property is located in the Coventry Woods neighborhood

DETAILED FINDINGS

1 The petitioned property is a site located on the southerly side of Albemarle Road near the intersection of Grafton Place The property is zoned a combination of R-9 and O-15 and the petitioner is requesting the property be changed to B-1(CD) and R-9(CD)

2 The proposed use of the site is a shopping center to contain a maximum of 26,800 square feet (For further details refer to Background #3)

3 The property is within the boundaries of the Albemarle Road Small Area Plan The plan has called for some retail rezoning to occur in this area some of which already has been accomplished The subject property contains a portion of that area which the plan does call for rezoning to retail purposes

4 It should be noted that once before this site was petitioned for commercial zoning for restaurant usage, but that rezoning was denied The principal basis of denial was the fact that the restaurant was seen as a use which would generate a great deal of outside traffic to the area whereas the plan strives more towards neighborhood oriented uses

5 Early on nearby residents and overall neighborhood leadership were opposed to the request based on the fact that it did not comply with the objectives of the small area plan However, once the petition was amended so as to comply their opinion changed So did staff's

6 By complying with the small area plan the request could then be favorably judged in light of public policy for the area

7 Further, the retail/speciality shopping will compliment other goals of the plan as well as the adjoining Reddman Square The architectural detail, while not duplicating Reddman Square, does provide a harmonious blend of the two centers

8 The rezoning completes the envisioned retail development planned for the area This project defines the stopping point for retail and the adjoining O-15(CD) at Grafton provides the desired for transition into the neighborhood

9 Based upon the above, Planning Commission recommends that the petition be approved

Minority Opinion
The minority opinion expressed a concern about the relationship of the shopping center to an adjoining single family residence

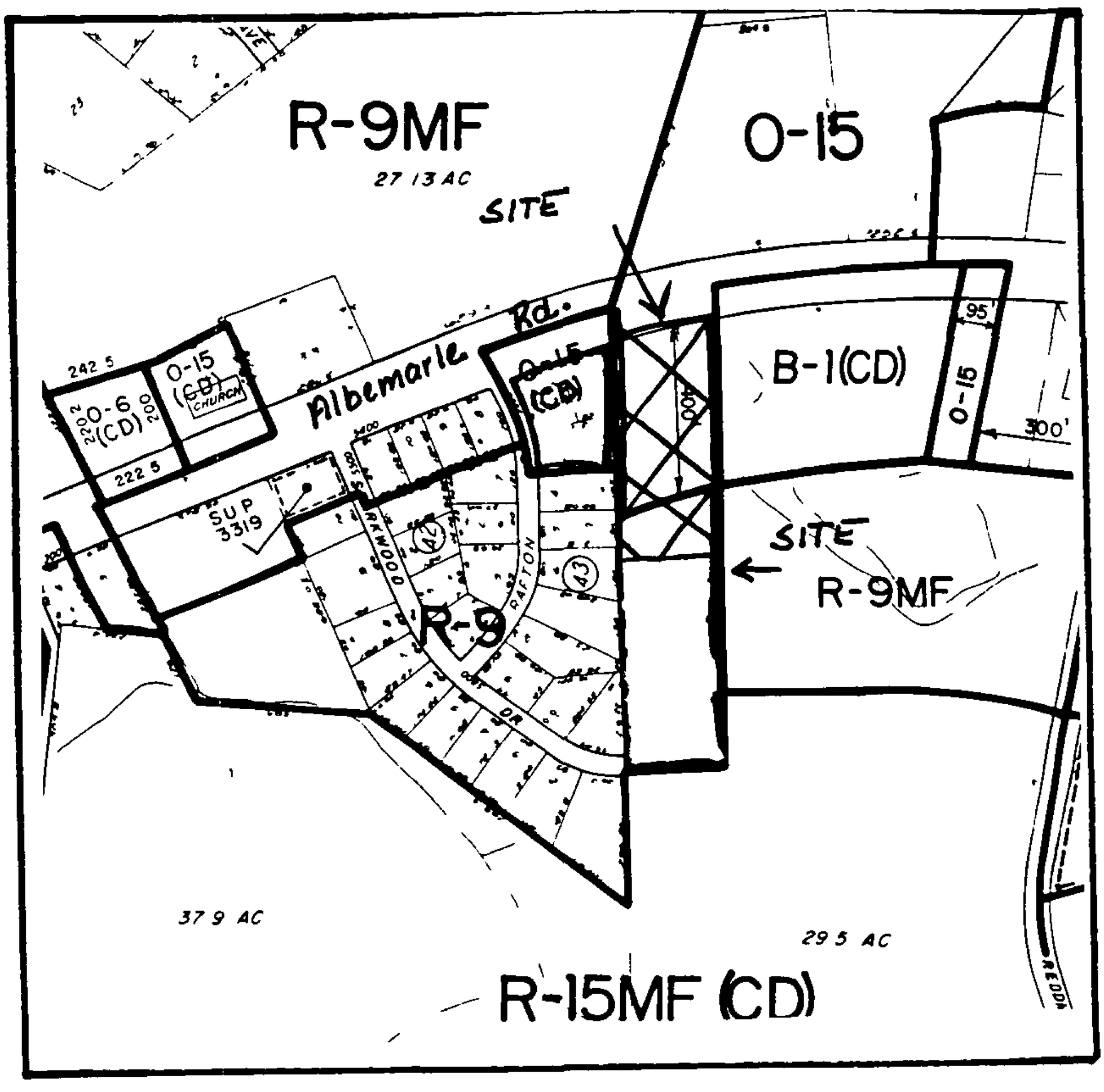
Staff Opinion
The staff agreed with Planning Commission

PETITIONER SCHURGIN DEVELOPMENT CORPORATION

PETITION NO. 86-32 **HEARING DATE** 4/21/86

ZONING CLASSIFICATION, EXISTING O-15, R-9 **REQUESTED** B-1(CD) and R-9(CD)

LOCATION An approx. 130,000 square foot site located off Grafton Place and Albemarle Road



ZONING MAP NO. 113 **SCALE 1" =** 400'

PROPERTY PROPOSED FOR CHANGE

DATE April 24, 1986

PETITION NO 86-34

PETITIONER(S) John Crosland, Jr

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

LOCATION A 6 7 acre site at 800 Clanton Road, at the intersection of I-77 and Clanton Road

ACTION The Planning Commission recommends that the petition be approved

VOTE Yeas Clodfelter, Curry, Lawing, M Smith and S Smith

Nays Emory, Lewis, Lowery and Wheeler

(Commissioner Griffin abstained from voting as he wasn't present at public hearing)

REASONS

ISSUES

1 Proposed Use/Site Plan What is the proposed use of the property and what aspects of the conditional site plan are important to evaluate?

2 Relationship to Adjoining Single Family Areas With regard to #1 above, what is the relationship of the proposal in this case to adjoining single family homes?

3 Area Patterns If this petition is approved, how would it relate to area patterns in terms of land use and zoning?

BACKGROUND

1 Existing Zoning The property involved in this petition is presently zoned B-1 Property generally associated with the interchange of Clanton Road and I-77 is zoned for business purposes including a tract of land zoned B-D directly across Clanton Road from the site There is also a concentration of industrial zoning along the westerly side of I-77 beginning just south of Clanton Road The northerly boundary of the site adjoins a large area of R-9 single family zoning

2 Existing Land Use The subject property is vacant Beside it on Clanton Road is a convenience store and there is another convenience store across the street from it A small business park is also located across Clanton Road from the site A concentration of single family development, includ-

ing a number of single family homes adjoining the site, is located nearby Other forms of highway and service oriented businesses are located at this interchange as well as a large concentration of employment and industrial uses just south of Clanton Road

3 Site Plan (Amended) An office/show room project is planned for this site The total square footage amounts to 86,315 square feet Access is gained by way of Clanton Road No access to Graymont Drive will be permitted Screening is provided along the edge adjoining single family homes A 75 foot building setback from adjoining homes will be observed in which is located 40 feet of berming/landscaping Any lighting associated with the use would be directed away from the rear yards of those residential homes which adjoin Finally, a number of uses will not be permitted on this site including apartments, hotels and motels and condominiums

GENERAL FINDINGS

1 2005 Plan The plan indicates this is an area of existing employment along with existing residential development to the west

2 Pre-Hearing Staff Input Staff met with the petitioner prior to the submission of the application Staff indicated a general concurrence with the request so long as the site plan was judged to be a good one, especially with regard to screening and buffering between the proposed project and adjoining single family homes Staff has recently advised the petitioner of several technical problems as well as to reinforce the concept that a stronger screening/buffering plan is necessary

3 Neighborhood Context The site is located in the Clanton Park neighborhood

4 Pre-Hearing Departmental Comments (Summary)

1 Engineering No comments except that normal development permits will be required

2 Building Standards Building Standards commented that a proposed use, warehousing, is not a permitted use in B-2 as well as the fact that it appears that parking as proposed is deficient

3 C-MUD Water and sewer services are available to the site

4 C-DOT As currently zoned the property could generate 7600 to 7800 trips per day Under the proposed zoning trips would be reduced to 1400 to 1600 The traffic generated by this proposal will not have any significant impact on current traffic conditions C-DOT noted that the driveway width should be wider

DETAILED FINDINGS

1 The property involved in this petition is a 6 7 acre site located at the northwesterly intersection of I-77 and Clanton Road Present zoning on this property is B-1 and the petitioner is requesting B-2(CD)

2 The petitioner has filed a conditional site plan proposing an office/show room type development (For further details refer to Background #3)

3 Property at the intersection of Clanton Road and I-77 is presently zoned for business purposes The site in this case is already zoned for neighborhood retail which could by right today permit a wide variety of uses including fast food restaurants, grocery stores, hardware stores and other neighborhood and convenience oriented shopping

