AGENDA

Meeting Type:	Z
Date	02-16-1987 02-23-1987
SUBJECT	

City of Charlotte, City Clerk's Office

CHARLOTTE

Council Agenda February 16, 1987

Meeting Cancelled -

Attachments pertinent to

2/23/87 Agenda

FILE COPY

CHARLOTTE

Meetings in February '87

FEBRUARY 1 - FEBRUARY 7

2	Monday, 4 00 p m.	PLANNING COMMISSION/Executive Committee - Cameron-Brown Bldg , 1st Floor Conference Room
3	Tuesday, 5 00 p m.	PLANNING COMMISSION/Planning Committee - Cameron-Brown Bldg , 1st Floor Conference Room
	Tuesday, 6 00 p.m	CHARLOTTE ADVISORY PARKS COMMITTEE - Park Operations, 701 Tuckaseegee Rd
4	Wednesday, 7 30 a.m.	CITY COUNCIL/COUNTY COMMISSION/LEGISLATIVE DELGATION BREAKFAST (Finalize Local Legislative Packages) - Mint Museum, 2730 Randolph Rd
	Wednesday, 12 Noon	PLANNING COMMISSION - Cameron-Brown Bldg , 1st Floor Conference Room
	Wednesday, 4 00 p m.	CITY COUNCIL/COUNTY COMMISSION/PLANNING COMMISSION (Workshop on Zoning Ordinance Revision) - Education Center, Rooms 237-39
5	Thursday, 7 30 a.m	PLANNING COMMISSION/Ordinance Revision Task Force - Cameron-Brown Bldg , 1st Floor Conference Room
	Thursday, 7 00 p m.	CITY COUNCIL (Public Hearing on Airport Master Plan) - West Mecklenburg High School, 7400 Tuckaseegee Road

FEBRUARY 8 - FEBRUARY 14

9	Monday, 12 Noon	PLANNING COMMISSION (Work Session) - Cameron-Brown Bldg , 1st Floor Conference Room
	Monday, 5 00 p m.	COUNCIL/MANAGER DINNER - West Charlotte High School, 2219 Senior Drive
	Monday, 7 00 p.m	CITIZENS HEARING - West Charlotte High School, 2219 Senior Drive
	Monday, 7 30 p m.	CITY COUNCIL MEETING - West Charlotte High School, 2219 Senior Drive
	Monday, 7 30 p.m	HISTORIC PROPERTIES COMMISSION - 1221 South Caldwell St , Commission Office
10	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, 5 00 p m	PLANNING COMMISSION/Planning Committee - Cameron-Brown Bldg , 1st Floor Conference Room
11	Wednesday, 8 30 a m	CIVIL SERVICE BOARD - City Hall, 3rd Floor Conference Room
	Wednesday, 6 30 p m	YOUTH INVOLVEMENT COUNCIL - City Hall, Council Chamber
12	Thursday, 2 00 p m	MINOR SPECIAL USE PERMIT HEARING - Cameron-Brown Bldg , 1st Floor Conference Room

(Continued on Back)

Public Service And Information Department

600 East Trade Street

Charlotte NC 28202

FEBRUARY 15 - FEBRUARY 21

16	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
17	Tuesday, 2 00 p m.	HOUSING AUTHORITY - Administrative Offices, 1301 South Boulevard
18	Wednesday, 7 30 a.m.	PRIVATE INDUSTRY COUNCIL - YMCA, 418 E. Trade Street
	Wednesday, 2·00 p.m.	TECHNICAL COORDINATING COMMITTEE - Cameron-Brown Bldg., 1st Floor Conference Room
19	Thursday, 8.00 a.m.	CLEAN CITY COMMITTEE - Cameron-Brown Bldg , 5th Floor Conference Room
	Thursday, 12 Noon	INSURANCE & RISK MANAGEMENT AGENCY - Cameron-Brown Bldg., 6th Floor Conference Room
	Thursday, 4 00 p.m.	CITY COUNCIL (Budget & Housing Policy Workshop) - City Hall Annex, Training Center
	Thursday, 4 00 p m	PLANNING COMMISSION (Deferred Rezoning) - Cameron-Brown Bldg., 1st Floor Conference Room
	Thursday, 7 30 p.m.	CHARLOTTE TREE COMMISSION - Park Operations, 701 Tuckaseegee Road

FEBRUARY 22 - FEBRUARY 28

23	Monday, 10 30 a.m.	AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY - Charlotte Convention Center, VIP Lounge
	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
24	Tuesday, 3 00 p.m.	COMMUNITY FACILITIES COMMITTEE - Charlotte Mecklenburg Utility Dept., 5100 Brookshire Blvd
	Tuesday, 5 00 p.m.	PLANNING COMMISSION/Planning Committee - Cameron-Brown Bldg , 1st Floor Conference Room
25	Wednesday, 6 30 p m.	YOUTH INVOLVEMENT COUNCIL - City Hall, Council Chamber
26	Thursday, 3 00 p.m.	ADVISORY BOARD FOR CITIZENS WITH DISABILITIES - Metrolina Independent Living Center, 1012 S. Kings Dr , Suite G-2

These organizations will <u>not</u> meet during February

Advisory Energy Commission
Housing Appeals Board
Municipal Information Advisory Board
Parade Permit Committee

Mayor Harvey B. Gantt Mayor Pro Tem Al Rousso

Charles Dannelly Cynthia Patterson
Gloria Fenning Pamella C. Patterson
Ann Hammond Minette Conrad Trosch
Ron Leeper Richard Vinroot
Roy Matthews Velva W. Woollen

Council Agenda

Monday, February 16, 1987

5:00 p.m. - Dinner
Rooms 237 and 239, Education Center
Directions '87 Proceedings Report.

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

ITEM NO.

1. Invocation

PUBLIC HEARINGS

2. Hearing on Petition No. 87-1 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from UR-C, I-3 and U-IND to UR-3 for an 8.69 acre site located east of South Cedar Street and south of West 4th Street Extension.

This hearing was deferred for 30 days at the January 20th meeting.

Attachment No. 1-A

3. Hearing on Petition No. 87-11 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from R-6MF to R-15MF for a ±30 acre site located east of Beatties Ford Road and south of Holly Street in the vicinity of Custer Street and LaSalle Street.

Attachment No. 1-B

4. Hearing on Petition No. 87-12 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from R-6MF to R-9MF for six parcels located on the northwest, southwest, and southeast corners of the intersection of Keller Avenue and Custer Street.

Attachment No. 1-C

5. Hearing on Petition No. 87-14 by Lowe's Companies, Inc. for a change in zoning from R-6MF to I-1 for a .15 acre site located south of the interesction of Tuckaseegee Road at Tennyson Drive and north of Freedom Drive.

Attachment No. 1-D

POLICY AGENDA

6. Decision on Petition No. 86-112 by Trammell Crow Company for a change in zoning from UDC-V, R-PUD and R-15 to B-1SCD, O-15(CD), R-15MF(CD) and R-15(CD) for a 139 acre site lying on all four corners of the intersection of NC Highway 16 (Providence Road) and NC Highway 51.

Two protest petitions have 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. 2-E

7. Decision on Petition No. 86-45 by Trammell Crow Company for a change in zoning from UDCV and R-15 to B-1SCD and R-15(CD) for a 139 acre site located on all four corners at the intersection of NC Highway 16 and NC Highway 51.

Two protest petitions have 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. 2-F

8. Decision on Petition No. 86-114 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from B-1 to R-6 for two parcels totaling 1.67 acres bounded by Spring Street to the south and I-85 to the north.

The Planning Commission recommends that the petition be approved.

Attachment No. 2-G

9. Decision on Petition No. 86-119 by Dr. Thomas Hampton and Dr. Joseph Estwanik for a change in zoning from R-6MF to O-15(CD) and a Site Plan Amendment to an existing O-15(CD) for a 4.55 acre site located on the south side of Billingsley Road across from the Mecklenburg County Social Services Building.

The Planning Commission recommends that the petition be approved.

Attachment No. 2-H

10. Decision on Petition No. 86-120 by Roll-A-Round, Inc., for a Site Plan Amendment to an existing B-1SCD zoning for a 1.7 acre site located southwest of the intersection of Albemarle Road and Delta Road.

The Planning Commission recommends that the petition be approved.

Attachment No. 2-I

11. Decision on Petition No. 87-3 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from B-2 to B-1 for a .684 acre site located on the southeast corner of Beatties Ford Road and Keller Avenue.

The Planning Commission recommends that the Petition be approved.

Attachment No. 2-J

12. Decision on Petition No. 87-4 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from R-6MF to R-6 for a 20 acre site located along both sides of Newland Road extending from I-77 to just south of Holly Street.

The Planning Commission recommends that the petition be approved except for one parcel, which is to remain R-6MF.

Attachment No. 2-K

13. Decision on Petition No. 87-5 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from B-1 to R-6 for a .24 acre site located south of Cummings Avenue between I-77 and Erie Street.

The Planning Commission recommends that the petition be approved.

Attachment No. 2-L

14. Decision on Petition No. 87-6 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from R-6MF to R-12MF for 5 lots bordered by Newland Road, Kennesaw Drive and Cummings Avenue and 9 lots along Newland Road from Lincoln Heights Court to I-77.

The Planning Commission recommends that the petition be approved.

Attachment No. 2-M

15. Decision on Petition No. 87-7 by Methodist Home for the Aged, Inc., for a change in zoning from R-9MF to INST(CD) for an approximately 80 acre site located south of Shamrock Drive and east of Eastway Drive, to the south of the existing Home for the Aged.

The Planning Commission recommends that the petition be approved.

Attachment No. 2-N

16. Decision on Petition No. 87-8 by Coastal Transport, Inc., for a change in zoning from R-15 to O-15(CD) for a .92 acre tract located west of Tom Sadler Road, north of Mount Holly Road in the vicinity of Metts Road.

The Planning Commission recommends that the petition be approved.

Attachment No. 2-O

17. Decision on Petition No. 87-9 by Honey Enterprises for a change in zoning from R-12 to B-1(CD) for a 9 acre site bounded by Arrowood Road to the south and Big Sugar Creek to the north.

The Planning Commission recommends that the petition be approved.

Attachment No. 2-P

18. Decision on Petition No. 87-10 by Devesco/Pacific Inc., for a change in zoning from I-2 to UMUD for a 2.82 acre site located on South Boulevard between East Bland Street and Arlington Avenue.

The Planning Commission recommends that the petition be approved.

Attachment No. 2-Q

19. Recommend adoption of a resolution calling for a public hearing on Monday, March 16, 1987, at 6:00 p.m. on the Fourth Floor of the Education Center on Petition No. Flood 87-1 to consider a changes in the floodway ordinance.

20. Recommend adoption of a resolution calling for public hearings on Monday, March 16, 1987, at 6:00 p.m. in the Board Room of the Education Center, on Petition Nos. 87-15 through 87-24 for zoning changes.

21. Recommend adoption of a resolution calling for public hearings on Monday, March 30, 1987, at 6:00 p.m. in the Board Room of the Education Center, on Petition Nos. 87-25 through 87-38 for the Elizabeth Small Area Plan.

- SCHEDULE OF MEETINGS -
February 16 - 20, 1987

Monday, February 16	COUNCIL/MANAGER DINNER Rooms 237-239	5·00 p. m.
	ZONING HEARINGS Board Room Education Center	6 00 p. m.
Tuesday, February 17	FINANCE & LONG RANGE FUNDING COMMITTEE Council Chamber, City Hall	4 00 p. m.
Thursday, February 19	BUDGET & HOUSING POLICY WORKSHOP Training Center, City Hall Annex	4 00 p. m.

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

January 16, 1987

Mayor and City Council·

RE· Rezoning Petitions to be Heard in February, 1987

Attached you will find appropriate maps and copies of each petition, for rezoning petitions scheduled for public hearing on February 16, 1987 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

Attachments

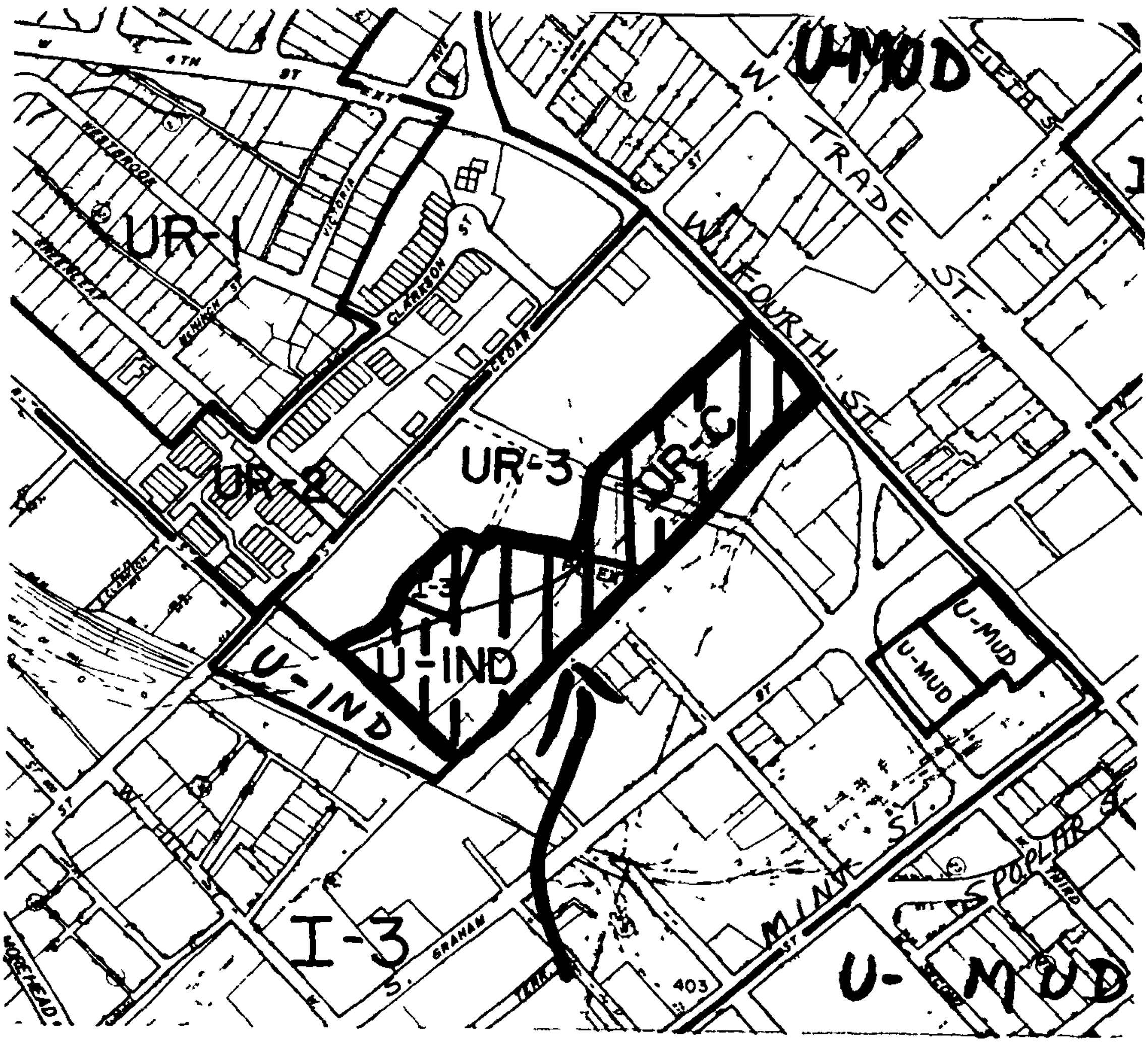
Cameron Brown Building • 301 South McDowell Street • Charlotte, North Carolina 28204 • (704) 336 2205

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 87-1 HEARING DATE 2/16/87

ZONING CLASSIFICATION, EXISTING UR-C, I-3 U-IND REQUESTED UR-3

LOCATION An 8.69 acre site located east of South Cedar Street and south of West Fourth Street Extension



ZONING MAP NO. 88 and 102 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-1
Date Filed 12-1-86
Received By LS
OFFICE USE ONLY

Ownership Information

Property Owner: See Attached List

Owner's Address: See Attached List

Date Property Acquired: N/A

Deed Reference: See Attached List Tax Parcel Number: See Attached List

Location Of Property (address or description)

The properties are located east of South Cedar Street and South of West 4th Street Extension

Description Of Property

Size (Sq Ft.-Acres): an estimated 8.690 acres Street Frontage (ft.)

Current Land Use: vacant

Zoning Request

Existing Zoning: UR-C, I-3, U-IND Requested Zoning: UR-3

Purpose of zoning change: To comply with the adopted Third Ward Plan

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

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 87-1

Petitioner. Charlotte-Mecklenburg Planning Commission

Location An 8 69 acre site east of South Cedar Street and south of West Fourth Street Extension

Request· Change from U-IND, UR-C and I-3 to UR-3.

ISSUES

1 Third Ward Development Goals. How does this request relate to overall development goals for the Third Ward area?

2 Likely Benefits of Zone Change If this zoning request were to be approved, what likely benefits could be expected?

BACKGROUND.

1 Existing Zoning. The parcels involved in this request are currently zoned I-3, U-IND and UR-C The adjoining areas south and east of the site are zoned I-3 and U-IND North of the site, the predominate zoning pattern is U-MUD. Adjacent to the site along Cedar Street is an area of UR-3 zoning. Other areas nearby are zoned other urban residential districts.

2. Existing Land Use The subject property is currently vacant, but was used at one time for a scrapyard and other industrial uses. The property surrounding the site is developed with a variety of uses including the Duke Power Company and other office and commercial uses and associated parking lots The areas north and west of the site along Cedar and West Fourth Street are currently undeveloped Other land uses in the area include some industrial development southwest of the site The Clarkson Place, Clarkson Green and Cedar Commons residential developments are also located nearby along Cedar Street.

3 Third Ward Plan. The site is located within the boundaries of the Third Ward Plan. The plan recommends the rezoning to facilitate infill development that is consistent with the established character of the area The future development of the tract could include both residential and non-residential uses.

4 Third Ward Redevelopment Plan The rezoning of the subject property to UR-3 was recommended in the November 22, 1982 amendment to the redevelopment plan, and therefore is in conformance with the plan.

5 Central Area Plan. The Central Area Plan proposes that the subject property be developed as a public park or plaza

GENERAL FINDINGS

1 2005 Plan. The 2005 Plan indicates existing employment land uses in the area of the subject property The plan recommends working with the CUDC in devising a strategy for the development of the former scrapyard site, which is the largest undeveloped tract uptown. The 2005 Plan includes the subject property in a development enterprise area in which a high intensity district of offices, shops and housing is encouraged

2. Pre-Hearing Staff Input The petitioner in this case is the Charlotte-Mecklenburg Planning Commission Staff advised the Commission of the desirability to rezone the property to UR-3 in conformance with adopted plans for the Third Ward area.

3 Pre-Hearing Departmental Comments (Summary)

Due to the fact that this petition is not conditional in nature, most departments had no comment. However, the Charlotte Department of Transportation did indicate that the current and proposed zoning could generate approximately the same number of trips per day, and would therefore have little impact on the street system

4 Neighborhood Context The property lies within the boundaries of the Third Ward neighborhood.

DETAILED FINDINGS.

1. This rezoning request involves an 8.69 acre site east of South Cedar Street and south of West Fourth Street Extension. The current zoning is U-IND, I-3 and UR-C and the petition seeks UR-3.

