AGENDA

Meeting Type:	Z
Date	01-20-1987
SUBJECT	

City of Charlotte, City Clerk's Office

CHARLOTTE

Council Agenda January 20, 1987

FILE COPY

Charlotte

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

Meetings in January '87

THE WEEK OF JANUARY 1 - JANUARY 3

1	Thursday	NEW YEAR'S DAY. City Holiday. All City Government Offices Closed

THE WEEK OF JANUARY 4 - JANUARY 10

5	Monday, 4 00 p.m.	PLANNING COMMISSION/Executive Committee - Cameron-Brown Bldg., 1st Floor Conference Room
6	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 Center, 310 North Kings Dr
7	Wednesday, 9.00 a.m.	CIVIL SERVICE BOARD (Hearing) - City Hall, Council Chamber
	Wednesday, 3 00 p m.	CITIZENS ADVISORY COUNCIL FOR HAZARDOUS CHEMICALS - City Hall Annex, Fire Dept , 3rd Floor Conference Room
8	Thursday, 10 00 a.m.	PARADE PERMIT COMMITTEE - City Hall Annex, Dept. of Transportation Conference Room
9-10	Friday - Sat	CITY COUNCIL RETREAT
9	Friday, 7.30 a.m.	PLANNING COMMISSION/Planning Liaison Committee - Cameron-Brown Bldg , 1st Floor Conference Room
10	Saturday, 8 00 a.m.	HISTORIC DISTRICT COMMISSION (Retreat) - Queens College

THE WEEK OF JANUARY 11 - JANUARY 17

12	Monday, 12 Noon	PLANNING COMMISSION (Work Session) - Cameron-Brown Bldg., 1st Floor Conference Room
	Monday, 5 00 p.m.	COUNCIL/MANAGER DINNER - Elizabeth Traditional School, 1601 Park Dr
	Monday, 7 00 p.m.	CITIZENS HEARING - Elizabeth Traditional School, 1601 Park Dr
	Monday, 7 30 p m	CITY COUNCIL MEETING - Elizabeth Traditional School, 1601 Park Dr.
	Monday, 7 30 p.m.	HISTORIC PROPERTIES COMMISSION - Commission Offices, 1221 S Caldwell St.
13	Tuesday, 9 00 a m.	HISTORIC DISTRICT COMMISSION - Edwin Towers, Commission Office
	Tuesday, 10 30 a.m.	AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY - Convention Center, VIP Room
14	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
15	Thursday, 8 00 a.m	CLEAN CITY COMMITTEE - Cameron-Brown Bldg , 5th Floor Conference Room
	Thursday, 3 00 p.m	ADVISORY ENERGY COMMISSION - Hal Marshall Bldg., Agricultural Extension Service Conference Room, 700 North Tryon Street
	Thursday, 7 30 p m.	CHARLOTTE TREE COMMISSION - Park Operations, 701 Tuckaseegee Road

(Continued on Back)

THE WEEK OF JANUARY 18 - JANUARY 24

19	Monday	MARTIN LUTHER KING DAY City Holiday All City Government Offices Closed.
20	Tuesday, 8 00 a.m.	AIRPORT ADVISORY COMMITTEE - Charlotte-Douglas International Airport, Conference Room A, Main Terminal
	Tuesday, 5.00 p.m.	PLANNING COMMISSION/Planning Committee - Cameron-Brown Bldg., 1st Floor Conference Room
	Tuesday, 5 00 p.m.	CITY/MANAGER DINNER - Education Center, Room 237
	Tuesday, 6 00 p.m	CITY COUNCIL/ZONING HEARINGS - Education Center, Board Room
21	Wednesday, 1 00 p.m	HOUSING AUTHORITY - Administrative Office, 1301 South Boulevard
	Wednesday, 2 00 p.m.	TECHNICAL COORDINATING COMMITTEE - City Hall Annex, Dept. of Transportation Conference Room
	Wednesday, 7.00 p.m.	METROPOLITAN PLANNING ORGANIZATION - City Hall Annex, Dept. of Transportation Conference Room
22	Thursday, 3 00 p.m.	ADVISORY BOARD FOR CITIZENS WITH DISABILITIES - Metrolina Independent Living Center, Doctor's Bldg., Suite G-2
	Thursday, 4 00 p m	PLANNING COMMISSION (Deferred Rezoning) - Cameron-Brown Bldg., 1st Floor Conference Room

THE WEEK OF JANUARY 25 - JANUARY 31

26	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
	Monday, 4 00 p m	PLANNING COMMISSION/Executive Committee - Cameron-Brown Bldg , 1st Floor Conference Room
27	Tuesday, 3 00 p.m.	COMMUNITY FACILITIES COMMITTEE - Charlotte-Mecklenburg Utility Dept.
	Tuesday, 4 30 p.m.	MUNICIPAL INFORMATION ADVISORY BOARD - Cameron-Brown Bldg , 3rd Floor Conference Room
	Tuesday, 7 00 p.m.	CITY COUNCIL/COUNTY COMMISSION/PLANNING COMMISSION (Public Hearing on South Mecklenburg Plan) - South Mecklenburg High School, 8900 Park Road
28	Wednesday, 7 45 a.m.	PRIVATE INDUSTRY COUNCIL - Uptown YWCA
	Wednesday, 4 00 p.m.	CITY COUNCIL (Operating Budget Workshop) - City Hall Annex, Training Center
	Wednesday, 4 30 p.m.	COMMUNITY RELATIONS COMMITTEE - Covenant Presbyterian Church

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

Insurance & Risk Management Agency
Specialized Transportation Advisory Committee

Mayor Harvey B. Gantt Mayor Pro Tem Al Rousso

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

Council Agenda

Tuesday, January 20, 1987

5:00 p.m. - Dinner
Rooms 237 and 239, Education Center
Status report on Ordinance Revision Process.

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

ITEM NO.

1. Invocation by Reverend Larry Fryer, Logan Chapel C.M.E.Church.

PUBLIC HEARINGS

2. Hearing 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.

   This hearing was deferred at the December 15, 1986 zoning meeting.

   Attachment No. 1-A

3. 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.

   Attachment No. 1-B

4. Hearing on Petition No. 87-2 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from B-1 and O-6 to R-12MF for a 1 acre site located south of I-85, east of Beatties Ford Road and west of Newland Road.

Attachment No. 1-C

5. Hearing 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.

Attachment No. 1-D

6. Hearing 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.

Attachment No. 1-E

7. Hearing 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.

Attachment No. 1-F

8. Hearing 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.

Attachment No. 1-G

9. Hearing 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 approximate 80 acre site located south of Shamrock Drive and east of Eastway Drive, to the south of the existing Home for the Aged.

Attachment No. 1-H

10. Hearing 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.

Attachment No. 1-I

11. Hearing 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.

Attachment No. 1-J

12. Hearing 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.

Attachment No. 1-K

POLICY AGENDA

13. Decision on Petition 85-79 by the City of Charlotte Community Development Department for a change in zoning from R-9MF to I-1(CD) for 14± acres bounded by North Graham Street, Statesville Avenue, Southern Railway Line and Brookshire Freeway ramp.

On November 18, 1985, Council approved rezoning 5.1 acres of this petition to I-1(CD).

The Planning Commission recommends that the petition be denied.

Attachment No. 2-L

14. Decision on Petition No. 86-113 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from B-2 to U-MUD for a 21 acres site located along Brevard and Caldwell Streets between Third Street and Independence Boulevard adjacent to the John Belk Freeway.

The Planning Commission recommends that the petition be approved.

Attachment No. 2-M

15. Decision on Petition No. 86-115 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from O-6 to R-6 for a 1.66 acre site located west of Beatties Ford Road between Tate Street and the Brookshire Freeway.

The Planning Commission recommends that the petition be approved.

Attachment No. 2-N

16. Decision on Petition No. 86-116 by Edward F. Walsh and Donald W. Tibbs, Jr., for a change in zoning from R-MH to R-12 for a 57.52 acre site located east of US 29 between Old Concord Road and Neal Drive.

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

The Planning Commission recommends that the petition be denied.

Attachment No. 2-O

17. Decision on Petition No. 86-117 by Frances Pitts for a change in zoning from R-15 to R-12 for an .826 acre parcel located at the intersection of Crosby Road and Westbury Road.

A protest petition has been filed and found sufficient; however, all valid abutting protestors have withdrawn their objections in writing and the 3/4 rule is no longer applicable.

The Planning Commission recommends that the petition be approved.

Attachment No. 2-P

18. Decision on Petition No. 86-118 by Charlotte Pipe and Foundry Company for a change in zoning from R-6 to O-6(CD) for a 3300 square foot site located at the intersection of Durham Avenue and Vail Avenue.

The Planning Commission recommends that the petition be approved.

Attachment No. 2-Q

19. Decision on Petition No. 86-121 by Associated Realty Investors Carmel Center by its general partner, Synco, Inc. for a text amendment to the City of Charlotte Zoning Ordinance Section 3042 to allow post offices as a use by right in the O-15 district so as to bring the City of Charlotte Zoning Ordinance into conformity with the Mecklenburg County Zoning Ordinance. The City of Charlotte Zoning Ordinance currently allows post offices in the O-6 district only.

The Planning Commission recommends that the petition be approved.

Attachment No. 2-R

20. Recommend adoption of a resolution calling for public hearings on Monday, February 16, 1987, at 6:00 p.m. in the Board Room of the Education Center, on Petition Nos. 87-11 through 87-14 for zoning changes.

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

December 12, 1986

Mayor and City Council.

RE: Rezoning Petitions to be Heard in January, 1987

Attached you will find appropriate maps and copies of each petition, for rezoning petitions scheduled for public hearing on January 20, 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 Trammell Crow Company

PETITION NO 86-112 HEARING DATE 12/15/86

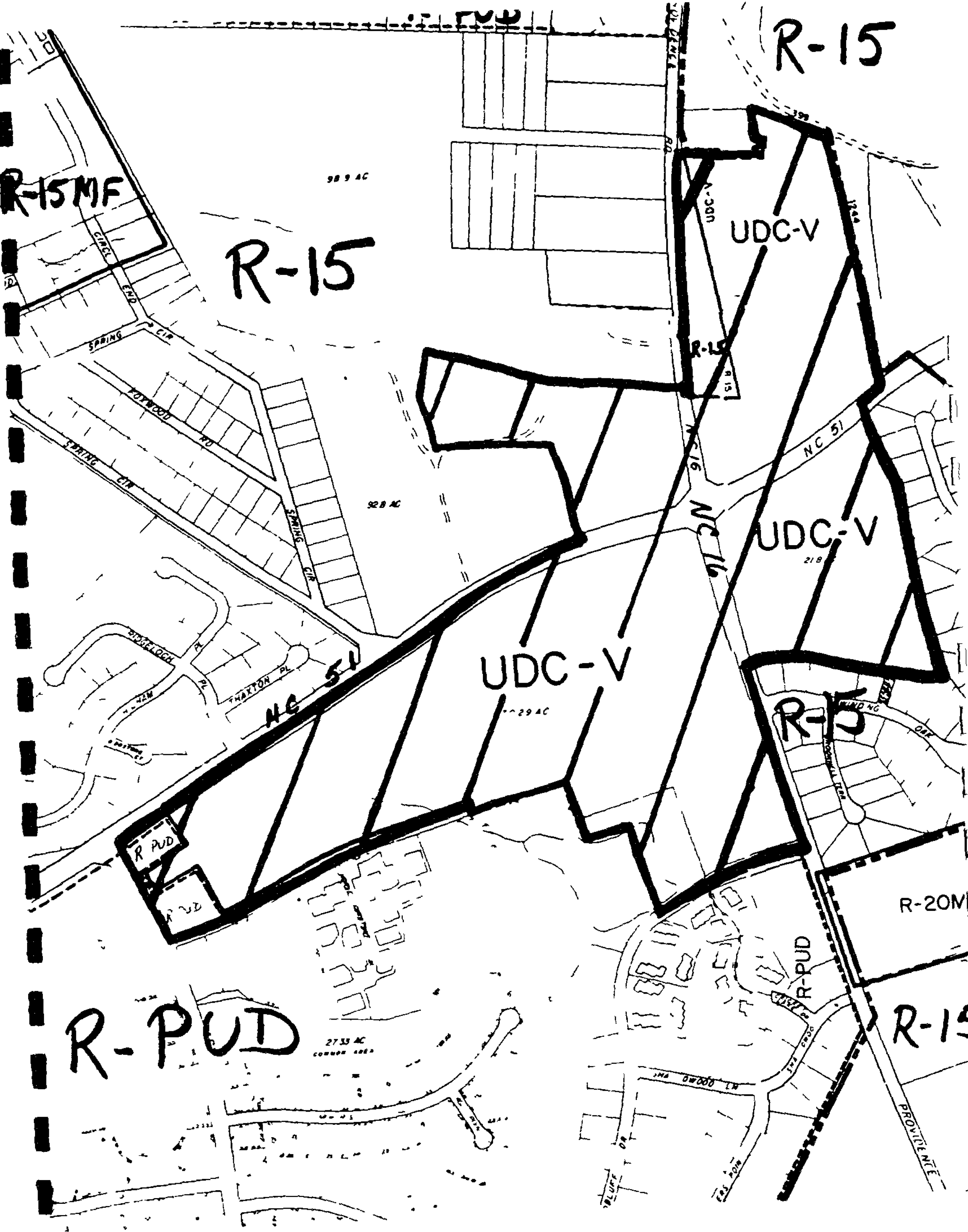
ZONING CLASSIFICATION, EXISTING UDC-V, R-PUD R-15 REQUESTED B-1SCD, O-15(CD), R-15MF(CD) R-15(CD)

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-15
R-15MF
R-15
UDC-V
UDC-V
UDC-V
UDC-V
R-15
R-15
R-PUD
R-PUD
R-PUD
R-20M
R-15
R-PUD
NC 51
NC 16
CIRCLE END
SPRING CIR
FOXWOOD RD
SPRING CIR
SPRING CIR
RIDGELOCH PL
THAXTON PL
PROVIDENCE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 86-112
Date Filed 1-3-86
Received By
OFFICE USE ONLY

Ownership Information

Property Owner Trammell Crow Company, et al

Owner's Address 1400 Charlotte Plaza, Charlotte, North Carolina 28244

Date Property Acquired December 1984

Deed Reference Partial Book 4947, Page 192 & Page 189 Tax Parcel Number 211-271-02, 225-151-01 Portion of 213-051-05 & 213-051-02, 227-251-99

Location Of Property (address or description)

All four corners at the intersection of NC Highwy 16 and NC Highway 51

Description Of Property

Size (Sq Ft -Acres) 139 Acres Approximately Street Frontage (ft.)

Current Land Use Vacant land

Zoning Request

Existing Zoning UDCV and R-15 Requested Zoning BISCD/O-15CD/R-15MFCD/R-15CD

Purpose of zoning change To allow for a retail/office/residential mixed use development at the corners of NC Highway 16 and NC Highway 51, subject to a unified and conditional development program

Fred W. Klein
Name of Agent

1400 Charlotte Plaza, Charlotte, NC 28244
Agent's Address

(704) 376-5910
Telephone Number

Trammell Crow Company
Name of Petitioner(s)

1400 Charlotte Plaza, Charlotte NC
Address of Petitioner(s)

(704) 376-5910
Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 86-112

Petitioner	Trammell Crow Company
Location·	Approximately 139 acres located on all four corners of the intersection of Providence Road and NC 51
Request	Change from UDC-V, R-PUD and R-15 to B-1SCD, 0-15(CD), R-15MF(CD) and R-15(CD)

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 26,000 square feet of office and 185 units (which is a slight increase due to the addition of some land at the immediate area of the corner of 51 and 16) and the southeast corner will have a maximum of 94,000 square feet of office and 92 dwelling units 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 whereas the other three corners will each be zoned a combination of O-15(CD) and R-15MF(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 and forwarded the plan to elected officials.

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. Three of the corners have remained the same and the southwest corner has an equivalent amount of retail development as compared to the previous amount of retail, office and residential development.