4 One zoning change in the area has already accomplished a similar project across the street

5 The rezoning in this case does allow the opportunity for restrictions on the site, particularly in terms of screening and buffering to adjoining single family areas Originally, staff and Planning Commission were concerned that the petitioner had not adequately addressed that particular edge The Planning Commission deferred action once to allow the petitioner the opportunity to respond to that concern

6 The plan was enhanced by creating a greater building setback (75 feet) from the rear of adjoining single family homes as well as the fact that a berm and natural screening were added This will establish a satisfactory relationship to the neighborhood Further, the building area was reduced from over 100,000 square feet to 86,315 Planning Commission was satisfied that this was a better site plan arrangement

7 The easy access to I-77 makes the site a suitable one as an employment center The area nearby, particularly to the south of Clanton Road, is fast growing as an employment area Thus, the rezoning in this case is very much consistent with area development patterns both those which are existing as well as those which are emerging

8 The proposed development is also more restrictive in terms of the potential negative effects on the adjoining single family areas In other words typical B-1 uses may operate until late hours in the evening and create an adverse impact whereas the office/show room proposal in this case is going to be more similar to office and observe hours which are typical of the work day, thereby avoiding the problem mentioned just above The screening proposed will also be better than the minimum now required under the zoning ordinance

9 Based upon the above conditions, Planning Commission does recommend the approval of the petition

Minority Opinion
The minority opinion expressed the viewpoint that the proposed use will create additional traffic in an area overburdened already with traffic problems Further the use is not a good one for the property and does not relate well to the neighborhood

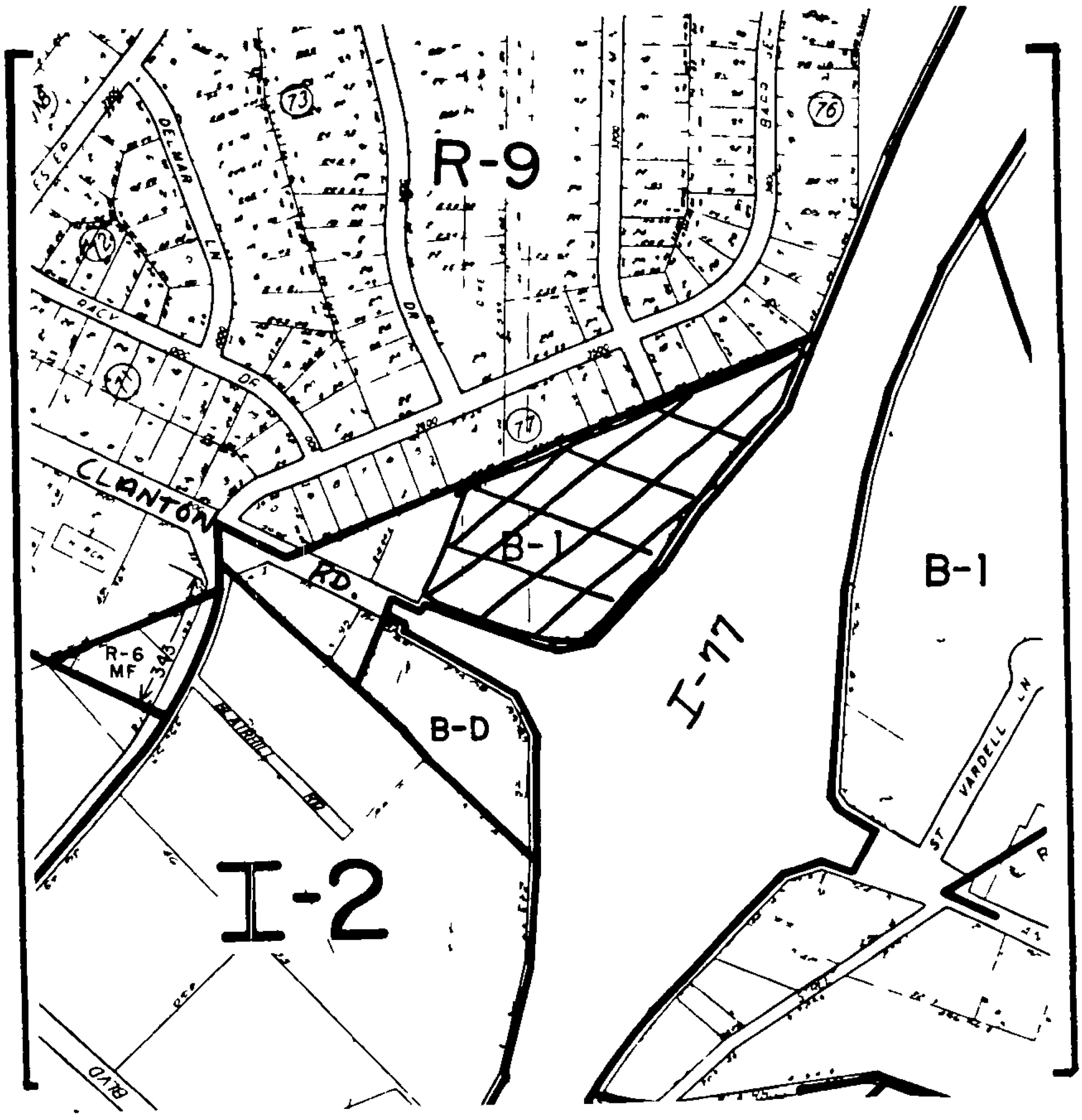
Staff Opinion
The staff agreed with Planning Commission

PETITIONER JOHN CROSLAND

PETITION NO. 86-34 HEARING DATE 03/17/86

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

LOCATION A 6.742 acre site at 800 Clanton Road, northwest corner of intersection of I-77 and Clanton Road



ZONING MAP NO. 110 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE April 24, 1986

PETITION NO 86-35

PETITIONER(S) Charlotte-Mecklenburg Planning Commission

REQUEST Consideration of a text amendment to the City of Charlotte Zoning Ordinance, Sections 3045 2 and 3065 3, Development Standards in Office and Business Districts Purpose of this change is to change the development standards for multi-family development in office and business districts, which will have the effect of lowering the permissible density

ACTION The Planning Commission deferred action until May 12, 1986

DATE April 24, 1986

PETITION NO 86-36

PETITIONER(S) Charlotte-Mecklenburg Planning Commission

REQUEST Consideration of a text amendment to the City of Charlotte Zoning Ordinance, Section 3053 7, Signs in the Urban Mixed Use District The purpose of this change is to delete the regulations for tempory decorative signs which will now be regulated in another part of the City Code

ACTION The Planning Commission deferred action until May 12, 1986

DATE April 24, 1986

PETITION NO 86-37

PETITIONER(S) Myers Park Homeowners Association

REQUEST Change from R-6MF to R-12

LOCATION Parcels totaling 2 198 acres on Queens Road between Hopedale Avenue and Pembroke Avenue

ACTION Based upon a motion to approve the petition, the Planning Commission vote resulted in a tie According to procedures no recommendation is transmitted, but a summary of the discussion is attached

VOTE Yeas Clodfelter, Emory, S Smith and Wheeler

Nays Curry, Griffin, Lawing and Lowery

(Commissioners Lewis and M Smith abstained from voting)

REASONS

Planning Commission's first motion was to deny the request The discussion leading to this motion focused on the existing land use pattern nearby, which includes a variety of neighborhood service and institutional uses along with several high density multi-family projects It was noted that perhaps the highest density concentration in Charlotte is located in this immediate area Some discussion also centered around the need to establish some sort of a CD approach to this property (Staff indicated a preference for R-15MF, but would consider an R-6MF(CD) plan for the property) Other discussion focused on the need to reduce the density of this site and in Myers Park in general while a different point was expressed that opposed the notion of a step by step down-zoning of this property (reference had been made to the 1976 downzoning at this site) The motion failed as indicated below

Yeas Clodfelter, Griffin, Lawing and Lowery

Nays Curry, Emory, M Smith, S Smith and Wheeler

Abstained Lewis

The next motion offered was to approve the rezoning That was immediately followed by a substitute motion to approve staff's recommendation for R-15MF for the property Regarding the sutstitute motion the comment was offered that such a rezoning would only put the site in a holding pattern until a proper CD plan came along Also, this approach forecloses the possibility of trade-offs that could be achieved under a CD plan Therefore, the proper way to achieve

these goals is to rezone the property as requested and then later consider a CD site plan At that point the substitute motion for R-15MF failed as indicated below

Yeas Curry, Emory, Lawing and Lowery

Nays Clodfelter, Griffin, M Smith, S Smith and Wheeler

Abstained Lewis

Thereupon a motion to approve the request as filed was voted on and that vote resulted in a tie