2 The property is presently adjacent to UR-3 zoning Other urban residential districts are located nearby.

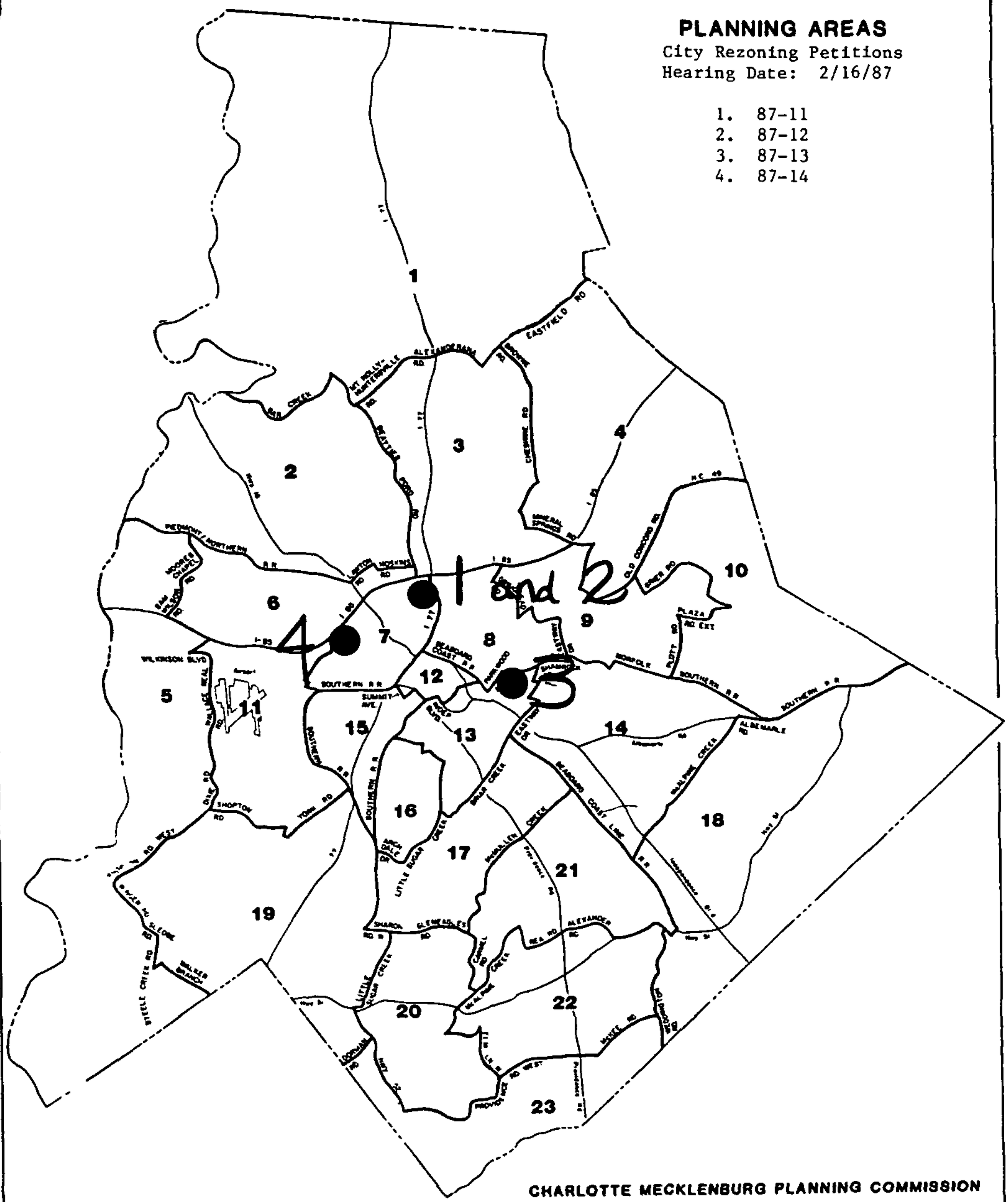
3. The U-IND, I-3 and UR-C districts would allow a multitude of industrial and commercial uses that are not in keeping with the urban residential character that is developing in Third Ward.

4. The rezoning to UR-3 is compatible with and recommended in several publicly adopted plans, including the Third Ward Plan, the Third Ward Redevelopment Plan and the 2005 Plan.

5. It is believed that the zoning change will benefit the area. The zone change will be compatible with area zoning patterns in that it will represent an extension of an existing UR-3 area The rezoning will allow for infill development that will be consistent with the established objectives and goals for Third Ward

6 This rezoning is seen as a positive step for the Third Ward area. Based upon the above reasons, this petition is encouraged for approval

*Subject to further refinement following public hearing


PLANNING AREAS
City Rezoning Petitions
Hearing Date: 2/16/87
1. 87-11
2. 87-12
3. 87-13
4. 87-14
1 and 2
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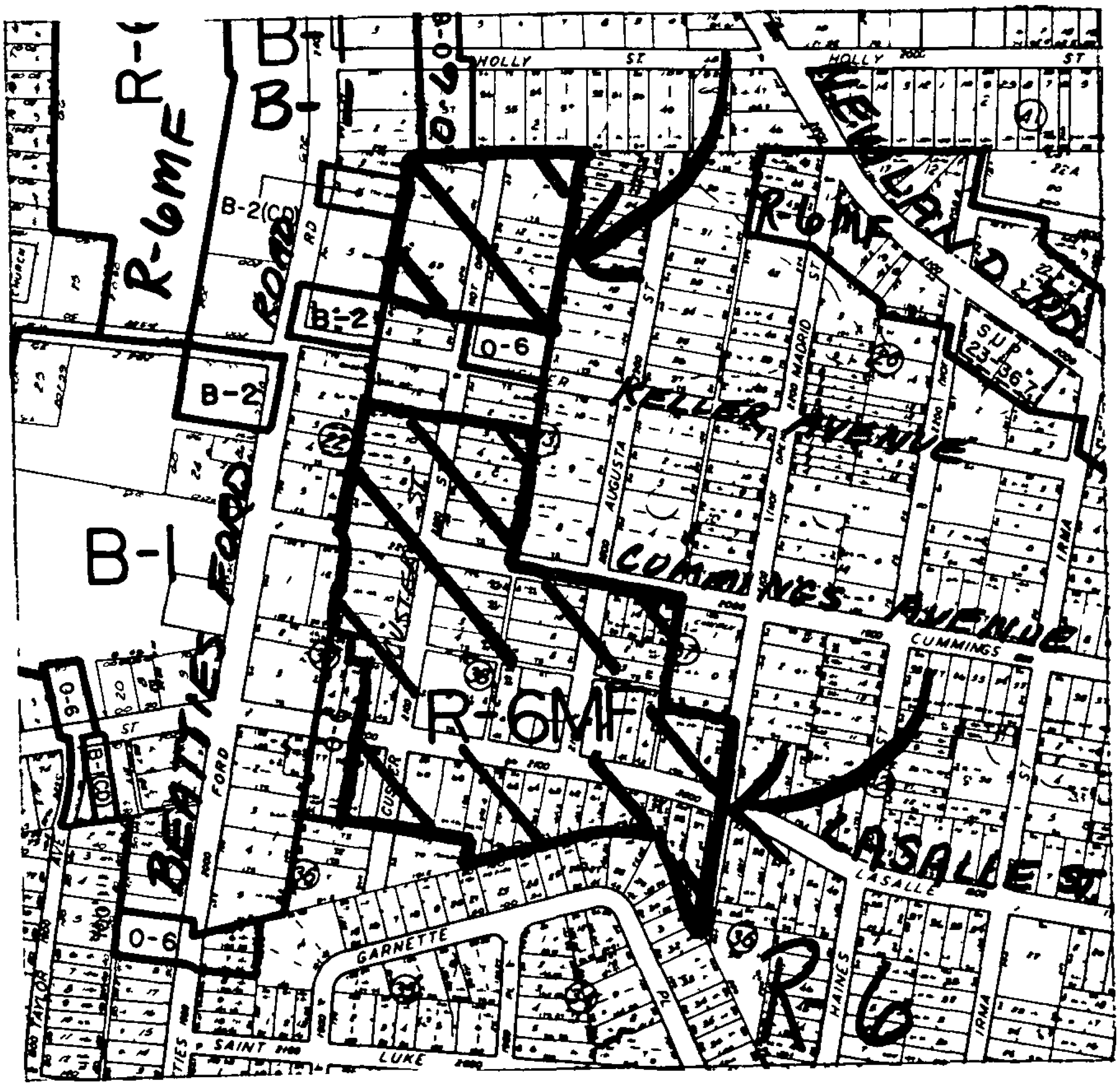
CHARLOTTE MECKLENBURG PLANNING COMMISSION
April 1983

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 87-11 HEARING DATE 2/16/87

ZONING CLASSIFICATION, EXISTING R-6MF REQUESTED R-15MF

LOCATION Approximately 30 acres located east of Beatties Ford Road and South of Holly Street in the vinicity of Custer Street.



ZONING MAP NO. 79 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 87-11
Date Filed 1/2/87
Received By LS
OFFICE USE ONLY

Ownership Information

Property Owner: See attached list

Owner s Address: See attached list

Date Property Acquired: N/A

Deed Reference: See attached list

Tax Parcel Number: See attached list

Location Of Property (address or description)

The area south of Holly Street to south of LaSalle Street (vicinity of Custer Street) with the exception of the four corners at Keller Avenue and Custer Street.

Description Of Property

Size (Sq Ft -Acres): ± 30 acres

Street Frontage (ft):

Current Land Use: vacant, single family, multi-family and duplex

Zoning Request

Existing Zoning: R-6MF

Requested Zoning: R-15MF

Purpose of zoning change: to comply with the Beatties Ford Community Small Area Plan

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

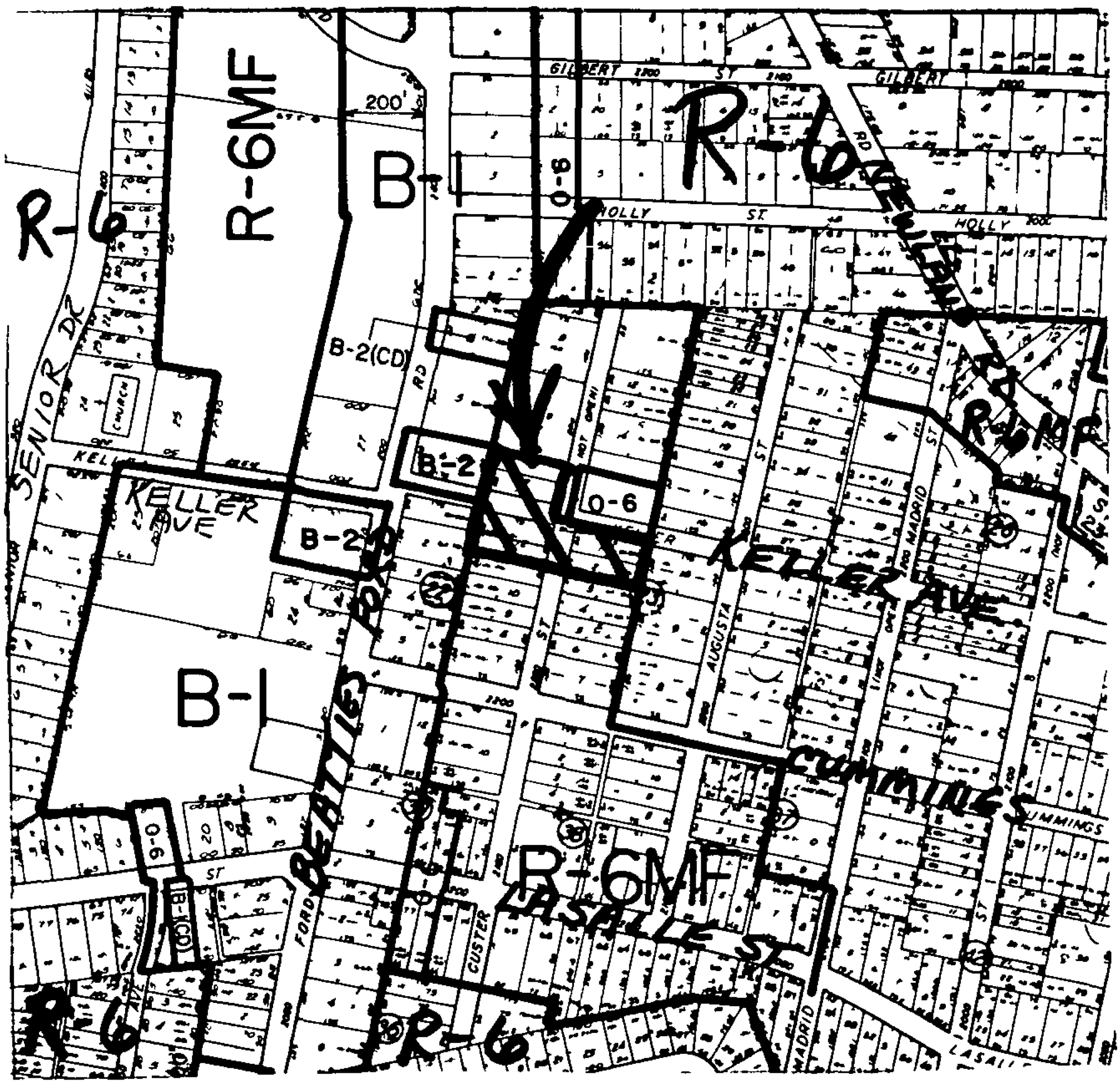
Signature of Property Owner If Other Than Petitioner

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 87-12 HEARING DATE 2/16/87

ZONING CLASSIFICATION, EXISTING R-6MF REQUESTED R-9MF

LOCATION Six parcels located on the northwest, southwest and southeast corners of the intersection of Keller Avenue and Custer Street.



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PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 87-12
Date Filed 1/2/87
Received By LS
OFFICE USE ONLY

Ownership Information

Property Owner: See attached list

Owner s Address: See attached list

Date Property Acquired: N/A

Deed Reference: See attached list Tax Parcel Number: See attached list

Location Of Property (address or description) The two parcels at the northwest; southwest; and southeast corners of the intersection of Keller Avenue and Custer Street

Description Of Property

Size (Sq Ft -Acres): .70 acres Street Frontage (ft):

Current Land Use: single family, duplex, multi-family and vacant

Zoning Request

Existing Zoning: R-6MF Requested Zoning: R-9MF

Purpose of zoning change: To comply with the Beatties Ford Community Small Area Plan

Name of Agent

Agent s Address

Telephone Number

Charlotte-Mecklenburg Planning Commission
Name of Petitioner(s)

301 South McDowell Street
Address of Petitioner(s)

336-2205
Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

BEATTIES FORD SMALL AREA REZONINGS

PRE-HEARING STAFF ANALYSIS

Petition No 87-11

This petition is sponsored by the Charlotte-Mecklenburg Planning Commission and involves approximately 30 acres of land located east of Beatties Ford Road and south of Holly Street in the vicinity of Custer Street and LaSalle Avenue. The current zoning is R-6MF and the petition seeks R-15MF zoning. The property is located in the Lincoln Heights neighborhood The Beatties Ford Road Small Area Plan recognizes that Lincoln Heights is a predominantly single family neighborhood which should be maintained and protected from adverse land use and zoning changes. The plan recommends the subject rezoning to reduce the allowable density in the area.

Other areas of the neighborhood nearby are already zoned R-6 for single family development. In addition, there have also been some other proposals and/or changes which have resulted in single family zoning as well. To the west is Beatties Ford Road and land use along that street are principally non-residential in nature Beatties Ford Road provides the major corridor in the area and services for the neighborhoods.

Properties located within the petition are residential in nature including single family, duplex and multi-family development. There are also a few vacant parcels. Rezoning the property would not create any non-conforming land uses. Approval of the petition would implement the goal of the small area plan for this area

Petition No 87-12

This petition is sponsored by the Charlotte-Mecklenburg Planning Commission and comprises six (6) parcels located on the northwest, southwest and southeast corners of the intersection of Keller Avenue and Custer Street The current zoning is R-6MF and R-9MF is being requested in the petition.

The property involved is developed with a couple of small apartment projects and a duplex as well as a single family structure. A couple of parcels are also undeveloped. On the northeast corner of Keller Avenue and Custer is a small medical clinic whereas along Beatties Ford Road is a variety of commercial and highway oriented businesses. Throughout the rest of the remainder of the Lincoln Heights neighborhood is a mixture of single family, duplex and apartment development.

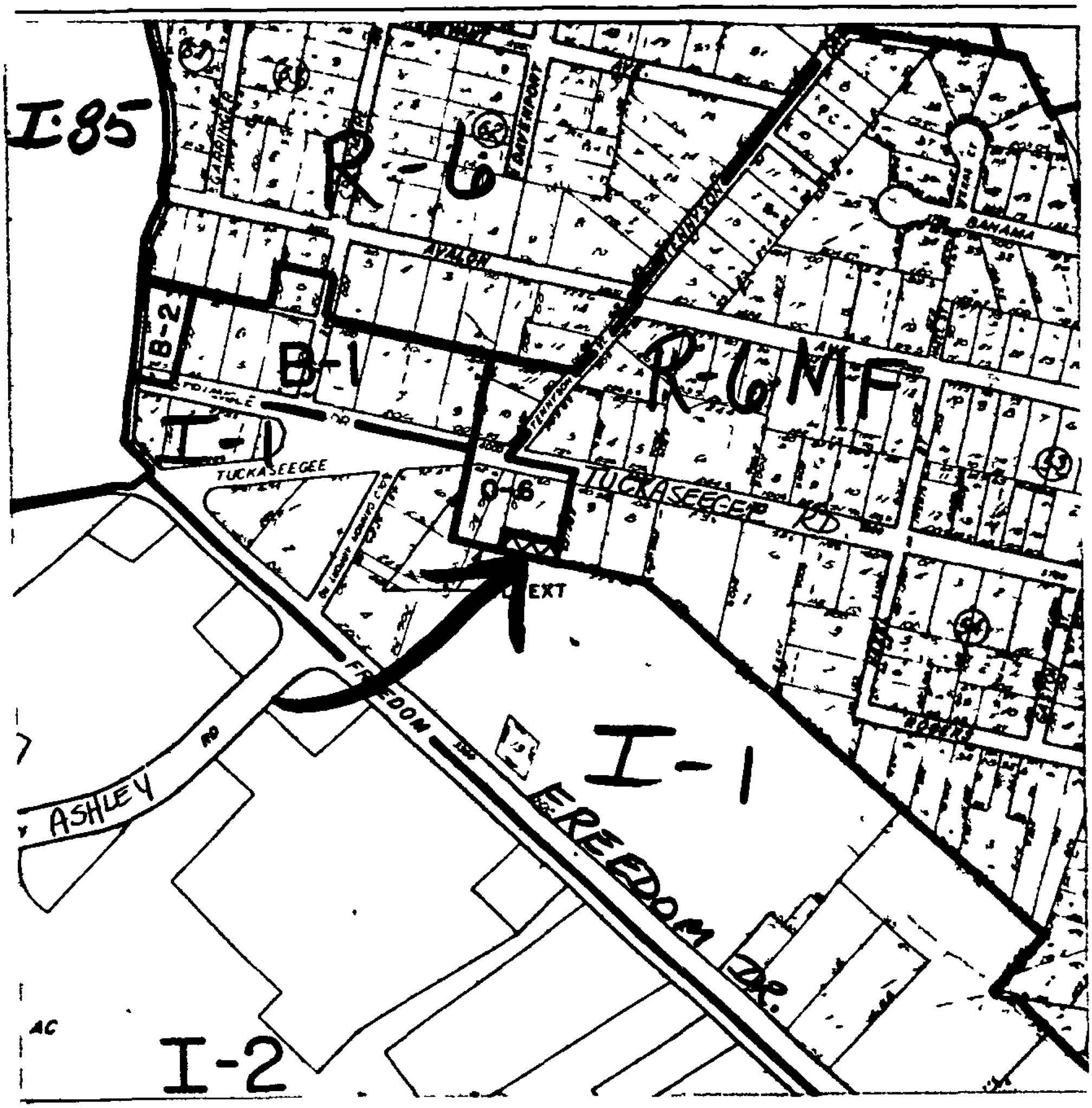
The Beatties Ford Road Small Area Plan recognizes the neighborhood as one principally dominated by single family development. The neighborhood should be maintained and protected and the zoning request as seen is a means to do that. Approval of the request will implement the small area plan goal for the area Unlike Petition 87-11 where the request seeks R-15MF, it is believed that R-9MF is more appropriate here due to the existence of the office zoning and the medical clinic as well as the relationship of the property to Beatties Ford Road

PETITIONER Lowe's Comapnies, Inc.

PETITION NO. 87-14 HEARING DATE 2/16/87

ZONING CLASSIFICATION, EXISTING R-6MF REQUESTED I-1

LOCATION A .15 acre site located south of the intersection of Tuckaseegee Road and Tennyson Street and north of Freedom Drive



ZONING MAP NO. 87 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-14
Date Filed 1/2/87
Received By
OFFICE USE ONLY

...wnership Information

...perty Owner Charlotte Freedom Mart, Ltd

...ner's Address C/O Lat Purser and Associates, Inc
230 South Tryon St. , Suite 240 - Charlotte, North Carolina

...e Property Acquired August 5, 1981

...ed Reference Book 876, page 34

Tax Parcel Number Part of 065-036-10 ~~065-036-12~~

...cation Of Property (address or description) 3200 Freedom Drive,
City of Charlotte, Mecklenburg County, North Carolina

...escription Of Property

...e (Sq. Ft.-Acres) 0.15

Street Frontage (ft.)