7 Therefore, from a zoning and land use standpoint staff is far more satisfied this time around than the previous effort 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. Further, a more recent issue has surfaced regarding a requirement for a building footprint for the shopping center The petitioner has been advised of that requirement along with a few other details regarding the site plan The petitioner has expressed some frustration about the footprint and has sought staff advice regarding some flexibility which might be appropriate. In this context, the idea of a "building envelope" has surfaced as one means which would provide a level of flexibility for the petitioner It would seem that a degree of flexibility would be reasonable so long as the restrictions were tight enough so as to not allow large variations from the footprint Also, an issue has been raised by some neighborhoods as to whether or not the shopping center will be an

enclosed mall or not Whether or not this eventually becomes a site plan condition is not crucial to staff However, in the event it does become a condition, it will not be a matter that staff will administratively alter at a later date if the developer requests such a change (Note The developer has complied with footprint requirements)

9 As far as the remaining conditions of the site plan are concerned, staff has little comment to make Many of these conditions are now directly lifted from the existing UDC-V conditions

10 In summary, as the public hearing on this petition approaches, staff feels generally comfortable with the application 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. As mentioned above, in fact, three of the corners are identical. Traffic impacts are equivalent Technical issues regarding the application have been resolved. Thus, staff stands prepared to recommend the application for approval

*Subject to further refinement following the public hearing.

Received 12/9/86

M E M O R A N D U M

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.

<u>Equivalence to the UDCV:</u>

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.

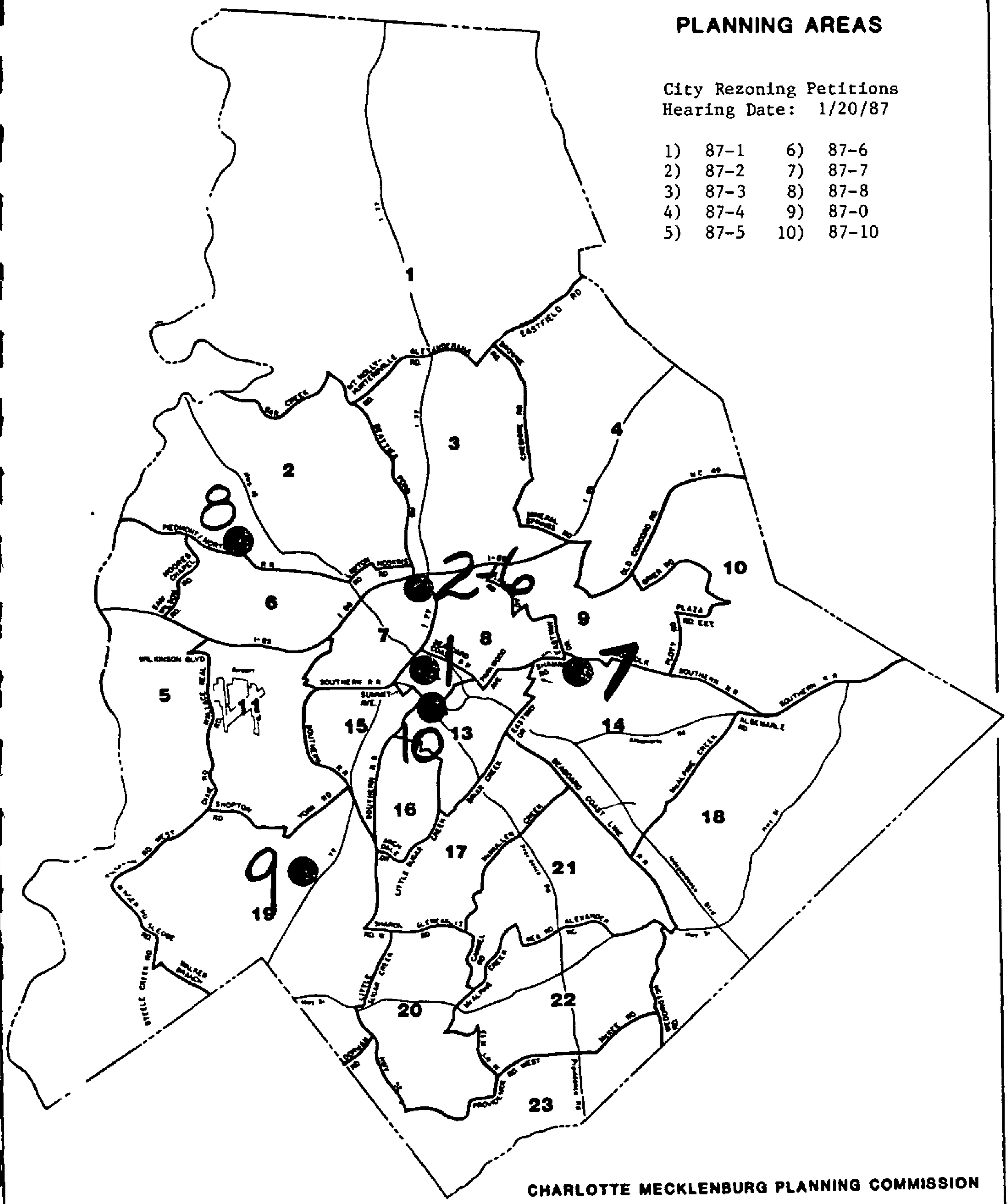
RNPjr/DSC/to

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

PLANNING AREAS

City Rezoning Petitions
Hearing Date: 1/20/87

1)	87-1	6)	87-6
2)	87-2	7)	87-7
3)	87-3	8)	87-8
4)	87-4	9)	87-0
5)	87-5	10)	87-10



CHARLOTTE MECKLENBURG PLANNING COMMISSION

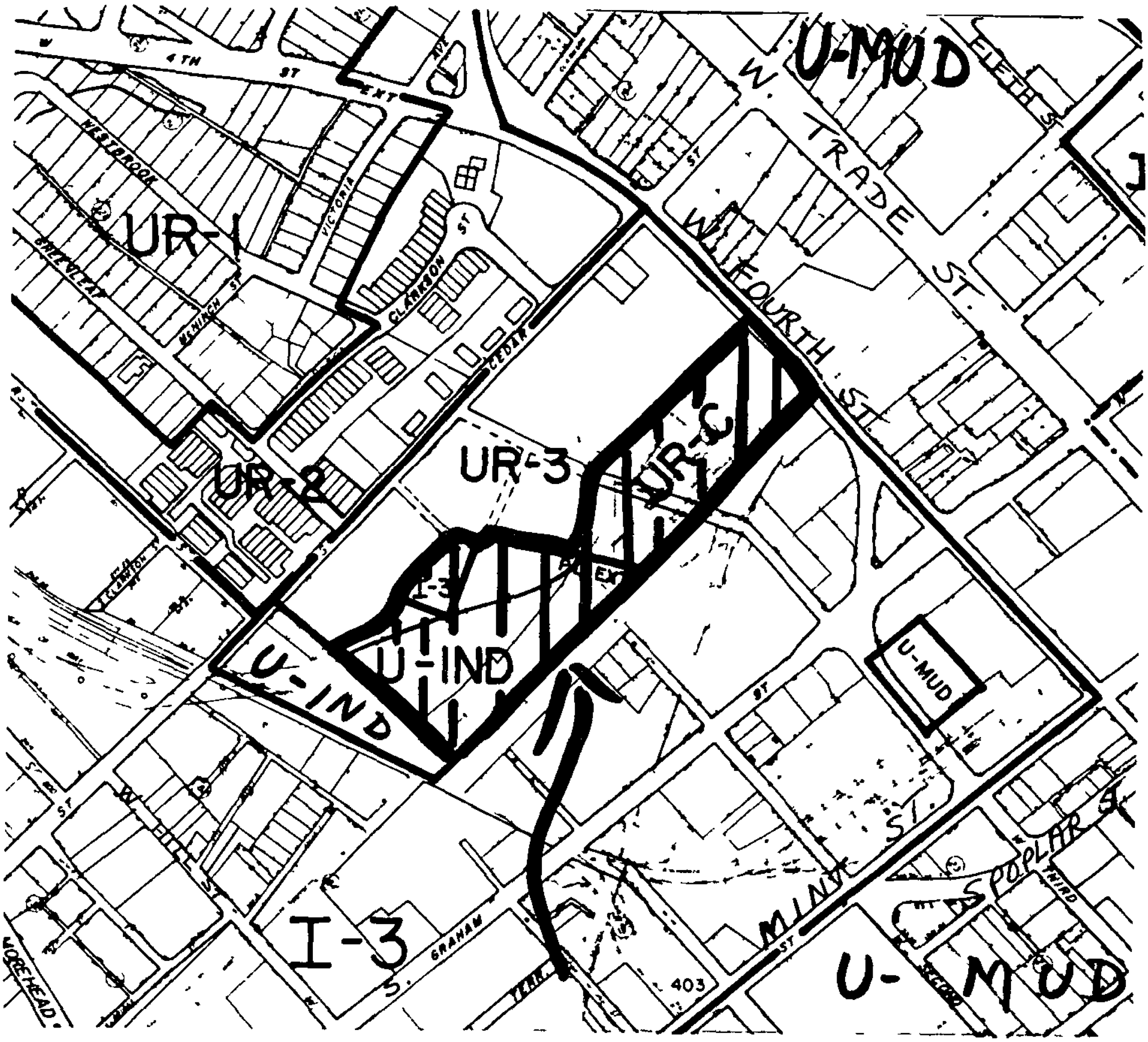
April 1983

PETITIONER Charlotte-Mecklenburg Planning Commission

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

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 ds
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.

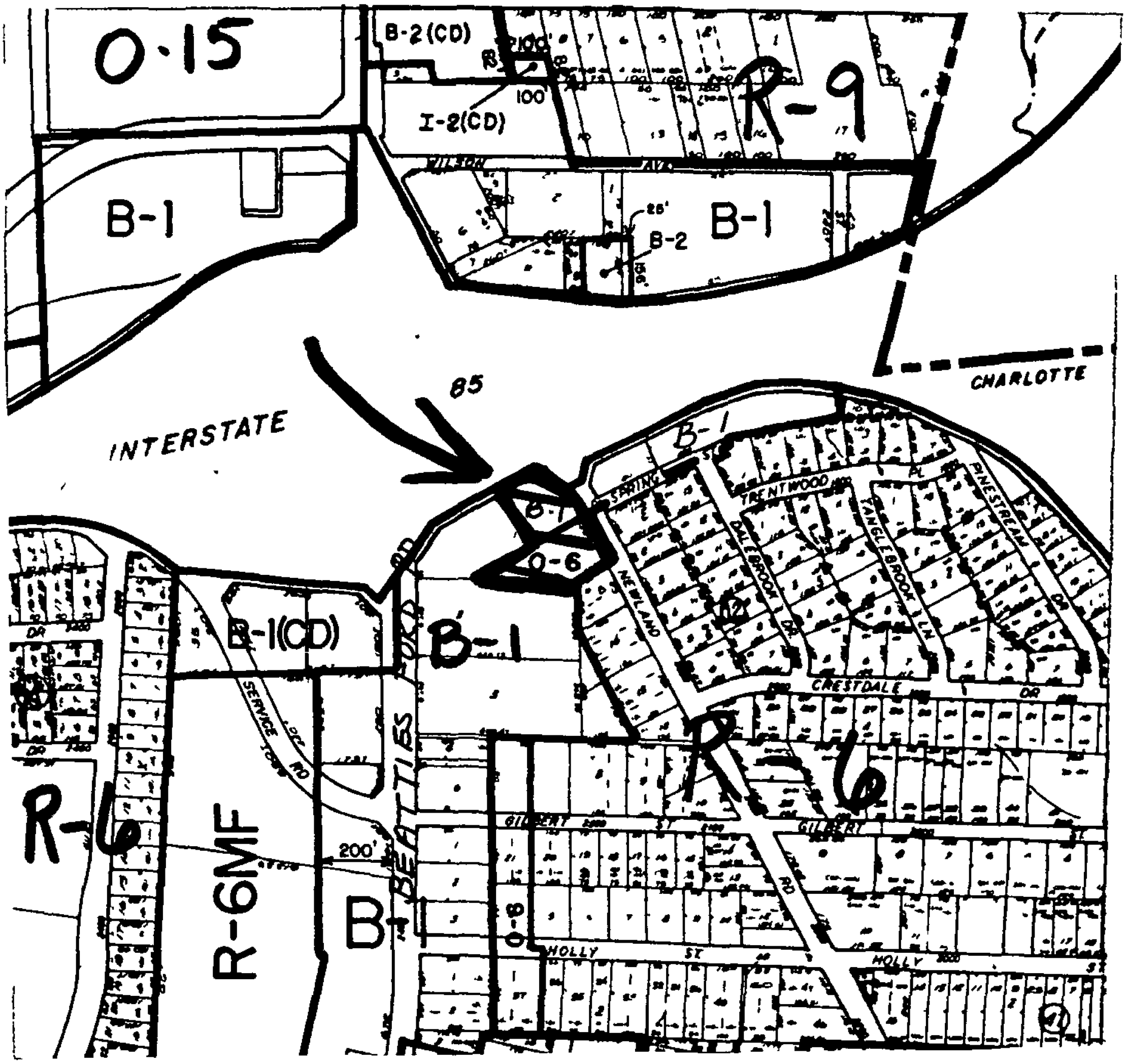
*Subject to further refinement following public hearing.

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 87-2 HEARING DATE 1-20-87

ZONING CLASSIFICATION, EXISTING B-1 and O-6 REQUESTED R-12MF

LOCATION Approximately one acre located south of Interstate 85, east of Beatties Ford Road, and west of Newland Road



ZONING MAP NO. 79 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-2
Date Filed 12-1-86
Received By LS
OFFICE USE ONLY

Ownership Information

Property Owner: Texaco Refining & Marketing Inc.

Owner's Address: 111 Rusk Street
Houston, Texas 77002

Date Property Acquired: N/A

Deed Reference: 5086-571 Tax Parcel Number: 075-011-01

Location Of Property (address or description)

2630 Beatties Ford Road, Charlotte, North Carolina

Description Of Property

Size (Sq Ft -Acres): +/- 1.0 Acre Street Frontage (ft):

Current Land Use: Business

Zoning Request

Existing Zoning: B 1 and O-6 Requested Zoning: R-12MF

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

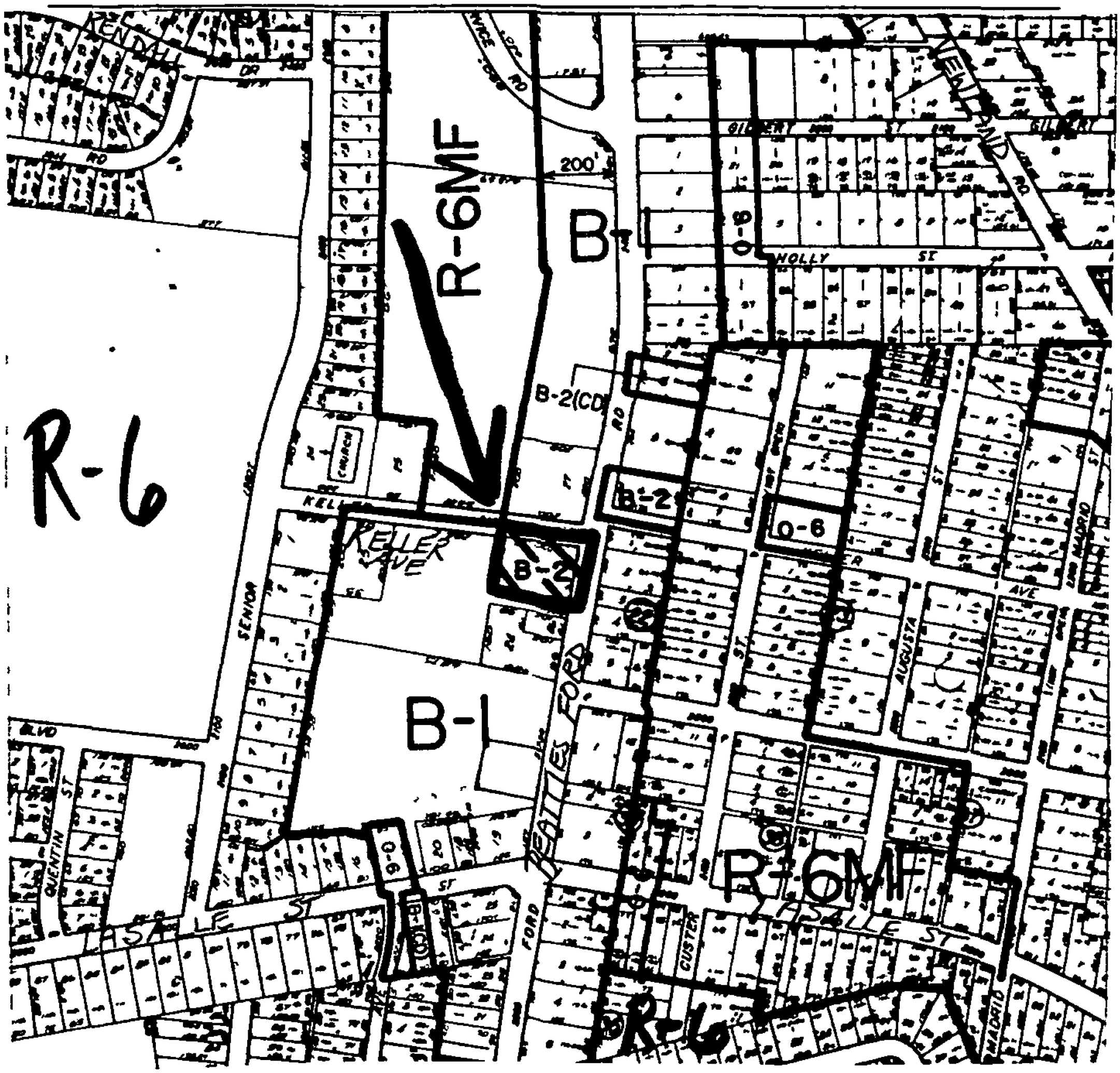
Signature of Property Owner if Other Than Petitioner

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 87-3 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

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-3
Date Filed 12-1-86
Received By LS
OFFICE USE ONLY

Ownership Information

Property Owner NCNB Properties Inc.