Yeas Clodfelter, Emory, S Smith and Wheeler

Nays Curry, Griffin, Lawing and Lowery

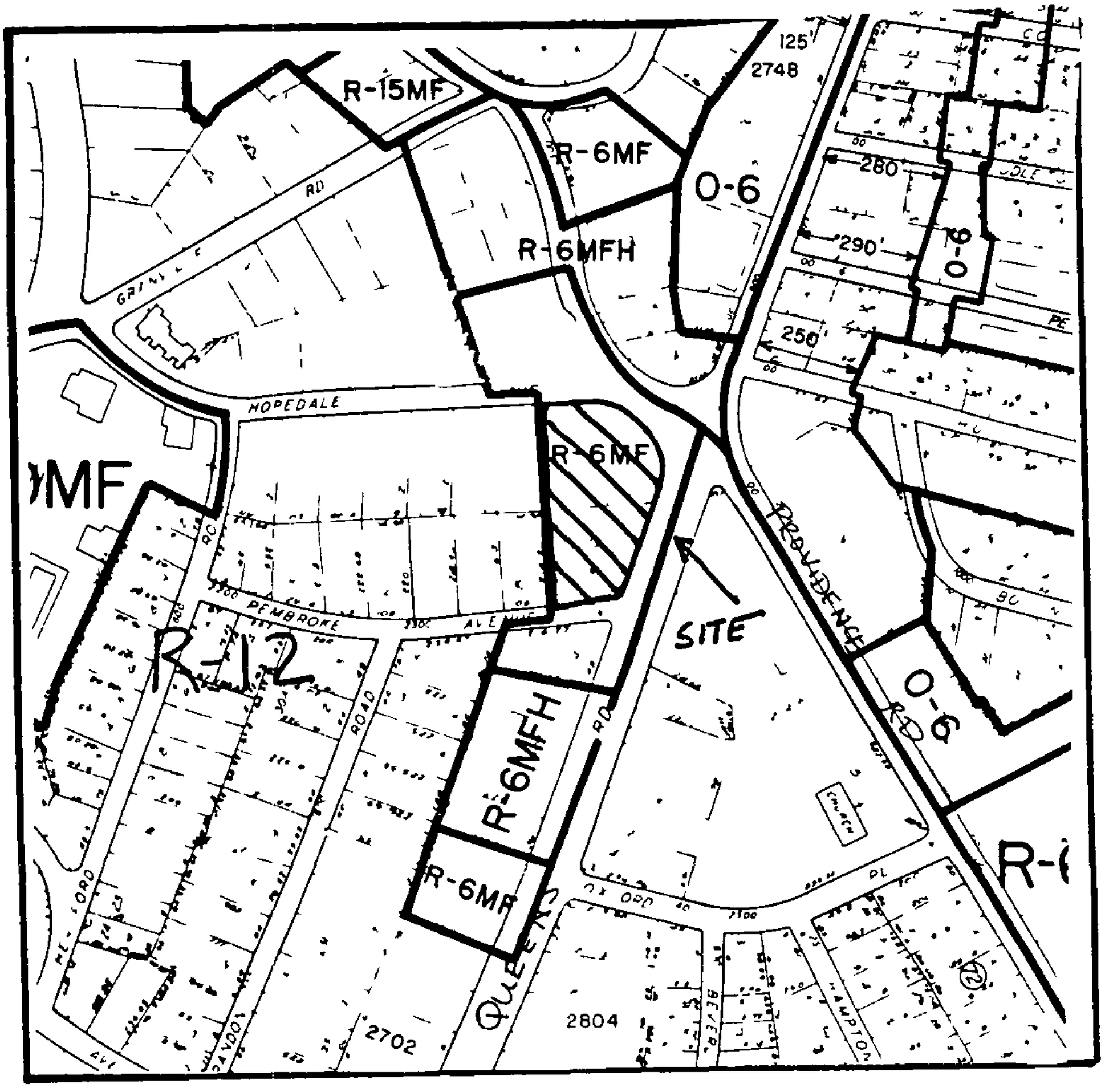
Abstained Lewis and M Smith

PETITIONER Myers Park Homewoners Association

PETITION NO. 86-37 HEARING DATE 4/21/86

ZONING CLASSIFICATION, EXISTING R-6MF REQUESTED R-12

LOCATION Parcels totaling 2.198 acres on Queens Road between Hopedale and Pembroke Avenue



ZONING MAP NO. 111 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE	April 24, 1986
PETITION NO	86-38
PETITIONER(S)	Tuckaseegee Road Community Organization
REQUEST	Change from R-9MF to R-12
LOCATION	A 10 14 acre site located on Toddville Road north of its intersection with Tuckaseegee Road
ACTION	The Planning Commission deferred action for 30 days

DATE April 24, 1986

PETITION NO 86-39

PETITIONER(S) Hickory Grove Baptist Church

REQUEST Change from R-12 to (R-I) Residential-Institutional

LOCATION A 17 3 acre site at the southwest corner of Delta Road and Hickory Grove Road

ACTION The Planning Commission recommends that the petition be approved

VOTE Yeas Curry, Emory, Griffin, Lawing, Lowery, S Smith and Wheeler

Nays Lewis and M Smith

(Commissioner Clodfelter abstained from voting)

REASONS

ISSUES

1 Church Expansion/Church Ordinance What is the nature of the proposed expansion of this church and how does it relate to new ordinance requirements which guide the expansion of large churches?

2 Neighborhood Concerns What concerns have surfaced from the neighborhood perspective as it relates to the church expansion?

3 Site Plan What aspects of the conditional site plan are important to evaluate'

BACKGROUND

1 Existing Zoning The rezoning site is zoned R-12 at the present time The R-12 classification surrounds the site on the southerly and westerly borders and represents the predominant single family zoning district for the general area Across the street on Delta Road is a B-1(CD) tract of land There is also an area zoned B-1SCD at the northwesterly corner of Hickory Grove Road and Delta Road Also, an area of B-1 zoning extends along the easterly side of Delta Road generally at or near the Hickory Grove Road/Pence Road intersection There is also some multi-family zoning located along Pence Road to the northeast of the rezoning site

2 Existing Land Use The property involved in the petition is the present site of the Hickory Grove Baptist Church Single family development is located nearby on Dogwood Place and other residential streets and neighborhoods in the vicinity A hardware store is currently across Delta Road

from the site and a new smaller shopping area is under construction there as well Other retail and neighborhood service oriented uses are located north of the site along Newell-Hickory Grove Road and there is also a new shopping center under construction at the corner as well A fire station is located just south of the site, too

3 Site Plan The conditional site plan outlines a proposed expansion of the church The main auditorium seating capacity is proposed for 2,550 seats Driveway access will be from both Hickory Grove Road and Delta Road The church property also extends to Dogwood Place where an existing single family structure is presently located However, no vehicular access is shown from Dogwood Place to the church campus The plan also shows future building construction in the area of the present family life center In conjunction with that future parking is also shown Areas which are currently used as outdoor play areas will become surface parking as a result of the expansion Natural screening as well as a new brick wall will provide screening adjoining single family areas on Dogwood Place

GENERAL FINDINGS

1 2005 Plan The 2005 Plan indicates the area surrounding this site as one of existing residential with a community commercial center shown at the intersection of Hickory Grove Road and Delta Road

2 Newell-Hickory Grove Road/Delta Road Widening This project would widen Newell-Hickory Grove Road between Albemarle Road and The Plaza to a multi-laned facility The Harris Boulevard East extension would connect with this project Currently this project is scheduled for Fiscal Year 1992

3 Pre-Hearing Staff Input Staff provided assistance and guidance with regard to the submission of the application Staff also met with the petitioner to discuss the expansion and indicated to the petitioner that either a major special use permit or a rezoning would be necessary to accomplish the expansion The matter of which route to take was left to the petitioner

4 Pre-Hearing Departmental Comments (Summary)

1 Engineering Department The Engineering Department commented on the Newell-Hickory Grove Road project and requested an additional 20 feet of right-of-way along Delta Road and an additional 5 feet of right-of-way on Hickory Grove Road

2 Building Standards Department No comments

3 Fire Department The Fire Department commented that future development of the site may necessitate the provision of on-site water distribution systems and fire hydrants

4 C-DOT Comments on this petition were unavailable as of the preparation of this report, but it is anticipated that information will be available by the time of the public hearing on this matter

5 C-MUD Water and sewer service are available to the site

5 Neighborhood Context The property is located within the area defined as the Four Seasons neighborhood Staff has received a few calls and comments from the adjoining neighborhood residents about this petition Most of the neighborhood concern appears to center on the use of a residential structure which the church owns and which fronts on Dogwood Place

DETAILED FINDINGS

1 The property involved in this petition is a 17 3 acre site at the southwest corner of Delta Road and Hickory Grove Road The petitioner in this case is the Hickory Grove Baptist Church Current zoning here is R-12 and the church is requesting the Residential-Institutional district, which is a relatively new one

2 This new district came about as the result of new standards and regulations to guide the development of large churches in our community As a matter of fact this proposal represents the first such request under those new guidelines In this case the church is expanding their main auditorium to a seating capacity of over 2500 seats The new ordinance requires that any sanctuary over 1200 seats either must receive a major special use permit or be rezoned to the Residential-Institutional district

3 The petitioner in this case has filed a conditional site plan which stipulates the expansion of the church as well as other overall development restrictions (For further details refer to Background #3)

4 The proposed expansion has generated some concern on the part of residents of nearby Dogwood Place The petitioner has attempted to respond to those concerns First of all, a residence which fronts on Dogwood will be removed Secondly, the parking lot which adjoins the residence would be partially removed Therefore, the removal of the residence and portions of the parking lot will create an open space area on Dogwood

5 The site plan provides for screening around the residential edge of the property either in the form of natural vegetation or in some cases the construction of a brick wall which would provide a solid barrier between the church and the rear of homes which front on Dogwood Place

6 The Planning staff and other departments have reviewed the application and have not determined any adverse impacts The Engineering Department has requested additional right-of-way along Delta and Hickory Grove Road and that has been made a part of the plan The Planning staff is concerned about the large oak trees which are located along Delta Road as it relates to the future widening of this thoroughfare It is understood that the Engineering Department is looking to save those trees, but the future fate of the trees is not precisely known at this time

7 Approval of the petition will allow the expansion of the church Presently the size of the congregation and the limits of the sanctuary are creating scheduling problems and the expansion is a desired one by the church in order to help fulfill their mission to the community It is believed that the expansion of the church in accordance with the site plan can be done so in such a manner as to continue to compliment the area By restricting access to the major thoroughfares the expansion of the church will not negatively impact Dogwood Place Clearly the church's main orientation is to Delta and Hickory Grove Road and approval of this petition is not a signal that any other properties on Dogwood Place beyond those already owned by the church should be considered for church related uses

8 Some of Planning Commission's discussion dealt with the possibility of moving all of the proposed parking from the area associated with Dogwood Place to other areas on the site However, in the end the Planning Commission believed the plan as presented to them was reasonable and, thus, they made no changes