...rrent Land Use Shopping Center

...oning Request

...isting Zoning R-6MF

Requested Zoning I-1

...rpose of zoning change The purpose of rezoning this parcel is to create the availability of a small strip of land for additional parking and complete the rezoning of the shopping center site

Douglas A. Morris
...ame of Agent

Box 1111, N. Wilkesboro, NC 28656
...gent's Address

(919) 651-4413
...elephone Number

Lowe's Companies, Inc.
Name of Petitioner(s)

same
Address of Petitioner(s)

same
Telephone Number

Signature

Richard Friedland
Managing General Partner
Charlotte Freedom Mart, Ltd.

Signature of Property Owner If Other Than Petitioner

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 87-14

Petitioner	Lowe's Companies, Inc
Location	A 15 acre site south of the intsection of Tuckaseegee Road at Tennyson Drive and north of Freedom Drive
Request.	Change from R-6MF to I-1.

ISSUES.

1. Present Use of Property How is this property presently being used and how does that relate to the existing zoning pattern?

2. Proposed Zoning Change How does this request, therefore, relate to the existing zoning and land use pattern? Given the unusual configuration, would the approval be compatible with area patterns?

BACKGROUND

1 Existing Zoning The subject property is presently zoned R-6MF Property lying immediately south is zoned I-1 and this I-1 district extends along the northerly side of Freedom Drive to the intersection of I-85. Across Freedom Drive is an area of I-2 zoning Immediately north of the site is an area of 0-6 which extends to Tuckaseegee Road at Tennyson Drive. To the west of that lies B-1 zoning Otherwise the immediate pattern is that of R-6 and R-6MF including land lying immediately east of the site extending along and near Tuckaseegee Road

2 Existing Land Use The property is presently paved with no improvements and being used some or all of the time for parking purposes The site adjoins the rear of a financial institution as well as the rear of a large building which is located in a shopping center on Freedom Drive The property adjoining this to the east is developed with a single family residence and other single family homes are located along Tuckaseegee Road. To the west along Tuckaseegee and Triangle Drive is a mixture of office and business uses Other commercial uses and shopping centers are located on Freedom Drive.

3 School Information Not applicable.

4. Zoning History (See Attached Map) There have been three prior rezoning requests in the area of the subject property The attached map indicates the location of the prior requests. Case #1 involved a request for a rezoning from B-1 to B-2 for a lot on Triangle Drive that was approved by Council March 1, 1971 Case #2 involved a rezoning from R-6MF to 0-6 for a 5 acre parcel on the south side of Tuckaseegee Road east of the intersection of Tennyson Drive and Tuckaseegee Road The rezoning was approved by Council March 6, 1979 Case #3 involved a rezoning request from R-6 to

B-2 for an 11,446 square foot site on Avalon Avenue just east of I-85 Council denied the request August 18, 1986.

GENERAL FINDINGS

1. 2005 Plan The 2005 Plan indicates a community commercial center in the area of the subject property. Strategies for the area include the widening of I-85. The site is outside the boundaries of the Westerly Hills-Ashley Park Small Area Plan but that plan does propose that vacant parcels along Freedom Drive be developed with a mixture of well integrated light industrial, office, commercial and residential uses.

2. Transportation Improvement Program. The TIP schedules the widening of Freedom Drive to a multi-lane facility from I-85 to Mt. Holly Road for FY 86-90. The TIP also schedules the widening of I-85 from NC 273 to the US 29/NC 49 connector from four lanes to eight lanes. This project is presently under construction.

3. Pre-Hearing Staff Input. Staff met with the petitioner about this proposal and generally concurred with the idea of non-residential zoning for the site.

4. Pre-Hearing Departmental Comments (Summary).

   Due to the fact that the site is not conditional in nature, detailed comments from most departments are not included.

5 Neighborhood Context. The site is located in the Enderly Park neighborhood.

DETAILED FINDINGS:

1. This site involves a very small piece of property which is presently zoned R-6MF. The site is sandwiched between an O-6 site on Tuckaseegee Road and I-1 zoning which is oriented to Freedom Drive. The petitioner is requesting I-1 zoning for the site

2 The petitioner states that the purpose of the rezoning is to create the availability of a small strip of land for additional parking so as to complete the rezoning of the adjoining shopping center site.

3. The site is actually paved and apparently being used for parking. This despite the fact that the property is zoned R-6MF, which should restrict it from any sort of commercial parking or usage.

4. The property is long and narrow, approximately 40 feet wide, and lies between two non-residential uses. It is also part of a larger parking and circulation pattern for the shopping center and adjoining out-parcel properties The rezoning of this property to a non-residential classification is certainly logical given this setting

5. The continued use of this property for R-6MF is illogical given its size and shape and existing status.

6 The approval of this petition would result in a very minor change to the zoning pattern in the area and for all practical purposes no land use change to the existing setting. Therefore, no real change to the environment is foreseen and no impacts. Approval of the petition would require that the eastern most end of the site which adjoins R-6MF zoning would be required to have some form of screening.

7. Based upon the above circumstances, the petition is encouraged for approval.

*Subject to further refinement following public hearing.

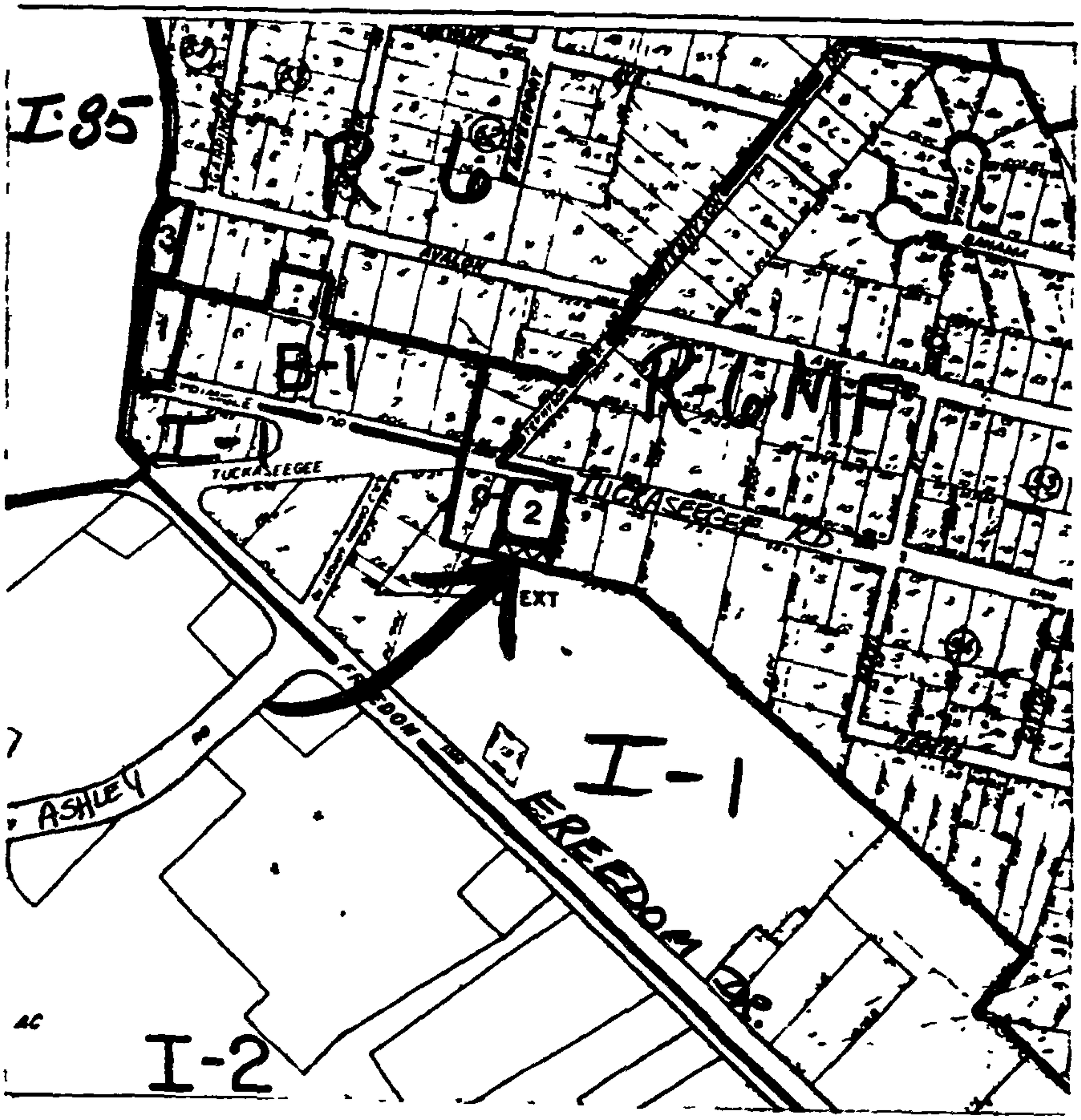
ZONING HISTORY

PETITIONER *Lowe's Comapnies, Inc.*

PETITION NO. 87-14 HEARING DATE 2/16/87

ZONING CLASSIFICATION, EXISTING R-6MF REQUESTED I-1

LOCATION A .15 acre site located south of the intersection of Tuckaseegee Road and Tennyson Street and north of Freedom Drive



ZONING MAP NO. 87 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

January 30, 1987

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 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 January 26, 1987

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 February 9, 1987 This will then permit these matters to be placed on your agenda for consideration on February 16, 1987

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	January 26, 1987
PETITION NO	86-28
PETITIONER(S)	Charlotte-Mecklenburg Planning Commission
REQUEST	Change from R-9MF to R-9 and R-12MF
LOCATION	An approximately 76 acre site located along Lambeth Drive and north of North Tryon Street
ACTION	The Planning Commission deferred action

DATE January 26, 1987

PETITION NO 86-57

PETITIONER(S) NCF Financial Corporation and Myers Park Homeowners Assoc

REQUEST Change from R-9MF to R-6MF(CD)

LOCATION A 35,004 square foot parcel located at the corner of Queens Road and Hopedale Avenue It should be noted that Rezoning Petition 86-57 was originated by the Myers Park Homeowners Association and included the proposal to rezone the parcel at the corner of Queens Road and Hopedale Avenue from R-6MF to R-12

ACTION The Planning Commission deferred action

DATE January 26, 1987

PETITION NO 86-112

PETITIONER(S) Trammell Crow Company

REQUEST Change from UDC-V, R-PUD and R-15 to B-1SCD, 0-15(CD), R-15MF(CD) and R-15(CD)

LOCATION Approximately 139 acres located on all four corners of the intersection of Providence Road and NC 51

ACTION The Planning Commission recommends that the petition be approved

VOTE Yeas Curry, Lassiter, Mead and Wheeler

Nays Griffin

REASONS

ISSUES·

1 Relationship to Overall South Mecklenburg Planning Goals How does this rezoning request relate to overall planning, zoning and land use objectives for southern Mecklenburg County?

2 Traffic What traffic and transportation related issues should be considered when evaluating this request?

3 Site Plan-Amendments What aspects of the conditional site plan are important to evaluate including such things as edge relationships and land use relationships to adjoining property? What amendments to the earlier version under 86-45 have occurred?

4 Comparison to Existing UDC-V Plan How do the conditions and overall restrictions of this proposal compare to those contained in the existing site plan for the planned UDC-V at this intersection?

BACKGROUND

1 Existing Zoning The property in this petition is zoned UDC-V (Urban Development Center) with the exception of a slender strip of land along the easterly side of Highway 16 north of Highway 51 which is presently zoned R-15 and two parcels abutting Raintree Lane which are presently zoned R-PUD The general zoning pattern in the area reflects the R-15 single family district for the most part, although southwest of and adjoining the site is an R-15 PUD classification Another PUD classification is located somewhat north on the westerly side of NC Highway 16 A

small amount of R-20MF multi-family zoning is south of the property on Providence Road and other smaller parcels are zoned for multi-family purposes in the area as well

2 Existing Land Use The property involved in the petition is substantially vacant although on the northwest corner there is a single family residence Single family development does comprise the predominant land use pattern for the area and is found throughout such subdivisions as Hemstead, Raintree, Ridgeloch, Candlewyck and others The Raintree Community also contains multi-family development as well A very small neighborhood commercial center is located near the entrance to the Raintree Community, too Golf courses are located in Raintree as well as the Cedarwood course on the north side of NC 51 nearby Some churches, which are relatively new to the area, are also in the immediate vicinity

3 Existing UDC-V Site Plan/Conditions The existing UDC-V plan is an extremely complex one which combines a mixed use project containing residential, office and retail development combined with many design controls and plans for street and right-of-way improvements The retail usage in the present plan shall not exceed 210,380 square feet Office use is limited to a grand total of 378,630 square feet of which 214,605 square feet is permissible on the southwest corner Right-of-way adjacent to NC 51 and NC 16 is planned for dedication as is a fund which totals $605,000 towards street improvements (Note Funds and right-of-way have been secured from the petitioner) A total of 50 Park-N-Ride parking spaces is also provided This plan also contains a maximum of 666 dwelling units

4a Proposed Site Plan The proposed site plan retains many of the conditions of the existing UDC-V plan cited just above Specifically, the nowthwest, northeast and southeast corners remain the same in terms of development intensity The northwest corner calls for a maximum of 44,025 square feet of office space and 87 dwelling units, the northeast corner has a maximum of 6,000 square feet of office and 277 dwelling units and the southeast corner will have a maximum of 114,000 square feet of office Other conditions related to heights, building setbacks, buffers, etc remain intact The basic change of this plan from the existing UDC-V concerns the southwest corner Under this plan a total of 600,000 square feet of retail shopping space is proposed with 400,000 square feet being permitted in Phase 1 The additional 200,000 square feet is specifically restricted to a phasing requirement which would require the widening of Providence Road from Old Providence Road to High Ridge Road before the additional space could be added The rezoning also includes a small area at the corner of Raintree Lane and Highway 51 which will be designated as open space and transferred to the Raintree Homeowners Association for recreation purposes The site plan also relies upon a development program manual which contains many other conditions relating to development restrictions, design and overall site planning

4b Recent (December) Discussions Regarding Proposed Site Plan Recently staff has met with representatives of the Trammell Crow Company to discuss the revised site plan. Staff advised the petitioner that at least one major issue had arisen and along with a few others that needed some clarification The B-1SCD district requires a footprint and other particular information dealing with the operation of the shopping center as part of the application A footprint was not included in the site plan Staff had not stressed that requirement for a footprint per se, but had relied upon other conditions dealing with buffers, setbacks and performance criteria to achieve restrictions on the development of the southwest corner After discussions with neighborhood groups and the City Attornery, the petitioner was advised of the need to provide a footprint on the southwest corner The petitioner was also advised of a growing issue as to whether or not the retail space would be enclosed within a mall concept or not Finally, they were also advised of some changes which were desirable regarding the architectural control section of the development program manual

4c Recent (January) Discussions Regarding Proposed Site Plan On January 6, staff met with representatives of the petitioner, interested neighborhoods and the Council District representative The basic agenda was focused upon a neighborhood memorandum which highlighted points of concern Many of those points were resolved (A summary of the meeting will be available by the time of the public hearing)

5 Petition Background This petition represents the second hearing for the property involved in this matter The petitioner encountered strenuous opposition from neighborhood leaders, Planning staff, Planning Commission and others regarding their original effort under Rezoning Petition 86-45 The petitioner requested a deferral from the Planning Commission recommendation under that petition in order to develop new conditions, which eventually were finalized and resulted in a brand new application Planning staff along with representatives of the Department of Transportation arrived at some conclusions as to the intensity and type of development here which would be appropriate under a new application C-DOT staff indicated that approximately 400,000 square feet of retail space would be acceptable and had preliminarily agreed that an additional 200,000 square feet would be acceptable with an improved Highway 16 from High Ridge Road to Old Providence Road This change on the southwest corner was appropriate so long as the other conditions remained the same on the other three corners Trammell Crow representatives agreed to these new development restrictions and proposed them to the Planning Commission The Planning Commission accepted these new conditions and allowed the Trammell Crow Company to file a new application incorporating these new restrictions

GENERAL FINDINGS

1 2005 Plan The 2005 Plan indicates a mixed use center at the intersection of NC 16 and NC 51 Road improvements are also proposed for both thoroughfares The plan also envisions a major mixed use center southwest from the intersection of NC 16 and NC 51

2 Highway 51 Policies The plan indicates the location of a UDC-V at the intersection of NC 16 and NC 51 Further, the plan envisions an urban parkway along NC 51 and stresses the need to avoid strip commercial along this thoroughfare Except for the UDC-V, land uses are expected to be a mixture of single family and multi-family development.

3 South Mecklenburg Plan. Staff has recently completed a draft of the South Mecklenburg Interim District Plan This plan has been discussed by the Planning Commission on several occasions The Planning Commission has concluded their deliberations and forwarded their recommendation to elected officials This plan is in response to rapid growth in the area and the need to provide a framework for planning and capital needs in the area

4 NC 51 Widening This project would widen NC 51 from Pineville to Matthews to a multi-lane facility The first phase of this project is expected to begin construction shortly. That will include the redesign and reconstruction of the NC 51 and NC 16 intersection Other phases are expected to begin construction later with an estimated completion time for the entire project in 1990 The plan calls for a median divided road with supplemental landscaping which will enhance the urban parkway proposal contained in the Highway 51 Policy Study

5 Recent Rezonings in South Mecklenburg During the last year several major rezonings have occurred in the South Mecklenburg area including a proposal by the John Crosland Company called Landon, which is located at the extreme southern edge of Mecklenburg County and a development by Glenn Terrell called Piper Glen between NC 51 and Providence Road West Part of the Piper Glen plan is now approved for a regional shopping mall containing just over 1,000,000 square feet The location of that mall coincides with the 2005 Plan projection for a major mixed use center Phasing restrictions provide that the shopping mall will not open until portions of the Outer Belt and other major thoroughfares are constructed and, thus, it is anticipated that the opening of that center is perhaps ten years away The Landon proposal contains a shopping center of approximately 250,000 square feet It too is phased based upon thoroughfare improvements

6. Pre-Hearing Staff Input Staff has met with the petitioner on several occasions regarding this application Staff has also had meetings with neighborhood representatives Recently staff has indicated to the petitioner that the basic framework of this proposal is acceptable (i e , land use relationships, intensity of development, overall conditions, etc) As mentioned above, staff did indicate that a building footprint would have to accompany the final site plan to be presented at public hearing

7. Pre-Hearing Departmental Comments (Summary)

1 C-DOT See attached information

2 Fire Department The extension of the 54 inch water main under construction should alleviate any utility concerns for fire protection

3 Building Standards No comment

4 Engineering Department Engineering provided their usual comments regarding normal development permits Engineering also commented that City Council has recently awarded a contract for the reconstruction of the 51/16 intersection Further, they will require the developer to bear the total responsibility for any additional roadway construction warranted as the result of the rezoning request Trammell Crow has indicated, as a condition of their rezoning, their willingness to respond to this

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

8 Neighborhood Context The site is located in the area known as Raintree and Old Providence This second petition has still generated many calls and inquiries It lead to a postponement in December of the public hearing During recent discussions some neighborhoods, Hembstead, Candlewyck and Ridgeloch, continued to voice concerns The neighborhoods believe that this petition should be more responsive to traffic issues and do a better job of meeting traffic needs In their opinion, this project must be better than "traffic neutral" to the UDC-V

9 Annexation/Zoning on Northeast Quadrant The northeast corner of the intersection of NC 16 and NC 51 was annexed on May 5, 1986 State law requires that within 60 days of an annexation, zoning authority should transfer from the County to the City In this case, that was not done due to the fact that Trammell Crow Company had submitted their petition and a hearing was scheduled for May, 1986 Consequently, it was decided that rather than go through a hearing to establish zoning and then immediately have another hearing to consider Trammell Crow's zoning petition that no action would be taken to establish zoning jurisdiction following the annexation Staff secured written agreement from Trammell Crow that that procedure would be okay

10 Planned Retail/Shopping Malls in South Mecklenburg Several major retail/shopping malls are in the construction or planning stages Piper Glen was referenced under General Findings #5 Further it is known that a major mall is planned in both Matthews and Pineville Another mall is under construction at McMullen Creek and Highway 51 Staff has also recently discussed a rezoning petition for another major mall at the Outer Belt/Highway 521 intersection

11 Hearing Postponement This matter was deferred at public hearing last month and continued to January New information needed more study and a meeting between the developer and interested neighborhoods was arranged

DETAILED FINDINGS

1 This application involves land located at the four corners of the intersection of NC 16 and NC 51 The present zoning for the land involved is UDC-V with the exception of a small area which lies north of Highway 51 along the westerly side of Providence Road which is zoned R-15 and two

parcels which abut Raintree Lane south of 51 which are zoned R-PUD The petitioner has requested that the land be rezoned to B-1SCD and R-15(CD) on the southwest quadrant, two corners will each be zoned a combination of 0-15(CD) and R-15MF(CD) and the southeast corner will be 0-15(CD)

2. The petitioner has filed a conditional site plan which proposes a major retail, office and residential development for this intersection (For further details refer to Background #4a)

3 The area of the petition is one of the most sensitive in terms of growth and growth management Over the years there have been policy studies regarding the Highway 51 corridor which have attempted to react to the market pressures for growth along this major corridor Now, however, there is even more pressure to develop the South Mecklenburg area and accordingly staff has undertaken an interim South Mecklenburg District Plan which attempts to provide the policies necessary to manage growth in the region This report has recently been finished by the staff and the Planning Commission has recently concluded discussions A public hearing was held on the plan on January 27, 1987

4 Obviously, this request has generated a tremendous amount of discussion Much of that discussion, as far as staff and many neighborhoods is concerned, has focused on concerns about the potential negative influence which the approval of this request would represent.