Owner s Address P.O. Box 120
Charlotte, NC 28201

Date Property Acquired N/A

Deed Reference 3188-387 Tax Parcel Number 069-171 23

Location Of Property (address or description) 2249 Beatties Ford Road

Description Of Property

Size (Sq Ft -Acres) .684 acres Street Frontage (ft)

Current Land Use Office (Bank)

Zoning Request

Existing Zoning B-2 Requested Zoning B-1

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
Name of Petitioner(s) Commission

301 South McDowell Street
Address of Petitioner(s)

336-2205
Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

PETITIONER Charlotte-Mecklenburg Planning Commission

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

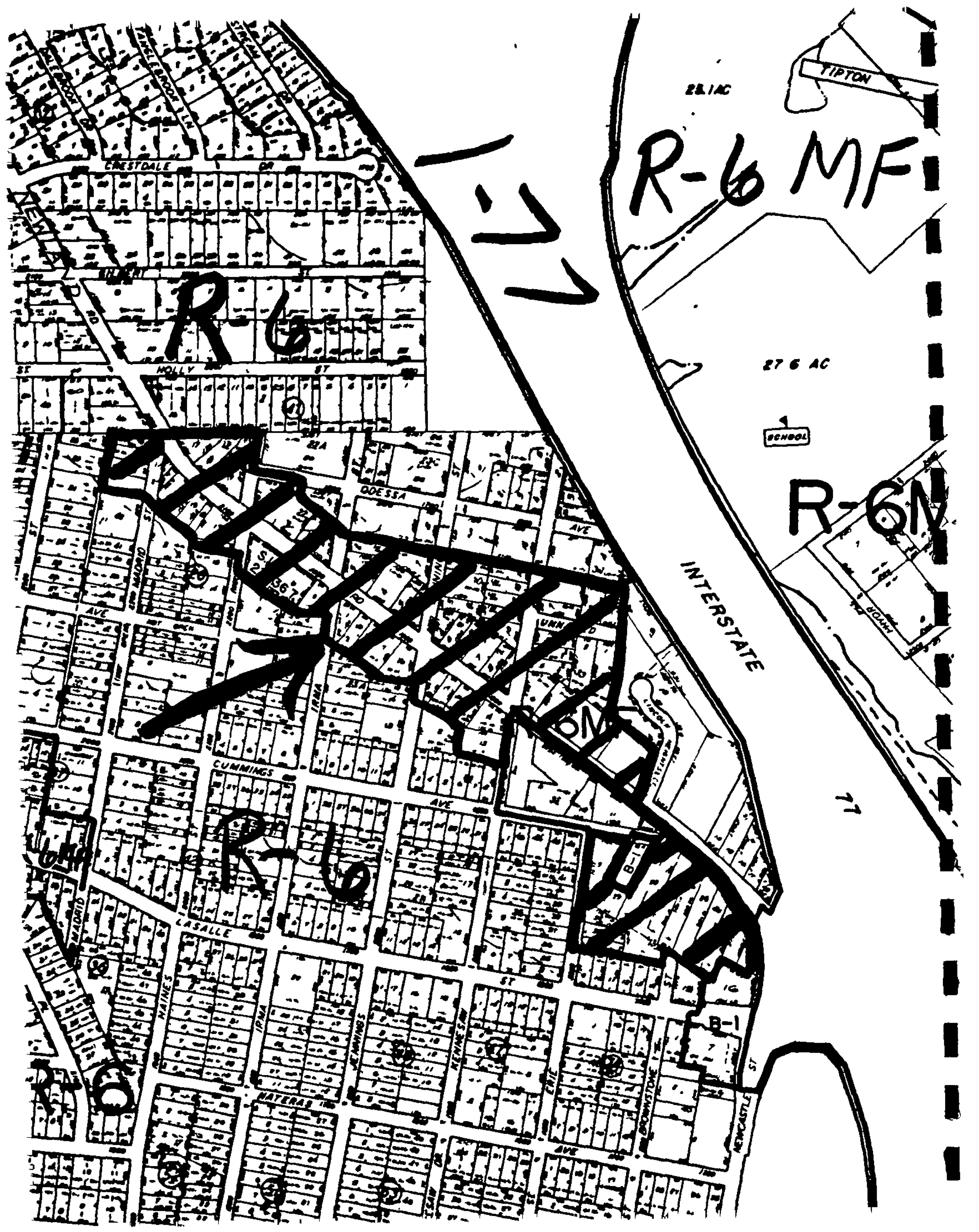
ZONING CLASSIFICATION, EXISTING R-6MF REQUESTED R-6

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


TIPTON
28.1AC
R-6 MF
27.6 AC
SCHOOL
R-6M
INTERSTATE
CRESTDALE
DR
HOLLY
ST
ODESSA
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CUMMINGS
AVE
LASALLE
ST
HAINES
IRMA
HENNESSEE
HATERAS
AVE
B-1
NEWCASTLE
ST
MADRID
R-6

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 87-4
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 area south of Holly Street to LaSalle Street along the Newland Road Corridor

Description Of Property

Size (Sq Ft Acres) 20 acres Street Frontage (ft)

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

Zoning Request

Existing Zoning R-6MF Requested Zoning R-6

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

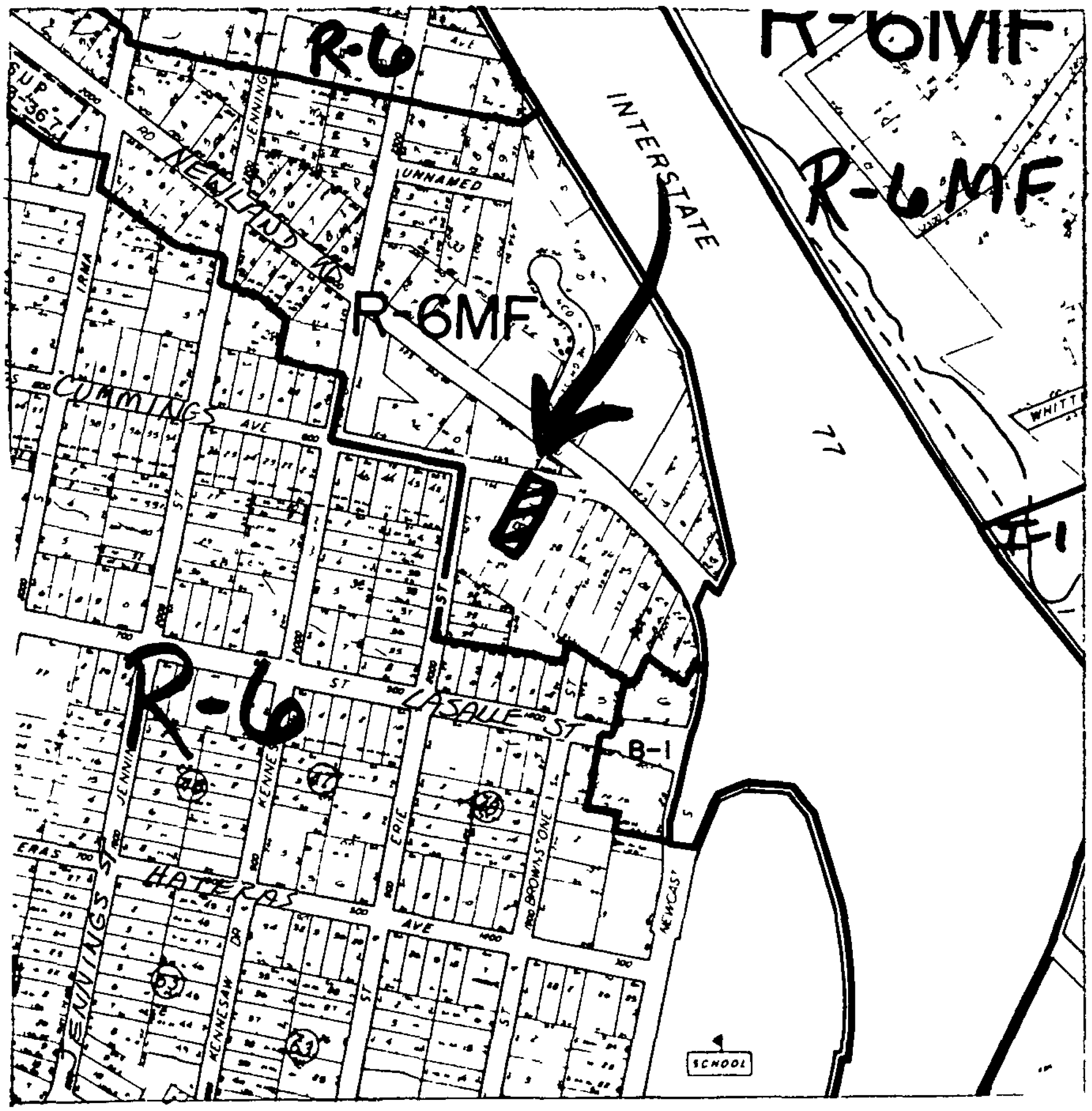
Signature of Property Owner if Other Than Petitioner

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

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 87-5
Date Filed 12-1-86
Received By LS
OFFICE USE ONLY

Ownership Information

Property Owner Dart Enterprises, Inc.

Owner s Address 2528 N. Tryon Street
Charlotte, NC 28206

Date Property Acquired N/A

Deed Reference 4917-502 Tax Parcel Number 075-044-30

Location Of Property (address or description) 1413 Cummings Avenue

Description Of Property

Size (Sq Ft -Acres) .24 acres Street Frontage (ft)

Current Land Use Business

Zoning Request

Existing Zoning B-1 Requested Zoning R-6

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

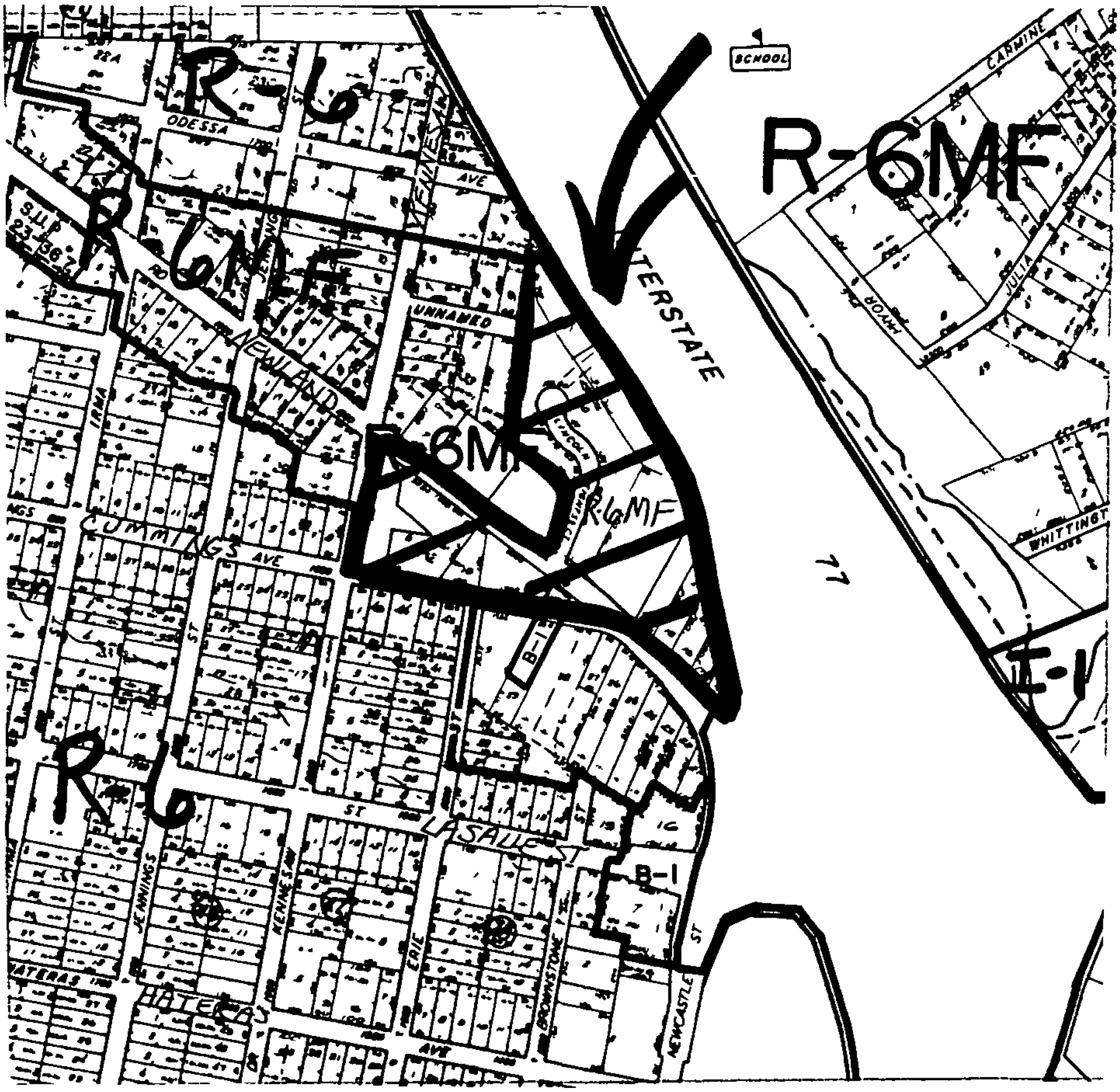
Signature of Property Owner if Other Than Petitioner

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

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-6
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 lots from Lincoln Heights Court to I-77 and the lots bordered by Newland Road, Kennesaw Drive, and Cummings Avenue

Description Of Property

Size (Sq Ft -Acres) Street Frontage (ft)

Current Land Use multi-family, single-family, vacant and business

Zoning Request

Existing Zoning R-6MF Requested Zoning R-12MF

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 Charlotte, NC 28204 336-2205

Signature

Signature of Property Owner if Other Than Petitioner

PRE-HEARING STAFF ANALYSIS

BEATTIES FORD ROAD PETITIONS

Petition No 87-2

This petition is sponsored by the Charlotte-Mecklenburg Planning Commission and involves approximately one (1) acre of land immediately south of I-85, east of Beatties Ford Road and west of Newland Road The current zoning is B-1 and 0-6 and the petition is seeking R-12MF

The property is contiguous to B-1 zoning which is oriented to Beatties Ford Road Across Newland from the site at the intersection of Spring Street is another strip of B-1 zoning, which is also the subject of another Beatties Ford Road petition seeking to change that area to R-6 Other areas of the Dalebrook neighborhood are already zoned R-6.