9 Based upon the above circumstances, the application is recommended for approval by the Planning Commission

Abstention
Mr Clodfelter wished it to be recorded that he was in favor of the plan if parking was relocated from the Dogwood Place area to the area listed on the plan as future parking This would enable the Dogwood Place frontage to be entirely open space

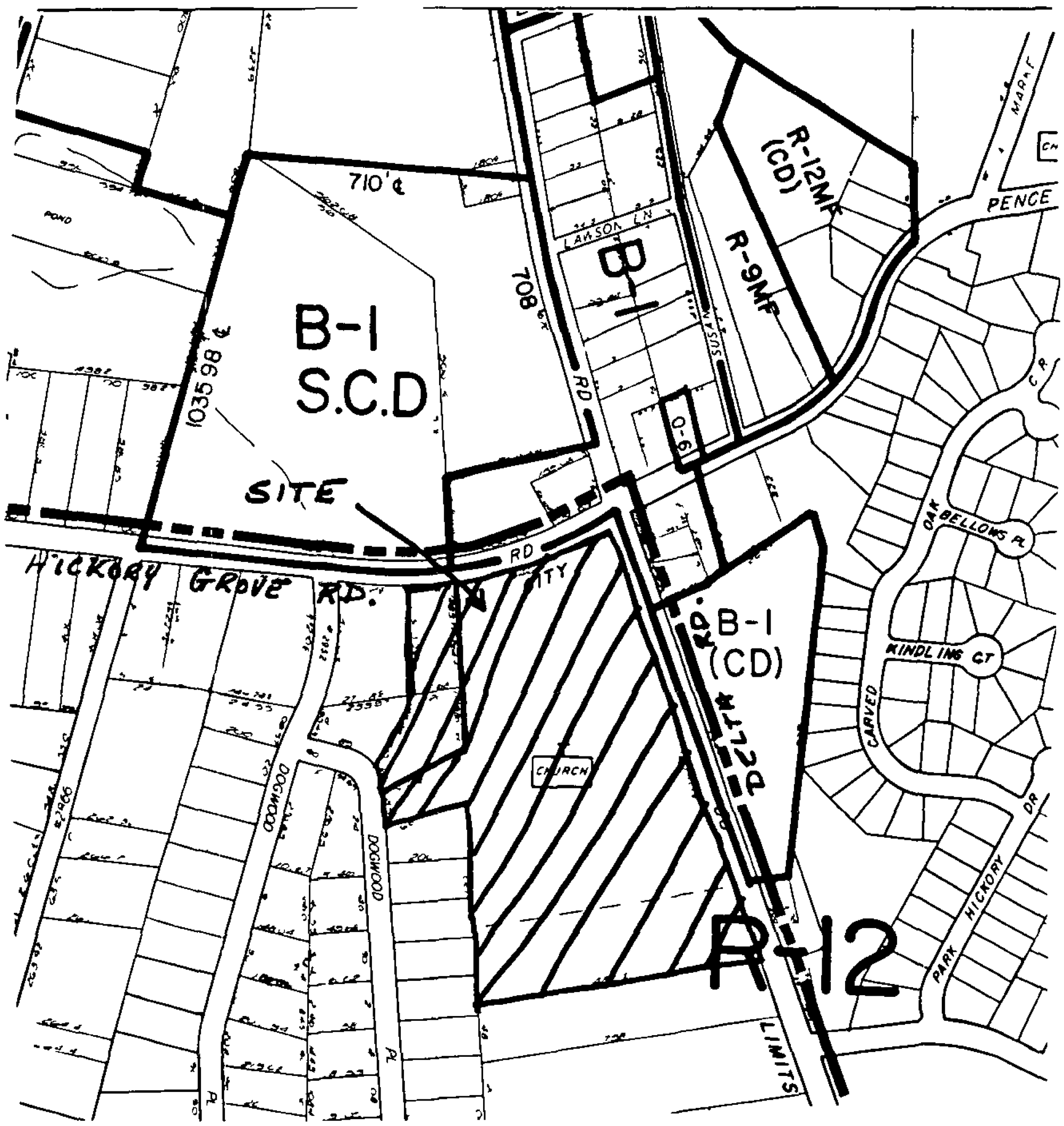
Staff Opinion
The staff agreed with Planning Commission

PETITIONER Hickory Grove Baptist Church

PETITION NO. 86-39 HEARING DATE 4-21-86

ZONING CLASSIFICATION, EXISTING R-12 REQUESTED Res.-Inst. (R-I)

LOCATION 17.31 acre site on the southwest corner of Delta Rd. and Hickory Grove Road



ZONING MAP NO. 99 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE April 24, 1986

PETITION NO 86-40

PETITIONER(S) Crow Charlotte Retail #2 Ltd

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

LOCATION A 5 8 acre site fronting on Central Avenue and Albemarle Road

ACTION The Planning Commission recommends that the petition be denied

VOTE Yeas Curry, Griffin, Lawing, Lewis, Lowery, M Smith, S Smith and Wheeler

Nays None

(Commissioner Clodfelter abstained from voting Commissioner Emory was not present when vote was taken)

REASONS

ISSUES

1 Albemarle Road Small Area Plan How does this rezoning request compare to policies adopted through the Albemarle Road Small Area Plan?

2 Site Plan What aspects of the conditional site plan are important to evaluate?

3 Traffic Considerations What issues regarding traffic flow, safety, driveway points, etc should be evaluated?

BACKGROUND

1 Existing Zoning The subject property is zoned O-15 The site is for the most part surrounded by O-15 zoning though one corner of it is adjacent to commercial zoning on the Albemarle Road side The site is also across from a B-1SCD district located on Central Avenue A B-1(CD) classification is likewise located across Albemarle Road from the property The zoning pattern along Albemarle Road extending eastward from the site is one of generally a business pattern whereas to the west of the site towards the intersection with Sharon Amity Road there is a mixture of office and multi-family with some commercial zoning at the immediate intersection Some R-9 single family zoning is located nearby along Starkwood and Grafton and there is other multi-family zoning associated with Reddman Road

2 Existing Land Use The rezoning site is vacant The property adjoins office, financial and restaurant uses Further, the site is across a small shopping center on Albemarle Road and the Eastland Mall on Central Avenue Various other retail and service/highway uses are located along Albemarle Road A concentration of multi-family development is occurring along Reddman Road whereas some single family development is nearby on Grafton and Starkwood There is also The Lake Apartments which front on Albemarle Road, too

3 Site Plan The conditional site plan proposes a small shopping facility for the property A maximum building area of 55,275 square feet is proposed and access to the property would be gained from both Central Avenue and Albemarle Road A restaurant is also shown as one of the uses for the property

GENERAL FINDINGS

1 2005 Plan The 2005 Plan indicates the area surrounding the site is existing employment, with a major mixed use center shown at the intersection of Sharon Amity and Central Avenue (Eastland Mall)

2 Albemarle Road Small Area Plan This plan has been adopted as the policy guideline for development along the Albemarle Road corridor The subject property is located within the study boundaries and indicates that the subject property should be utilized for office purposes The plan did recommend some retail zoning changes for property on the south side of Albemarle Road and some of that has been accomplished A pending rezoning request will examine the remaining area that is proposed by the plan for retail zoning No other retail zoning changes were contemplated in the vicinity

3 Central Avenue/Sharon Amity Intersection Improvement This project consists of installing dual left turn lanes on both approaches of Central Avenue and installing right turn only lanes on all approaches

4 Pre-Hearing Staff Input Staff met with the petitioner to discuss the matter prior to the submission of the application Staff reviewed the small area plan recommendation and indicated that a potential rezoning to business purposes was not in compliance with the plan Staff urged that the petitioner meet with Albemarle Road residents and participants on the small area plan to see if there was any inclination on the part of neighborhood representatives to support the change

5 Pre-Hearing Departmental Comments (Summary)

1 Fire Department Development of this site may necessitate the installation of public and/or private fire hydrants

2 Engineering Department Engineering only referenced normal developmental requirements, but did add that no additional right-of-way along Albemarle Road or Central Avenue would be needed Improvements

along Central Avenue should be performed to match the cross sections currently established for that street

3 C-MUD Water and sewer are available to service the site

4 Building Standards Department No comments

5 C-DOT C-DOT recommends that the petition be denied due to the current traffic conditions on Central Avenue and Albemarle Road They also commented that one driveway access on Central Avenue is enough and therefore one shown on the plan should be deleted Other design problems were also cited As far as traffic is concerned current zoning would generate approximately 2000 trips per day whereas the proposed zoning would increase to a total of 6300 trips per day

6 Neighborhood Context The property is located within the area known as the Eastland neighborhood

DETAILED FINDINGS

1 The property involved in this petition is a 5 8 acre site which extends between Central Avenue and Albemarle Road Current zoning is O-15 and the petitioner is seeking B-1(CD)

2 The petitioner has filed a conditional site plan with the rezoning that proposes a small shopping facility for the property (For further details refer to Background #3)

3 The property is located within the study boundaries of the Albemarle Road Small Area Plan That plan does not envision business zoning for the property Thus, the rezoning request is not consistent with the small area plan recommendation for the site

4 Obviously the small area plan was developed to provide guidelines for zoning and land use decisions for the area To date it has been cited on numerous occasions due to the rezoning activity in the area The neighborhood and task force members have always been concerned that the plan be strictly adhered to and there was opposition to the petition in this case due to the fact that it was not consistent with the plan

5 Planning Commission and staff are also concerned about the request since it does violate the plan Further, it is believed that the site is being intensely developed There is a very limited amount devoted to the landscaping and practically all of the site is devoted to either buildings or parking Areas around the perimeter of the site would only receive marginal attention in terms of the retention of green space Parking areas are also largely devoid of significant landscaping

6 The Charlotte Department of Transportation is quite concerned about the petition citing the fact that area thoroughfares are already overburdened The addition of a shopping center here will add to that burden