5 It is also important to remember that the current UDC-V was developed over a long period of time and included the support and help of many individuals and groups It was a cooperative effort that came about because of public policy demands for the area Public policy reinforced the UDC-V concept and is once again being supported in the interim South Mecklenburg Plan

6 This petition represents a drastic modification from the previous one The petitioner has modified the plan so as to be consistent with staff objectives, particularly from the standpoint of relating the intensity of development to traffic impacts associated at the same level as the current UDC-V zoning/traffic impact

7 Therefore, from a zoning and land use standpoint staff and Planning Commission are satisfied this time The concept of land uses and their relationship to the intersection and adjoining properties have remained intact and the development intensity is equivalent to the current development plans already approved under the UDC-V This was a condition that Planning staff always sought throughout many hours of discussion with the petitioner One consistent theme as far as an issue is concerned has been that of traffic. C-DOT has developed findings which are attached to this analysis There will be traffic problems under either UDC-V or this proposal Their bottom line evaluation, however, considers the current proposal "traffic neutral" to that of the UDC-V

8 The petitioner has spent considerable time discussing this proposal with nearby neighborhoods. Many of them had strenously objected to the request Through negotiations most area residents/neighborhoods have dropped their

protest The developer has modified the plan to react to neighborhood concerns

9 For example, the southeast corner has larger buffers and only office development will occur there Hembstead was opposed to multi-family development and that was removed. Other restrictions on uses, lighting, screening/berms, etc , were also made part of the plan

10 Planning Commission did spend some time discussing the fact that the loss of the UDC-V designation meant the loss of a 2 5 mile restriction on other non-residential rezoning, which is called for in the UDC-V ordinance However, that matter is now included as a policy statement in the South Mecklenburg District Plan

11 Planning Commission commented that this had been a very difficult petition to deal with But with the removal of staff and neighborhood opposition it deserved to be approved

12 As far as the remaining conditions of the site plan are concerned, Planning Commission judges them to be acceptable Many of these conditions are now directly lifted from the existing UDC-V conditions or are more restrictive in some cases.

13 In summary, the concepts, land use relationships and overall conditions are similar in nature to the on-site development that would have occurred under the existing UDC-V plan Traffic impacts are equivalent Technical issues regarding the application have been resolved Neighborhood opposition has basically ceased Thus, Planning Commission recommends the petition for approval

Minority Opinion
The minority opinion expressed the viewpoint that the UDC-V was a mistake His vote was a protest vote Although he thought the plan was a good one, he could not vote for it because it would create too much traffic and create an intersection failure at NC 51/NC 16

Staff Opinion
The staff agreed with Planning Commission

Received 12/9/86

MEMORANDUM

DATE: December 5, 1986

TO: Bob Young
Planning Commission

FROM: R. N. Pressley, Jr., Director
Department of Transportation

SUBJECT: Traffic Impact Analysis of Trammell Crow's Rezoning Request for NC 51/NC 16

This memorandum summarizes departmental comments on Trammell Crow's rezoning request for the intersection of NC 51 and NC 16. The following sections include our comments on both the traffic impact analysis prepared by Barton-Aschman Associates and the Trammell Crow site plan itself.

The consultant for Trammell Crow's rezoning proposal, for the intersection of NC 51 and NC 16, has analyzed the proposal as it compares to the UDCV. We have attempted to address this latest analysis by discussing two key findings concerning the equivalence of a 400,000 square foot center (to the UDCV) and the acceptability of a 600,000 square foot center (with conditions). We have also provided a word of caution about the assumption of four lanes for Providence Road.

Equivalence to the UDCV:

The attached Table 1, from the consultant's latest analysis, indicates equivalent levels of retail development (assuming only retail for the southwest corner) as compared to the UDCV. Please note that this is comparable to our earlier analysis, which indicated that impacts would be equivalent on a daily basis with 300,000 square feet of development or on a PM peak hour basis with 450,000 square feet. The consultant has also analyzed the overall impacts of 400,000 square feet and 600,000 square feet of retail development on the southwest corner. We have presented congestion impacts of these concepts in Table 2. Please note that for both low volume and high volume days congestion from a 400,000 square foot center would be reduced during AM and PM peaks but would be greater on evenings and Saturdays. The congestion increase for typical high volume days during evenings and on Saturdays (for a 400,000 square foot center) would be significantly greater, but acceptable. (Level of Service would be C in 1993.) Considering this information, we feel comfortable that 400,000 square feet of retail would result in the overall net impact on traffic being generally equivalent to the UDCV proposal for the southwest corner.

A 600,000 Square Foot Center:

The petitioner proposes to construct additional through lanes along N.C. 51 on both sides of the road. These lanes would extend from the easternmost driveways to the westernmost driveway of the entire UDCV site. The end result would be a six-lane N.C. 51 in the immediate vicinity of the intersection with Providence Road. Table 3 presents congestion impact information similar to Table 2 except added lanes are assumed for N.C. 51 under the 600,000 square foot concept (therefore the first column of Table 2 is identical to Table 3). Please note that with the added lanes, the higher traffic volumes from the 600,000 square foot concept would not increase congestion as much as the 400,000 square foot concept without the extra lanes. Of course, the 400,000 square foot concept with these same lanes would fare even better.

Table 4 presents the consultant's projection of daily traffic volumes on the roads serving the site. Please note that the 600,000 square foot concept would increase traffic volumes on all four roads, particular on typical high volume days.

This is a situation where the developer can provide a benefit (through construction of added lanes) which offsets the additional traffic. However, this benefit is only "real" until that time in the future when N.C. 51 would have been widened to six lanes anyway. Of course, we don't know when that would be, but it is not likely during the next decade. A 10 to 15 year benefit brought on by the new lane construction (associated with the 600,000 square foot concept) can help justify the longer-term negative impacts of the added traffic.

A Caution:

In considering the history of this rezoning, one should always be aware that all traffic analysis of the UDCV, and the various Trammell Crow proposals has assumed that Providence Road would be four lanes, from Old Providence Road southward to High Ridge Road. Until this widening occurs, either the current UDCV proposal or the equivalent 400,000 square foot concept will have significant access problems.

Site Plan Considerations:

The following is a list of improvements we are requesting if a zoning change is approved:

- A detailed parking plan should be submitted to our office to ensure each development is in compliance with the City Ordinance.
- A minimum of 150 feet of internal channelization should be provided at each driveway.
- Cooperation in providing utility easements and participation in relocating utilities will be needed at the entrances whenever traffic signals are warranted.
- The driveways should be located in such a manner that if signal installation is required, each signal has adequate left-turn storage

and the operation of each signal does not compromise the efficiency of adjacent signals.

- All traffic entering the site must have the right-of-way at the internal intersections to avoid a back-up of traffic on either NC 16 or NC 51. During the Christmas shopping season, the internal intersections of the driveway system may need to be under police officer control.

- A left-turn lane should be provided on NC 16 for the southern-most driveway on the northeast corner. The driveway on the northeast corner which is located approximately 900 feet from the NC 16/NC 51 intersection, should be eliminated.

- The driveway on the southwest corner located near Windbluff Drive should be limited to a right-in, right-out operation due to its proximity to Windbluff Drive.

- The dual-left turn lanes from NC 51 into the regional shopping center site should be provided at the westernmost driveway as it definitely will need traffic signal control. Initial construction at the other driveways should not include the second left-turn lane from NC 51.

- A left-turn should be provided on NC 51 for the driveway opposite Spring Circle Drive. This driveway will not be signalized due to its location to the other signalized driveways.

- NC 16 south of NC 51 may need to be widened to provide side-by-side left-turn lanes at the northernmost entrance to the mall. This will provide adequate left-turn storage for both the site driveways and Winding Oak Drive.

- Reservation of 200 to 300 parking spaces for Park-N-Ride use before 6:00 pm on weekdays. The provision of the spaces would encourage ridesharing and transit usage, which would reduce some of the trips on the thoroughfares in the area. It would be helpful if these spaces could be located adjacent to internal driveways that would support Charlotte Transit service.

RNPjr/WBF:nsk

Table 1
RETAIL DEVELOPMENT LEVELS IN THE SW QUADRANT THAT PRODUCE SIMILAR TRAFFIC IMPACTS AS THE PRESENTLY APPROVED DEVELOPMENT PROGRAM FOR THE SW QUADRANT

Term of Comparison	Retail Development Levels
Generated Daily Trips	300,000 s.f.
Impact on the AM Peak Level of Service at NC 16 and NC 51	1,400,000 s.f. – 1,700,000 s.f.
Impact on the PM Peak Level of Service at NC 16 and NC 51	420,000 s.f. – 450,000 s.f.
Impact on the Evening Peak Level of Service at NC 16 and NC 51	250.000 s.f. – 260,000 s.f.
Impact on the Saturday Peak Level of Service at NC 16 and NC 51	225,000 s.f. – 230,000 s.f.

TABLE 2

Congestion Impacts* of a 400,000 or 600,000 Square-Foot Retail Center For the Southwest Quadrant of NC 51/NC 16 **

	Changes in Congestion (As Compared to UDCV)	
	400,000 Sq. Ft.	600,000 Sq. Ft.
Average Conditions (Typical Low Volume Day):		
AM Peak - 7:30 to 8:30 am	5% Less	4% Less
PM Peak - 5:00 to 6:00 pm	4% Less	1% Less
Evenings - 7:00 to 8:00 pm	5% More	9% More
Saturday - 2:00 to 3:00 pm	5% More	9% More
Design Conditions (Typical High Volume Day):		
AM Peak - 7:30 to 8:30 am	5% Less	4% Less
PM Peak - 5:00 to 6:00 pm	2% Less	3% More
Evenings - 7:00 to 8:00 pm	12% More	20% More
Saturday - 2:00 to 3:00 pm	12% More	19% More

* Assuming current NC 51 Widening Project and a four-lane Providence Road.

** Assumes UDCV configuration for other quadrants of the intersection

TABLE 3

Congestion Impact* for Added Lanes Under the 600,000 Square-Foot Concept**

	Changes in Congestion (As Compared to UDCV)	
	400,000 Sq. Ft. (With No Change)	600,000 Sq. Ft. (With Extra Lanes on 51)
Average Conditions (Typical Low Volume Day):		
AM Peak - 7:30 to 8:30 am	5% Less	12% Less
PM Peak - 5:00 to 6:00 pm	4% Less	11% Less
Evenings - 7:00 to 8:00 pm	5% More	Equal
Saturday - 2:00 to 3:00 pm	5% More	1% Less
Design Conditions (Typical High Volume Day):		
AM Peak - 7:30 to 8:30 am	5% Less	12% Less
PM Peak - 5:00 to 6:00 pm	2% Less	5% Less
Evenings - 7:00 to 8:00 pm	12% More	10% More
Saturday - 2:00 to 3:00 pm	12% More	9% More

* Assuming a four-lane Providence Road

** Assumes UDCV configuration for other quadrants

TABLE 4
Comparison Of Future (1993) Daily Traffic Volumes On
NC 16 and NC 51 Under Different Development Scenarios

	Roadway Segment			
	NC 16 North of NC 51	NC 16 South of NC 51	NC 51 East of NC 16	NC 51 West of NC 16
Average Conditions (Typical Low Volume Day):				
UDC-V (Alone)	27,700	23,200	33,650	34,400
Proposed Development (Phase I, 400,000 Sq. Ft.)	27,600	23,400	34,300	34,600
Proposed Development (Total Buildout, 600,000 Sq. Ft.)	28,700	23,700	35,050	35,500
Design Conditions (Typical High Volume Day):				
UDC-V (Alone)	28,850	23,500	34,500	35,400
Proposed Development (Phase I, 400,000 Sq. Ft.)	29,800	24,000	35,900	36,500
Proposed Development (Total Buildout, 600,000 Sq. Ft.)	31,500	24,500	37,100	37,900

M E M O R A N D U M

DATE: December 15, 1986

TO: Bob Young
Planning Commission

FROM: R. N. Pressley, Jr., P.E., Director
Department of Transportation

SUBJECT: Trammell Crow Rezoning Petition at NC 16/NC 51 - Revised Site Plan Review

After reviewing the latest version of Trammell Crow's site plan for NC 16/NC 51, we are quite certain that the petitioner's traffic engineering consultant has not reviewed the retail center's parking and circulation plan. We would also like to reiterate some of the comments made in previous correspondence regarding the latest site plan.

- A minimum 150 feet of internal channelization should be provided at each driveway.

- The driveway on the southwest corner located near Windbluff Drive should be limited to right-in, right-out operation due to its proximity to Windbluff Drive. To this end, the median on NC 16 should be extended south in order to "cover" the driveway, or the driveway should be relocated 80 to 100 feet north of the location shown on the plans.

- The dual left-turn lanes from NC 51 into the regional shopping center site problably should be provided at the Spring Circle entrance, not the westernmost entrance as stated in our December 5 memorandum. Review of the latest site plan indicates that the NC 51/Spring Circle intersection would be the best location for a traffic signal.

We would also like to add:

- The northernmost driveway on NC 16 which accesses the northeast quadrant of the site requires a left-turn lane. Since the original NC 51/NC 16 project tapers down to two lanes in the vicinity of the proposed driveway, the petitioner should provide the necessary right-of-way to meet the standard for a major thoroughfare (100 feet) and extend the planned NC 51/NC 16 project to include the entire length of frontage on NC 16.

- Buffers and building setbacks are referenced on the plan from erroneous right-of-way boundaries. Although 130 feet of right-of-way is required by UDCV, measurement of the plans reveals that only the southern leg of the intersection has 130 feet of right-of-way. The western leg of the intersection is labeled for 130 feet but actually, at that point, shows only 105 feet of right-of-way.

RNPjr/DSC/to

cc: A. N. Alexander
W. B. Finger

PETITIONER Trammell Crow Company

PETITION NO. 86-112 HEARING DATE Jan. 20, 1987

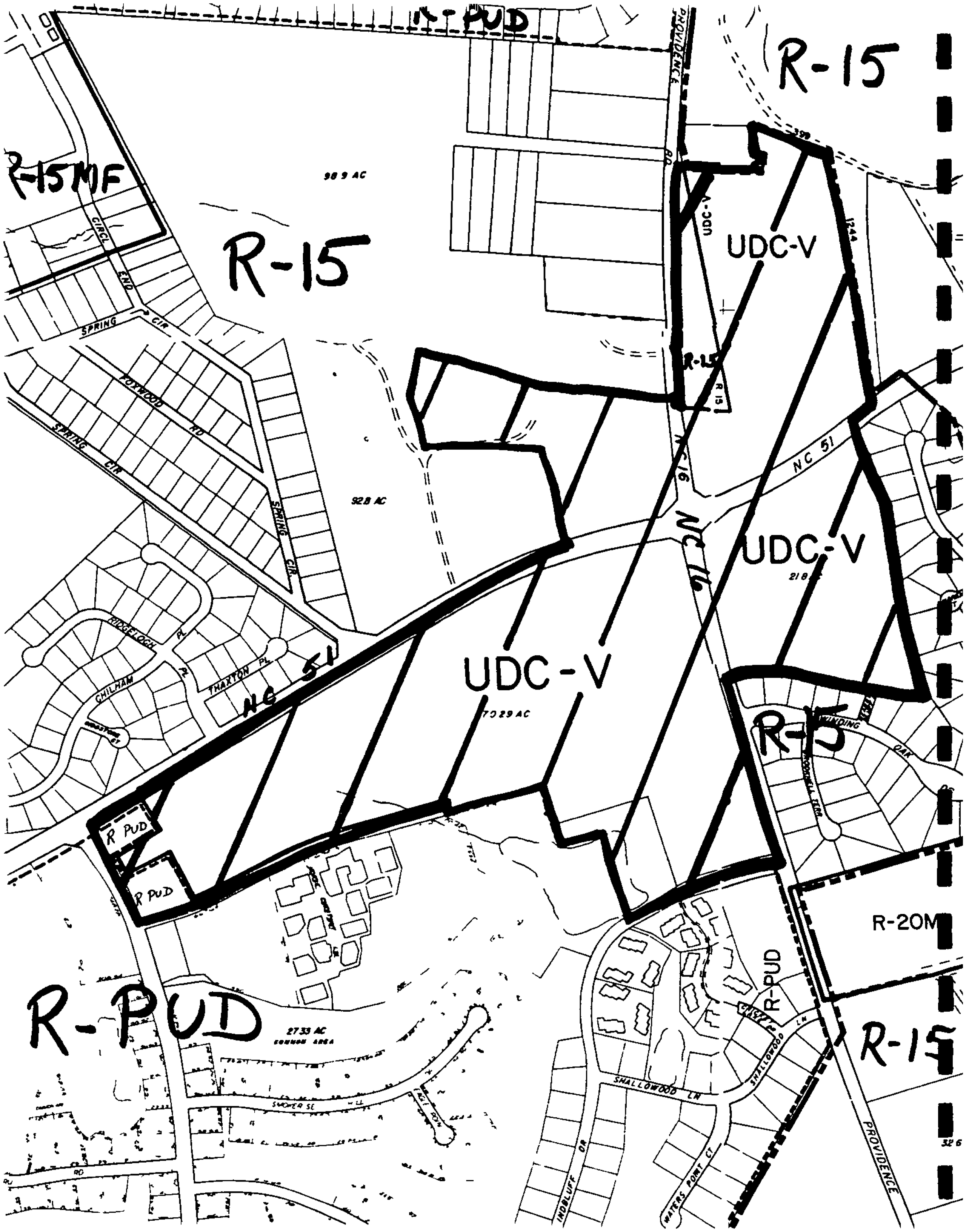
ZONING CLASSIFICATION, EXISTING UDC-V, R-PUD R-15 REQUESTED B-1SCD, O-15(CD), R-15MF(CD) R-15(CD)

LOCATION An approximately 139 acre site lying on all four corners of the intersection of Providence Road and Highway 51.

PLEASE SEE ATTACHED MAP

ZONING MAP NO. 159, 160, 165 & 166 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


R-PUD
R-15
R-15MF
R-15
UDC-V
UDC-V
UDC-V
UDC-V
UDC-V
R-15
R-15
R-PUD
R-PUD
R-PUD
R-20M
R-15
PROVIDENCE RD
NC 51
NC 16
CIRCLE END
SPRING CIR
FOXWOOD RD
SPRING CIR
SPRING CIR
RIDGELOCH PL
CHILHAM PL
THAXTON PL
NC 51
WINDING OAK
SHALLOWOOD LN
SHALLOWOOD LN
INDBLUFF DR
WATERS POINT CT
PROVIDENCE
98.9 AC
92.8 AC
70.29 AC
27.33 AC
COMMON AREA

DATE February 9, 1987

PETITION NO 86-45

PETITIONER(S) Trammell Crow Co

REQUEST. Change from UDC-V and R-15 to B-1SCD and R-15(CD).

LOCATION Approximately 139 acres located on all four corners of the intersection of NC 16 and NC 51

ACTION. The Planning Commission recommends that the petition be denied.

VOTE Yeas. Curry, Emory, Griffin, Lassiter, Lewis and Mead.

Nays. None

REASONS.

The recommendation for denial is simply done to officially close out this file/petition. (The Planning Commission has previously recommended approval of Petition No. 86-112, which is the second petition at this site.)