The petitioned property is undeveloped land although there is a driveway connection from the rear of the adjoining Texaco Service Station which fronts on Beatties Ford Road which crosses through this land and exits on Newland Road Rezoning the property from the current classifications would restrict the development of this property to multi-family residential, but it is uncertain what effect the change would have on the driveway connection across the property to the Texaco Station. The driveway is barricaded now by way of a gate and fence and may not be used any longer However, if that driveway does serve as some function for the business use then it may be possible that future development of this property under the proposed R-12MF might have to recognize that driveway

The proposed R-12MF would provide for residential development of this property which is considered more compatible with the residential environment that it is oriented to Approval of this would implement the objective contained in the Beatties Ford Road Small Area Plan The R-12MF district would allow density at approximately 14 5 dwelling units per acre

Petition No 87-3

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.

Petition No 87-4

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

Petition No 87-5

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.

Prtition No 87-6

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

PETITIONER Methodist Home for the Aged, Inc.

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

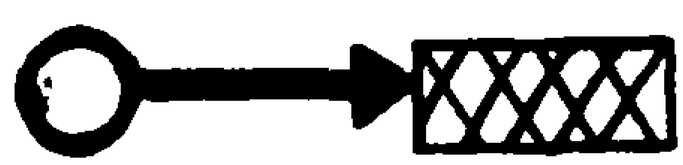
ZONING CLASSIFICATION, EXISTING R-9MF REQUESTED INST (CD)

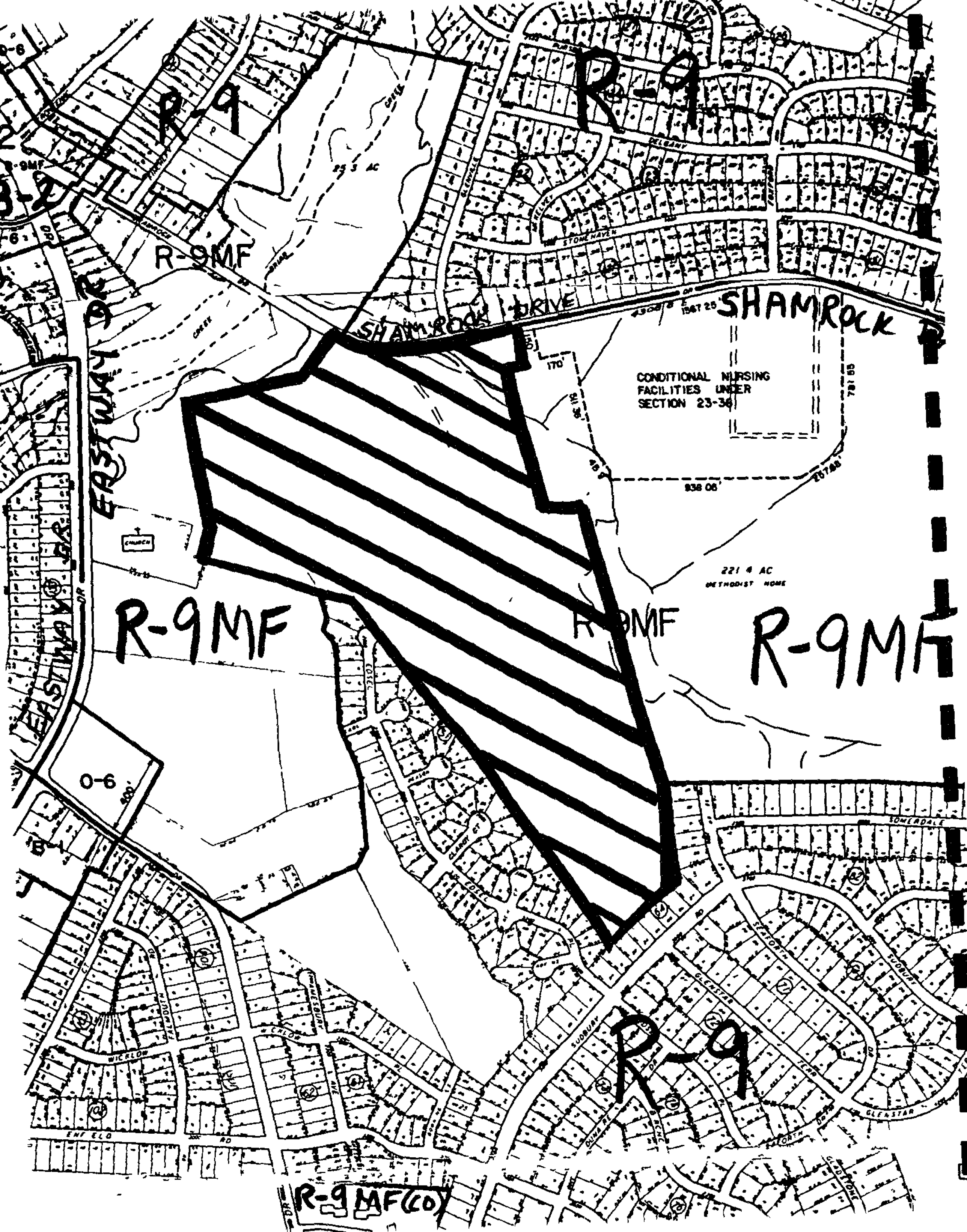
LOCATION Approximately 80 acres located south of Shamrock Drive and east of Eastway Drive, to the south of the existing Home for the Aged.

PLEASE SEE ATTACHED MAP

ZONING MAP NO. 100 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE




R-9
R-9
R-9MF
SHAMROCK DRIVE
SHAMROCK
CONDITIONAL NURSING
FACILITIES UNDER
SECTION 23-36
221.4 AC
METHODIST HOME
R-9MF
R-9MF
R-9MF
R-9
R-9MF(CO)
EASTWAY
O-6
B-1
CHURCH
SOMERDALE
SUDBURY
GLENSTAR
STAFFORD
WICKLOW
ENFIELD
RD
CLADYSTONE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-7
Date Filed 12-1-86
Received By LS
OFFICE USE ONLY

Ownership Information

Property Owner Methodist Home for the Aged, Inc.

Owner's Address 3600 Shamrock Drive, Charlotte, NC 28215

Date Property Acquired 4-15-45

Deed Reference Book 1246, Page 167 Tax Parcel Number 101-021-01

Location Of Property (address or description) 3420 Shamrock Drive, Charlotte, NC 28215

Description Of Property

Size (Sq Ft.-Acres) 80 Acres Street Frontage (ft.) 1050'±

Current Land Use Home for the Aged, offices, congregate living units, and associated uses

Zoning Request

Existing Zoning R9-MF Requested Zoning INST (CD)

Purpose of zoning change To permit expansion of existing facilities

Wood & Cort - Architects, P.A.
Name of Agent

239 Haywood Street, Asheville, NC
Agent's Address

(704) 252-3513
Telephone Number

Methodist Home for the Aged, Inc.
Name of Petitioner(s)

3600 Shamrock Dr., Charlotte, NC
Address of Petitioner(s)

Telephone Number

L B Lawing
Signature Asst. Sec. & Treasurer
Chairman of Buildings & Grounds

Signature of Property Owner if Other Than Petitioner

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 87-7

Petitioner	Methodist Home for the Aged, Inc
Location	Approximately 80 acres south of Shamrock Drive and east of Eastway Drive, to the south of the existing Home for the Aged
Request	Change from R-9MF to Institutional(CD)

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 0-6 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 it is anticipated that those changes will be made in time for public hearing consideration. With those changes staff has no problems with the site plan

4 The Methodist Home has existed on the site for quite some time Staff 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.

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, staff would encourage the approval of the request

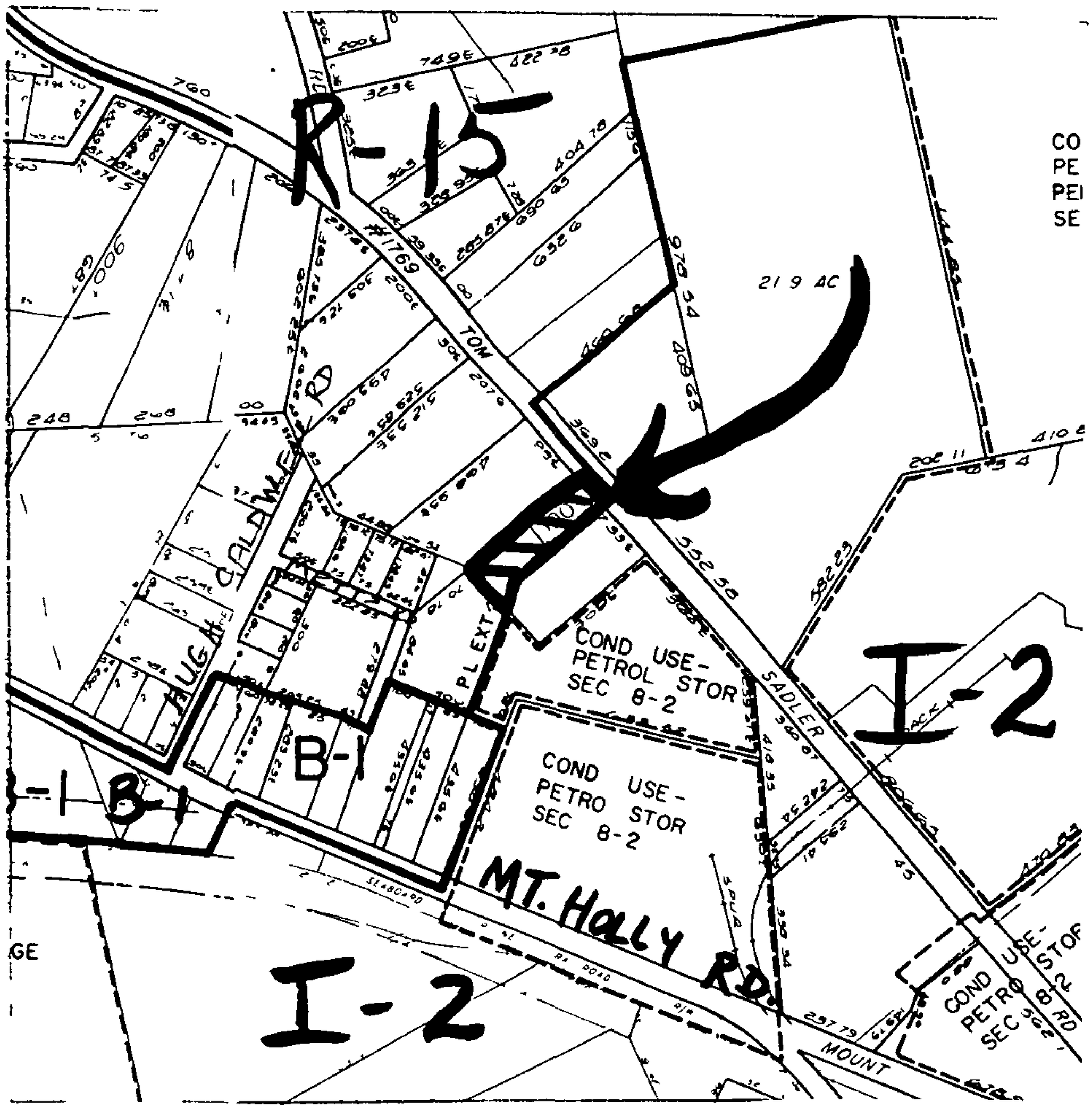
*Subject to further refinement following public hearing

PETITIONER Coastal Transport, Inc.

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

ZONING CLASSIFICATION, EXISTING R-15 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

OFFICIAL REZONING APPLICATION
MECKLENBURG COUNTY
CITY OF CHARLOTTE

Petition No. 87-8
Date Filed 12-1-86
Received By LS
OFFICE USE ONLY

Ownership Information

Property Owner: Estate of Mary E. Rozzelle

Owner's Address: c/o Emily E. Johnston
628 Tom Sadler Road, Charlotte, North Carolina 28208

Date Property Acquired: 1962

Deed Reference: 2358-157 Tax Parcel Number: 031-033-32

Location Of Property (address or description) 533 Tom Sadler Road

(metes and bounds description attached)

Description Of Property

Size (Sq Ft -Acres): .92 acres Street Frontage (ft.): 100

Current Land Use: 1600 square foot single family residence

Zoning Request

Existing Zoning: R-15 Requested Zoning: O-15 (CD)

Purpose of zoning change: To permit use of existing residence as office for truck terminal on adjoining property

Ralph R. McMillan
Name of Agent

P.O. Box 32335, Charlotte, NC 28232
1329 E. Morehead St., Charlotte, NC 28204
Agent's Address

(704) 333-1105
Telephone Number

Coastal Transport, Inc.
Name of Petitioner(s)

P.O. Box 1277
703 South George St., Goldsboro, NC 27530
Address of Petitioner(s)

(919) 734-3321
Telephone Number

COASTAL TRANSPORT, INC.
By: S. Dillon Wooten, Jr.
Signature S. Dillon Wooten, Jr.
President

Signature of Property Owner if Other Than Petitioner
(See attached)

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 87-8

Petitioner	Coastal Transport, Inc
Location	A .92 acre site on Tom Sadler Road in the vicinity of Metts Road
Request	Change from R-15 to O-15(CD)

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-15 Other 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-15 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 encouraged 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

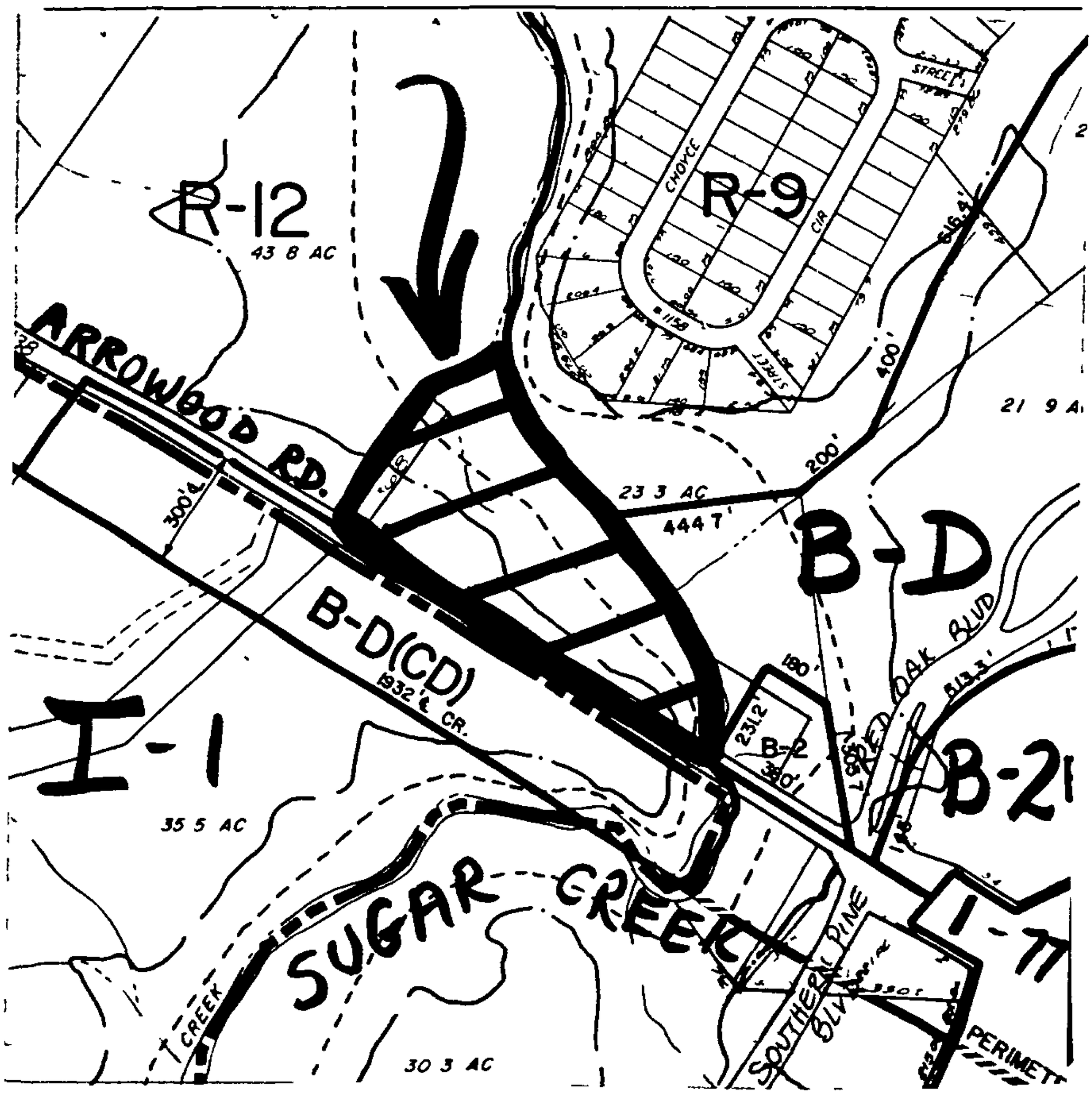
*Subject to further refinement following public hearing

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

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 87-9
Date Filed 12-1-86
Received By LS
OFFICE USE ONLY

Ownership Information

Property Owner (1) The Executive Building Co. (2) Shrum Properties

Owner's Address P. O. Box 24078, CHARLOTTE, N.C. 28224 | P. O. Box 36522, CHARLOTTE N.C. 28236

Date Property Acquired (1) December 1, 1971 (2) October 19, 1972

Deed Reference (1) 3327-513 & (2) 3484-259 (Portion)

Tax Parcel Number (1) 167-181-03 (2) 167-181-04 (PORTION)

Location Of Property (address or description) North side of Arrowood Road

West of Big Sugar Creek

Description Of Property

Size (Sq Ft -Acres) 9 acres ±

Street Frontage (ft) 1,118 feet

Current Land Use Vacant

Zoning Request

Existing Zoning R-12

Requested Zoning B-1(CD)

Purpose of zoning change To permit the construction of a mixed use building consisting of office and hotel uses.