7 Although there is confidence in the petitioner to develop a quality product it is nonetheless believed that the petition here would result in an adverse land use for the property Rezoning this property may also open the door for other commercial rezonings in the area that are not anticipated As a matter of fact a pending rezoning petition to be heard on the same night as this request is examining the possibility of a similar rezoning for retail usage It is imperative that the small area plan be adhered to since it is the adopted public policy

8 Considering the fact that there is at least one remaining parcel vacant that is proposed for retail zoning in the small area plan it seems that additional commercial zoning beyond that is unnecessary

9 Based upon the above considerations, this petition is not recommended for approval It is contrary to the small area plan projections for the site and the additional traffic will compound an already existing problem for area streets The site plan is not especially imaginative and appears to maximize the site to its potential by utilizing the property almost entirely for buildings and parking

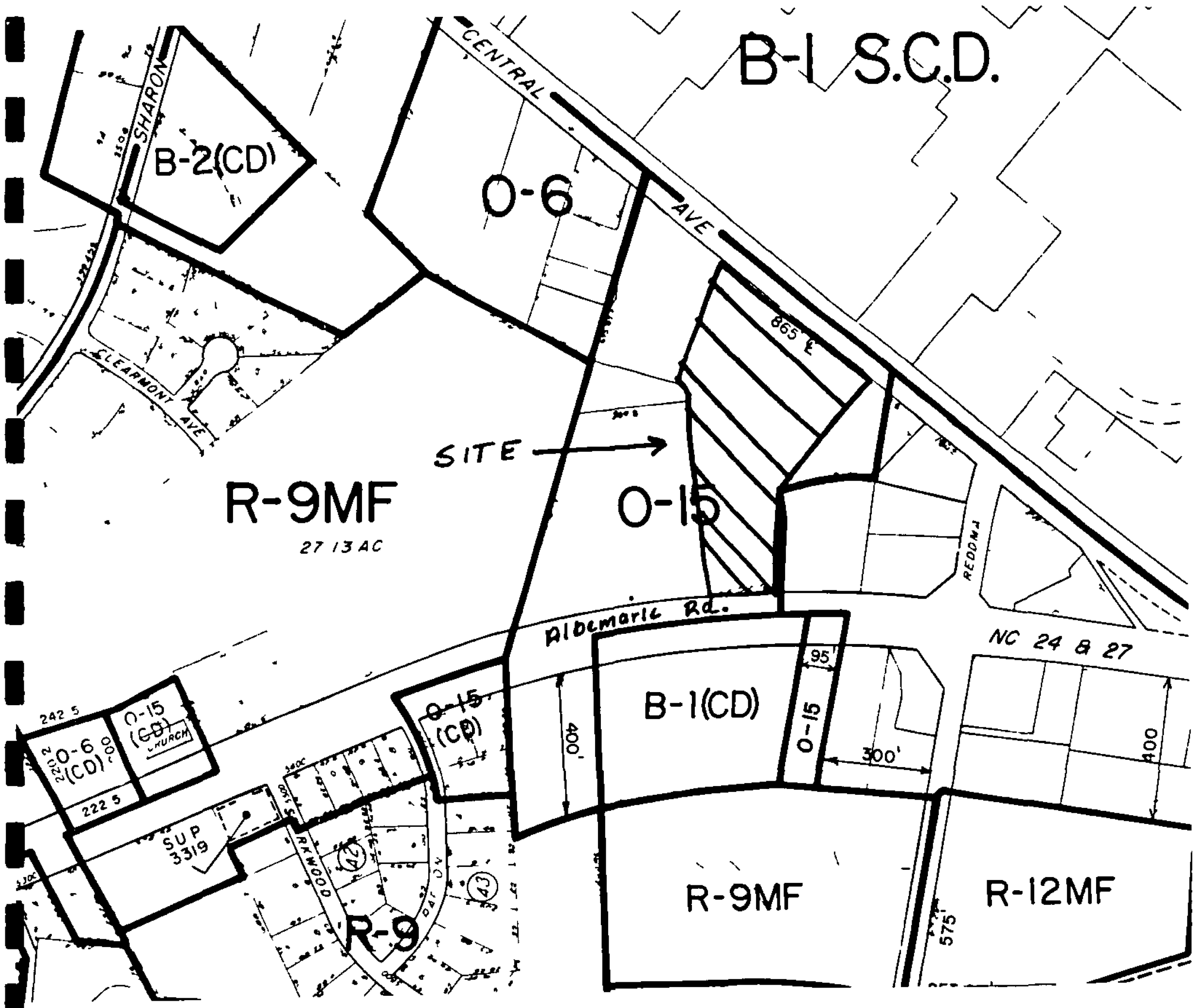
Staff Opinion
The staff agreed with Planning Commission

PETITIONER Crow Charlotte Retail #2 Ltd.

PETITION NO. 86-40 HEARING DATE 4-21-86

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

LOCATION 5.8 acre site fronting on Central Avenue as well as Albemarle Road



ZONING MAP NO. 113 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE April 24, 1986

PETITION NO 86-41

PETITIONER(S) Albert Carroll Davis

REQUEST Change from R-6MF to R-6MFH

LOCATION A 246 acre site at 1936 Park Road near the intersection of Park and Tremont

ACTION The Planning Commission recommends that the petition be denied

VOTE Yeas Clodfelter, Curry, Lewis, Lowery, M Smith, S Smith and Wheeler

Nays None

(Commissioners Griffin and Lawing abstained from voting Commissioner Emory was not present when vote was taken)

REASONS

ISSUES

1 Reason for Rezoning Request What is the background information that leads the petitioner to file this rezoning petition?

2 Variance In connection with number one above, what issues surrounding a recent request by the petitioner for a variance should be highlighted?

3 Dilworth Rezoning How does this property relate to a Dilworth rezoning petition a few years ago where large scale zoning changes took place in the area?

BACKGROUND

1 Existing Zoning The property involved in this petition is zoned R-6MF It is surrounded by an area of R-6 zoning, although one lot to the south begins a large area of R-6MF zoning then extends southerly along Park Road and other streets nearby Other R-6 and R-6MF areas are scattered throughout the Dilworth neighborhood in this general vicinity The exception to this pattern is a band of O-6 zoning that extends on both sides of East Boulevard

2 Existing Land Use The subject property has a multi-family structure on it at the present time The predominant residential structure in the neighborhood, though, is a single family residence Scattered about

throughout the larger area are duplex and small apartment buildings East Boulevard is principally used for office purposes

3 Dilworth Rezoning In 1982 a series of rezoning petitions were filed which downzoned large areas in the vicinity The subject property was included in one of those petitions which sought to rezone the area nearby from R-6MF to R-6 That petition was approved with the exception of the subject property

GENERAL FINDINGS

1 2005 Plan The 2005 Plan indicates the area surrounding the site as existing residential The plan further calls for the preservation of existing, older inner city neighborhoods

2 Pre-Hearing Staff Input Staff provided assistance/guidance with regard to the submission of the application

3 Pre-Hearing Departmental Comments (Summary)

1 Fire Department No comment

2 C-MUD Water and sewer is available to service this site

3 C-DOT Current zoning could generate 35 to 45 trips per day whereas the proposed zoning could generate 55 to 65 trips per day This increase would have no effect on traffic conditions

4 Neighborhood Context The site is located in the Dilworth neighborhood

DETAILED FINDINGS

1 The subject of this rezoning is a 24 acre site at 1936 Park Road near the intersection of Park Road and Tremont Avenue Current zoning is R-6MF and the petitioner is seeking R-6MFH

2 The R-6MF district allows approximately 21 units per acre whereas the R-6MFH is a high density district and permits up to about 43 units per acre

3 The site was included in a 1982 petition involving the Dilworth neighborhood rezonings The area around it was rezoned R-6, but this site was left zoned the existing R-6MF due to the fact that a multi-family structure was located on the property

4 The petitioner has recently been issued a zoning violation due to the fact that some remodeling/construction took place on the site and apparently increased the number of units from four to seven According to Building Standard Department officials a building permit was issued for remodeling construction but there was no mention of remodeling which would increase the number of units Building Standards investigated and due to the

violation the petitioner sought a variance before the Zoning Board of Adjustment

5 The petitioner sought the variance in order to legitimize the seven units for the property, but the variance request was denied by the Board and the petitioner was instructed to alter the site so that the four unit apartment building would return It should be noted that the site even under R-6MFH cannot legally support seven units

6 The petitioner, therefore, filed the rezoning application in order to establish a district for the property which would legally allow more units now on the site than the four (or five) presently okay under the grandfather clause

7 Planning Commission does not believe that the rezoning is justified A zoning violation is not sufficient grounds in order to recommend approval of the rezoning

8 As evidenced by the 1982 rezoning, the flavor of the area is single family and there is tremendous public support for this and other city neighborhoods to rebound and maintain their integrity Rezonings of this type, particularly brought forward as it has in this case, does not foster the overall goal of inner city preservation