DATE January 26, 1987

PETITION NO 86-114

PETITIONER(S) Charlotte-Mecklenburg Planning Commission

REQUEST Change from B-1 to R-6

LOCATION Two (2) parcels totaling 1 67 acres bounded by Spring Street to the south and I-85 to the north

ACTION The Planning Commission recommends that the petition be approved

VOTE Yeas Curry, Lassiter, Mead and Wheeler

Nays Griffin

REASONS

This petition is sponsored by the Charlotte-Mecklenburg Planning Commission and includes two parcels of land which total about 1 6 acres The property is located along the southerly edge of the I-85 right-of-way where Newland Road adjoins the Interstate The current zoning is B-1 and the petition seeks R-6 zoning

The property in question is vacant at the present time Several single family lots fronting on Trentwood Place back up to the site Other single family homes located in the Dalebrook Subdivision are located throughout the area Also, the site adjoing the Spring Street right-of-way and across Spring Street is the Teamer's School Elsewhere in the vicinity non-residential development is located along Beatties Ford Road

The current zoning adjoining the site is already R-6 The R-6 is the district which has enabled the Dalebrook Subdivision to develop Rezoning the property from the B-1 to the R-6 will protect the neighborhood and implement the small area plan recommendation

The plan recognizes that Dalebrook is a solid, stable single family neighborhood which should be maintained and protected In rezoning the property to R-6, the plan also indicates that the future use of the site would best be used for park or open space purposes Since the property is vacant, no non-conforming use would be created by the zone change

Planning Commission did defer this matter once The Planning Committee wanted an opportunity to review the case one more time in light of the overall small area plan There was also some concern expressed about the opposition of one of the property owners Upon further review the Planning Committee did uphold the small area plan recommendation and forwarded that to the Zoning Committee

At their meeting on January 26, 1987, the Zoning Committee voted to recommend approval of the petition

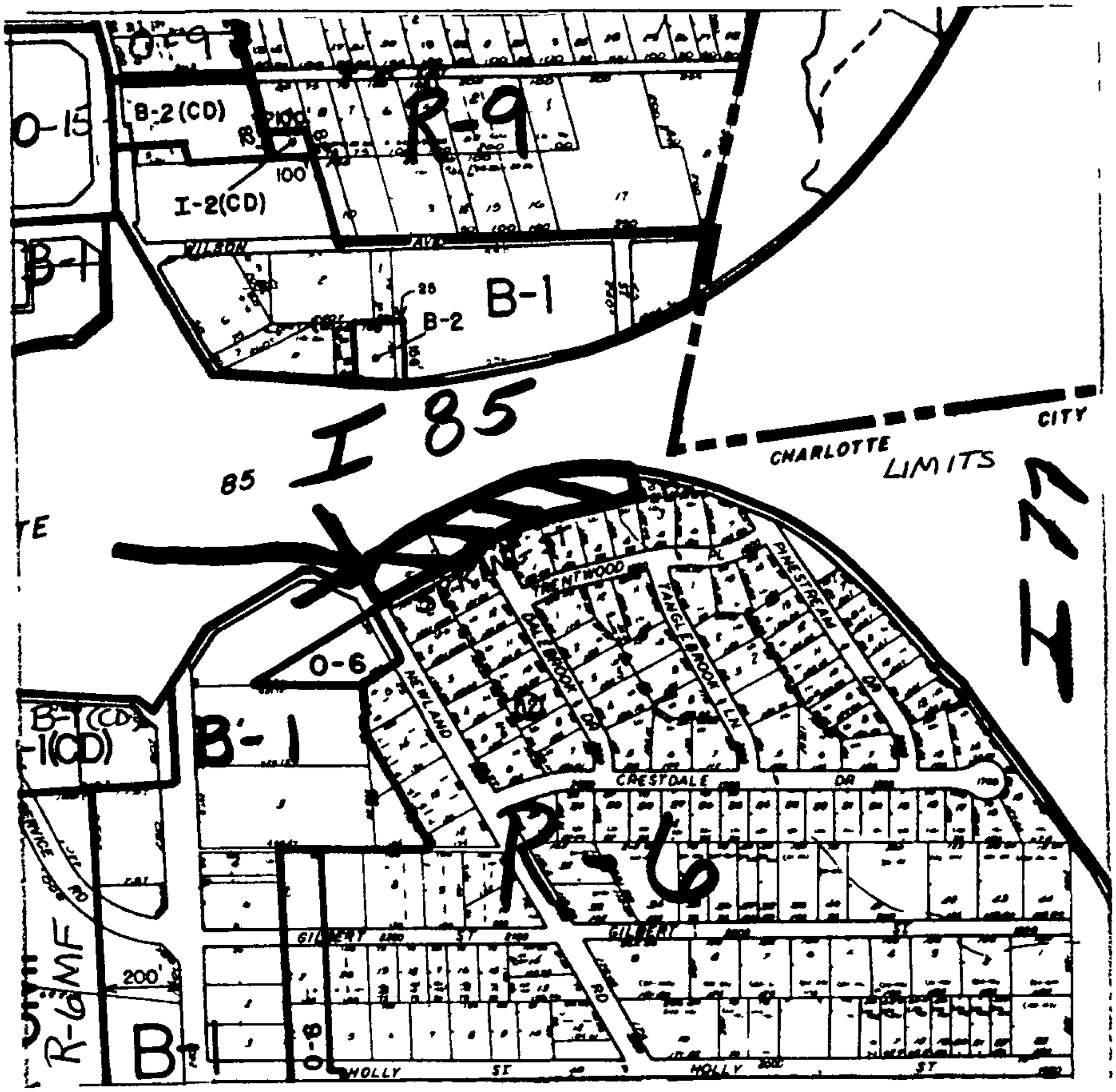
Staff Opinion
The staff agreed with Planning Commission

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 86-114 HEARING DATE 12/15/86

ZONING CLASSIFICATION, EXISTING B-1 REQUESTED R-6

LOCATION Two parcels totaling 1.67 acres bounded by Spring Street to the south and I-85 to the north.



ZONING MAP NO. 79 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE January 26, 1987

PETITION NO · 86-119

PETITIONER(S)· Dr Thomas Hampton and Dr Joseph Estwanik

REQUEST Change from R-6MF to 0-15(CD) and consideration of an 0-15(CD) Site Plan Amendment.

LOCATION· A 4 5 acre site located on the south side of Billingsley Road across from the Mecklenburg County Social Services Building.

ACTION The Planning Commission recommends that the petition be approved

VOTE. Yeas Curry, Griffin, Lassiter, Mead and Wheeler

Nays None

REASONS

ISSUES

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

2 Grier Heights Redevelopment Plan How does the request compare to guidelines contained in the redevelopment plan for the area?

3 Zoning/Land Use Patterns How would the approval of the request relate to existing or anticipated zoning or land use patterns in the area?

BACKGROUND

1 Existing Zoning The property involved in this request is zoned a combination of R-6MF and 0-15(CD) Property lying immediately east of the site is also zoned 0-15(CD) and other office zoning is located across Billingsley Road from the site. R-6MF classifications are located further east and west of the site and R-12 zoning is located south of the site throughout a large area in the vicinity

2 Existing Land Use The petitioned property is undeveloped The site is adjacent to an office building which has been recently completed as part of a medical office complex Across from the site is vacant property, but much of the land across from Billingsley is devoted to the site and services of Mecklenburg County's Social Services Department Other medical related offices are located at the intersection of Billingsley and Randolph Roads Multi-family and single family residential development,

as part of the Grier Heights neighborhood, is developed to the east of the site and other single family development along other streets off of Randolph and Wendover are nearby.

3 Site Plan The conditional site plan proposes to rezone one portion of the property for office purposes and amend the remaining balance of the site which is already zoned 0-15(CD) This petition will now encompass about 4 5 acres and allow 58,500 square feet in maximum building square footage Vehicular access will be by way of two driveways from Billingsley Road as well as an internal driveway from the adjoining Park Place Professional Park An area adjoining Wendover Road will be observed as a 150 foot undisturbed buffer No access from Wendover will be permitted

GENERAL FINDINGS

1 2005 Plan The 2005 Plan indicates existing employment-type land uses in the area of the subject property Strategies include the extension of the County Greenway System along Briar Creek

2. Grier Heights Redevelopment Plan The plan indicates office-type land uses in the area of the subject property Rezoning the site and the resulting site plan amendment is consistent with this plan

3. Pre-Hearing Staff Input. Staff met with the petitioner prior to the submission of the application. Staff indicated that the plan would be in conformance with the redevelopment plan and due to the preponderance of office zoning in and around the area the rezoning/plan amendment was generally acceptable

4 Pre-Hearing Departmental Comments (Summary)

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

2. Building Standards Comments were not available as of the preparation of this material, but are expected by the time the public hearing is held

3 Fire Department The Fire Department recommends that the proposed buildings be equipped with a fire sprinkler system

4 C-DOT Comments were not available as of the preparation of this material, but are expected by the time the public hearing is held

5 Engineering Department The department requests that additional right-of-way shown on the site plan be dedicated regarding Billingsley Road There is also an additional 10 feet of right-of-way which is requested along Wendover Road

5 Neighborhood Context The site is located in the Wendover neighborhood

DETAILED FINDINGS

1 The subject property involves two tracts of land which are zoned 0-15(CD) and R-6MF The property extends between Wendover Road and Billingsley Road A total of 4 5 acres is involved in the rezoning petition

2. The petitioner has filed a conditional plan which will develop 58,500 square feet of office development on the site Access will be entirely restricted to Billingsley Road (For further details, refer to Background #3)

3 The adjoining property has previously been zoned 0-15(CD) and has recently been developed as part of the Park Place Professional Park development Other developments on Billingsley Road are devoted to medical or social service-type activities

4 The rezoning and plan amendment is consistent with existing patterns and zoning for the area It is anticipated that what few residential zoning lots are left in this immediate vicinity will likewise be potential candidates for office development as well

5 This petition was deferred once for further study and a request to add more information to the site plan That was done to show building and parking areas

6 The Grier Heights Redevelopment Plan recognizes this rezoning and additional ones as mentioned just above Thus, this rezoning is consistent with that plan

7 This plan maintains a very large buffer adjacent to Wendover Road nor does it provide for any access to Wendover Road These are important conditions The orientation of this site is definitely limited to Billingsley Road

8 Based upon the above circumstances, the petition is recommended for approval

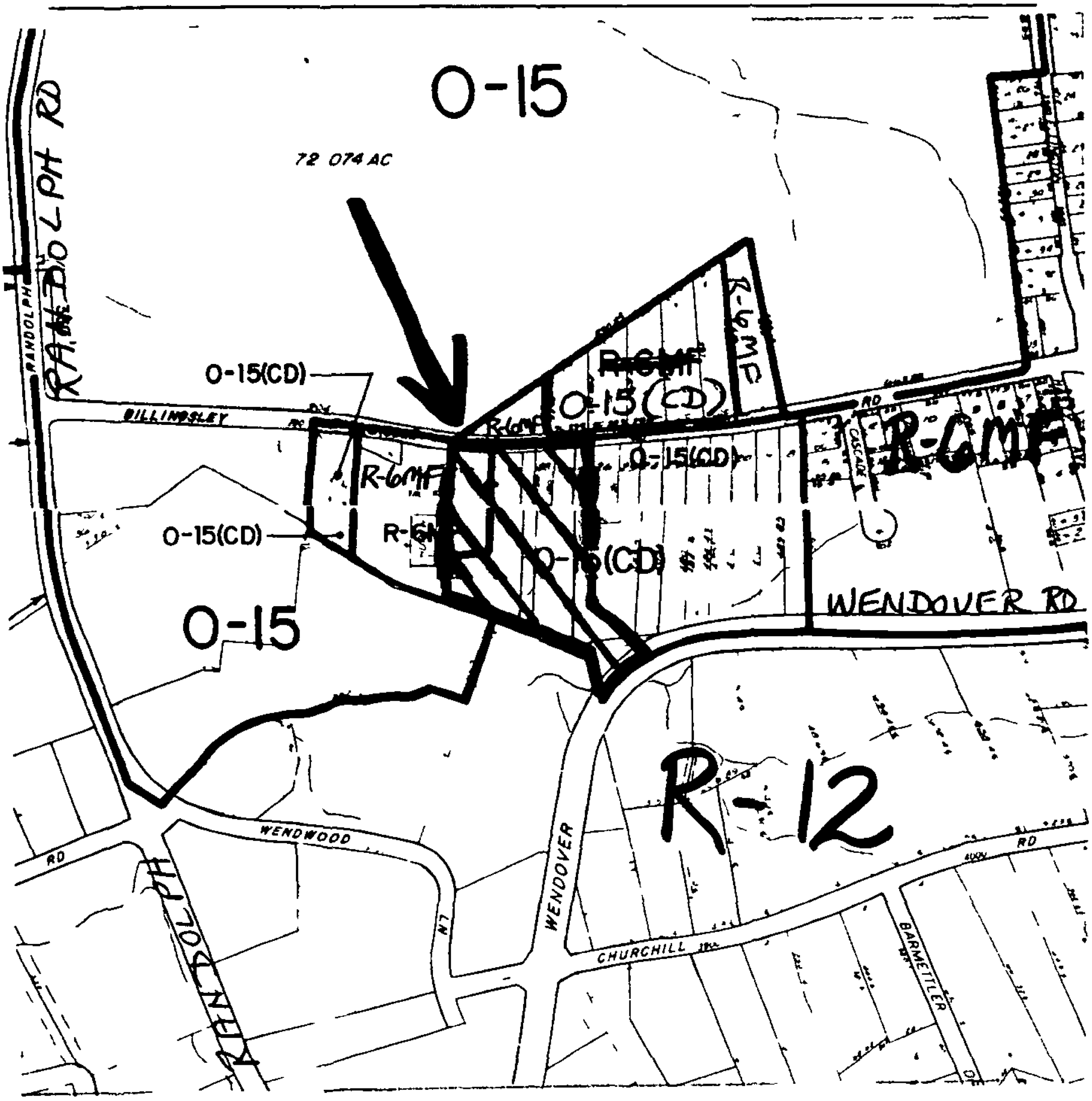
Staff Opinion
The staff agreed with Planning Commission

PETITIONER Dr. Thomas Hampton and Dr. Joseph Estwanik

PETITION NO. 86-119 HEARING DATE 12-15-86

ZONING CLASSIFICATION, EXISTING 0-15(CD) and R-6MF REQUESTED 0-15(CD) and an 0-15(CD) Site Plan Amendment

LOCATION a 4.55 acre site located on the south side of Billingsley Road across from the Mecklenburg County Social Services Building



ZONING MAP NO. 112, 124 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE January 26, 1987

PETITION NO 86-120

PETITIONER(S) Roll-A-Round, Inc

REQUEST Change from B-1SCD to a B-1SCD Site Plan Amendment.

LOCATION A 1 7 acre site located southwest of the intersection of Albemarle Road and Delta Road

ACTION The Planning Commission recommends that the petition be approved

VOTE Yeas Curry, Griffin, Lassiter, Mead and Wheeler

Nays None

REASONS

ISSUES

1 Original Plan Versus Plan Amendment Is the request to amend this plan consistent with the overall plan here and the original objectives for the development of this property?

BACKGROUND

1 Existing Zoning The subject property is currently zoned B-1SCD It is part of a larger area zoned B-1SCD which is generally located on either side of Delta Road extending northward to the Albemarle Road intersection Other commercial zoning in the form of B-2 and B-2(CD) is presently at or near the intersection as well Beginning south of the site is a large area devoted to R-9MF zoning There are also large areas of office zoning including some located on both sides of Albemarle Road to the northwest of the site as well as a smaller area to the east near the Lawyers/Idlewild Road North intersection

2 Existing Land Use The property in this case is presently developed with a roller skating rink The area adjoining the site as well as other nearby properties along Delta to Albemarle are developed for a series of commercial activities This commercial development extends along other portions of Albemarle Road nearby Some new commercial development is locating directly across the site on Delta Road, also Several multi-family projects are located on Delta Road south of the site, while single family development is more prevalent in other areas away from major streets and thoroughfares Schools and churches are nearby along with major concentrations of office development, particularly along Albemarle

Road where such projects as the East Park Office complex and Kroger Executive Park are located

3 Site Plan The existing site plan calls for the use of this property to be restricted only to a roller staking rink The plan amendment only seeks to adjust the usage of the property so as to add retail stores and shops as a permitted use as well The existing building which is a one-story 20,250 square foot building would remain

GENERAL FINDINGS

1 2005 Plan The 2005 Plan recognizes a community commercial center at the intersection of Delta Road and Albemarle Road Strategies for the area include the widening of Delta Road, which will become part of an eastern thoroughfare belt road and the widening of Lawyers Road along with the widening of Albemarle Road

2 Albemarle Road Small Area Plan The plan recognizes the area of the subject property as one for retail land uses

3 Transportation Improvement Program The current TIP schedules the widening of Albemarle Road from Lawyers Road to NC 51 for construction in FY 90. It schedules the Newell-Hickory Grove/Delta Road widening for construction in FY 92

4 Pre-Hearing Staff Input Staff met briefly with the petitioner regarding the request for the plan amendment Staff generally did not have any problems with the request

5 Pre-Hearing Departmental Comments (Summary)

1 Fire Department No comments

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

3 Building Standards No comments have been received as of the preparation of this material, but are expected by the time the public hearing is held

4 C-DOT No comments have been recieved as of the preparation of this material, but are expected by the time the public hearing is held

5 Engineering Department Delta Road needs an additional 20 feet of right-of-way

6 Neighborhood Context The site is located in the Idlewild Farms/Easthaven neighborhood

DETAILED FINDINGS

1 The subject property is a 1 7 acre site located southwest of the intersection of Albemarle Road and Delta Road The petitioner is requesting a

B-1SCD Site Plan Amendment which will enable the use of the property, which is currently restricted to a roller skating rink, for a variety of retail stores and shops

2 The B-1SCD district in this case has seen many plan amendments over the years The most recent one involved a case regarding a piece of property located directly across the subject site on Delta Road That property is currently under development as a small neighborhood-sized shopping center

3 The Alebmarle Road Small Area Plan recognizes commercial activity at this location A wide variety of commercial and retail uses are presently associated with the intersection

4. The B-1SCD plan is very restrictive at the present time and allows only one use Widening the uses for other retail purposes is not inconsistent with other land development patterns at the intersection and will enable the petitioner to utilize the property with greater flexibility

5 The amendment process does offer the opportunity to have donated an additional 20 feet of right-of-way along Delta Road At first the petitioner was reluctant to comply with this request Planning Commission deferred action one time in order to impress upon the petitioner their desirability to secure that condition Subsequently a note was added that will achieve the dedication With that staff and Planning Commission felt comfortable and satisfied with the request

6 All in all, Planning Commission judges the plan amendment to be compatible with and consistent with current patterns and the original goals and objectives of the B-1SCD when established here back in the 1970's Therefore, Planning Commission recommends approval of the petition

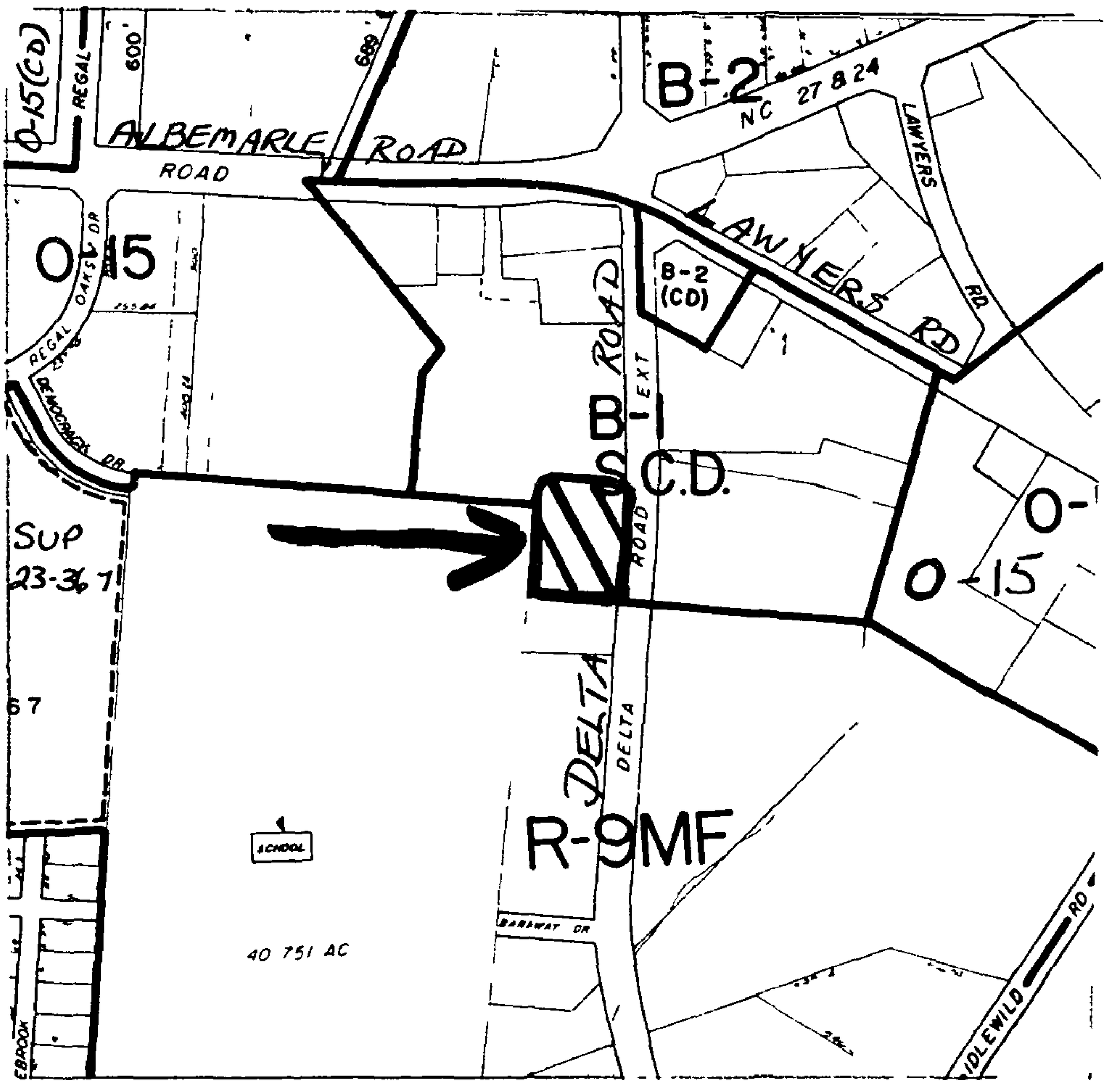
Staff Opinion
The staff agreed with Planning Commission

PETITIONER Roll-A-Round, Inc

PETITION NO. 86-120 HEARING DATE 12-15-86

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

LOCATION A 1.7 acre site located southwest of the intersection of Albemarle Road and Delta Road.