Fred E. Bryant, Planner
Name of Agent

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

333-1680
Telephone Number

Honey Enterprises
Name of Petitioner(s)

P. O. Box 35450, Charlotte, NC 28235
Address of Petitioner(s)

376-6491
Telephone Number

Signature
Shrum Properties - By: R J Brown, Gen Partner

Signature of Property Owner if Other Than Petitioner

EXECUTIVE Bldg Co
B Kaplan
G P.

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No 87-9

Petitioner	Honey Enterprises
Location	A nine (9) acre site bounded by Arrowood Road to the south and Big Sugar Creek to the north
Request·	Change from R-12 to B-1(CD)

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 Staff has 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

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 However, there is a concern by staff that the B-1(CD) zoning district may invite requests for retail type development nearby This would not be encouraged by staff

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 Given the fact that the office and hotel uses are compatible with overall planning goals for the area, staff would support the request assuming minor technical details are clarified

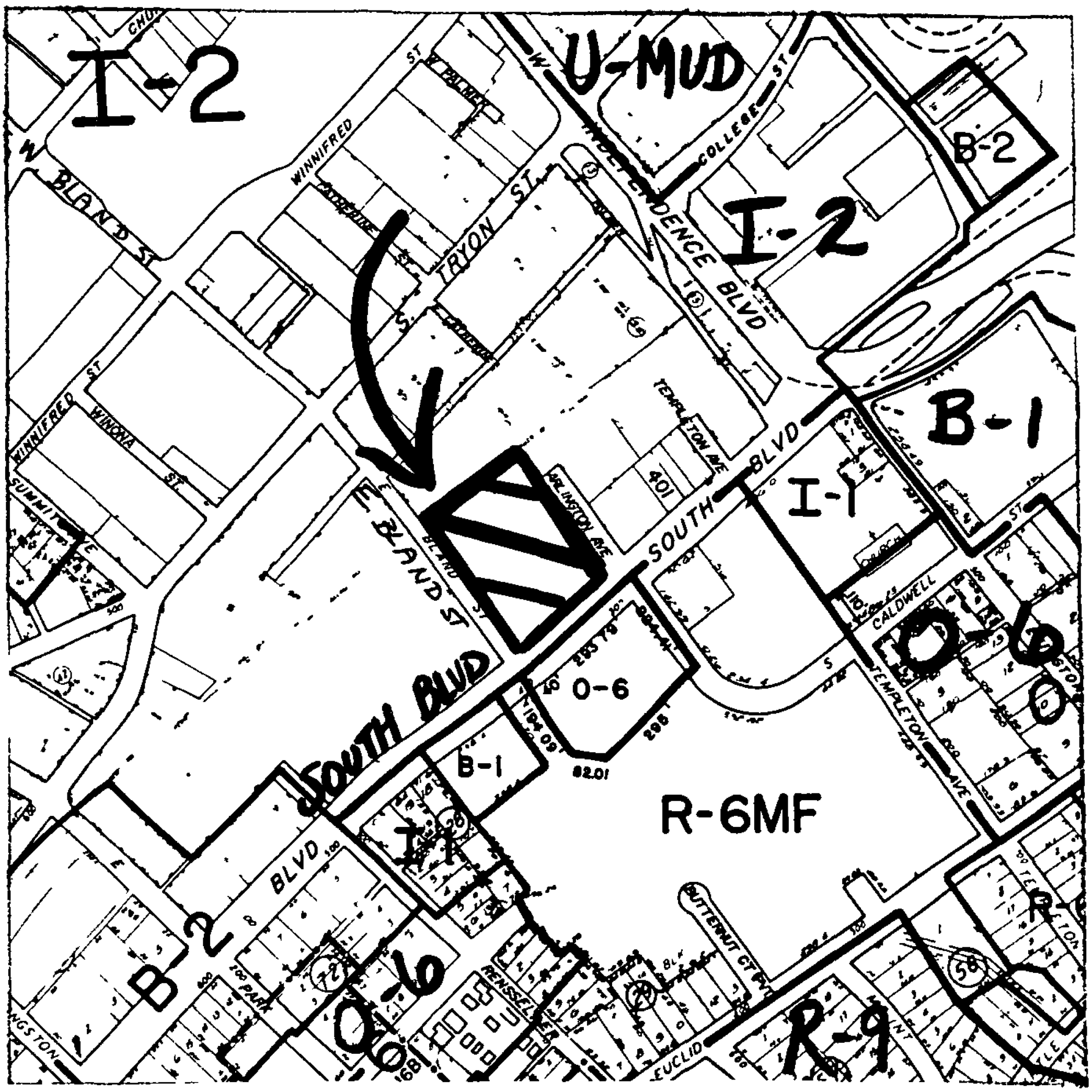
*Subject to further refinement following public hearing

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

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-10
Date Filed 12-1-86
Received By LS
OFFICE USE ONLY

Ownership Information

Property Owner: Robert A. Harkey and Permelia M. Harkey

Owner's Address: 1300 South Boulevard, Charlotte, N.C. 28203

Date Property Acquired: 10/17/72

Deed Reference: 3484 Page 139

Tax Parcel Number: Book 123, Page 23, Section 37, Parcel I

Location Of Property (address or description) 1300 South Boulevard, Charlotte, N.C. 28203

Description Of Property

122 871 SF - 2 82 ACRES

Size (Sq Ft.-Acres): 122,871 SF -- 2.82 ACRES

Street Frontage (ft.): ~~XXXXXXXX~~ 1097.21

Current Land Use: Office/Warehouse/Distribution and parking for the Chapman-Harkey Co.

Zoning Request

Existing Zoning: I-2

Requested Zoning: UMUD

Purpose of zoning change: to allow for an urban mixed-use project which will include residential, retail, hotel, and office uses. See attached descriptive material.

Gunn-Hardaway Architects, PA Robert T. Gunn, AIA
Name of Agent

229 N. Church St., Charlotte, NC 28202
Agent's Address

377-8800
Telephone Number

Devesco/Pacific Inc.
Name of Petitioner(s)

Suite 200
1300 E. Morehead St. Charlotte, NC 28204
Address of Petitioner(s)

334-4311
Telephone Number

Signature

R. A. Harkey
Signature of Property Owner if Other Than Petitioner

Robert A Harkey

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No 87-10

Petitioner	Devesco/Pacific, Inc
Location	A 2 82 acre site on South Boulevard between East Bland Street and Arlington Avenue
Request	Change from I-2 to U-MUD

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 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 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

*Subject to further refinement following public hearing.

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

December 31, 1986

Mayor Harvey Gantt
Members, City Council
Charlotte, North Carolina

Dear Mayor and Council Members.

Attached are recommendations of the Charlotte-Mecklenburg Planning Commission on petitions 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 December 18, 1986

According to the adopted rules of procedure, these recommendations will be sent to the interested parties with a time period for the conveyance of any written statement set to elapse on January 12, 1987 This will then permit these matters to be placed on your agenda for consideration on January 20, 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 December 18, 1986

PETITION NO 85-79

PETITIONER(S): City of Charlotte - Community Development Department

REQUEST Change from R-9MF to I-1(CD)

LOCATION A 14± acre site bounded by North Graham Street, Statesville Avenue, Southern Railway line and the Brookshire Freeway ramp

ACTION. The Planning Commission recommends that the petition be denied

VOTE Yeas: Clodfelter, Curry, Emory, Lassiter, Lewis, Lowery, Mead, Smith, Thomasson, Vaughan, Wheeler and Winget.

Nays Griffin

(Commissioner Burns was not present when vote was taken)

REASONS

ISSUES

1 Proposed Use/Site Plan What is the proposed use in this case? What aspects of the conditional site plan are important to evaluate?

2 Relationship to Greenville Neighborhood How does the site and the proposed development relate to the nearby Greenville neighborhood?

3 Greenville Redevelopment Plan How does the rezoning compare to the existing redevelopment plan for this site? Would the zoning change be compatible with overall development and planning objectives for the area?

BACKGROUND

1 Existing Zoning The property involved in the rezoning is currently zoned R-9MF as is property which is located across the Southern Railway line Other residential areas in the Greenville neighborhood are zoned R-6 and R-6MF. There is also an area of B-1 zoning along Statesville Avenue at Callahan Street. Otherwise zoning along the Brookshire Freeway nearby and other streets such as Statesville Avenue and Graham Street are zoned for industrial purposes.

2 Existing Land Use The rezoning site is vacant though it has been subdivided with a public street system. The Greenville neighborhood adjoins the site across the railroad right-of-way and is comprised of single

family and multi-family housing units Industrial development predominates along Graham Street and Statesville Avenue in the vicinity of the rezoning Across the Brookshire Freeway is the Fourth Ward neighborhood which is largely comprised of several Urban Residential districts as well as I-1 and I-3 industrial districts adjacent to the Freeway

3 Redevelopment Plan An amendment to the First Ward Redevelopment Plan was approved by Planning Commission on October 1, 1985 The City Council approved a plan amendment on October 28, 1985.

4 Original Site Plan The site plan proposes the development of light industrial uses which would be allowed in the I-1 classification A 40 foot setback will be observed along Statesville Avenue. Driveway cuts will be permitted along Graham Street and Statesville Avenue. A 70 foot wide buffer will also be provided at the rear of the site with provisions for access to the railroad spur Buildings will be constructed to front on Graham Street and Statesville Avenue.

5. Action Thus Far The plan was amended following the public hearing. The Community Development Department requested approval only on 5.1 acres for a Community Service facility A main building containing 50,000 square feet was shown and also a future expansion building with an additional 16,000 square feet A 50 foot planted buffer along Graham Street was shown Access will come from existing streets The parking lot will be landscaped and no billboards will be permitted That part was approved by City Council on November 18, 1985. The balance of the site has been pending action since that time.

GENERAL FINDINGS.

1 Comprehensive Plan 1995 (Adopted 1976) The plan indicates residential development at an overall density of 10-20 dwelling units per acre as well as commercial and industrial uses in the vicinity of the request This document is in the process of being updated

2 Pre-Hearing Staff Input Staff advised the petitioner about application and conditional site plan requirements Staff advised that the site plan pay particular attention to the streetscape along North Graham and Statesville Avenue as well as the buffer along the Southern Railway right-of-way

3 Neighborhood Context The property is located within the Greenville neighborhood The neighborhood has expressed opposition to the proposed use.

DETAILED FINDINGS·

1 The rezoning request comprises about 14 acres Current zoning is R-9MF and the petitioner is seeking I-1(CD)

2. The petitioner, the Community Development Department, has filed a conditional site plan which stipulates development for the site (For further details refer to Background #4)

3 The property is located in the Greenville Redevelopment Plan That plan has been amended and calls for light industrial development of the site

4 Originally this request encompassed about 19 acres However, in November of last year City Council approved I-1(CD) for about 5 acres of the site for a building to be used by the United Community Services.

5 Since that time the balance of the property has been pending Upon adoption of the 5 acres mentioned above, it was decided to approve the balance as specific plans were drawn up

6 Recently a request to act on about 2 6 acres was discussed between staff of Planning Commission and Community Development That resulted in an agenda item before Planning Commission to make a zoning recommendation, but at the last minute the deal fell through and Community Development asked that the matter be removed from the agenda

7. Planning Commission, however, decided that it was time to act on this site. Planning Commission instructed Community Development to prepare a site plan for the balance of the site

8 At first Community Development attempted to respond, but decided in the end that such a move was premature and asked Planning Commission to defer action on the request (see attached memo) Planning Commission refused, however

9 Planning Commission felt that were the petitioner a private developer there would be no doubt in their minds that they would not have permitted a delay for this long They felt the public and private sectors should be treated the same

10 In recommending the denial Planning Commission potentially favored a new rezoning request within the prescribed two year waiting period

11 Based upon the above, Planning Commission recommends that the petition be denied

Minority Opinion
The minority opinion had expressed a desire for a deferral on the matter and would have voted for that. (His motion to defer failed for lack of a second)

Staff Opinion
The staff favored a deferral

CITY OF CHARLOTTE
INTER-OFFICE COMMUNICATION

DATE: December 12, 1986

TO: Martin R. Cramton, Director
Charlotte-Mecklenburg Planning Commission

FROM: J.W. Walton, Director
Community Dev. Dept.

SUBJECT: Rezoning Petition No. 85-79

On October 21, 1985 a public hearing was held on Petition No. 85-79 to consider the rezoning of ±18 acres of City redevelopment land in the Greenville Urban Renewal Area from R-9MF to I-1 (CD). During the hearing residents of Greenville voiced opposition to rezoning more land than was required for the Community Services Facility to be built by Mecklenburg County. On November 18, 1985 Council approved the rezoning of 5.1 acres of the site for the County's facility and concurred with the recommendation by Planning Commission to defer action on the balance of the site until staff is able to submit specific development site plans for each remaining parcel.

Consistent with the directive of Council and the Planning Commission, Community Development staff submitted a site plan for development of a 2.6 acres parcel remaining in the petition which was to be considered at your October 23, 1986 meeting. However, we requested the item be pulled from the agenda after being notified by the Litchfield Company that they were withdrawing their offer to purchase the land. During the October 23rd meeting Planning Commission expressed concern over the continued deferral of the remaining ±13 acres and advised staff that they wished to take action on the balance of the petition. The Community Development Department requests that you continue to defer action on this petition for the following reasons:

(1) Action at this time on the remaining land without benefit of a detailed conditional site plan would be inconsistent with earlier actions by Planning Commission and City Council.

(2) Neighborhood residents were advised by Council, both at the public hearing and when action was taken to rezone the 5.1 acres acquired by Mecklenburg County, that any decision to rezone the balance of the land considered in the petition would be done on a case-by-case basis.

(3) Community Development does not legally have the option of withdrawing the petition on the remaining ±13 acres and then submitting new petitions as development proposals are received.

Should you have any questions regarding this request please call Richard Bargoil at 336-2481.