9 Based upon the above circumstances, the petition is recommended for denial by the Planning Commission

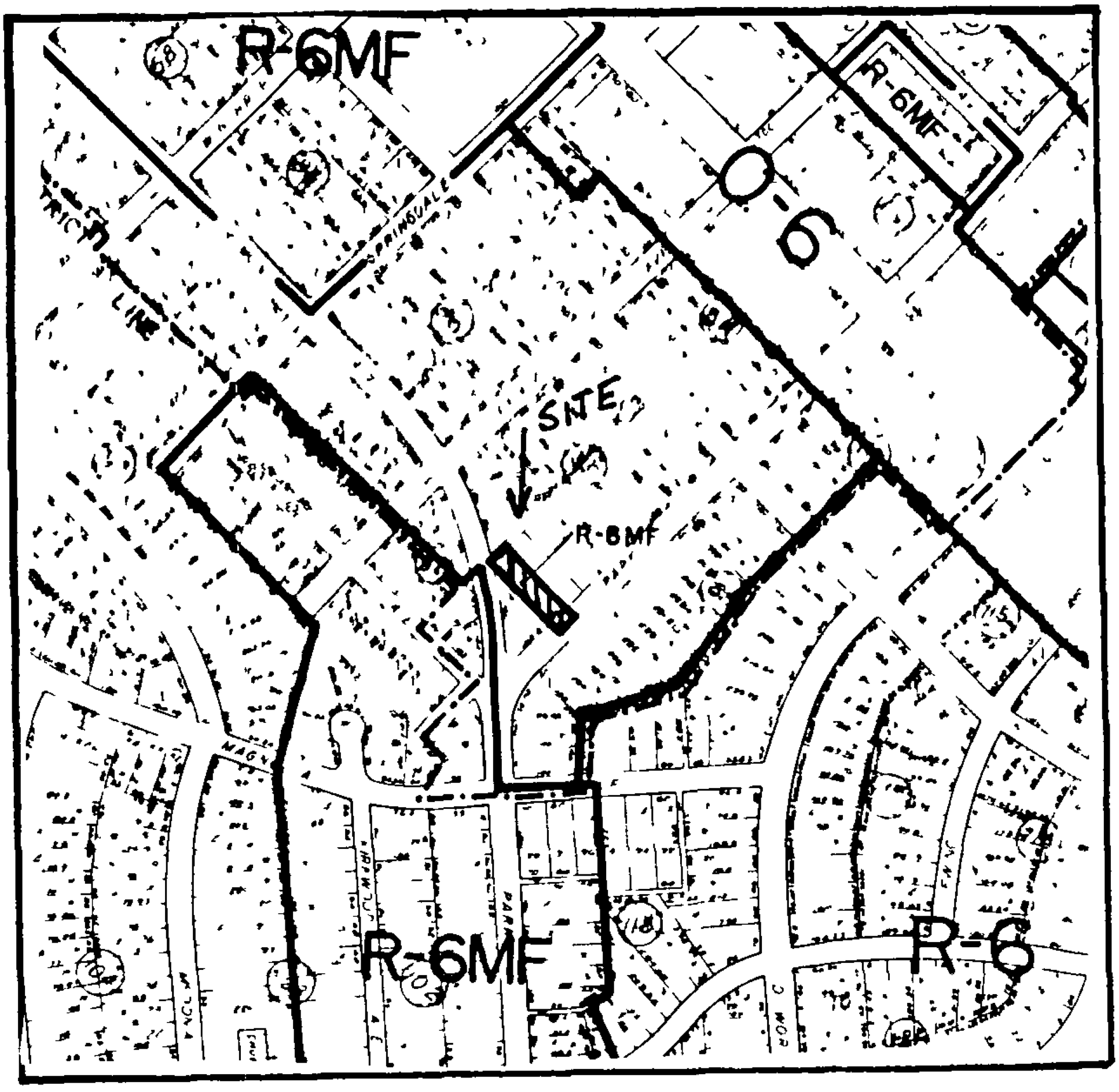
Staff Opinion
The staff agreed with Planning Commission

PETITIONER Albert Carroll Davis

PETITION NO. 86-41 HEARING DATE 4-21-86

ZONING CLASSIFICATION, EXISTING R-6MF REQUESTED R-6MFH

LOCATION .246 acre site at 1936 Park Road near the intersection of Park and Tremont



ZONING MAP NO. 111 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE April 24, 1986

PETITION NO 86-42

PETITIONER(S) Lee Stuckey, Stuckey Furniture

REQUEST Change from R-12 to B-2(CD)

LOCATION A 66 acre site on the north side of Gloryland Avenue off North Tryon Street

ACTION The Planning Commission recommends that the petition be approved

VOTE Yeas Clodfelter, Curry, Griffin, Lewis, Lowery, M Smith, S Smith and Wheeler

Nays None

(Commissioners Emory and Lawing were not present when vote was taken)

REASONS

ISSUES

1 Likelihood of Development Under Existing Zoning Considering the existing zoning and development pattern, what is the realistic likelihood that a single family residence would occur on this property?

2 Site Plan What aspects of the conditional site plan are important to evaluate?

BACKGROUND

1 Existing Zoning The rezoning site is presently zoned R-12 R-12 zoning adjoins the site on three sides and represents the zoning district for a large area located generally to the east of the site The remaining property boundary adjoins B-2 zoning and this B-2 district extends along both sides of Tryon Street Farther west to the rear of the B-2 is an area of R-9MF zoning

2 Existing Land Use The subject property is vacant It adjoins a church along the easterly side and is also across the street from other vacant property On the other side the property adjoins the Stuckey Furniture Company Other retail and service oriented commercial uses are located nearby at the Tom Hunter and U S 29 intersection Otherwise there is a strong orientation to single family residential development as there is a significant concentration of single family homes to the east and south of

the property Other residential development, though, is mostly multi-family and is located across North Tryon Street and along Tom Hunter Road

3 Site Plan The conditional site plan proposes an expansion of the petitioner's furniture operation Specifically, the property would be used for additional warehouse space Portions of the site would be occupied with an addition to an existing warehouse which lies on adjoining property A driveway access from Gloryland Avenue would service the new warehouse space and a parking area is shown in connection with that, also The plan also provides for a 40 foot landscaped buffer along the easterly side of the property

GENERAL FINDINGS

1 2005 Plan The 2005 Plan indicates that the general area surrounding the site is denoted as existing residential with existing employment also shown along North Tryon Street

2 Pre-Hearing Staff Input Staff generally encouraged the submission of the application Staff indicated that given existing zoning and development patterns the proposed rezoning appeared reasonable so long as the site plan was a good one that allowed for an adequate buffer around the residential portions of the site

3 Pre-Hearing Departmental Comments (Summary)

1 Charlotte Department of Transportation The site as currently zoned could generate 20 to 30 trips per day, but would increase to approximately 70 to 80 trips per day as planned However, this increase in traffic would have no measurable effect on the traffic conditions in the area

2 Engineering Department No comments except those that normally would be associated with the permit process

3 Fire Department The Fire Department commented that the site was greater than 500 feet from an existing fire hydrant and therefore it appeared that the extension of a water main and fire hydrant to service the site may be necessary

4 Building Standards Building Standards Department felt that additional information was needed to properly review especially with regard to the total number of parking spaces required

5 C-MUD Water and sewer are nearby to service the property

4 Neighborhood Context The site is located within the area defined as the Newell neighborhood

DETAILED FINDINGS

1 The property involved in this petition is a 66 acre site which is located on Gloryland Avenue just off North Tryon Street The current zoning is R-12 and the petitioner is seeking B-2(CD)

2 The petitioner has filed a site plan in conjunction with the rezoning The property would be used for warehouse purposes in conjunction with the petitioner's furniture business which adjoins the site (For further details regarding the site plan refer to Background #3)

3 The property lies between the aforementioned furniture business and a church Property across the way is still vacant Gloryland Avenue is a gravel street

4 It should also be noted that another rezoning petition is pending in the area A portion of that site adjoins this one and is the site of a proposed new Post Office The rezoning request in that one is also B-2(CD)

5 Given the existing pattern of development and the setting of the property relative to that zoning and other uses, it would appear that a single family residence for this property is quite unlikely Though the area along Gloryland here is zoned residential there is no neighborhood to speak of and not likely to be one It seems therefore that the potential for rezoning as envisioned here does have merit

6 The rezoning will allow the expansion of a viable business that needs additional space The expansion will not adversely impact any other residence and given the conditional approach does set forth appropriate guidelines

7 Based upon the above circumstances, Planning Commission recommends that the petition be approved

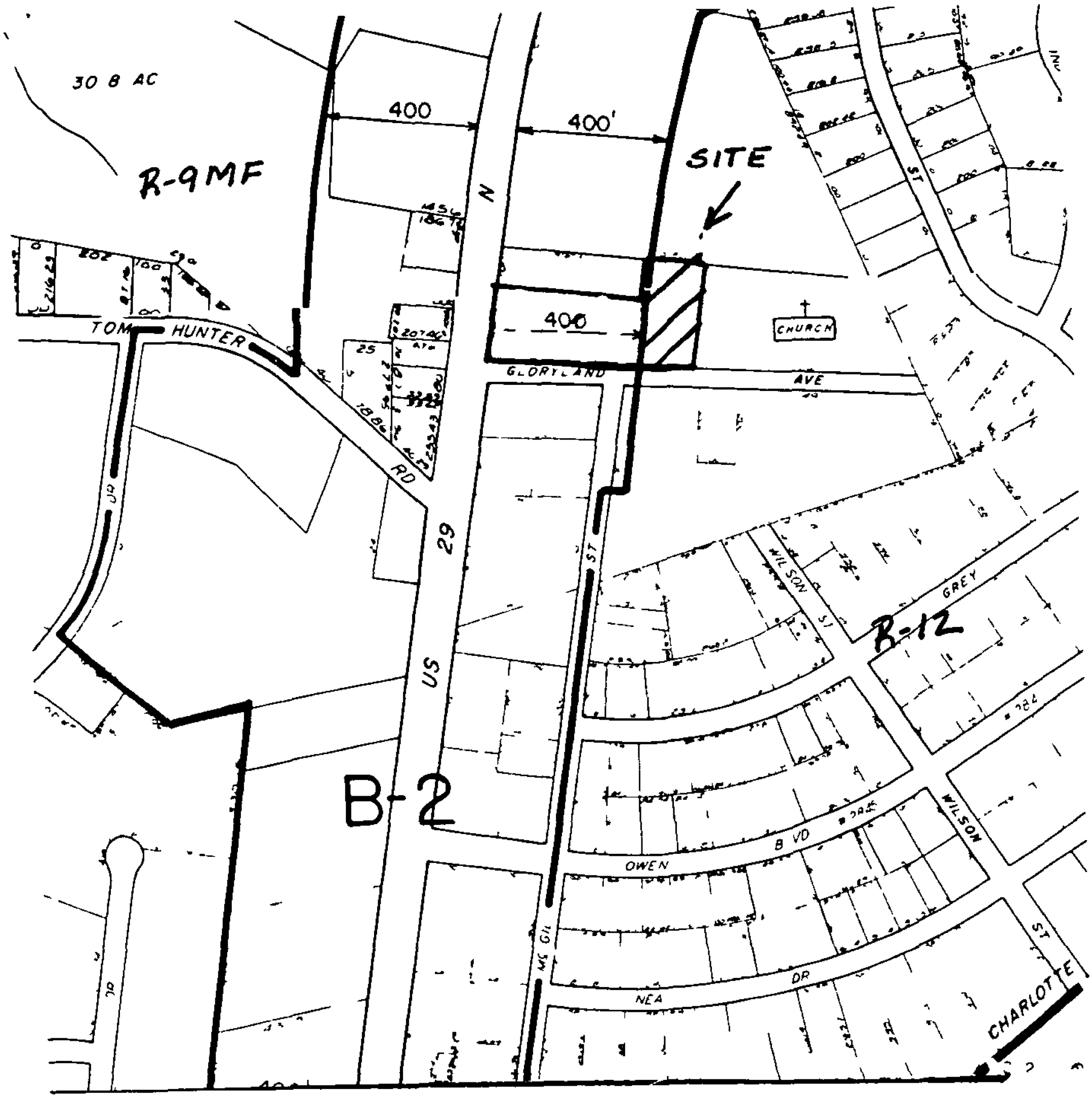
Staff Opinion
The staff agreed with Planning Commission

PETITIONER Lee Stuckey, Stuckey Furniture

PETITION NO. 86-42 HEARING DATE 4-21-86

ZONING CLASSIFICATION, EXISTING R-12 REQUESTED B-2(CD)

LOCATION .66 acre site on the Northside of Gloryland Avenue off N.Tryon St.



ZONING MAP NO. 71,77 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE April 24, 1986

PETITION NO 86-43

PETITIONER(S) Wendover Shopping Center Association

REQUEST Change from B-1(CD) to B-1(CD) Site Plan Amendment

LOCATION A 7 9 acre site along Wendover Road

ACTION The Planning Commission recommends that the petition be approved

VOTE Yeas Clodfelter, Curry, Griffin, Lewis, Lowery, M Smith, S Smith and Wheeler

Nays None

(Commissioners Emory and Lawing were not present when vote was taken)

REASONS

ISSUES

1 Proposed Plan Amendment What is the exact nature of the proposed plan amendment and is it consistent with the original goals and objectives of the existing site plan for the property?

2 Traffic Are there any traffic issues which can be associated with the site plan amendment?

BACKGROUND

1 Existing Zoning The subject property is presently zoned B-1(CD) It is adjoined for the most part on two sides by R-6MF zoning, I-1 along one side and a small area of B-1 at the corner near Marvin Drive The R-6MF classification stretches along Wendover nearby as well as other neighborhood streets in the Grier Heights neighborhood Industrial zoning is more closely associated with Monroe Road and the nearby railroad right-of-way

2 Existing Land Use The property is developed with the Three Guys Shopping Center Apartment developments are located directly across the street as well as other new multi-family development nearby The Grier Heights neighborhood with a mixture of housing types is also nearby There is also a concentration of employment uses along Lathrobe Drive and extending over to Monroe Road A McDonald's restaurant also adjoins the site

3 Site Plan Amendment There is only one issue associated with the plan amendment and that is a request to connect a driveway from the shopping center parking lot to the McDonald's restaurant which adjoins the property No other condition of the existing site plan would change

GENERAL FINDINGS

1 2005 Plan The 2005 Plan indicates the area around the site as being one of existing employment as well as existing residential

2 Pre-Hearing Staff Input Staff reviewed the request to locate a new driveway early on Staff was asked to approve this administratively, but staff indicated that no authority existed to approve the driveway in that manner Accordingly the only route to approve the new driveway was through a public hearing and plan amendment process The petitioner was advised of this and staff indicated that so long as there were no traffic problems associated with that new driveway that Planning staff would have no problem with the plan amendment

3 Pre-Hearing Departmental Comments (Summary)

1 Fire Department The Fire Department had no comment on this matter

2 Charlotte Department of Transportation C-DOT has no problems with the driveway opening provided the adjacent property owner has no objection to the proposal

3 C-MUD Water and sewer are available to service the property

4 Engineering The Engineering Department had no comment on this request

5 Building Standards No comment except to question whether or not parking was being reduced for the shopping center

4 Neighborhood Context The site is located within the area described as the Grier Heights neighborhood

DETAILED FINDINGS

1 The property involved in the petition is a 7 9 acre site located along Wendover Road The property is the site of the Three Guys Shopping Center Current zoning here is B-1(CD) and the petitioner is seeking a B-1(CD) plan amendment

2 The plan amendment simply involves the establishment of a new driveway from the shopping center parking lot to an adjoining McDonald's fast food restaurant The shopping center and McDonald's have jointly proposed this driveway connection

3 No other aspects of the conditional site plan would change

4 Recently the shopping center here has undergone a rather dramatic change in terms of the appearance of the center Another site plan amendment which was recently approved for this property added some additional retail space The shopping center has also provided for new architectural facades as well as new landscaping treatment in the parking lot and around buildings The general appearance of the shopping center has been greatly improved with these changes

5 Planning Commission and staff had no problem with the proposed plan modification The driveway connection to McDonald's will allow for a convenient flow of traffic between the two and thus will not require motorists to exit out onto Wendover Road to access the McDonald's restaurant In addition, a benefit is achieved here because motorists can access a signalized intersection at Lathrobe Drive and Wendover Road through the McDonald's restaurant It can serve to help enhance traffic flow and safety In association with the request C-DOT has reviewed the plan and has no problems with the driveway cut

6 Based upon the above circumstances, the request for the plan amendment is recommended for approval by the Planning Commission

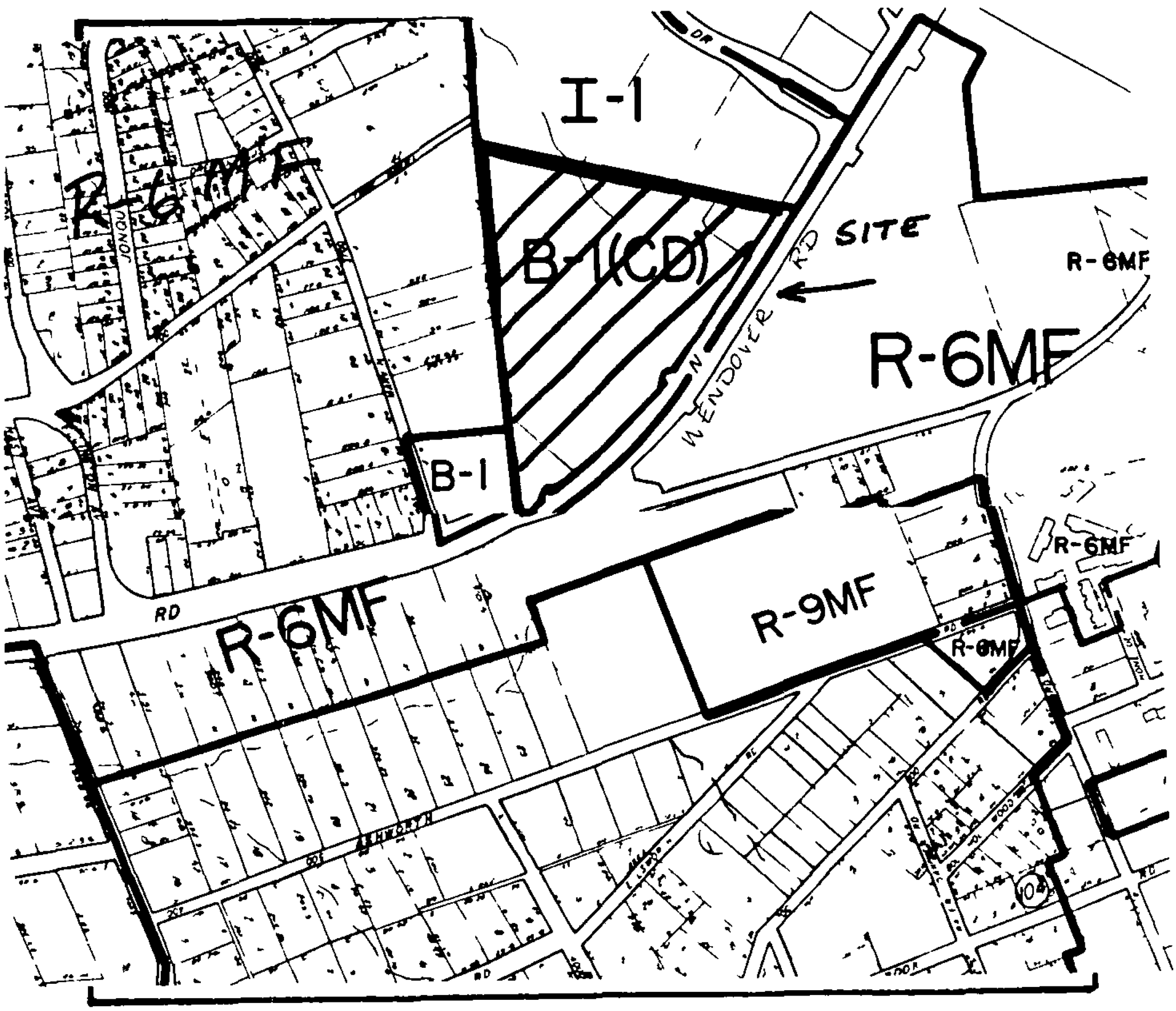
Staff Opinion
The staff agreed with Planning Commission

PETITIONER Wendover Shopping Center Association

PETITION NO. 86-43 HEARING DATE 4-21-86

ZONING CLASSIFICATION, EXISTING B-1(CD) REQUESTED Site Plan Amendment

LOCATION 7.9 acres on the west side of Wendover Rd. south of Latrobe Dr.



ZONING MAP NO. 112 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

Charlotte

IN MEETING MAY 19, 1986

5:00 p.m. - Dinner
Rooms 237 and 239, Education Center

Discussion of West Morehead Special Project Plan, and the Third Ward/West Trade Special Project Plan.

6:00 p.m. - ZONING HEARINGS
Board Room, Education Center

ITEM NO

1. Invocation by Reverend A. C. Hunnicutt, Greenville Memorial AME Zion Church.

PUBLIC HEARINGS

2. Hearing on Petition No. 86-46 by Belk Brothers Company and Ivey Properties, Inc. for a change in zoning from B-1(SCD) and O-6 to B-1(SCD) and B-1(SCD) Site Plan Amendment for a 69.64 acre site located at 4400 Sharon Road.

Attachment No. 1-A

3. Hearing on Petition No. 86-47 by Ed Sadler for a change in zoning from R-12 to R-15MF(CD) for a 43.2 acre site located between I-85 and Tuckaseegee Road, south of West Mecklenburg High School.

Attachment No. 1-B

council agenda

Mayor Harvey B. Gantt **Mayor Pro Tem Al Rousso**

Charlie S. Dannelly
Gloria Fenning
Ann Hammond
Ron Leeper
Roy Matthews
Cyndee Patterson
Pamella G. Patterson
Minette Conrad Trosch
Richard Vinroot
Velva W. Woollen

4. Hearing on Petition No. 86-48 by Charlotte-Mecklenburg Planning Commission for a change in zoning for Part 1 from R-9MF to R-9 for a 128 acre site located south of Cinderella Road and east of West Sugar Creek Road; Part 2 from R-9MF to R-15MF for a 30 acre site located in the general vicinity of Hershey Street, Burroughs Street and Lambeth Drive.

   Attachment No. 1-C

5. Hearing on Petition No. 86-49 by Jack's Cookie Company for a change in zoning from I-1 and R-6MF to I-1(CD) for a 3± acre tract bounded by Louise Avenue, Belmont Avenue and Pegram Street.

   Attachment No. 1-D

6. Hearing on Petition No. 86-50 by Carolina Conference Association of Seventh-Day Adventists for a change in zoning from B-1(CD) to O-15(CD) for a 4 acre tract located at 6000 Conference Drive.

   Attachment No. 1-E

7. Hearing on Petition No. 86-51 by The Charlotte-Mecklenburg Hospital Authority for a change in zoning from O-6 to R-6MF for a .422± acre site located at the southwest corner of Romany Road and Kenilworth Avenue.

   Attachment No.1-F

8. Hearing on Petition No. 86-52 by Maurice and Laura McClettie for a change in zoning from R-6 to B-1(CD) for a 7000 square foot site located at 1905 Beatties Ford Road.

   Attachment No. 1-G

9. Hearing on Petition No. 86-53 by Tommy L. Helms and Joe G. Clark for a change in zoning from R-6 to B-2 for a 11,446 square foot tract located at 4131 Avalon Avenue.

   Amendment No. 1-H

10. Hearing on Petition No. 86-54 by Carley Capital Group for a change in zoning from U-MUD to U-MUD-O for a 2.6 acre tract bounded by 5th, 6th, Tryon and College Streets.

Attachment No. 1-I

BUSINESS AGENDA

11. Consider issuance of a Floodway Special Use Permit that would allow construction of an unattached deck at 3000 Harbinger Court adjacent to Briar Creek.

The Planning Commission recommends that the request be approved.

Attachment No. 2

POLICY AGENDA

12. Recommend adoption of the West Morehead Special Project Plan as a policy guide for future land use and zoning decisions.

Attachment No. 3

13. Recommend adoption of the Third Ward/West Trade Street Special Project Plan as a policy guide for future land use and zoning decisions.

Attachment No. 4

14. Decision on Petition No. 86-29 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from B-1 and O-6 to R-6MF, R-15MF, and R-9 for a total of 12.14 acres located along West Sugar Creek Road at Cushman Street and Rutgers Avenue, north of Sofley Road, and along Cinderella Road and Gondola Avenue.

A protest petition has been filed and found sufficient to invoke the 3/4 rule requiring affirmative votes of 3/4 of Mayor and Councilmembers with regards to the parcels lying on the east side of Sugar Creek Road, but it is insufficient to invoke the 3/4 rule with regards to the parcels lying on the west side of Sugar Creek Road.

Decision was deferred from the April 21 meeting.

The Planning Commission recommends that the petition be denied.

Attachment No. 5

15. Decision on Petition No. 86-31 by the Charlotte-Mecklenburg Hospital Authority, for a change in zoning from R-6MF, O-6, B-1 and B-2 to O-6(CD) for an approximately 40 acre site located at 1000 Blythe Boulevard.

The Planning Commission recommends that the petition be approved.

Attachment No. 6-J

16. Decision on Petition No. 86-32 by Schurgin Development Corporation for a change in zoning from O-15 and R-9 to B-1(CD) and R-9(CD) for an approximately 130,000 square foot site located on the southerly side of Albemarle Road near Grafton Place.

A protest petition has been filed and found sufficient to invoke the 3/4 rule, requiring affirmative votes of 3/4 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. 6-K

17. Decision on Petition No. 86-34 by John Crosland, Jr. for a change in zoning from B-1 to B-2(CD) for a 6.742 acre site located at 800 Clanton Road, at the intersection of I-77 and Clanton Road.

The Planning Commission recommends that the petition be approved.

Attachment No. 6-L

18. Decision on Petition No. 86-37 by the Myers Park Homeowners Association, Inc. for a change in zoning from R-6MF to R-12 for a 2.198 acre site located on Queens Road between Hopedale and Pembroke Avenues.

A protest petition has been filed and found sufficient to invoke the 3/4 rule, requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

No recommendation was given as the Planning Commission vote resulted in a tie.

Attachment No. 6-M

19. Decision on Petition No. 86-39 by Hickory Grove Baptist Church for a change in zoning from R-12 to R-I (residential institutional) for a 17.31± acre site located at 6050 Hickory Grove Road, the southwest corner of Delta Road and Hickory Grove Road.

A protest petition has been filed and found sufficient to invoke the 3/4 rule, requiring affirmative votes of 3/4 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. 6-N

20. Decision on Petition No. 86-40 by Crow Charlotte Retail #2, Ltd. for a change in zoning from O-15 to B-1(CD) for a 5.8 acre site located on Central Avenue, west of Reddman Road, with frontage also on Albemarle Road.

The Planning Commission recommends that the petition be denied.

Attachment No. 6-O

21. Decision on Petition No. 86-41 by Albert Carroll Davis for a change in zoning from R-6MF to R-6MFH for .246 acre site located at 1936 Park Road, near its intersection with Tremont.

A protest petition has been filed and found sufficient to invoke the 3/4 rule requiring affirmative votes of 3/4 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. 6-P

22. Decision on Petition No. 86-42 by Lee Stuckey, Stuckey Furniture Company, for a change in zoning from R-12 to B-2(CD) for a .66 acre site located on the north side of Gloryland Avenue off North Tryon Street.

The Planning Commission recommends that the petition be approved.

Attachment No. 6-Q

23. Decision on Petition NO. 86-43 by the Wendover Shopping Center Association for a change in zoning from B-1(CD) to B-1(CD) Site Plan Amendment for 7.9 acres located on the west side of Wendover Road, south of Latrobe Drive.

The Planning Commission recommends that the petition be approved.

Attachment No. 6-R

24. Recommend adoption of a resolution calling for public hearings on Monday, June 16, 1986, at 6:00 p.m. in the Board Room of the Education Center, on Petitions No. 86-64 through 86-73 for zoning changes.

25. Recommend adoption of a resolution calling for a joint public hearing on Monday, June 16, 1986, at 6:00 p.m., Board Room of the Education Center, of City Council and the Historic Properties Commission to consider designation of the "William Henry Belk House" (at 200 Hawthorne Lane) as historic property.

26. Recommend adoption of a resolution calling for a joint public hearing on Monday, June 16, 1986, at 6:00 p.m., Board Room of the Education Center, of City Council and the Historic Properties Commission to consider designation of the "Scott-Hoke House" (at 1717 Cleveland Avenue) as historic property.

- PENDING MATTERS -

In meeting on Monday, June 9, 1986, City Council will make nominations for appointment to the following boards and commissions

1. Clean City Committee - Three positions for three-year terms. Two incumbents are eligible for reappointment, the other position is open for a new appointee.

2. Charlotte-Mecklenburg Planning Commission - Two positions for three-year terms. One of the incumbents is completing his second full term and is ineligible for reappointment

3. Spirit Square Board of Directors - Two positions for three-year terms. Neither incumbent is eligible for reappointment, both having served two full terms.

4 Historic District Commission - Three positions for three-year terms, two of which must be filled by resident/owners of Fourth Ward and Dilworth. All three incumbents are eligible for reappointment

- SCHEDULE OF MEETINGS -
May 19 - 30, 1986

Monday, May 19	COUNCIL/MANAGER DINNER Education Center - Rooms 237-239	5·00 p m
	ZONING HEARINGS Board Room	6 00 p. m.
Monday, May 26	MEMORIAL DAY HOLIDAY (No Council Meeting; All City Offices Closed)	
Tuesday, May 27	COMMUNITY DEVELOPMENT & HOUSING COMMITTEE Council Chamber, City Hall	4 30 p. m.
Wednesday, May 28	BUDGET PRESENTATION Training Center, City Hall Annex	12 00 noon