ZONING MAP NO. 114 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE	January 26, 1987
PETITION NO	87-2
PETITIONER(S)	Charlotte-Mecklenburg Planning Commission
REQUEST	Change from B-1 and O-6 to R-12MF
LOCATION	A one (1) acre site located south of I-85, east of Beatties Ford Road and west of Newland Road
ACTION	The Planning Commission deferred action

DATE January 26, 1987

PETITION NO 87-3

PETITIONER(S) Charlotte-Mecklenburg Planning Commission

REQUEST Change from B-2 to B-1

LOCATION A 684 acre parcel located on the southwest corner of the intersection of Beatties Ford Road and Keller Avenue

ACTION The Planning Commission recommends that the petition be approved

VOTE Yeas Curry, Griffin, Lassiter, Mead and Wheeler

Nays None

REASONS

This petition involves a 68 acre site on the southwest corner of Beatties Ford Road and Keller Avenue The property is presently zoned B-2 and the petition is requesting B-1 for the property

The site is presently developed with an NCNC Branch Bank Beatties Ford Road in this vicinity is developed with a variety of commercial, office and institutional uses All of these properties are developed under B-1 zoning which is the predominant classification along Beatties Ford Road The exceptions are three parcels including this one, a parcel located at the northeast corner of Keller and Beatties Ford Road and one other lot slightly north of that one which is zoned B-2(CD)

A branch bank facility such as this one can locate in an office district Therefore the change from B-2 to B-1 would not have any adverse impact on this property and there has been a communication from NCNB in which they state no objection to the zoning B-1 zoning will be more harmonious and compatible with the existing classifications along Beatties Ford Road and will implement the recommendation of the Beatties Ford Road Small Area Plan

The Planning Commission recommends that the petition be approved

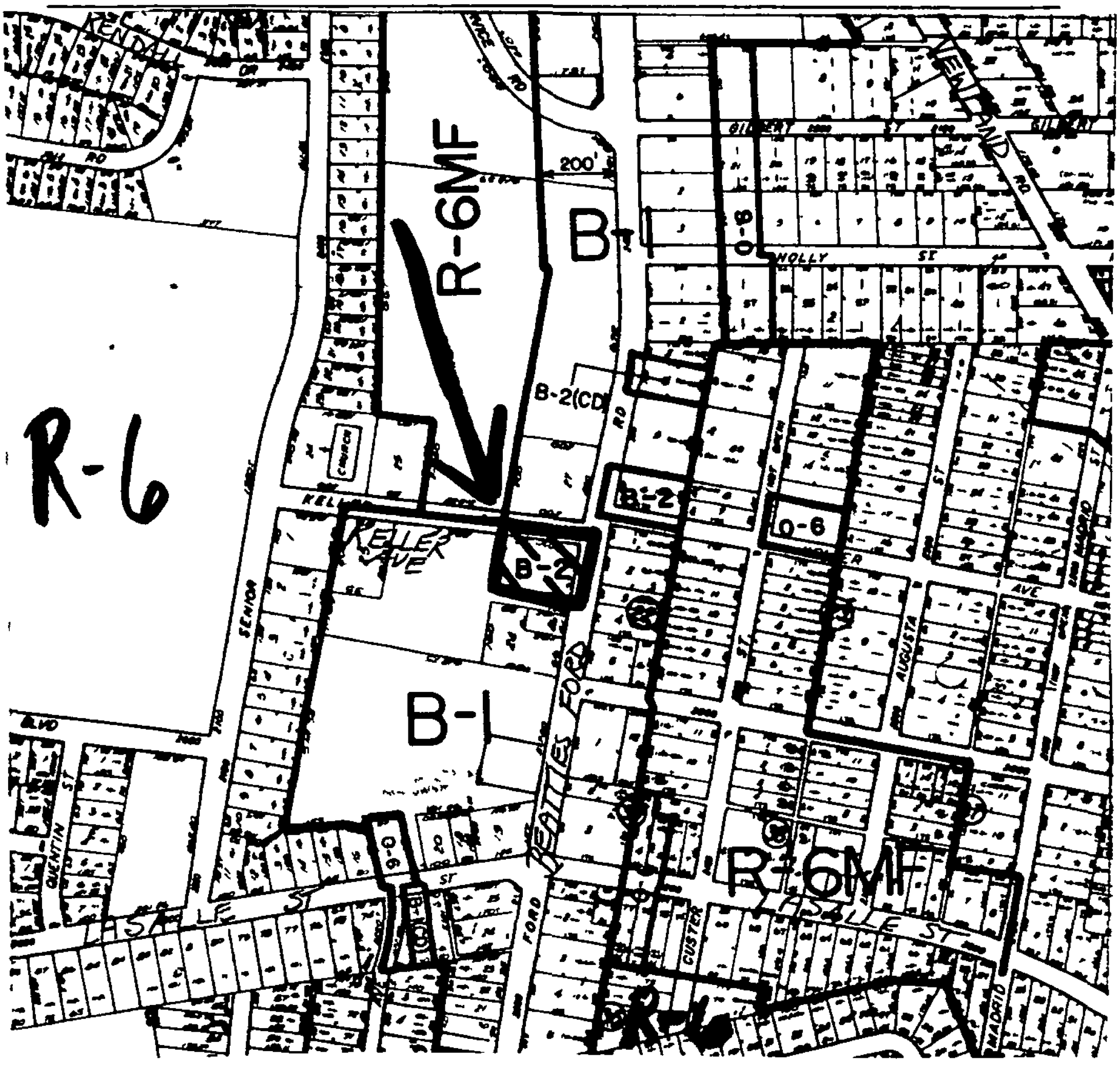
Staff Opinion
The staff agreed with Planning Commission

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 87-3 HEARING DATE 1-20-87

ZONING CLASSIFICATION, EXISTING B-2 REQUESTED B-1

LOCATION A .684 acre site located on the southwest corner of the intersection of Beatties Ford Road and Keller Avenue



ZONING MAP NO. 79 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE January 26, 1987

PETITION NO . 87-4

PETITIONER(S) Charlotte-Mecklenburg Planning Commission

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

LOCATION Approximately 20 acres located along both sides of Newland Road extending from I-77 to just south of Holly Street

ACTION The Planning Commission recommends that the petition be approved except for one parcel, which is to remain R-6MF (see map)

VOTE Yeas Curry, Griffin, Lassiter, Mead and Wheeler

Nays None

REASONS

This request involves approximately 20 acres along both sides of Newland Road extending from I-77 to just south of Holly Street. The petition is sponsored by the Planning Commission in order to implement a zone change recommendation contained in the Beatties Ford Road Small Area Plan

The area is presently zoned R-6MF and the petition is seeking R-6 Elsewhere throughout the community is a large pattern of R-6 zoning This spine of multi-family zoning represents the only change to that R-6 pattern

The properties located within this petition are developed with a variety of uses including single family, multi-family, duplex and institutional development There are also a few vacant parcels as well Approval of this petition will result in several parcels becoming non-conforming These would include those parcels with multi-family development as well as all duplex parcels which are not located on corner lots There is also one fraternal lodge which would also be non-conforming

The Beatties Ford Road Small Area Plan recognizes that Lincoln Heights is a predominantly single family neighborhood and should be maintained and protected The subject rezoning is recommended to stabilize existing single family structures located within this multi-family zoned area as well as to prevent new, high density multi-family which would be permitted under current zoning on those still vacant parcels

The Planning Commission recommends that the petition be approved except for a parcel owned by Unique Lodge #85, which is developed for a fraternal organization The Planning Commission felt that the lodge was a good neighbor and a

benefit to the neighborhood Rezoning their parcel would render the use a non-conforming one and Planning Commission did not want that to happen

Staff Opinion
The staff agreed with Planning Commission

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 87-4 HEARING DATE 1-20-87

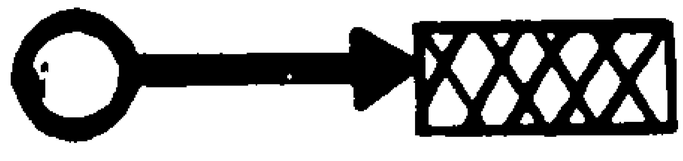
ZONING CLASSIFICATION, EXISTING R-6MF REQUESTED R-6

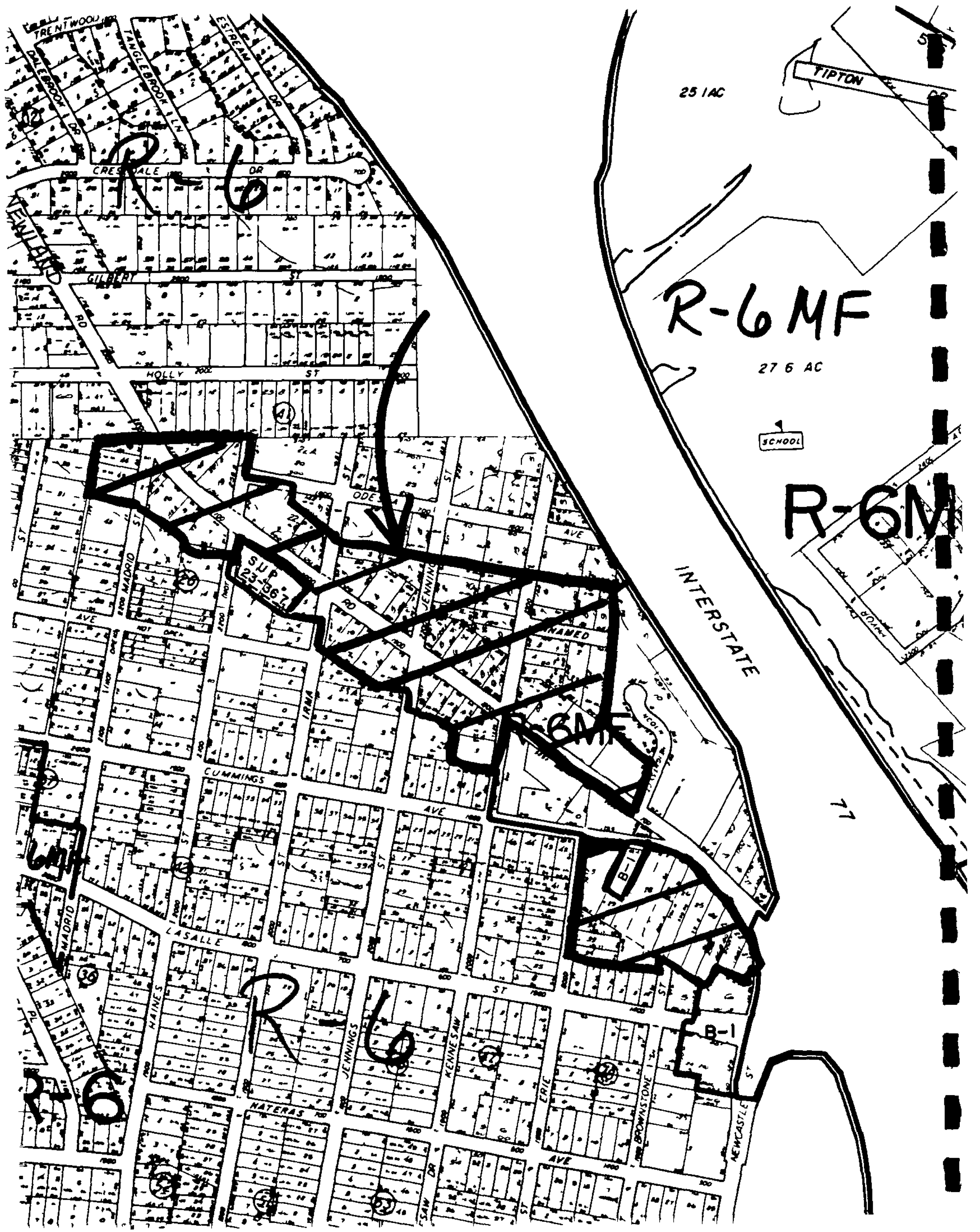
LOCATION An approximately 20 acre site located along both sides of Newland Road extending from I-77 to just south of Holly Street.

PLEASE SEE ATTACHED MAP

ZONING MAP NO. 79 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE




TRENTWOOD
DALEBROOK DR
TANGLEBROOK LN
ESTREAM DR
CRESDALE DR
NEWLAND RD
GILBERT ST
HOLLY ST
ODE ST
SUP 23-367
MADRID ST
AVE
CUMMINGS AVE
IRMA ST
JENNINGS ST
LASALLE AVE
HAINES ST
NATERAS AVE
KENNESAW DR
ERIE ST
BROWNSTONE LN
NEWCASTLE ST
INTERSTATE
TIPTON
SCHOOL
25 1AC
27 6 AC
R-6MF
R-6M
R-6
B-1

DATE January 26, 1987

PETITION NO 87-5

PETITIONER(S) Charlotte-Mecklenburg Planning Commission

REQUEST Change from B-1 to R-6

LOCATION A 24 acre parcel located south of Cummings Avenue between I-77 and Erie Street

ACTION The Planning Commission recommends that the petition be approved

VOTE Yeas Curry, Lassiter, Mead and Wheeler

Nays. Griffin

REASONS

This petition involves one parcel of land which is approximately 24 acres in size and located south of Cummings Avenue between I-77 and Erie Street The petition is sponsored by the Planning Commission as part of the Beatties Ford Road Small Area Plan

Current zoning here is B-1 and the petition seeks R-6 The zoning and development pattern in this area is residential in nature Properties along and near Newland Road are developed with single family, duplex and multi-family structures This parcel represents an intrusion into an otherwise solid pattern of residential zoning and development This site was zoned B-1 back in 1965 and has a commercial building on it which apparently has been used as a convenience type store It appears that that store is now vacant and has had perhaps a history of numerous openings and closings Rezoning the parcel would create a non-conforming use

The recommendation here will implement the small area plan proposal The small area plan recognizes that Lincoln Heights is a predominantly single family neighborhood which should be maintained and protected This zoning change will help implement that goal

The Planning Commission recommends that the petition be approved

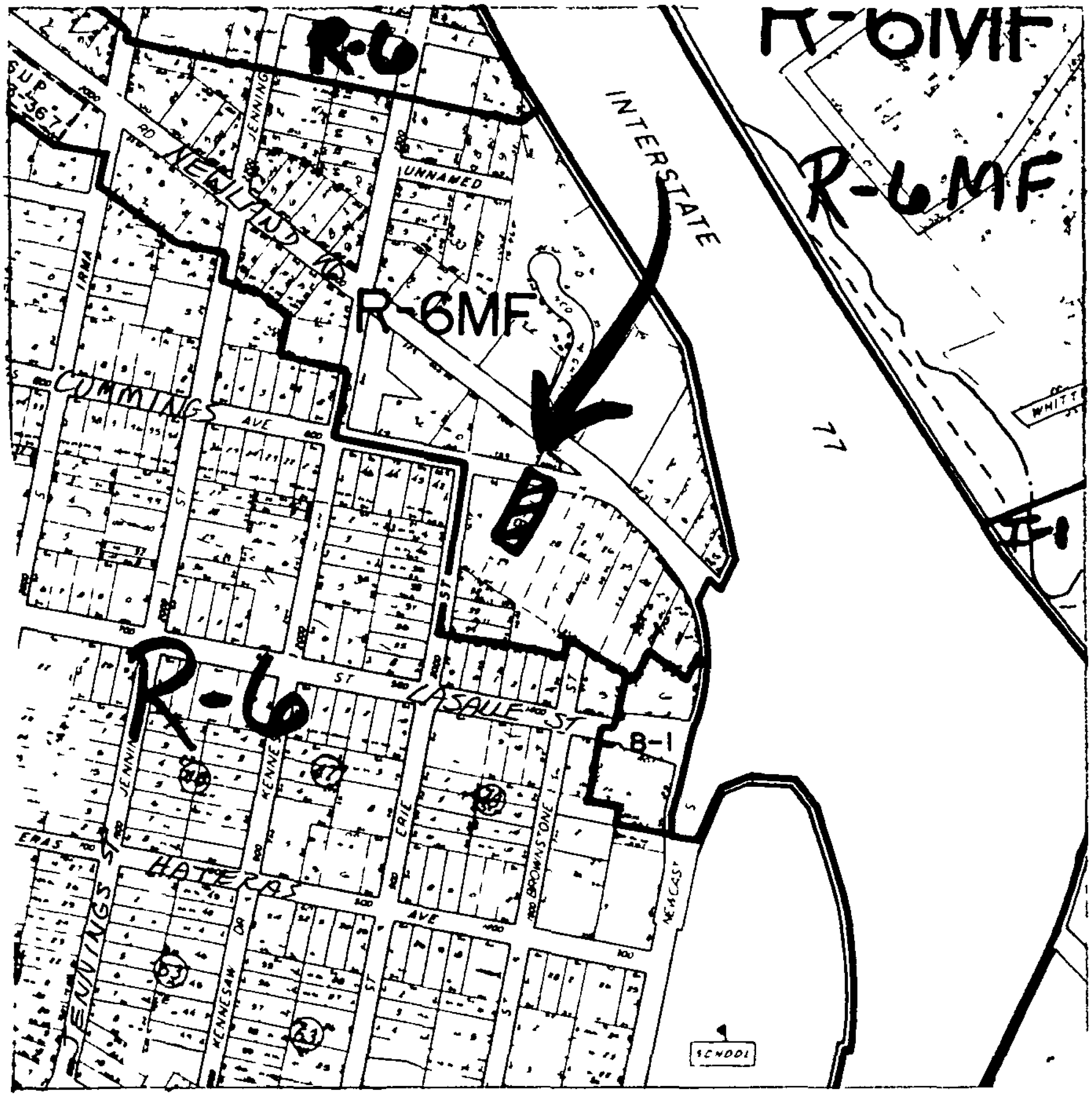
Staff Opinion
The staff agreed with Planning Commission

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 87-5 HEARING DATE 1-20-87

ZONING CLASSIFICATION, EXISTING B-1 REQUESTED R-6

LOCATION A .24 acre parcel located south of Cummings Avenue between Interstate 77 and Erie Street



ZONING MAP NO. 79 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE. January 26, 1987

PETITION NO 87-6

PETITIONER(S) Charlotte-Mecklenburg Planning Commission

REQUEST Change from R-6MF to R-12MF

LOCATION Five (5) lots bordered by Newland Road, Kennesaw Drive and Cummings Avenue and nine (9) lots along Newland Road from Lincoln Heights Court to I-77

ACTION The Planning Commission recommends that the petition be approved

VOTE Yeas· Curry, Griffin, Lassiter, Mead and Wheeler

Nays None

REASONS

This petition encompasses five (5) lots bordered by Newland Road, Kennesaw Drive and Cummings Avenue along with nine (9) lots along Newland Road from Lincoln Heights Court to I-77 Present zoning is R-6MF and the petition is requesting R-12MF The petition is sponsored by the Planning Commission

The property is presently developed with multi-family projects for the most part although there are a few single family residences involved The R-6MF classification is multi-family as is the proposed one, but the R-12MF is more compatible with the neighborhood goals and objectives

The Lincoln Heights neighborhood is a predominantly single family one which should be maintained and protected The subject rezoning is recommended in order to reduce the density of the area R-6MF allows about 21 units per acre whereas R-12MF permits about 14 5 units per acre From a use standpoint, no non-conforming uses would be created

The Planning Commission recommends that the petition be approved.