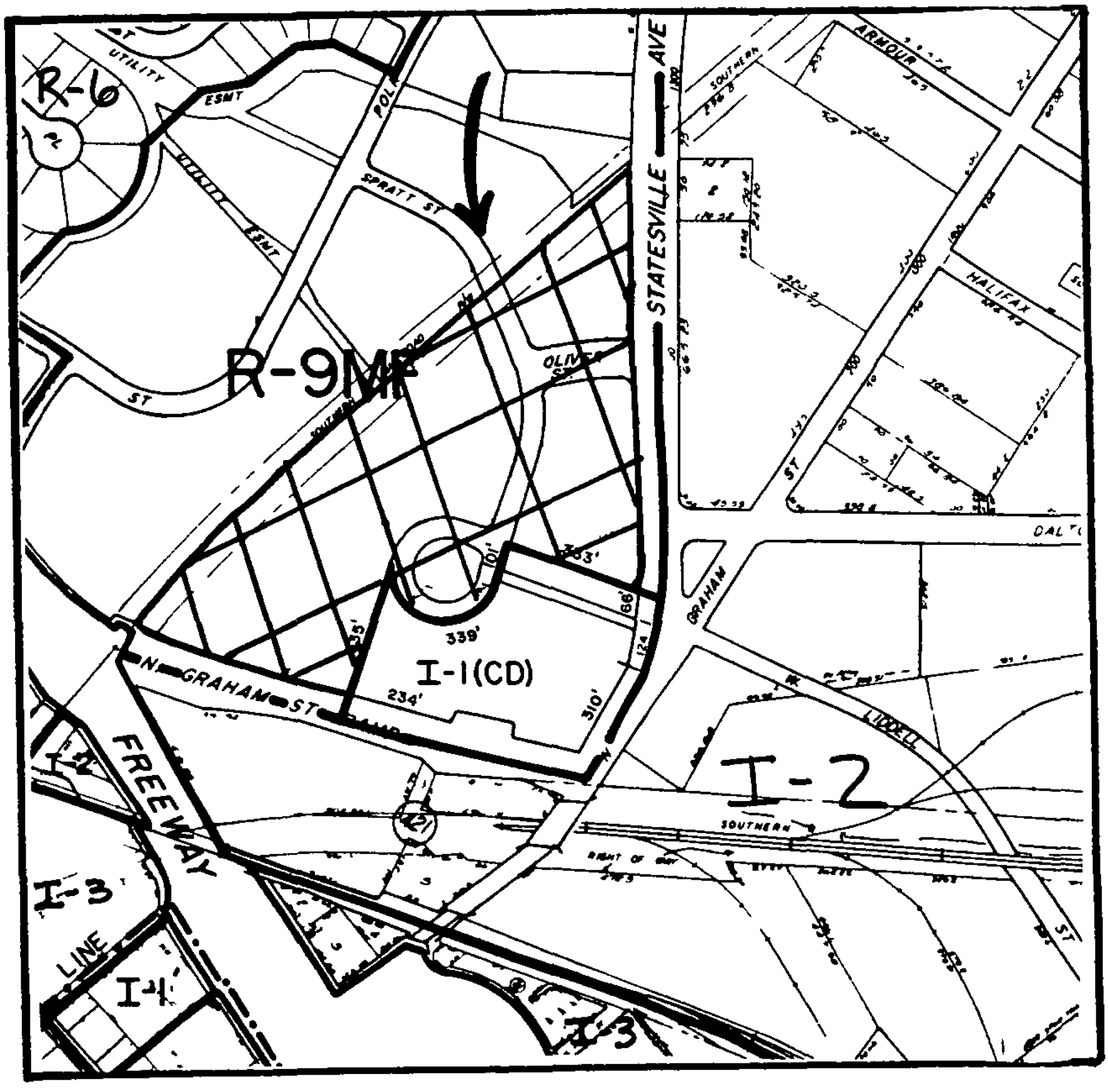
cc: Carol L. Jennings
C.D. Readling
Bob Young

PETITIONER City of Charlotte - Community Development Dept.

PETITION NO. 85-79 (Part 2) HEARING DATE October 21, 1985

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

LOCATION A 14± acre site bounded by North Graham Street, Statesville Avenue, Southern Railway Line and the Brookshire Freeway Ramp.



ZONING MAP NO. 88 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE	December 18, 1986
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 on this petition pending further study

DATE	December 18, 1986
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
ACTION	The Planning Commission deferred action on this petition pending further study.

DATE	December 18, 1986
PETITION NO .	86-104
PETITIONER(S)	Charlotte-Mecklenburg Planning Commission
REQUEST	Change from B-1 to R-6
LOCATION	A 40 acre site on the southeastern corner of the intersection of Beatties Ford Road and Saint Paul Street.
ACTION	The Planning Commission deferred action on this petition pending further study

DATE	December 18, 1986
PETITION NO	86-105
PETITIONER(S)	Charlotte-Mecklenburg Planning Commission
REQUEST	Change from I-2 to R-6
LOCATION	A 33 acre site on the southeastern corner of the Vest Water Treatment Plant property, east of Beatties Ford Road and north of Patton Avenue
ACTION	The Planning Commission deferred action on this petiton pending further study

DATE. December 18, 1986

PETITION NO.. 86-113

PETITIONER(S) Charlotte-Mecklenburg Planning Commission

REQUEST Change from B-2 to U-MUD

LOCATION Approximately 21 acres located along Brevard and Caldwell Streets between Third Street and Independence Boulevard adjacent to the John Belk Freeway

ACTION The Planning Commission recommends that the petition be approved

VOTE Yeas Burns, Clodfelter, Emory, Lassiter, Lowery, Mead, Smith, Thomasson, Vaughan, Wheeler and Winget

Nays None.

(Commissioners Curry, Griffin and Lewis were not present when vote was taken)

REASONS

ISSUES

1 Uptown Objectives How would the approval of this petition foster and enhance overall development goals for the uptown area?

2 Zoning Impacts Would any zoning impacts regarding any of these parcels result if the zone change is approved?

BACKGROUND

1 Existing Zoning The parcels involved in this request are currently zoned B-2 Much of the area, particularly along the northerly boundaries of the site, is zoned U-MUD Other areas adjoining this site are zoned 0-6 Other 0-6 and B-2 areas are located a couple of blocks to the east along East Trade Street near the South McDowell Street intersection

2 Existing Land Use The properties involved in this petition are developed with a number of different types of uses including institutional, businesses, car dealerships, a restaurant, etc This type of pattern is indicative of the development throughout the area The general area of the uptown includes a wide assortment of business, personal service and office uses Nearby is also the Governmental Complex of City Hall and the County Office Building The Board of Education and Metro School are also just south of the property on either side of East Second Street

3 Brooklyn Urban Renewal Plan Much of the affected property in this petition is located within the boundaries of the Brooklyn Urban Renewal Plan The redevelopment plan identifies these areas for general business and therefore the U-MUD district which allows such uses does not effect the land use A plan amendment to recognize the U-MUD zoning would be required

GENERAL FINDINGS

1 2005 Plan The 2005 Plan indicates existing employment land uses in the area Strategies proposed for the area include the completion of I-277 and streetscape plans along Second Street.

2 Central Area Plan The Central Area Plan recognizes that the B-2 district is essentially a highway oriented, strip commercial district The districts use, mix and setback and yard requirements are not appropriate to locations within the central area. The plan recommends that the subject property be a part of the mixed use district associated with uptown

3 Pre-Hearing Staff Input. The petitioner in this case is the Charlotte-Mecklenburg Planning Commission. Staff advised the Commission of the desirability to rezone this area to the U-MUD district to conform to uptown goals and to avoid potential development problems as the nearby John Belk Freeway is completed

4 Pre-Hearing Departmental Comments (Summary)

Due to the fact that this petition is not conditional in nature, departments which normally comment did not in this case.

5 Neighborhood Context This site is located in the uptown area

DETAILED FINDINGS

1 The petitioned area encompasses 21 acres spread over several blocks along Brevard and Caldwell Streets between Third Street and Independence Boulevard adjacent to the John Belk Freeway All of the properties involved are currently zoned B-2 and the petition seeks the U-MUD district

2 The U-MUD classification is the new district associated with uptown development It has been an extremely successful district which has fostered uptown goals and development

3 The B-2 classification is a highway oriented, strip commercial development district The area of this petition is strategically located in the uptown area and adjacent to the John Belk Freeway, which is currently under construction adjoining this site

4 The B-2 zoning is out of place in this location This property is clearly a significant part of the uptown area

5 The U-MUD classification will ensure quality development with a greater degree of public scrutiny The district also has high standards for development, landscaping, site design, etc The B-2 district does not have such standards

6 Staff and the Planning Commission were concerned about the current zoning on this property and feared that such zoning might lead to redevelopment of the properties in question since these properties were immediately at the interchange with the John Belk Freeway Development typically under B-2 type zoning would not enhance the uptown area

7. If the rezoning were to take place, none of the uses presently on the ground would be adversely effected They are all permitted uses under the U-MUD classification.

8. This petition is seen as a continuing effort to maintain the uptown area The U-MUD classification encompasses significant areas of uptown and has been expanded on several occasions to include other areas, such as West Trade Street. All in all this is seen as a very positive move for the uptown area.

9 For the above listed reasons, Planning Commission recommends that the petition be approve

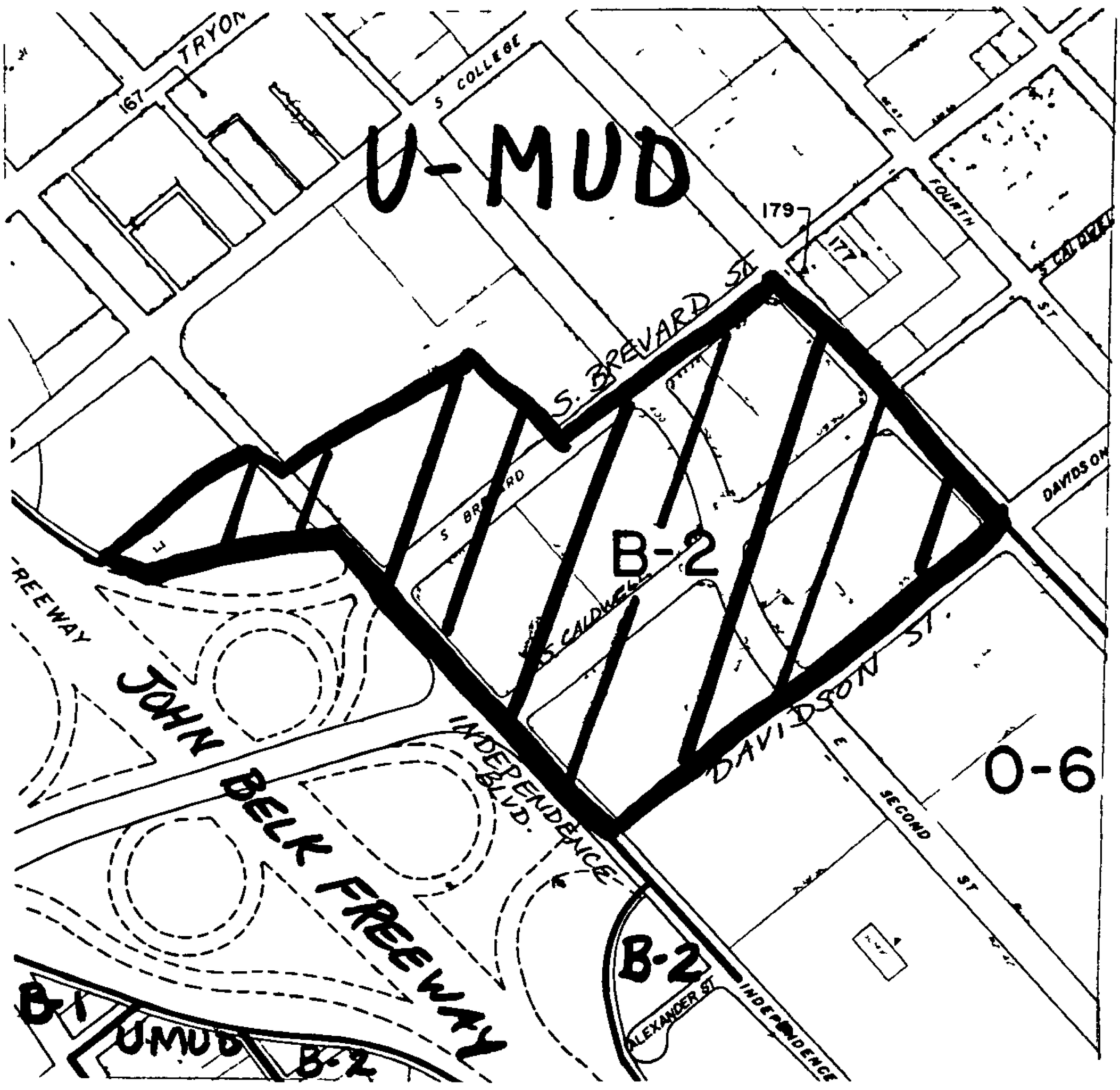
Staff Opinion
The staff agreed with Planning Commission

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 86-113 HEARING DATE 12-15-86

ZONING CLASSIFICATION, EXISTING B-2 REQUESTED U-MUD

LOCATION An approximately 21 acre site located along Brevard and Caldwell Streets between Third Street and Independence Boulevard and adjacent to the John Belk Freeway.



ZONING MAP NO. 102 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE	December 18, 1986
PETITION NO ·	86-114
PETITIONER(S).	Charlotte-Mecklenburg Planning Commission
REQUEST	Change from B-1 to R-6
LOCATION	Two parcels totaling 1 67 acres bounded by Spring Street to the south and I-85 to the north.
ACTION	The Planning Commission deferred action on this petition pending further study.

DATE December 18, 1986

PETITION NO 86-115

PETITIONER(S) Charlotte-Mecklenburg Planning Commission

REQUEST· Change from O-6 to R-6

LOCATION A 1 66 acre site located west of Beatties Ford Road between Tate Street and Brookshire Freeway

ACTION The Planning Commission recommends that the petition be approved

VOTE Yeas Burns, Clodfelter, Emory, Lassiter, Lowery, Mead, Smith, Thomasson, Vaughan, Wheeler and Winget

Nays None

(Commissioners Curry, Griffin and Lewis were not present when vote was taken.)