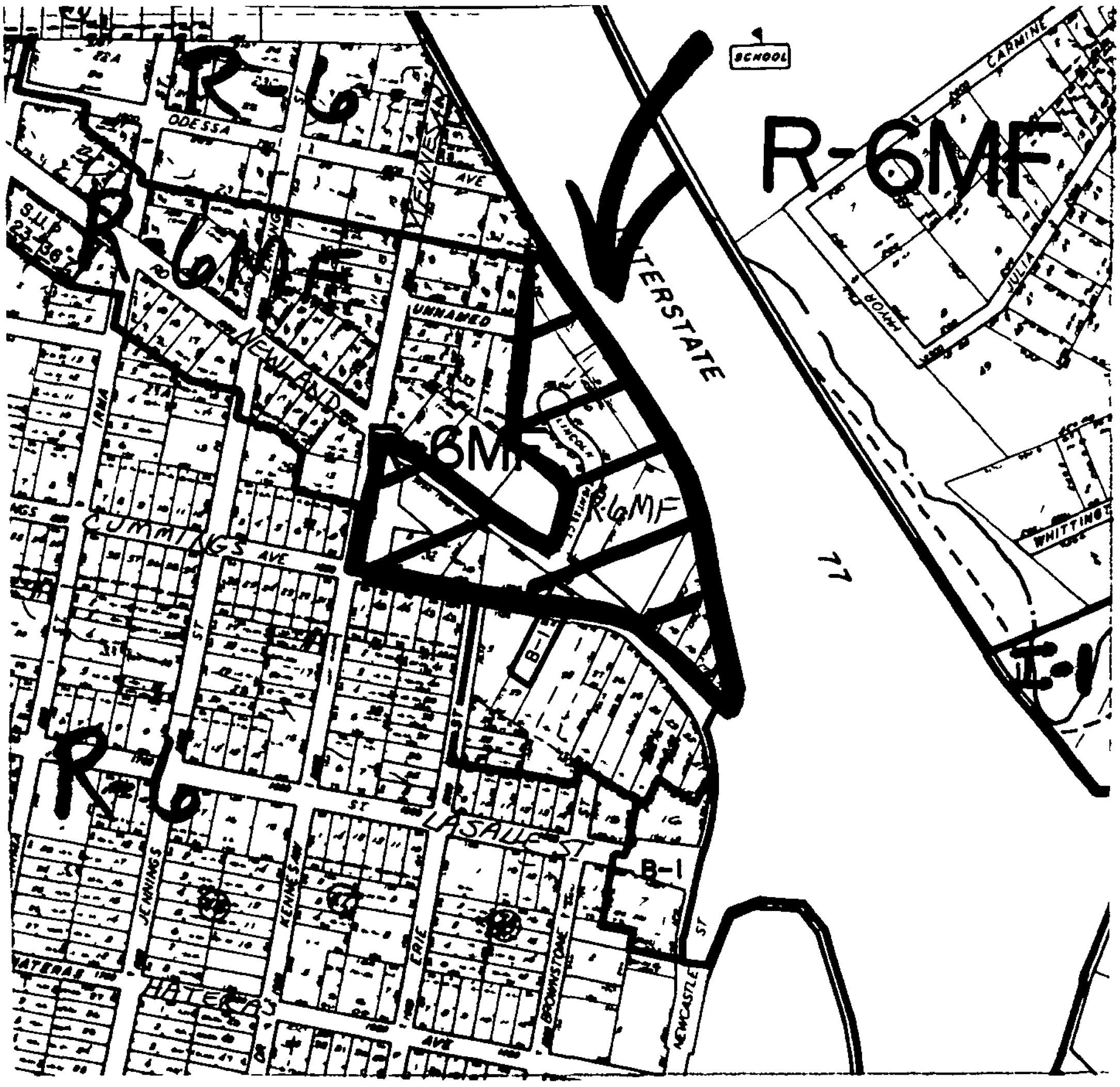
Staff Opinion
The staff agreed with Planning Commission

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 87-6 HEARING DATE 1-20-87

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

LOCATION Five lots bordered by Newland Road, Kennesaw Drive, and Cummings Avenue and nine lots along Newland Road from Lincoln Heights Court to Interstate 77



ZONING MAP NO. 79 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE January 26, 1987

PETITION NO 87-7

PETITIONER(S) Methodist Home for the Aged, Inc

REQUEST Change from R-9MF to Institutional(CD)

LOCATION Approximately 80 acres south of Shamrock Drive and east of Eastway Drive, to the south of the existing Home for the Aged

ACTION The Planning Commission recommends that the petition be approved

VOTE Yeas Curry, Griffin, Lassiter, Mead and Wheeler

Nays None

REASONS

ISSUES.

1 Relationship to Surrounding Neighborhood How would the expansion of the existing nursing facilities relate to the surrounding homes and neighborhood?

2 Site Plan What aspects of the conditional site plan are important to evaluate, particularly in light of Issue #1 above?

BACKGROUND

1 Existing Zoning The subject property is zoned R-9MF as is the adjoining property to the east and west North of the site across Shamrock Drive as well as south of the site, the predominant zoning pattern is R-9 Also nearby exists some B-1 and O-6 zoning in association with the intersections of Eastway and Shamrock Drive and Eastway and Kilborne Drive

2 Existing Land Use A portion of the subject property is used as the Methodist Home for the Aged, which includes a nursing home, congregate living units, offices and associated uses Also, part of the site is utilized as the Western North Carolin Conference Methodist Church Center The remainder of the site is undeveloped Other institutional uses are located adjacent to the site including the Wesley Nursing Center, Asbury Care Center, the Mint Museum of History and Eastway Christian Church Single family development is located to the rear of the site, as well as across Shamrock Drive Other uses nearby include the Thames and Dutch Village apartment complexes, Methodist Home Park and various business uses at the intersection of Eastway and Shamrock Drive

3 Site Plan The conditional site plan proposes an expansion to the existing Methodist Home facilities Existing buildings on the property will be retained as well as the construction of a new 210,000 square foot, eight-story nursing home facility with associated office and commercial uses to link with the existing building A 6,000 square foot indoor pool and locker room expansion is planned for the existing building, which will be used for Home for the Aged units, congregate living units and commercial uses in conjunction with the facility A 9,000 square foot expansion is also planned for the existing Western N C Methodist Conference Center Also proposed are 68 new cottage units Parking areas will be shielded from adjoining residences by an 80 foot wooded buffer Additional screening will be provided by a combination of new landscaping, berms, walls or fences if needed. Plant and tree preservation will be provided to maintain a campus-like environment Access to the site will come from two existing drives on Shamrock Drive

GENERAL FINDINGS

1 2005 Plan The 2005 Plan indicates existing residential land uses and open space in the area of the subject property Strategies for the area include the widening of Shamrock Drive and the Briar Creek Greenway

2 Transportation Improvement Program The TIP includes the widening of Shamrock Drive from Sharon Amity Road to Eastway Drive The project is scheduled for FY 86-90

3 Pre-Hearing Staff Input. Staff met with the petitioner prior to the submittal of the application Staff generally encouraged the request and spent most of the time on details dealing with the edge treatment around the site

4 Pre-Hearing Departmental Comments (Summary)

1 Engineering Department. Normal comments along with a request for 20 feet of additional right-of-way for culvert improvements for the Shamrock Drive widening project

2 C-DOT Current zoning on this site could generate 8400 to 8500 trips per day, and the proposed zoning could generate 8000 to 8500 trips per day, which would have minimal impact on the road system C-DOT also commented on driveway configuration and the need for a left turn only lane into the site

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

4 Fire Department All new buildings must be within 500 feet of an approved fire hydrant, measuring along the path a fire vehicle would take.

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

5 Neighborhood Context The property is located in the Robinhood Woods/ Windsor Park neighborhood Only a few calls have been received regarding the request, most of which have been supportive, although there was concern that the existing woods to the rear of the site would remain

DETAILED FINDINGS:

1 This request involves a request by the Methodist Home for the Aged to allow for expansion of the current facilities The site is currently zoned R-9MF and the petition is seeking Institutional(CD)

2 The petitioner has filed a conditional site plan which proposes a 210,000 square foot new nursing home and office building, as well as additions to the existing nursing facility and the Methodist Conference Center Also proposed are 68 new cottages (For further details, refer to Background #3)

3 Staff has recently discussed minor site plan adjustments with the petitioner These include such things as a request for additional right-of-way and a clarification of the development data regarding the number of units The petitioner was very receptive to these and those changes were made in time for public hearing consideration With those changes staff had no problems with the site plan

4 The Methodist Home has existed on the site for quite some time Staff and Planning Commission believes that the relationship which now exists, and which will be further established through new construction can relate satisfactorily to the adjoining residences Much of the existing perimeter relationship will remain unchanged with the new construction, and additional screening to supplement the buffer areas will be provided when needed It would appear that due to the few calls the staff has received, most of the adjoining and nearby residences are satisfied with the proposal No one appeared at public hearing to protest the change

5 Approval of this request will enable the petitioner to expand the facilities, and provide the community with much needed housing for the elderly This proposal will have little impact on area streets, and the campus-like setting which currently exists at the site will remain It is believed the Methodist Home will continue to be a good neighbor, and be compatible with the area's development pattern.

6 Based upon the above circumstances, Planning Commission recommends the approval of the request

Staff Opinion
The staff agreed with Planning Commission

PETITIONER Methodist Home for the Aged, Inc.

PETITION NO. 87-7 HEARING DATE 1-20-87

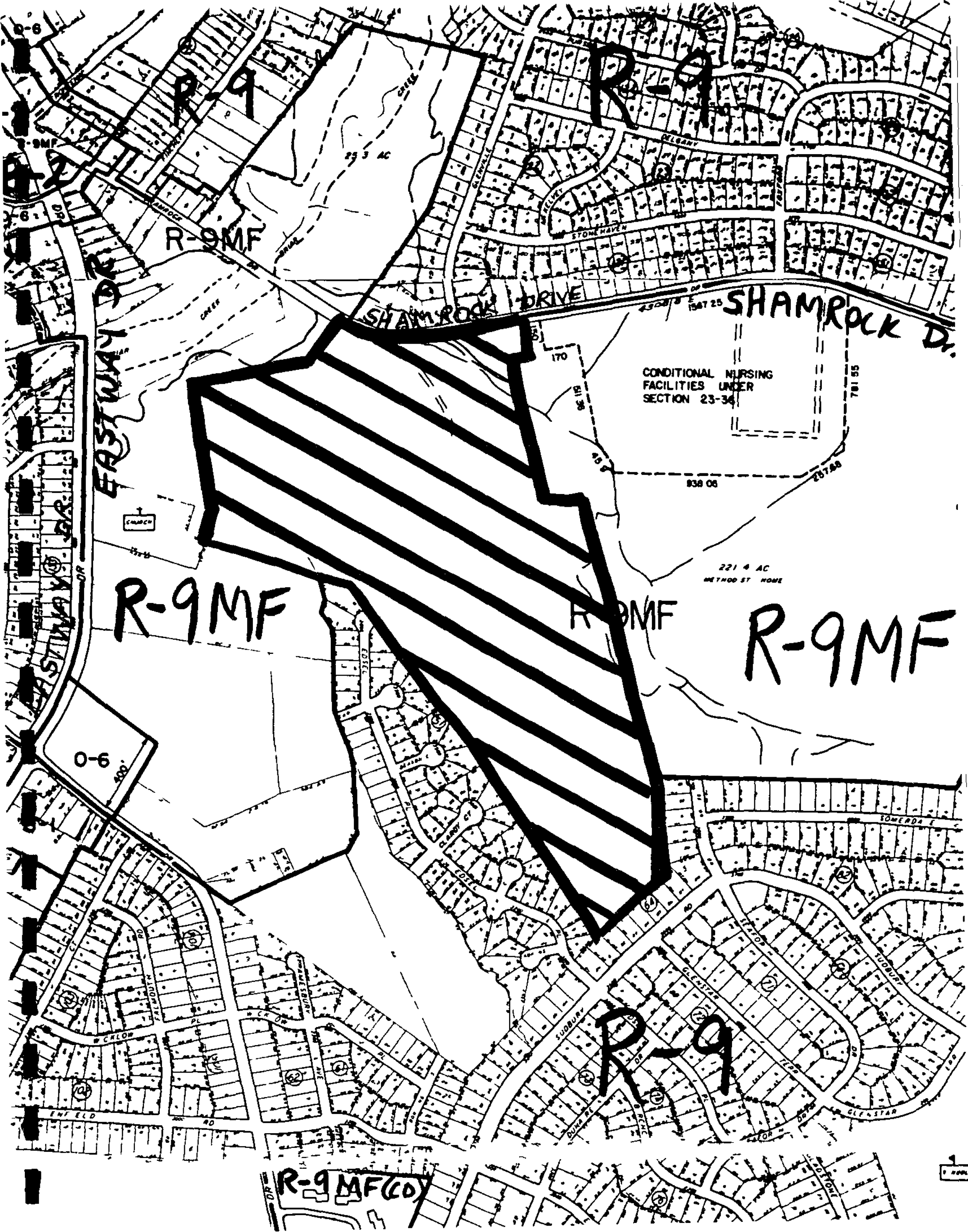
ZONING CLASSIFICATION, EXISTING R-9MF REQUESTED INST (CD)

LOCATION Approximately 80 acres located south of Shamrock Drive and east of Eastway Drive

PLEASE SEE ATTACHED MAP

ZONING MAP NO. 100 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


R-9
R-9
R-9MF
SHAMROCK DRIVE
SHAMROCK DR.
EASTWAY
CONDITIONAL NURSING
FACILITIES UNDER
SECTION 23-34
R-9MF
R-9MF
R-9MF
R-9
R-9MF(CO)
O-6
O-6
CHURCH
DELANY
STONEHAVEN
GLENVILLE
COSEL
SOMERDALE
STAFOR
SUDBURY
GLENSTAR
WINDSOR
WICKLOW
ENFIELD
WESTBURY
DUNN RD
RICHMOND

DATE January 26, 1987

PETITION NO 87-8

PETITIONER(S) Coastal Transport, Inc

REQUEST Change from R-9MF to 0-15(CD)

LOCATION A 92 acre site located west of Tom Sadler Road and north of Mt Holly Road in the vicinity of Metts Road

ACTION The Planning Commission recommends that the petition be approved

VOTE Yeas Curry, Griffin, Lassiter, Mead and Wheeler

Nays None

REASONS

ISSUES

1 Zoning/Land Use Patterns If approved, how would the petition and the development of the property relate to existing zoning and land use patterns?

2 Site Plan What aspects of the conditional site plan are important to evaluate, especially the relationship to adjoining residential development?

BACKGROUND

1 Existing Zoning The petitioned property is presently zoned R-9MF Some R-15 zoning exists generally to the northwest of the property along Tom Sadler Road although I-2 zoning is located directly across the street as well as adjoining the site along its southeasterly border I-2 zoning covers a wide area in the general vicinity extending along portions of Tom Sadler Road, Mt Holly Road and other areas nearby There is also a small amount of B-1 zoning which fronts on Mt Holly Road to the south of the petitioned property Much of the I-2 zoned land here is conditionally used for petroleum products storage

2 Existing Land Use The subject property has a single family structure on it The petitioners operate a facility on land which adjoins the parcel in question Many large tracts in the area are developed with large petroleum products storage tanks for such companies as Texaco, Amaco, Mobile, Phillips, etc Single family homes are located northwest of the site along Tom Sadler Road and other streets in the vicinity A new subdivision called Coulwood Creek is being constructed off of Cathey Road in the area

3 Site Plan The conditional site plan proposes to utilize an existing single family structure for use as office space The structure would be retained and used in conjunction with the petitioner's existing facility A wood privacy fence would be constructed along the northwest boundary of the property to provide screening as required under the zoning ordinance Three parking spaces are shown to the rear of the proposed office use and the rear of the lot will be left unused

GENERAL FINDINGS

1 2005 Plan. The 2005 Plan indicates existing employment land uses in the area of the subject property Strategies for the general area include the Lakeview Road Extension to Little Rock Road, which is east of the subject property The plan also envisions reinvestment in declining areas as a cornerstone of positive change in northwest Mecklenburg

2 West Side Special Project Plan The plan recommends the area for employment/expansion

3 Pre-Hearing Staff Input Staff met with the petitioner prior to the submission of the application and generally encouraged the request

4. Pre-Hearing Departmental Comments (Summary)

1 C-MUD Water service is directly available and sewer service is nearby

2 Fire Department No comment

3. C-DOT No significant impact on traffic will result if this petition is approved

4 Engineering No comments except those normally associated with development permits required No right-of-way is needed The site is in the general area of the future Lakeview Road Extension, but is not affected by the current proposed alignment

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

5 Neighborhood Context The site is located in the Toddville Road neighborhood

DETAILED FINDINGS

1 This request involves a tract of land which is slightly less than one acre in size with frontage on Tom Sadler Road The current zoning is R-9MF and the petitioner is seeking O-15(CD)

2 The petitioner plans to utilize an existing single family structure for office purposes in conjunction with an adjoining industrial business, which is operated by the petitioner

3 The petitioner has filed a conditional site plan (for further details, refer to Background #3)

4 The area under consideration for the zone change is actually a portion of a parcel of land The remaining balance of the property, which is approximately one-half, is zoned I-2

5 The area is often associated with the large petroleum products storage tanks, which are located throughout the area. Many are immediately in the vicinity of the petition Industrial zoning and development is located directly across from the site and as noted portions of the tax parcel involved in this case are already zoned I-2, also

6 From a zoning and land use standpoint, therefore, the request to 0-15(CD) will provide a transition between the existing industrial zoning/development and nearby R-15 single family areas The conditional site plan proposes the retention of the existing one-story frame structure and will also provide for a wooden fence between this parcel and an adjoining one which is developed with a single family residence The site plan and the resulting zoning pattern is considered quite reasonable

7 No transportation impacts have been identified with the request Further, it is believed that the zone change would not have any adverse impact on nearby residential areas

8 Based upon the above circumstances, the petition is recommended for approval The site has a direct relationship on two sides to existing industrial zoning The parcel in question is already split by zoning and the office classification provides for an appropriate transition while continuing the use of a single family structure for the proposed office purpose

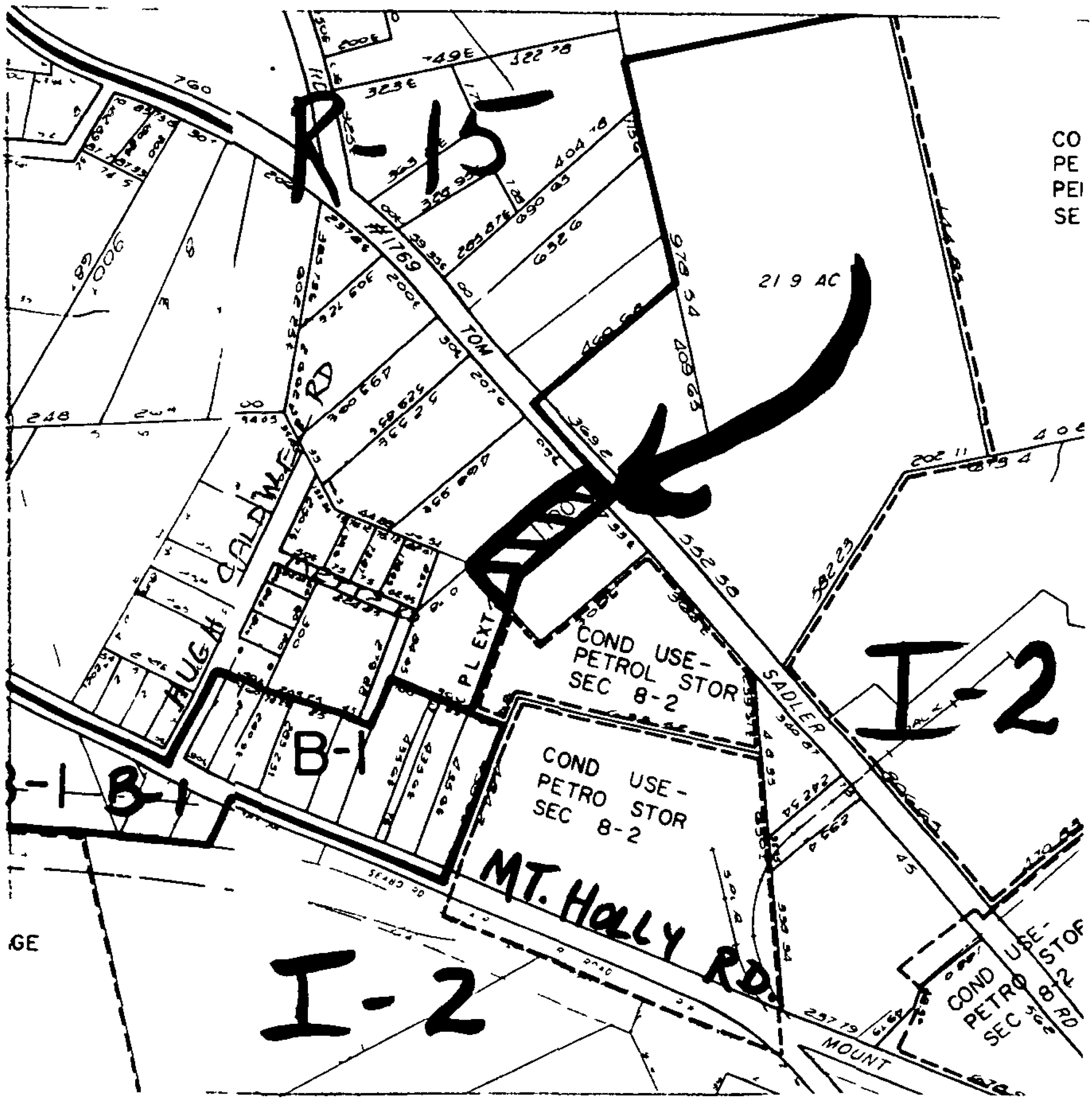
<u>Staff Opinion</u>
The staff agreed with Planning Commission

PETITIONER Coastal Transport, Inc.