REASONS

This property involves several tracts of land which total about 1 6 acres located west of Beatties Ford Road between Tate Street and the Brookshire Freeway The present zoning is O-6 and the petition seeks R-6 The petition is sponsored by the Charlotte-Mecklenburg Planning Commission

Recently other Beatties Ford Road petitions have resulted in zoning changes which have sought to strengthen and stabilize nearby residential areas At the time of the public hearings regarding those petitions, the area of this petition was mentioned and discussed for possible changes as well Despite the fact that the area is zoned for office purposes, it is developed with single family and multi-family development Discussion at that time focused around changing the zoning to comply with the land uses on the ground

The Beatties Ford Road Small Area Plan recognizes that the corridor along Beatties Ford is the main spine of the community and upgrading the corridor will be the catalyst for improving the entire study area The plan recognized that potential urban design considerations could come into play here, also The Planning Commission in reaction to the earlier petitions has decided to sponsor a petition and bring forward to public hearing this area now for zone change considerations

As mentioned above, the lots in this petition are residentially developed. Most are single family, although there are two duplex structures and one vacant parcel of land The duplex structures would become non-conforming under the

zone change The R-6 classification would be consistent with the single family usage of the other parcels and would also be consistent with other zone changes which have recently taken place

Implementation of this request will further implement goals and objectives contained in the Beatties Ford Road Small Area Plan

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

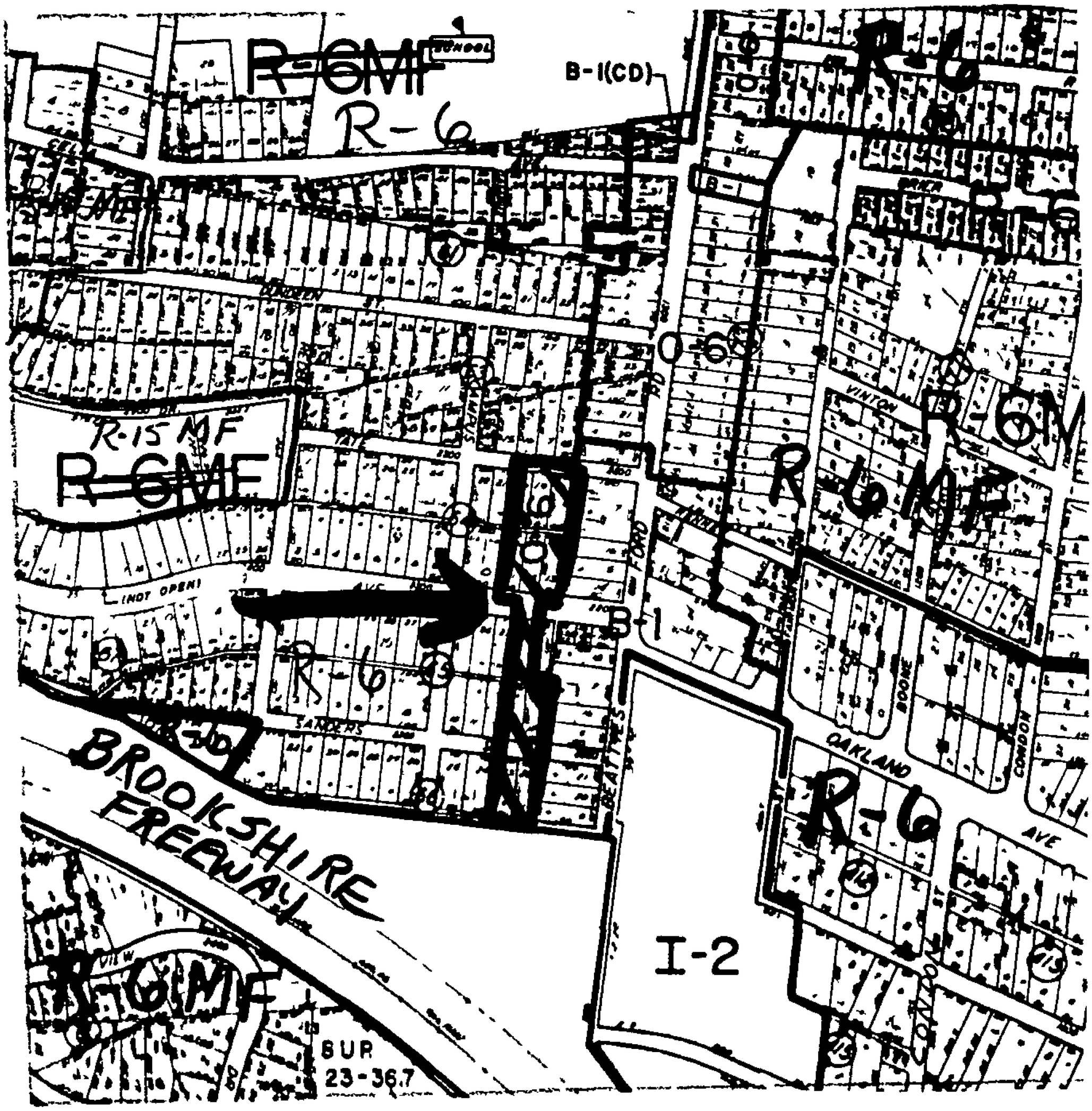
Staff Opinion
The staff agreed with Planning Commission

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 86-115 HEARING DATE 12-15-86

ZONING CLASSIFICATION, EXISTING O-6 REQUESTED R-6

LOCATION A 1.66 acre site located west of Beatties Ford Road between Tate Street and Brookshire Freeway.



ZONING MAP NO. 88 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE December 18, 1986

PETITION NO 86-116

PETITIONER(S) Edward F Walsh and Donald W Tibbs, Jr

REQUEST Change from R-MH to R-12

LOCATION. A 57 52 acre site located east of US 29 between Old Concord Road and Neal Drive

ACTION The Planning Commission recommends that the petition be denied.

VOTE Yeas. Burns, Clodfelter, Emory, Lassiter, Lewis, Lowery, Mead, Smith, Thomasson, Vaughan, and Wheeler

Nays None

(Commissioners Curry and Griffin were not present when vote was taken Commissioner Winget abstained from voting)

REASONS

ISSUES

1 Neighborhood Concern This petition is a neighborhood sponsored petition What concerns have been expressed by adjoining single family areas regarding the proposed mobile home development of this property?

2 Existing Mobile Home Plan for the Subject Property What aspects of the existing mobile home plan are important to evaluate including such things as the relationship to adjoining properties, density, access, etc ?

3 Area Patterns How would the development of the property under the current zoning relate to existing development patterns in the area? Given the existing setting, is the mobile home development here appropriate?

BACKGROUND

1 Existing Zoning The subject property is zoned R-MH, which is a conditional mobile home development district The property is surrounded on two sides by R-12 zoning which extends generally to the north and east Other contiguous property is zoned B-D, I-1, R-9 and R-MH Generally, property to the south is zoned for industrial purposes

2 Existing Land Use The petitioned property is undeveloped at the present time The area in general has a mixed development pattern Slightly to the north and to the southeast of the site are areas developed with single

family homes Other property immediately adjoining this site is still vacant at the present time To the south are other small mobile home parks which have access to streets which are oriented to Old Concord Road Development along Orr Road extending to North Tryon Street is a mixture of industrial, residential and business development

3 Existing Mobile Home Plan The property owner amended the development plans for this site in 1985 At that time the property was under the County's jurisdiction, but has since been annexed into the City of Charlotte Current plans for the site include a total of 237 mobile home lots This results in an overall gross density of about 4 1 units per acre The minimum mobile home lot size will be 6,050 square feet and the average lot size 8,515 square feet Access to this property will come by way of a street connection to US Highway 29 About 4.6 acres of the total tract will be devoted to open space and recreation areas.

GENERAL FINDINGS

1 2005 Plan. The 2005 Plan indicates existing employment land uses for the area Strategies include streetscape improvements along US 29 and the extension of water lines to the area

2 UNCC District Plan. The property is located within the study bounds of the plan and defines the subject property as an area of urban residential land uses.

3 Transportation Improvement Program The TIP includes a study of the US 29-North 29 Corridor This project would fund planning studies for a North Tryon Improvement Project

4 Annexation The property was included in an area annexation which took effect on June 30, 1986

5 Pre-Hearing Staff Input Staff helped the petitioner in this case with the application Staff also did not generally encourage the application feeling that the mobile home designation was appropriate and the fact that the property owner was in the process of securing development permits for the property

6 Pre-Hearing Departmental Comments (Summary).

1 Fire Department No comment

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

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 The site could generate 3200 to 3400 trips per day as currently zoned and under the proposed zoning could generate 2400 to 2600 trips

per day C-DOT staff has recently reviewed a mobile home park plan for this property

7 Neighborhood Context This site is located in the Newell Community

DETAILED FINDINGS

1. The property in this case is about 57 5 acres located east of US 29 between Old Concord Road and Neal Drive The current zoning is R-MH and the request seeks R-12 The petitioner in this case is not the property owner, but has been filed on behalf of a nearby single family neighborhood

2 The petitioners have expressed concern in their application about the proposed development of a mobile home park for this property The rezoning will remove the mobile home designation and replace it with a single family classification

3 The property owner as of last year amended the mobile home plan The new plan is a superior version to an older one which had been long-standing The density was reduced to just over 4 units per acre and the plan represented a general update and modernization of the older plan The Planning Commission recommended the plan amendment last year and it was adopted by the County Commission

4 It is vital to note that the property owner is in the process of having plans reviewed for a mobile home park development for this property Development permits have already been issued for this project. That being the case then changing the zoning will not prevent the mobile home development as called for under the mobile home plan The zoning/development question here is moot

5 Regardless, it is believed that the mobile home development is appropriate given the development pattern for the area Mobile home parks are located elsewhere in the immediate vicinity, including a small portion which directly abuts this site

6 Further, the site plan as mentioned above is a good one and improved over an older version Access to this site will not go through the existing single family subdivision to the north, but will be directed to North 29 through a new street

7 Also, no single family lot directly adjoins the mobile home park In fact several hundred feet separate single family development from this proposed park The intervening area is already zoned R-12 Approximately 2,000 feet separates this area from the Autumnwood Subdivision.

8. The mobile home development will provide housing for the area. Mobile home opportunities are very limited in Charlotte and this does appear to be one place where such housing is reasonable and should be encouraged

9 Finally, the zoning surrounding the site is mixed Much of the site, in fact, lies directly adjacent to non-residential and other mobile home zoning It seems unreasonable to expect single family development of this site given this type of pattern.

10 Based upon the above reasons, the petition is not recommended for approval The development of this site is about to commence and will implement long-standing zoning plans for the property Further, the development will not impact nearby single family areas The site is separated by already existing single family zoning and will be accessed by a new street which is entirely separate from any single family development Given these facts and the existing zoning in the area, the neighborhood petition does not have merit

Staff Opinion
The staff agreed with Planning Commission

PETITIONER Edward F. Walsh and Donald W. Tibbs, Jr.

PETITION NO. 86-116 HEARING DATE 12-15-86

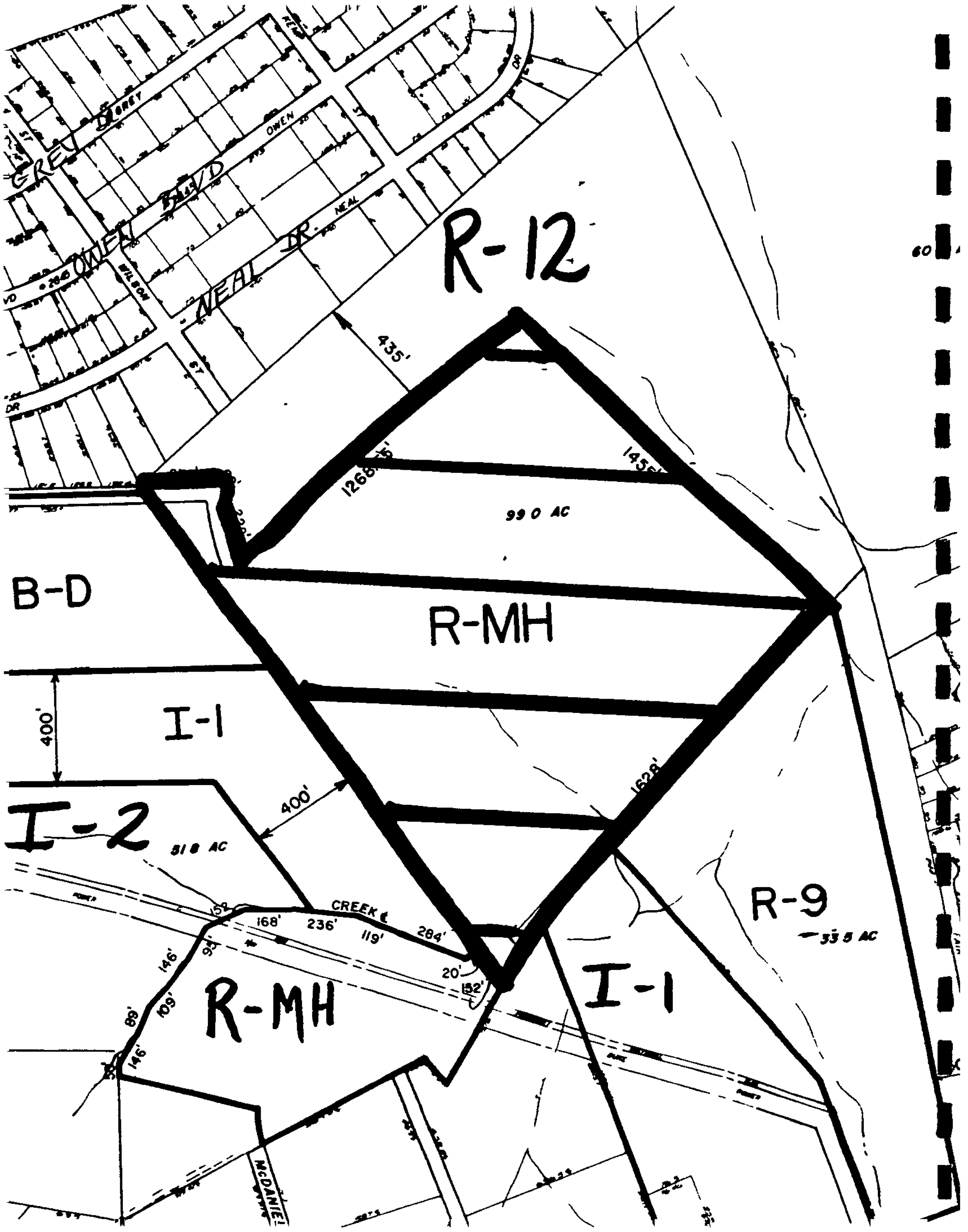
ZONING CLASSIFICATION, EXISTING R-MH REQUESTED R-12

LOCATION A 57.52 acre site located east of US 29 between Old Concord Road and Neal Drive

PLEASE SEE ATTACHED MAP

ZONING MAP NO. 77 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


GREY DR
OWEN BLVD
NEAL DR
R-12
435'
1268'
1450'
99.0 AC
B-D
R-MH
I-1
400'
I-2
51.8 AC
400'
1628'
R-9
33.5 AC
CREEK ℄
168'
236'
119'
284'
20'
152'
146'
95'
109'
89'
146'
R-MH
I-1
McDANIEL

DATE December 18, 1986

PETITION NO 86-117

PETITIONER(S) Frances Pitts

REQUEST Change from R-15 to R-12

LOCATION A .826 acre parcel located at the intersection of Crosby Road and Westbury Road

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

VOTE· Yeas Burns, Clodfelter, Curry, Emory, Griffin, Lassiter, Lewis, Lowery, Mead, Smith, Thomasson, Vaughan, Wheeler and Winget.

Nays None

REASONS

ISSUES

1 Reason for Petitioner Request Why has the petitioner chosen to rezone the property from one single family classification to another?

2 Neighborhood Impacts What neighborhood impacts, if any, can be identified regarding the zone change request?

BACKGROUND

1 Existing Zoning The property involved in this petition is presently zoned R-15 The R-15 district is the principal one for residential zoning throughout the area One slight difference to this pattern is one lot directly across Crosby Road from the site which is zoned R-12 There is also some R-12MF zoning in the area as well At the Providence Road/Sharon Amity intersection are two areas zoned B-1(CD) and B-1 There is also an area of O-15 zoning which extends along the southerly side of Sharon Amity towards Randolph Road

2 Existing Land Use The subject property has a single family residence on it Other single family dwellings are built in the area A multi-family project is located half a block away on Crosby Two large churches are in the neighborhood, St Gabriel's and Trinity Presbyterian Commercial development is located at the corner of Sharon Amity and Providence Road along with office development which extends along the southerly side of Sharon Amity

GENERAL FINDINGS

1. 2005 Plan The 2005 Plan indicates existing residential land uses in the area Strategies in the area include the extension of water lines along Providence Road

2 Transportation Improvement Program The TIP includes the Providence Road widening and the Providence/Sharon Amity intersection improvement in the listing of proposed roadway projects

3 Pre-Hearing Departmental Comments (Summary)

Due to the fact that the condition is not conditional in nature, most departments did not comment C-DOT did indicate that no noticeable impact on traffic conditions would result if the zoning were changed.

4 Pre-Hearing Staff Input. Staff provided assistance regarding the preparation of the application.

5. Neighborhood Context. The site is located in the Providence Park/Randolph Park neighborhood

DETAILED FINDINGS

1 This petition involves a corner lot at the intersection of Crosby Road and Westbury Road Current zoning is R-15 and the petitioner is seeking R-12. Both of these districts are single family classifications

2. The petitioner states in her application that the purpose of the zoning change is to allow a duplex on a corner lot and a single family home on each side of that structure

3. The duplex structure is permitted on a corner lot in single family zoning The land area involved in this petition is large enough to construct the units as requested on the application form.

4 Apparently the existing single family home on this lot will be removed and replaced with a new duplex on the corner as well as the construction of two other new single family dewllings.

5 One lot directly across Crosby from this site was rezoned to R-12 in 1972 Thus the proposal for R-12 here is not unique to the neighborhood. Also, multi-family zoning and development is half a block away

6 A recent rezoning proposal at the corner of Westbury and Providence for non-residential zoning was defeated The principal reasons evolved around strong neighborhood opposition as well as the fact that such a zoning pattern was inconsistent with existing patterns and neighborhood preservation goals

7 In this case it is believed that the R-12 residential zoning is compatible with the neighborhood The current residence now sits on slightly more than one acre of property whereas if the zoning is approved the new structures will be erected No significant impacts, if any at all, can be identified by the zone change request

8 Planning Commission discussed the possibility of a partial rezoning, but most of the site would need to be rezoned in order to accomplish what the petitioner wanted to do They decided to rezone the property as requested

9 Based upon the above reasons, the petition is recommended for approval by the Planning Commission

Staff Opinion

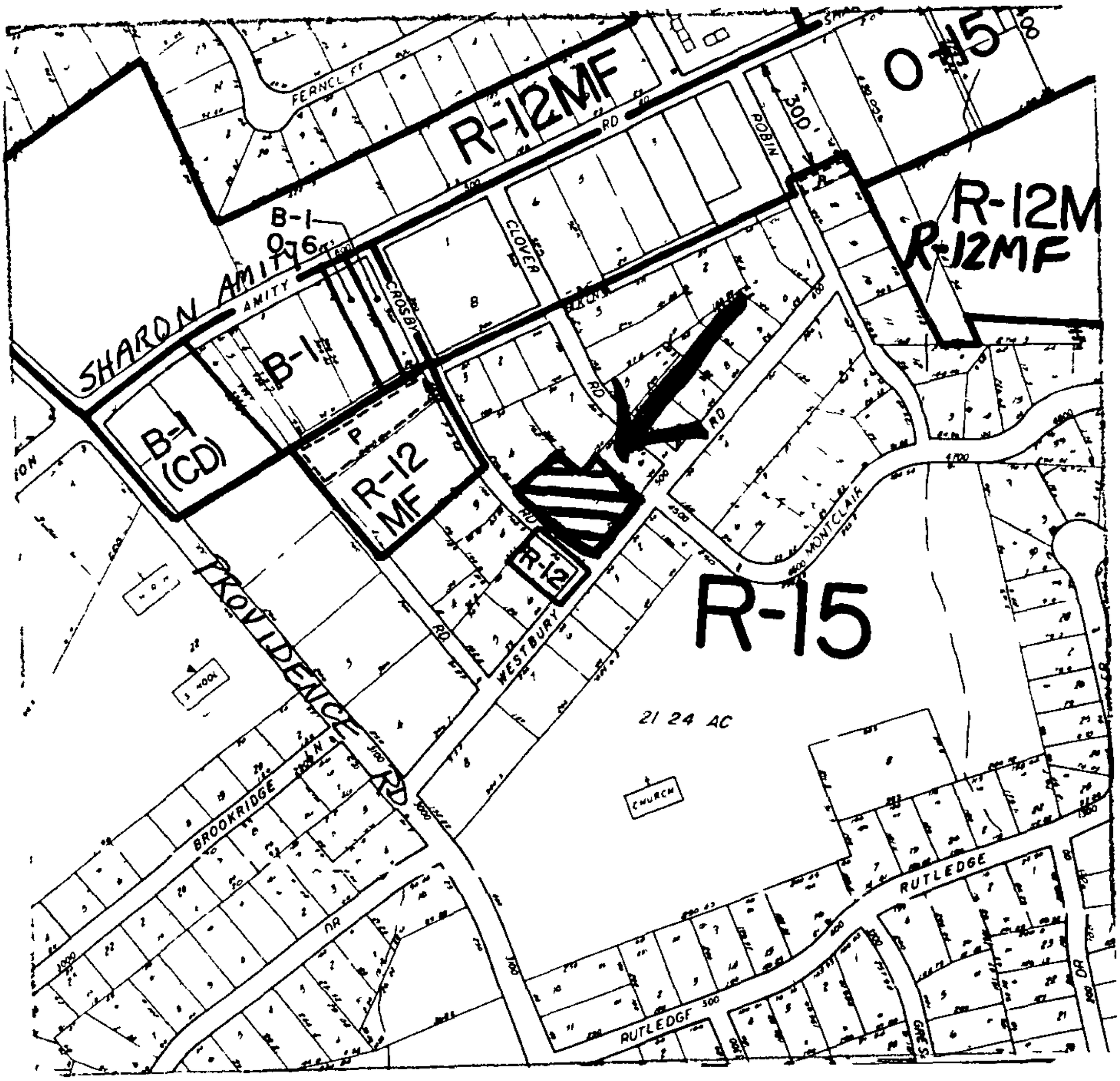
The staff agreed with Planning Commission.

PETITIONER Frances Pitts

PETITION NO. 86-117 HEARING DATE 12-15-86

ZONING CLASSIFICATION, EXISTING R-15 REQUESTED R-12

LOCATION An .826 acre parcel located at the intersection of Crosby Road and Westbury Road



ZONING MAP NO. 124 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE December 18, 1986

PETITION NO 86-118

PETITIONER(S) Charlotte Pipe and Foundry Company

REQUEST Change from R-6 to O-6(CD)

LOCATION. A 3300 square foot site located at the intersection of Durham Avenue and Vail Avenue

ACTION The Planning Commission recommends that the petition be approved

VOTE Yeas· Burns, Clodfelter, Curry, Emory, Griffin, Lassiter, Lewis, Lowery, Mead, Smith, Thomasson, Wheeler and Winget

Nays. None.

(Commissioner Vaughan was not present when vote was taken)

REASONS

ISSUES

1 Zoning/Neighborhood Intrusion If this petition were approved, would it dramatically change present zoning patterns in the neighborhood? Would such a change be considered negative with regard to overall neighborhood planning and zoning objectives?

2 Proposed Use/Site Plan What is the proposed use in this case and what site plan conditions are important to evaluate?

3 Reasonable Use Considering the size of this property is it reasonable to expect residential usage?

BACKGROUND

1 Existing Zoning The property in this request is presently zoned R-6 Two sides of the site are contiguous to R-6 zoning whereas directly across Durham Avenue is an area of R-6MF zoning, but is conditionally approved for parking The remaining side of the petitioned property is adjacent to O-6 zoning which relates to properties which front on Randolph Road The R-6 zoning is spread throughout on many of the neighborhood streets Other residential zoning, principally in the form of R-6MF, are also located throughout the vicinity The O-6 pattern continues northward along Randolph Road and also spreads to other streets

2 Existing Land Use The subject property is undeveloped at the present time Two sides of the site adjoin residential development, the side across Durham Avenue adjoins a parking lot and the remaining side is adjacent to office development The area immediately around the site along Vail Avenue is residentially developed, but that pattern changes approximately one block north where Mercy Hospital and other medical and office uses are located Other residential uses are located along Randolph Road, also Mostly single family homes are located in the neighborhood, but there are scattered apartment buildings and other multi-family properties

3 Site Plan. The petitioned property is proposed to be used as a parking lot A total of 12 parking spaces would be provided on this lot and would be screened from Durham Avenue by way of evergreen shrubs There would also be a six foot eight inch decorative brick wall located around sides adjacent to residential development The parking would be used in conjunction with the petitioner's existing office building which adjoins this lot.

GENERAL FINDINGS

1 2005 Plan The 2005 Plan indicates existing residential uses in the area. No specific strategies are proposed

2 Elizabeth Urban Design Plan and Transportation Study This plan does include the subject property, but doesn't indicate a specific recommendation regarding this site The plan does recommend the establishment of a new zoning district, which would be some form of a neighborhood mixed use development district for some areas of the Elizabeth neighborhood

3 Pre-Hearing Staff Input Staff met with the petitioner prior to the submission of the application to discuss the matter The petitioner indicated that some discussions with neighborhood representatives had already taken place, but staff offered no definitive opinions regarding the desirability of the request

4 Pre-Hearing Departmental Comments (Summary)

1 Fire Department No comment.

2 C-MUD Water and sewer are available to the area

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

4 Building Standards Written comments were unavailable as of the preparation of this material, but are expected by the time the public hearing on the matter is held

5 Engineering Department. No comments

5 Neighborhood Context The site is located in the Elizabeth neighborhood

DETAILED FINDINGS.

1 The subject property is a small parcel of land (3000± square feet) which is located near the intersection of Durham Avenue and Vail Avenue (The property is adjacent to Durham Avenue) The current zoning is R-6 and the petitioner is seeking O-6(CD)

2 The proposed use for the property is a parking lot which would be devoted to serving the petitioner's adjoining office building at 2201 Randolph Road (For further details regarding the site plan, refer to Background #3)

3 The property is located in the Elizabeth neighborhood This neighborhood and other inner-city neighborhoods comprise a significant amenity to the overall City of Charlotte The inner-city neighborhoods are a valuable commodity and have been recognized repeatedly in many planning studies, including the 2005 Plan

4 Further, the Elizabeth neighborhood has recently been included in an urban design study Although no specific recommendations are included about this site, the property is nonetheless included in the study boundaries

5 At the present time the boundary between the O-6 zoning and the R-6 zoning in this area is split mid-block between Randolph Road and Vail Avenue Properties which front on Randolph and oriented to that major street are zoned O-6 This petition would pierce that line by extending the O-6 boundary towards Vail Avenue

6 The property in this case is small geographically From a neighborhood perspective the change here represents a very minor departure from existing and long established zoning patterns The O-6 change would not represent an intrusion into the neighborhood in the opinion of the Planning Commission

7 The site plan is sensitive regarding the neighborhood by providing such features as a brick wall and evergreen screening As a neighbor in the Elizabeth neighborhood, the Charlotte Pipe and Foundry office has been a good one The office is tastefully designed and is physically oriented to Randolph Road

8 Planning Commission felt that the use of this property for the proposed parking lot was reasonable The lot is so small that residential development is not feasible

9 The neighborhood did not oppose the rezoning

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

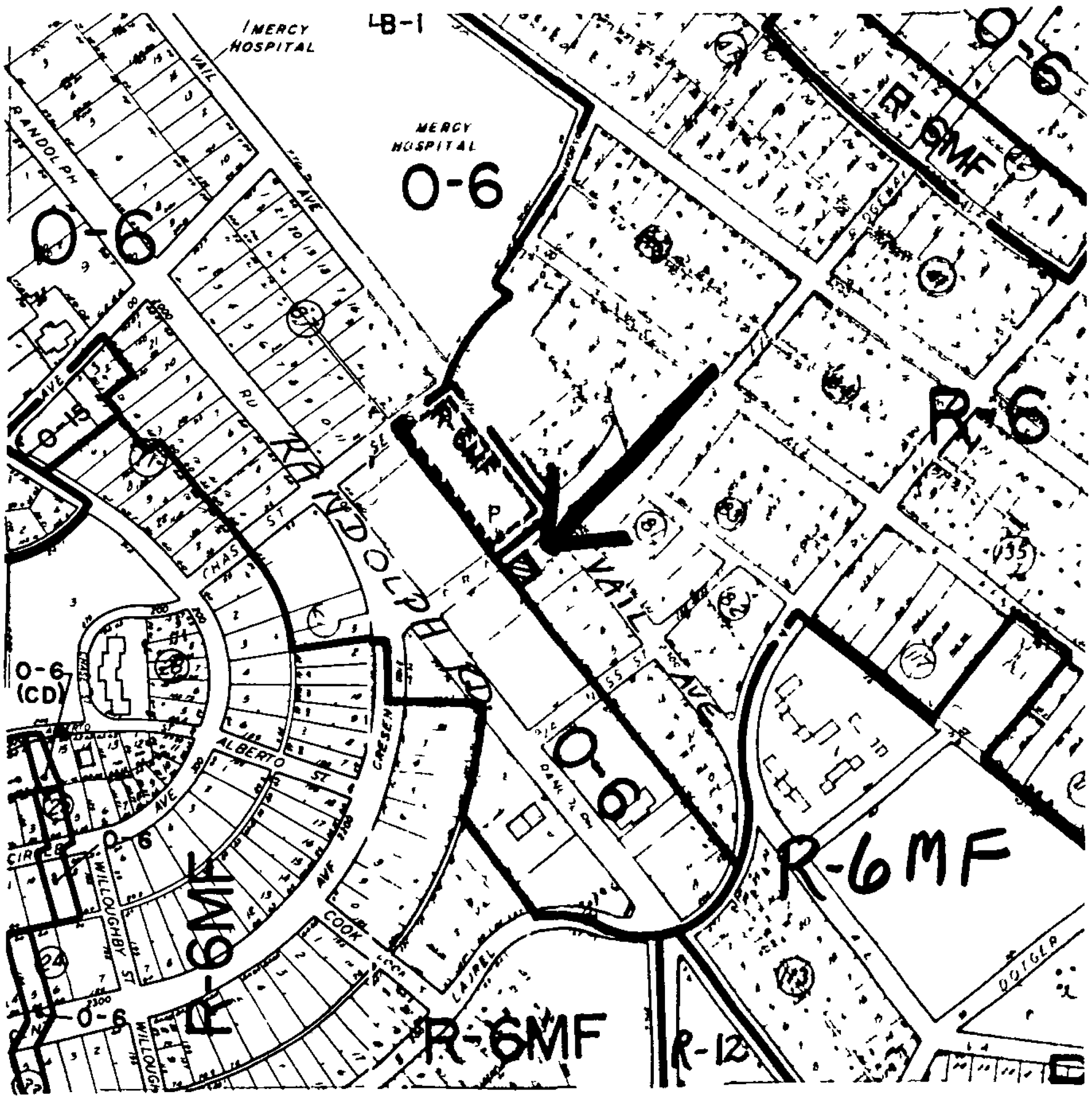
Staff Opinion
The staff disagreed with Planning Commission Staff felt the zoning proposed represented an intrusion into the neighborhood and departed from long-standing zoning patterns. The request could lead to others of a similar nature

PETITIONER Charlotte Pipe and Foundry Company

PETITION NO. 86-118 HEARING DATE 12-15-86

ZONING CLASSIFICATION, EXISTING R-6 REQUESTED O-6(CD)

LOCATION a 3300 sqaure foot site located at the intersection of Durham Avenue and Vail Avenue



ZONING MAP NO. 111, 112 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE	December 18, 1986
PETITION NO	86-119
PETITIONER(S)	Dr. Thomas Hampton and Dr. Joseph Estwanik
REQUEST	Change from R-6MF to O-15(CD) and consideration of an O-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.
ACTION	The Planning Commission deferred action on this petition pending further study

DATE	December 18, 1986
PETITION NO	86-120
PETITIONER(S)	Roll-A-Round, Inc
REQUEST	Consideration of 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 deferred action on this petition pending further study.

DATE: December 18, 1986

PETITION NO 86-121

PETITIONER(S) Associated Realty Investors/Carmel Center by its general partner, Synco, Inc

REQUEST Consideration of a text amendment to the City of Charlotte Zoning Ordinance Section 3042 to allow post offices as a use by right in the 0-15 district so as to bring the City of Charlotte Zoning Ordinance into conformity with the Mecklenburg County Zoning Ordinance The City of Charlotte Zoning Ordinance currently allows post offices in the 0-6 district only

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

VOTE Yeas Burns, Clodfelter, Emory, Griffin, Lassiter, Lewis, Lowery, Mead, Smith, Thomasson, Vaughan, Wheeler and Winget

Nays None

(Commissioner Curry abstained from discussion and vote.)

REASONS

The Planning Commission had very little to say about this text amendment They agreed with the petitioner that post offices should be allowed in 0-15 districts This change will be consistent with the County ordinance Planning Commission, therefore, recommended that the text change be granted

Staff Opinion
The staff agreed with Planning Commission

ORDINANCE NO._____

AN ORDINANCE AMENDING CHAPTER 23
OF THE CITY CODE - ZONING ORDINANCE

AN ORDINANCE AMENDING THE CITY CODE
WITH RESPECT TO THE ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Chapter 23, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1. Amend paragraph 29 of Section 3042 of Chapter 23 "Zoning" of the Code of the City of Charlotte to delete the limitation "(O-6 only)" so that paragraph 29 will now read as follows:

   "29. Post Offices."

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

_____
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 19___, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, at page _____.

_____
Pat Sharkey, City Clerk

- PENDING MATTERS -

In meeting on Monday, February 9, 1987, City Council will make nominations for appointment to the following committees

1) Insurance Advisory Committee - One position for a three-year term. The appointment must be in the insurance agent category.

2) Parade Permit Committee - One position for a three-year term. The incumbent is eligible for reappointment.