PETITION NO. 87-8 HEARING DATE 1-20-87

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

LOCATION A .92 acre site located west of Tom Sadler Road, north of Mount Holly Road in the vicinity of Metts Road



ZONING MAP NO. 67 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE January 26, 1987

PETITION NO 87-9

PETITIONER(S) Honey Enterprises

REQUEST Change from R-12 to B-1(CD)

LOCATION Nine (9) acres bounded by Arrowood Road to the south and Big Sugar Creek to the north

ACTION The Planning Commission recommends that the petition be approved

VOTE Yeas Curry, Griffin, Lassiter, Mead and Wheeler

Nays None

REASONS

ISSUES

1 Relationship to Development Patterns in the Area How does the request relate to existing business parks and employment centers in the vicinity?

2 Flood Plain What aspects of the conditional site plan are important to evaluate given the large amount of flood plain land contained in the site?

BACKGROUND

1 Existing Zoning The subject property is zoned R-12 at the present time, as is an area west of the site Northeast of the site is an area of R-9 zoning Adjacent to the site and across Arrowood Road is a pattern of B-D and B-D(CD) zoning Also nearby is a mixture of I-1 and B-2 zoning patterns in association with the I-77 corridor

2 Existing Land Use The rezoning site is presently undeveloped as is much of the area adjoining the site Single family development is located north of the subject property Other development nearby includes the Arrow Point Business Park across Arrowood Road, and the Oakhill and Pinebrook business parks adjacent to I-77

3 Site Plan The conditional site plan proposes an eight-story office and hotel complex containing a 100 room hotel on four floors, as well as a restaurant and lounge In the event the hotel development does not occur, the proposed alternative is a six-story office building containing a maximum of 120,000 square feet. Access to the site will come from four driveways off Arrowood Road As much of the property lies within the floodway fringe, grading and filling of the site will be necessary, and

the site plan states the finished floor elevation of habitable space will be above the Flood Protection Elevation of 580 feet. The plan also calls for a 60 foot wide area in the floodway to be provided to the Mecklenburg County Greenway Program

GENERAL FINDINGS

1 2005 Plan. The 2005 Plan indicates existing employment land uses in the area of the subject property Strategies for the area include the widening of I-77 and Arrowood Road, the reconstruction of the Arrowood Road/I-77 interchange to accommodate proposed development, as well as the integration of Big Sugar Creek into the County Greenway System

2. Billy Graham Parkway/Tyvola Road Extension Special Project Plan The site is located just outside the boundaries of the plan

3 Transportation Improvement Program The TIP includes the widening of Arrowood Road to a multi-lane median divided facility from I-77 to NC 49 The project is scheduled for construction in FY 86-87 Also included is the I-77/Arrowood Road interchange improvement which is scheduled for construction in FY 88

4 Pre-Hearing Staff Input Staff met with the petitioner prior to the submission of the application and generally encouraged the rezoning request for hotel and office type development

5 Pre-Hearing Departmental Comments (Summary)

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

2 Fire Department The Fire Department had no comment regarding the request

3 Engineering Engineering provided their usual comments regarding normal developmental permits No additional right-of-way was needed

4 C-DOT Final comments were not available as of the preparation of this material, but are expected in time for the public hearing

5 Building Standards No comments have been received, but should be available in time for the public hearing

6 Parks and Recreation No comments have been received regarding the greenway, but should be available in time for the public hearing

6 Neighborhood Context The site is located in the Yorkwood neighborhood

DETAILED FINDINGS

1 This petition involves an approximately nine acre site bounded by Arrowood Road to the south and Big Sugar Creek to the north The current zoning is R-12 and the petitioner is requesting B-1(CD) for the site

2 The petitioner plans an eight-story hotel and office building containing 60,000 square feet of office space, a 100 room hotel and restaurant and lounge (For further details, refer to Background #3)

3 The property has frontage on Arrowood Road, a major thoroughfare, and I-77 is nearby Currently several business parks have been developed in the vicinity of the site

4 Early on staff reviewed the site plan and recommended minor site plan adjustments to the petitioner's agent These included clarification of the floodway district and the intent and extent of greenway dedication At the time of Planning Commission's discussion an additional note was added with the petitioner's consent that allows C-DOT to review and approve the precise driveway design and location

5 It is believed that the requested change will be compatible with the developing employment base in the area Although this site is just outside the boundaries of the Billy Graham Parkway/Tyvola Road Special Project Plan, the plan recommends business park development at I-77 and Arrowood Road The proposed office and hotel development would compliment the business/office park development that has occurred in the I-77/Arrowood Road vicinity

6 Much of this site is located in the flood plain, which will require grading and filling of the site Development is permitted however, within the floodway fringe area As dedication of the floodway area will be provided to the Mecklenburg County Greenway System, the development in the floodway fringe is considered acceptable given the benefits of greenway dedication.

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

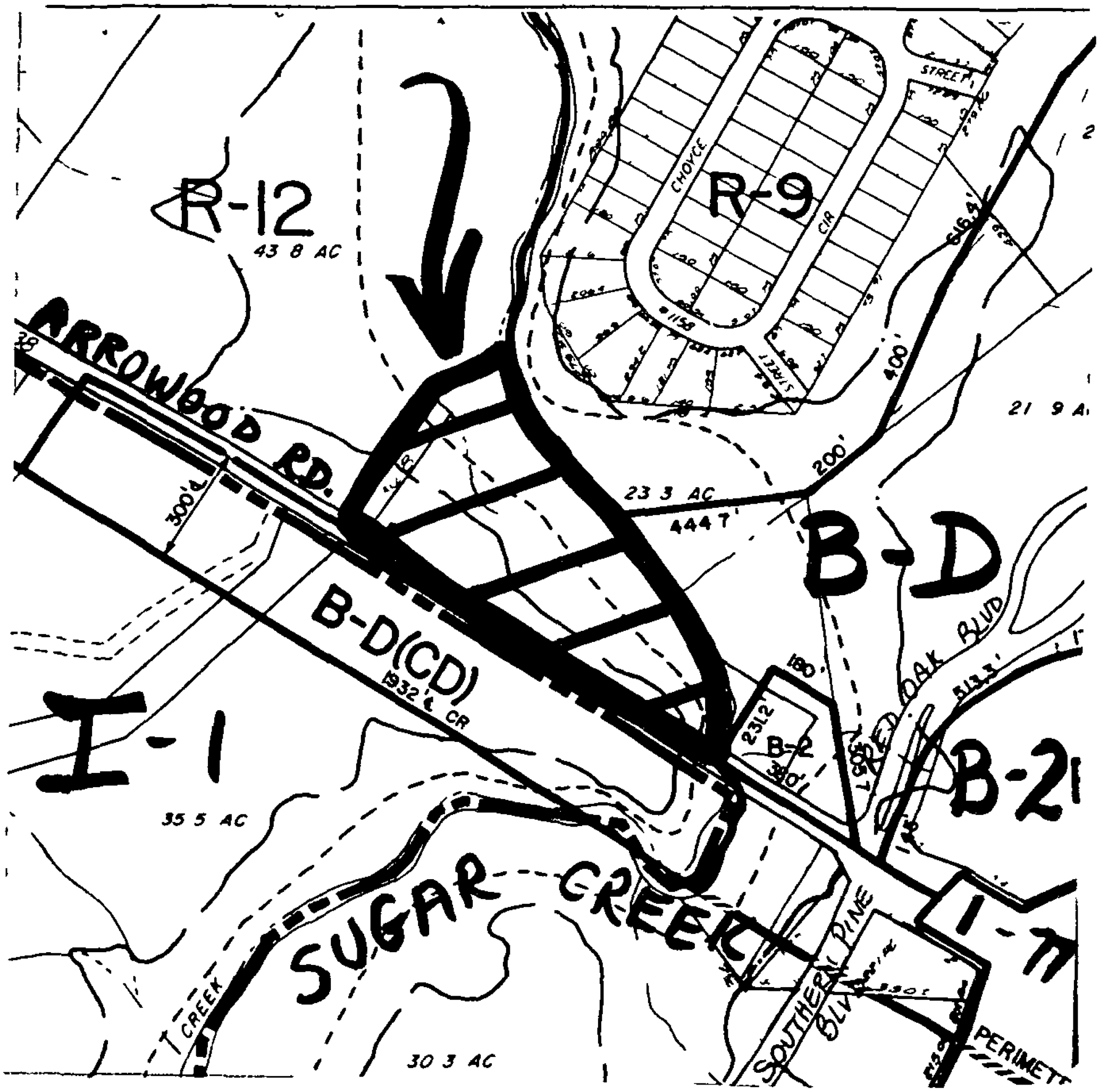
Staff Opinion
The staff agreed with Planning Commission

PETITIONER Honey Enterprises

PETITION NO. 87-9 HEARING DATE 1-20-87

ZONING CLASSIFICATION, EXISTING R-12 REQUESTED B-1 (CD)

LOCATION A nine acre site bounded by Arrowood Road to the south and Big Sugar Creek to the north



ZONING MAP NO. 149 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE January 26, 1987

PETITION NO 87-10

PETITIONER(S) Devesco/Pacific, Inc

REQUEST Change from I-2 to U-MUD

LOCATION A 2 82 acre site on South Boulevard between East Bland Street and Arlington Avenue

ACTION The Planning Commission recommends that the petition be approved

VOTE Yeas Curry, Griffin, Lassiter, Mead and Wheeler

Nays None

REASONS

ISSUES

1 Rezoning Request to U-MUD Is the request to U-MUD a reasonable one given the location of the property outside the uptown loop?

2 Overall Planning Objectives How would the approval of this request foster and enhance overall plan development and planning goals for the area?

BACKGROUND

1 Existing Zoning The subject property is currently zoned I-2, as is most of the adjoining property Across South Boulevard from the site is a mixture of I-1, B-1 and O-6 zoning, as well as some R-6MF zoning

2 Existing Land Use The petitioned property is currently used as office, warehouse/distribution space and parking for the Chapman Harkey Company Adjacent to the site is a Duke Power facility, an abandoned warehouse and a parking lot Most of the surrounding land uses include a variety of business uses associated with South Boulevard Also, across from the site is Pritchard Memorial Baptist Church and the Strawn Apartments

GENERAL FINDINGS

1 2005 Plan The 2005 Plan indicates existing employment land uses in the area of the subject property The plan recognizes the importance of securing employment and service corridors such as South Boulevard as sound areas for existing and new small businesses Specific 2005 Plan strategies for the area include the completion of construction of the last segment of

I-277 around the southern edge of uptown and the implementation of the Lane, Frenchman Urban Design Plan for the South Boulevard business district Also proposed is a light rail transit study for the central area to determine the feasibility of developing a light rail line and to determine station locations In addition, streetscape improvements along South Boulevard should be implemented to improve the aesthetics of the corridor and encourage development of uses compatible with the surrounding neighborhood

2 Dilworth Urban Design Plan The subject property is within the boundaries of the Dilworth Urban Design Plan (Lane, Frenchman and Associates, Inc) That plan encourages development and investment on South Boulevard to help improve the image and marketability of the corridor The plan calls for additional neighborhood convenience shopping and additional office uses while recognizing that the preservation of existing structures and historical themes should be a development motif The plan recognizes the strong connections South Boulevard has to uptown Charlotte The completion of I-277 and the elimination of the Independence Boulevard overpass will reconnect South Boulevard physically and perceptually to the uptown area The plans also recommend public investment to upgrade the pedestrian environment and improve South Boulevard with a planted median and elimination of parking and unnecessary curb cuts

3 South Boulevard Plan The plan calls for integrated uses along the South Boulevard corridor in the vicinity of the subject property A neighborhood center is recommended at the Rennselaer and South Boulevard intersection The plan also recommends a zoning change from I-2 to B-2 for the subject property. This plan has been approved by the Planning Commission

4 Pre-Hearing Staff Input Staff met with the petitioner prior to the submission of the application and generally encouraged the request

5 Pre-Hearing Departmental Comments (Summary)

Due to the fact that this request is not conditional in nature, most departments had no comment. The Charlotte Department of Transportation did indicate that more trips could be generated under the proposed zoning, but the level of service would not be significantly affected C-DOT also indicated that a 40 foot, three-lane cross-section, sidewalk and planting amenities would be reqired with the U-MUD zoning

6 Neighborhood Context The property lies within the boundaries of the Dilworth neighborhood

DETAILED FINDINGS

1 The rezoning request involves a 2 82 acre site located on South Boulevard at East Bland Street The current zoning is I-2 and the petitioner is requesting U-MUD

2 The petitioner indicates that the purpose of the zoning change is to allow for an urban mixed use project which will include residential uses This mixture of uses could not occur under the I-2 zoning district, which does not allow residential uses

3 Although U-MUD zoning is generally intended for areas inside the Charlotte "loop", U-MUD zoning has occurred elsewhere outside the loop. The subject property is located approximately two blocks from existing U-MUD zoning

4 It is believed that the zoning change would benefit the area The slight extension of the U-MUD zoning would facilitate the type development envisioned in several adopted plans for the area, and would remove undesirable heavy industrial zoning In fact the Lane, Frenchman and Associates Plan recognizes the strong connections South Boulevard has to the uptown area The environment here is very similar to the uptown area

5 The U-MUD zoning will afford greater staff involvement and review when planning the redevelopment of this property, and will require greater design considerations than the wide open and virtually unrestricted I-2 district

6 Staff offers only minor one cautionary note and that deals with the adequacy of off-street parking U-MUD standards are less stringent than other, more conventional districts The development plan, which will be reviewed by staff at a later date, will take this into account so as to protect the area from auto parking spillover onto local streets

7 Planning Commission applauded many groups, particularly the neighborhood, in the effort to bring this proposal to public hearing Planning Commission was very pleased with this project

8 In summary, it is believed that this request is consistent with adopted plans for the area, and will have a positive effect by allowing a mixed use development to occur Based upon the above circumstances, the petition is encouraged for approval by the Planning Commission

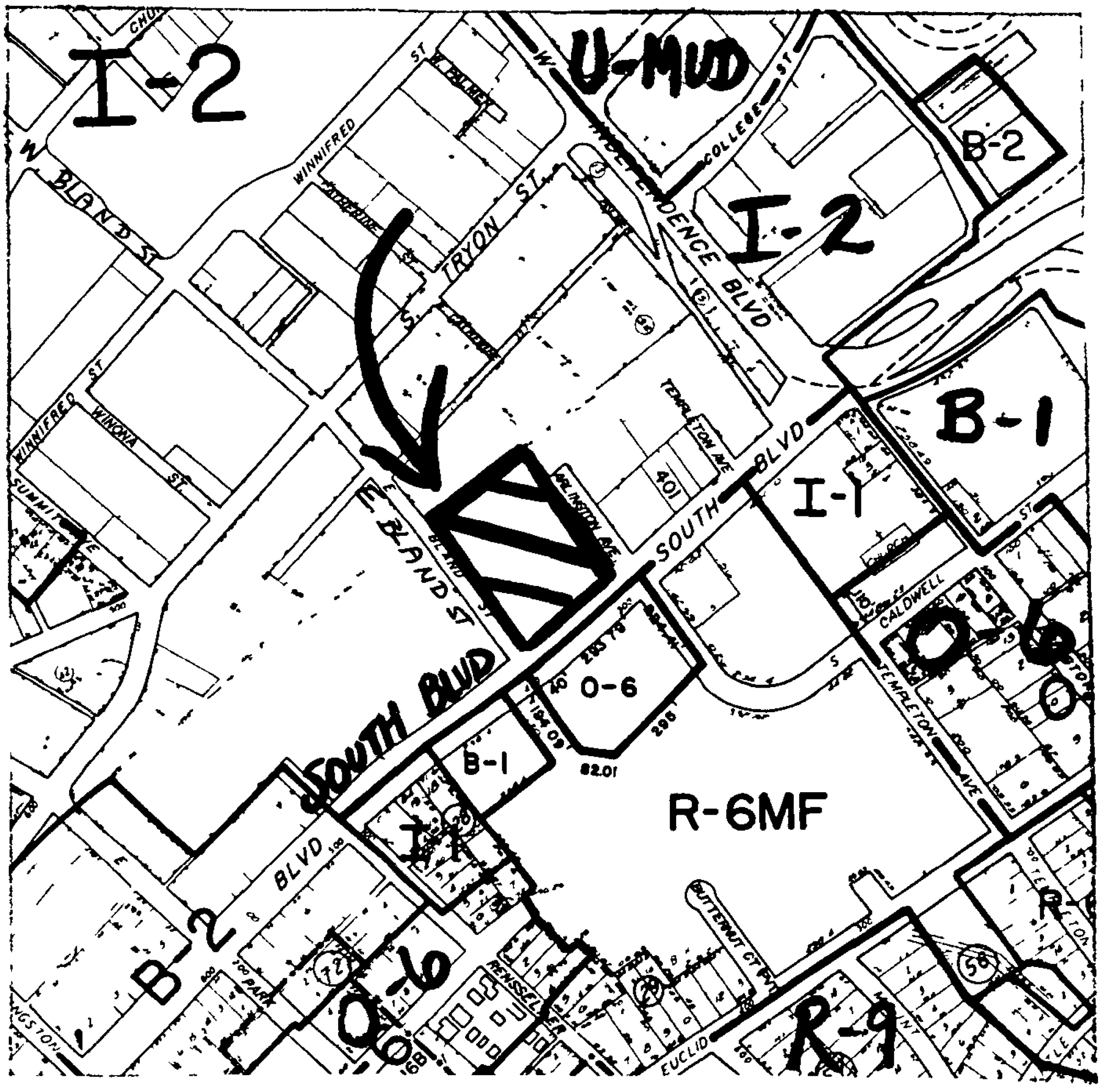
<u>Staff Opinion</u>
The staff agreed with Planning Commission

PETITIONER Devesco/Pacific Inc.

PETITION NO. 87-10 HEARING DATE 1-20-87

ZONING CLASSIFICATION, EXISTING I-2 REQUESTED UMUD

LOCATION A 2.82 acre site on South Boulevard between East Bland Street and Arlington Avenue



ZONING MAP NO. 102 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE