AGENDA

Meeting Type:	Z
Date	05-30-1987
SUBJECT	

City of Charlotte, City Clerk's Office

CHARLOTTE

Council Agenda March 30, 1987

FILE COPY

GENERAL COMMENTS OPPOSING ELIZABETH REZONING PROPOSALS

The Elizabeth downzoning proposals have been divided into 14 separate petitions. While there are individual comments that need to be made relative to each of these, there are also general statements to be made concerning the overall approach of this process. Without dealing with individual merits of lots and properties, the following comments are of deep concern to the property owners of this area and should be carefully considered.

Elizabeth is a unique area in many respects and should be so considered. First of all, it is an inner-city community and the future land use should be very reflective of that fact. Contributing factors such as its adjacency to the largest medical concentration in the region, the existence of major thoroughfares and the impending changes to Independence Boulevard must be carefully considered in analyzing the best pattern of zoning and land use for its future. Not only is the future of the community itself at stake, but the interest of a much broader segment of the urban region must be considered.

The manner in which these proposals have come forward is of vital concern, not only to property owners in the area, but to the entire structure and stability of property ownership in the Charlotte Metropolitan area. While the entire package has been promoted as being sponsored by the Charlotte/Mecklenburg Planning Commission, a majority of the changes apparently were included at the suggestion of the Elizabeth Community Association. According to the Planning Commission Staff analysis only 4 of the 14 were originally proposed as recommended by the Small Area Plan The other 10 were included only after "the Planning Committee voted on January 20 to sponsor the rezoning petitions requested by the Elizabeth Neighborhood Association." If the push for consideration of these changes has come from a single group or organization, it should be so advertised and that group made responsible for assuming the expenses that are involved in such rezoning actions. Certainly, no individual has the right to

expect the Planning Commission to sponsor changes on their property without being the identified petitioner.

This position is considerably enhanced when it is recognized that these petitions that have been scheduled have no direct finding of the Elizabeth Small Area Plan. Of the 14 petitions, 10 are not supported by the findings of the Small Area Plan and portions of one other has been altered to reflect a different zoning district. Why is it reasonable to consider changes not recommended by the Plan just because they have been promoted by a neighborhood organization as opposed to an individual property owner requesting the change? Repeatedly, small area plans have been used to sustain a position related to zoning changes where the change is being requested for an increase in intensity. The same should be true of downzoning requests if the small area plan process is considered to be a fair and reasonable method of treating future land use issues.

One of the responses is that "the Plan is only a Policy." But that policy becomes rather substantial when a map is published showing where changes in zoning is recommended and then totally disregarded when petitions are presented. Even the Planning Staff in their analysis recognized that some of the changes are not appropriate and I submit that many others are not either.

There have been, in fact, purchases of property that have occurred after the Small Area Plan was completed because it was felt reliance could be placed on it and future land uses would occur in accordance therewith. This process has reduced faith in the small area plan process more than anything to date. Is this what you want to happen?

A final general concern is one related to the spot aspect of many of these changes. It would appear that by and large the changes have been promoted based on existing land use rather than with regard to a logical overall pattern of zoning considerations. In many instances, individual parcels have been promoted for change without any regard as to how they fit into surrounding features. For

example, there is one parcel of land that is being proposed for a change from business to residential on Central Avenue that would continue to be related to B-2 zoning on three sides and would, in effect, be the only parcel of residential zoning on Central Avenue from its beginning at 7th Street to a location near Briar Creek Road, a distance of approximately two miles. Many other similar instances can be cited along 7th Street and even for some of the locations promoted for change by the Small Area Plan.

In summary, this is a poorly thought out and poorly presented package of change that can only undermine the overall process of change that is being presented as part of the community planning process. While there is definitely a need to consider rezonings based on overall community need, government has a decided responsibility to examine each of these to determine that they are overwhelmingly in the interest of the community as opposed to the interest of the individual property owner. This simply has not happened in the presentation of these 14 petitions. Please examine each of these carefully to determine their overall merit and their relationship to the creation of a logical and reasonable pattern of land use for this community. This consideration must be from the perspective of the individual property owner as well as to the needs, and sometimes the whims, of the sponsoring organizations.

FRED E. BRYANT, PLANNER

Suite 216, Providence Center
1850 East Third Street
Charlotte, North Carolina 28204
(704) 333-1680

March 27, 1987

Mayor Harvey B. Gantt
City of Charlotte
600 E. Trade Street
Charlotte, NC 28202

Dear Mayor Gantt:

I represent a substantial group of citizens who have organized to voice their concerns about the Elizabeth Rezoning Petitions that will be heard at Public Hearing on Monday, March 30, 1987. These concerns are particularly acute because of the manner in which these petitions are being presented and promoted. As you may be aware (according to Planning Staff Findings), only four of the fourteen proposals have been brought forward as a result of recommendations of the Elizabeth Small Area Plan. The remainder have come about apparently at the request of the Elizabeth Association although they are being sponsored by the Charlotte/Mecklenburg Planning Commission.

Without involving the individual objections to each of the fourteen areas, we believe, very strongly, there are general comments that need to be made before engaging in debate on the individual petitions. The purpose of this letter is to request that you and City Council consider some mechanism whereby I may have an opportunity to make a general presentation of approximately ten to twelve minutes duration at the beginning of the proceedings. Also, this type of up-front giving of information will, I believe, be helpful to you as you consider the individual cases. While this is a departure from your normal procedures, it is justified as being beneficial to the entire evening's proceedings and will not exceed the overall allotted time for the combined petitions.

I assure you that the content of these general remarks will not delve into the merits of the individual petitions which will be left to the property owners involved in each.

Your careful consideration of this request will be appreciated.

Sincerely,

Fred

Fred E. Bryant, AICP

FEB/df

cc: Charlotte City Council

CHARLOTTE

Meetings in March '87

MARCH 1 - MARCH 7

2	Monday, 8 00 a m	AIRPORT ADVISORY COMMITTEE - Charlotte/Douglas International Airport, Conference Room A
	Monday, 7 30 p m	PLANNING COMMISSION/Planning Committee(District Workshop) - Hickory Grove Baptist Church, 6050 Hickory Grove Rd , Fellowship Hall
3	Tuesday, 4 00 p m.	PLANNING COMMISSION/Executive Committee - Cameron-Brown Bldg , 1st Floor Conference Room
	Tuesday, 5 00 p.m.	PLANNING COMMISSION/Planning Committee - Cameron-Brown Bldg , 1st Floor Conference Room
	Tuesday, 6 00 p m	CHARLOTTE ADVISORY PARKS COMMITTEE - Park Operations, 701 Tuckaseegee Rd
4	Wednesday, 4 00 p.m	PUBLIC HEARING ON BUSINESS LICENSE TAX - City Hall, Council Chamber
	Wednesday, 7 30 p.m.	PLANNING COMMISSION/Planning Committee(District Workshop) - Cornelius Elementary School, 21126 Catawba Ave , Cornelius
5	Thursday, 4 00 p.m	CITY COUNCIL WORKSHOP/Airport Master Plan - City Hall Annex, Training Ctr

MARCH 8 - MARCH 14

9	Monday, 12 Noon	PLANNING COMMISSION (Work Session) - Cameron-Brown Bldg , 1st Floor Conference Room
	Monday, 5 00 p.m.	COUNCIL/MANAGER DINNER - West Mecklenburg High School, 7400 Tuckaseegee Rd
	Monday, 7 00 p m	CITIZENS HEARING - West Mecklenburg High School, 7400 Tuckaseegee Rd
	Monday, 7 30 p.m	CITY COUNCIL MEETING - West Mecklenburg High School, 7400 Tuckaseegee Rd
	Monday, 7 30 p m	PLANNING COMMISSION/Planning Committee (District Workshop) - Quail Hollow Jr High, 2901 Smithfield Church Rd., Multi-Purpose Room
	Monday, 7 30 p.m	HISTORIC PROPERTIES COMMISSION - 1221 South Caldwell St , Commission Office
10	Tuesday, 4 00 p m.	HISTORIC DISTRICT COMMISSION - Edwin Towers, Conference Room
11	Wednesday, 7 45 a m	PRIVATE INDUSTRY COUNCIL - Chamber of Commerce, 129 West Trade Street
	Wednesday, 8 30 a m.	CIVIL SERVICE BOARD - City Hall, 3rd Floor Conference Room
	Wednesday, 4 00 p m.	CITY COUNCIL WORKSHOP (Billboard Restrictions) - City Hall Annex, Training Center
	Wednesday, 6 30 p m	YOUTH INVOLVEMENT COUNCIL - City Hall, Council Chamber
12	Thursday, 7 00 p m	PUBLIC HEARING ON TRANSPORTATION FOR THE DISADVANTAGED - City Hall, Council Chamber
	Thursday, 7 30 p m	PLANNING COMMISSION/Planning Committee (District Workshop) - First Baptist Church West, 1801 Oaklawn Ave , Fellowship Hall
13	Friday, 7 30 a m	PLANNING COMMISSION/Planning Liaison Committee - Cameron-Brown Bldg , 1st Floor Conference Room
	Friday, 2 00 p m	TECHNICAL COORDINATING COMMITTEE - City Hall Annex, Dept of Transportation Conference Room

(Continued on Back)

Public Service And Information Department

600 East Trade Street

Charlotte NC 28202

MARCH 15 - MARCH 21

16	Monday, 10 30 a.m.	AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY - Charlotte Convention Center, VIP Lounge
	Monday, 5 00 p.m.	COUNCIL/MANAGER DINNER - Education Center, Rooms 237-239
	Monday, 6 00 p.m.	CITY COUNCIL MEETING (Zoning Hearings) - Education Center, Board Room
17	Tuesday, 2 00 p.m.	HOUSING AUTHORITY - Administrative Offices, 1301 South Boulevard
	Tuesday, 5 00 p.m.	PLANNING COMMISSION/Planning Committee - Cameron-Brown Bldg , 1st Floor Conference Room
18	Wednesday, 7 00 p.m.	METROPOLITAN PLANNING ORGANIZATION - City Hall Annex, Dept of Transportation Conference Room
19	Thursday, 8 00 a.m.	CLEAN CITY COMMITTEE - Cameron-Brown Bldg., 5th Floor Conference Room
	Thursday, 4 00 p.m.	PLANNING COMMISSION (Deferred Rezoning) - Cameron-Brown Bldg., 1st Floor Conference Room
	Thursday, 7 30 p.m.	CHARLOTTE TREE COMMISSION - Park Operations, 701 Tuckaseegee Road
21	Saturday, 8.00 a.m.	PLANNING COMMISSION RETREAT - Adams Mark Hotel

MARCH 22 - MARCH 28

23	Monday, 12 Noon	COUNCIL/MANAGER LUNCHEON - City Hall, Training Center
	Monday, 2 00 p m.	CITIZENS HEARING - City Hall, Council Chamber
	Monday, 3 00 p m	CITY COUNCIL MEETING - City Hall, Council Chamber
24	Tuesday, 3 00 p.m	COMMUNITY FACILITIES COMMITTEE - Charlotte/Mecklenburg Utility Dept , 5100 Brookshire Blvd
	Tuesday, 4 00 p m	FY88-92 CAPITAL IMPROVEMENT PROGRAM WORKSHOP - City Hall Annex, Training Center
	Tuesday, 4 30 p.m.	MUNICIPAL INFORMATION ADVISORY BOARD - Cameron-Brown Bldg., 3rd Floor Conference Room
25	Wednesday, 4·00 p m	FY88-92 CAPITAL IMPROVEMENT PROGRAM WORKSHOP - City Hall Annex, Training Center
	Wednesday, 4 30 p m	COMMUNITY RELATIONS COMMITTEE - Covenant Presbyterian Church, 1000 E. Morehead St
	Wednesday, 6 30 p.m.	YOUTH INVOLVEMENT COUNCIL - City Hall, Council Chamber
26	Thursday, 4 00 p.m.	FY88-92 CAPITAL IMPROVEMENT PROGRAM WORKSHOP - City Hall Annex, Training Center

MARCH 29 - MARCH 31

30	Monday, 5 00 p.m.	COUNCIL/MANAGER DINNER - Education Center, Rooms 237-239
	Monday, 6 00 p m.	PUBLIC HEARING ON ELIZABETH SMALL AREA PLAN - Education Center, Board Room

These organizations will <u>not</u> meet during March:

Advisory Board for Citizens with Disabilities
Advisory Energy Commission
Housing Appeals Board
Insurance & Risk Management Agency
Parade Permit Committee
Specialized Transportation Advisory Committee

CHARLOTTE

Mayor Harvey B. Gantt Mayor Pro Tem Al Rousso

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

Council Agenda

Monday, March 30, 1987

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

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

ITEM NO.

1. Invocation by Dr. John Hill, Tabernacle ARP Church.

PUBLIC HEARINGS

2. Hearing on Petition No. 87-25 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from R-6MF and B-2 to R-6 for 2.614 acres located along both sides of Jackson Avenue to the southwest of East 10th Street.

   Attachment No. 1-A

3. Hearing on Petition No. 87-26 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from B-2 to R-6MF for 1.48 acres located on the southwest corner of the intersection of Central Avenue and Oaklawn Avenue, and southeast of the intersection of Central Avenue and Louise Avenue.

   Attachment No. 1-B

4. Hearing on Petition No. 87-27 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from B-1 and O-6 to R-6MF for 4.437 acres located along Lamar Avenue, including several parcels north of Independence Boulevard near Sunnyside Avenue, and two parcels southeast of the Intersection of Lamar Avenue and Independence Boulevard.

   Attachment No. 1-C

5. Hearing on Petition No. 87-28 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from R-6MF to R-6 for 4 parcels located along the southeasterly side of Clement Avenue extending from East 8th Street to East 9th Street, and 2 parcels on the southeast corner of Clement Avenue and Bay Street.

   Attachment No. 1-D

6. Hearing on Petition No. 87-29 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from B-1 to R-6 for 2 parcels fronting on Clement Avenue between East 7th Street and East 8th Street.

   Attachment No. 1-E

7. Hearing on Petition No. 87-30 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from O-6 to R-6MF for 4.984 acres including nine parcels fronting on East 7th Street extending from Laurel Avenue to Ridgeway Avenue, five parcels west of the intersection of East 7th Street and Ridgeway Avenue, and three parcels on the westerly corner of Pecan Avenue and East 8th Street.

   Attachment No. 1-F

8. Hearing on Petition No. 87-31 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from O-6 to R-6 for two parcels fronting on Clarice Avenue between East 7th and East 8th Streets.

   Attachment No. 1-G

9. Hearing on Petition No. 87-32 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from O-6 and R-6MF to R-6 for a 7.244 acre site bounded by North Laurel Avenue, Bascom Street, Weddington Avenue and Seaboard Airline Railroad.

Attachment No. 1-H

10. Hearing on Petition No. 87-33 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from R-6MF to R-6 for 4 acres located along the northeasterly side of Greenway Avenue extending from North Laurel Avenue to west of Ridgeway Avenue.

Attachment No. 1-I

11. Hearing on Petition No. 87-34 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from O-6 to R-6MFH for 5.215 acres encircling the southerly portion of Independence Park and Park Drive in the area southeast of Lamar Avenue.

Attachment No. 1-J

12. Hearing on Petition No. 87-35 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from O-6 to R-6MFH for 4.633 acres located southeast of the intersection of East Independence Boulevard and Park Drive along East 5th Street and Bartow Court.

Attachment No. 1-K

13. Hearing on Petition No. 87-36 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from R-6MF, O-6 and B-1 to R-6 for 9.287 acres south of Independence Boulevard along Beaumont Avenue, Louise Avenue, East 8th Street, Oakland Avenue, Hawthorne Lane and Lamar Avenue.

Attachment No. 1-L

14. Hearing on Petition No. 87-37 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from B-1 to O-6 and R-6MF for 4.01 acres bounded by Independence Boulevard, East 7th Street and Beaumont Avenue.

Attachment No. 1-M

15. Hearing on Petition No. 87-38 by the Charlotte-Mecklenburg Planning commission for a change in zoning from O-6 to R-6MF for four parcels west of the intersection of East 8th Street and Hawthorne Lane, and one parcel on the southeast corner of the intersection of East 8th Street and Hawthorne Lane.

Attachment No. 1-N

- SCHEDULE OF MEETINGS -
March 30 - April 3, 1987

Monday, March 30	Dinner Rooms 237-239, Education Center	5 00 p. m.
	ZONING HEARINGS - Elizabeth Area Board Room	6.00 p. m.
Tuesday, March 31	ANNEXATION MEETING/Arrowood Association General Tire Company 1100 Continental Blvd.	2 00 p. m.

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

March 5, 1987

Mayor and City Council

RE Rezoning Petitions to be Heard in March, 1987

Attached you will find appropriate maps and copies of each petition, for rezoning petitions scheduled for public hearing on March 30, 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 (oj)

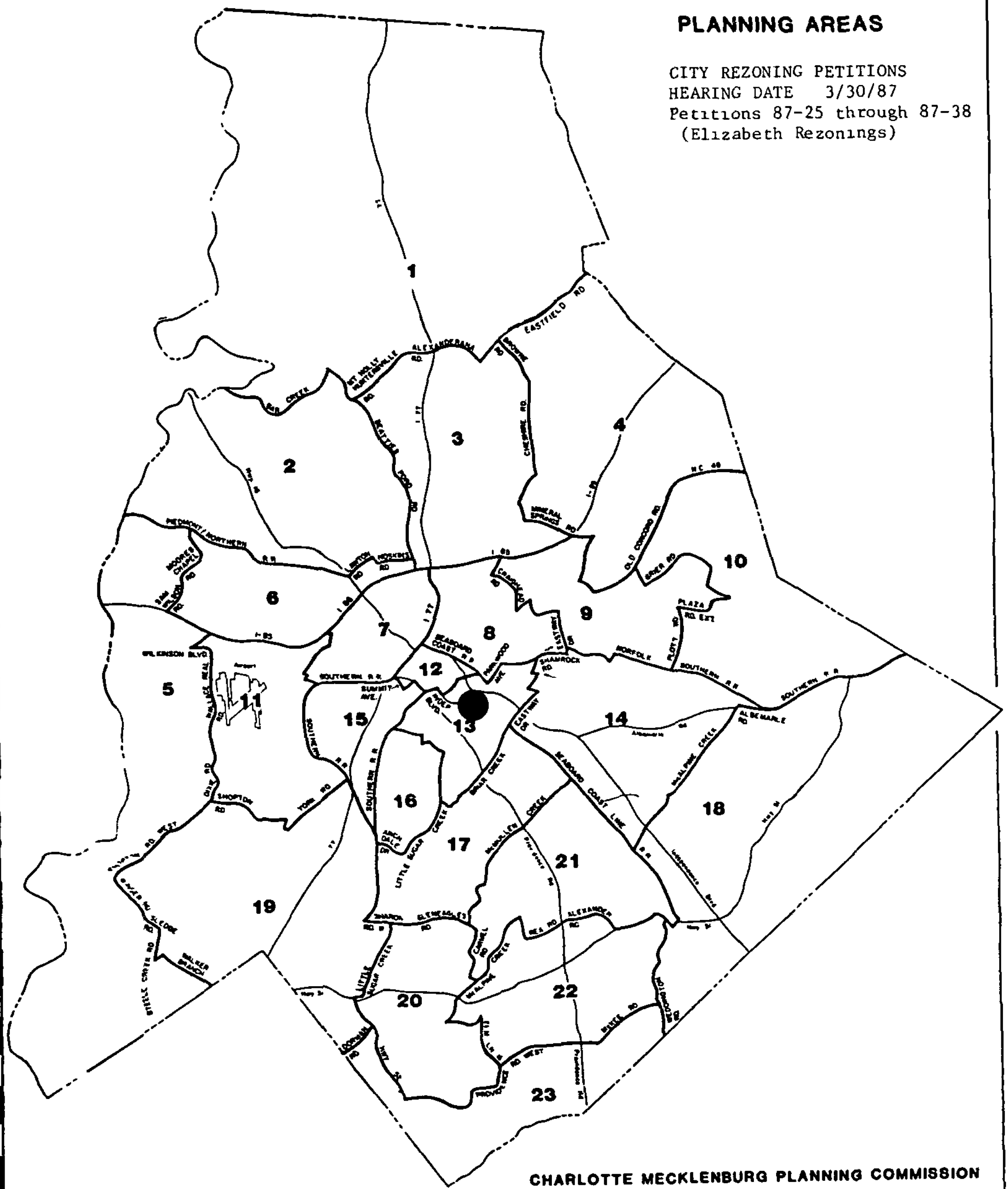
Robert G Young
Land Development Manager

Attachments

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

PLANNING AREAS

CITY REZONING PETITIONS
HEARING DATE 3/30/87
Petitions 87-25 through 87-38
(Elizabeth Rezonings)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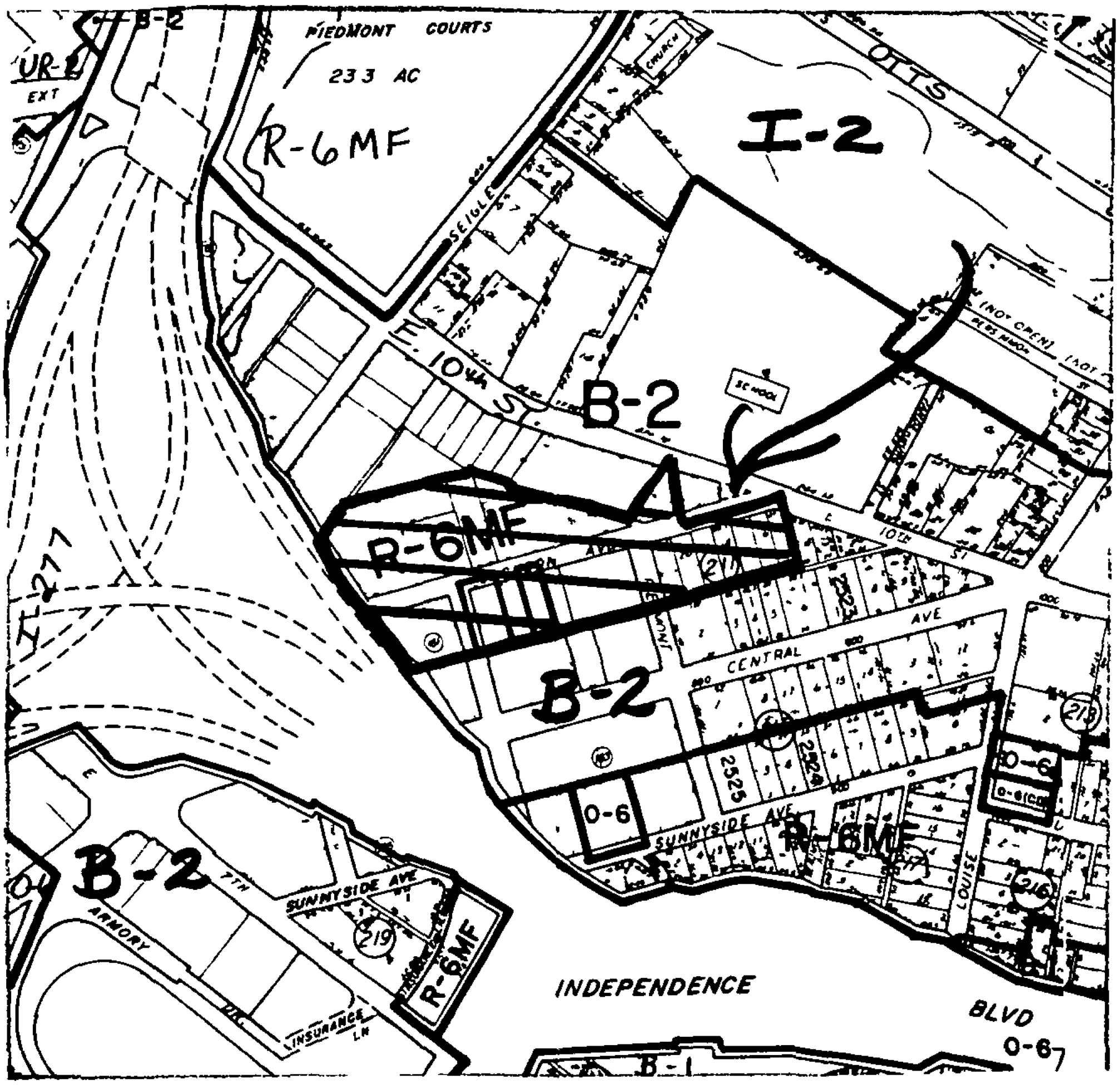
EASTFIELD RD
ALEXANDER RD
SEABOARD COAST LINE
SOUTHERN R.R.
PIEDMONT/NORTHERN R.R.
NORFOLK SOUTHERN R.R.
I-85
I-77
I-77
I-85
I-85
I-77
I-77
I-77

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 87-25 HEARING DATE March 30 1987

ZONING CLASSIFICATION, EXISTING R-6MF and B-2 REQUESTED R-6

LOCATION A 2.614 acre site located along both sides of Jackson Avenue to the southwest of East 10th Street



ZONING MAP NO. 102 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-25
Date Filed 2-5-87
Received By LA
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)

Description Of Property

Size (Sq Ft.-Acres) 2.614 Street Frontage (ft.)

Current Land Use Single Family, Institutional, and Vacant

Zoning Request

Existing Zoning R-6MF & B-2 Requested Zoning R-6

Purpose of zoning change To comply with the intent of the Elizabeth Urban Design and Transportation Study.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Comm.
Name of Petitioner(s)

301 S. McDowell Street
Address of Petitioner(s)

336-2205
Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

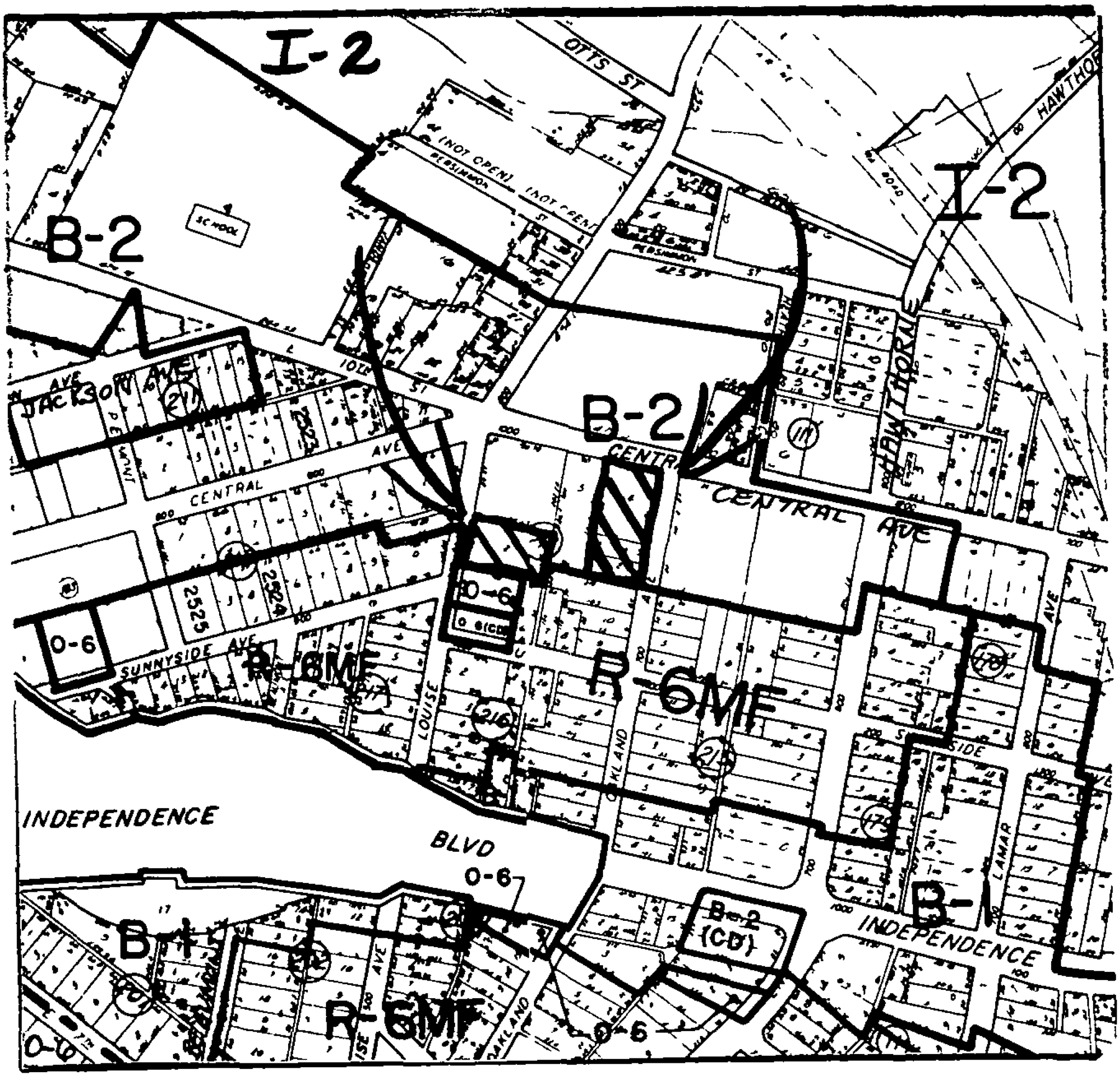
Elizabeth #1

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 87-26 HEARING DATE March 30, 1987

ZONING CLASSIFICATION, EXISTING B-2 REQUESTED R-6MF

LOCATION Three parcels on the southwest corner of the intersection of Central Avenue and Oakland Avenue and the second parcel southeast of the intersection of Central Avenue and Louise Avenue



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

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-26
Date Filed 2-5-87
Received By
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 parcel at the southwest corner of the interesection of Central Avenue and Oakland Avenue, and the second parcel south of the intersection of Central Avenue and Louise Avenue.

Description Of Property

Size (Sq Ft.-Acres) 1.48 Acres Street Frontage (ft.)

Current Land Use Multi-Family

Zoning Request

Existing Zoning B-2 Requested Zoning R-6MF

Purpose of zoning change To comply with the intent of the Elizabeth Urban Design and Transportation Study.

Name of Agent

Agent's Address

Telephone Number

CMPC
Name of Petitioner(s)

301 S. McDowell Street
Address of Petitioner(s)

336-2205
Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

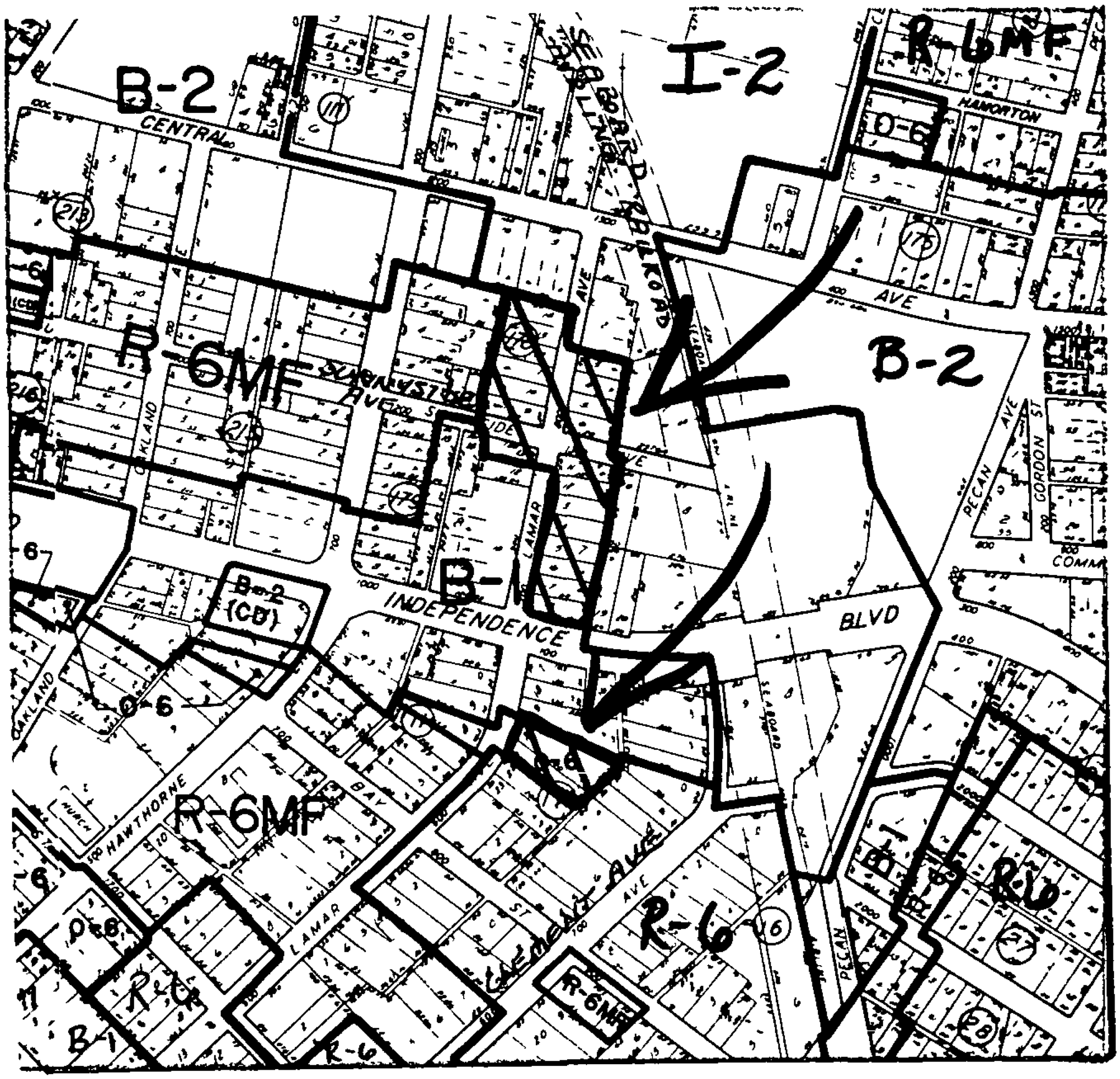
Elizabeth #2

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO 87-27 HEARING DATE March 30, 1987

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

LOCATION 4.437 acres along Lamar Avenue including several parcels north of Indpendence Boulevard near Sunnyside Avenue and two parcels southeast of the intersection of Lamar Avenue and Independence Boulevard



ZONING MAP NO. 101 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-27
Date Filed 2-5-87
Received By [illegible]
OFFICE USE ONLY

Ownership Information

Property Owner: See Attached

Owner's Address: See Attached List

Date Property Acquired: N/A

Deed Reference: See Attached List Tax Parcel Number: R-6MF

Location Of Property (address or description)

See Attached Sheet

Description Of Property

Size (Sq. Ft.-Acres): 4.437 Acres Street Frontage (ft.)

Current Land Use: Single family, Multi-family, duplex office and warehousing

Zoning Request

Existing Zoning: B-1 & O-6 Requested Zoning: R-6MF

Purpose of zoning change: To comply with the intent of the Elizabeth Urban Design and Transportation Study.

Name of Agent

Agent's Address

Telephone Number

CMPC
Name of Petitioner(s)

~~301 S. McDowell St.~~
Address of Petitioner(s)

336-2205
Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

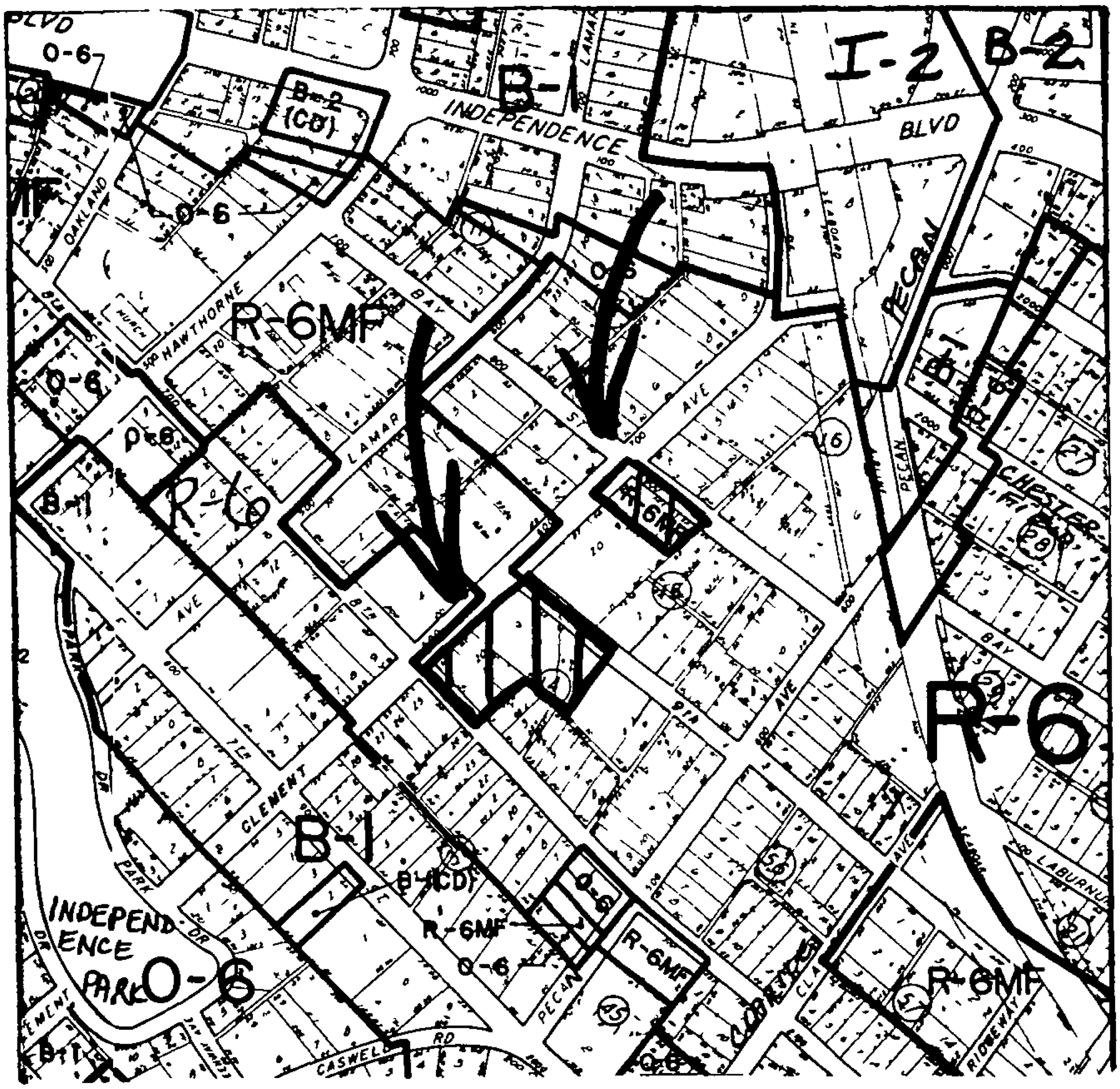
Elizabeth #3

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO 87-28 HEARING DATE March 30, 1987

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

LOCATION Four (4) parcels along the southeasterly side of Clement Avenue extending from East 8th Street to East 9th Street and two (2) parcels on the southeast corner of Clement Avenue and Bay Street.



ZONING MAP NO. 101 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-28
Date Filed 2-5-87
Received By [illegible]
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) See Attached Sheet

Description Of Property

Size (Sq. Ft.-Acres): 1.82 Acres Street Frontage (ft.)

Current Land Use: Single Family and Duplex

Zoning Request

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

Purpose of zoning change: To comply with the Elizabeth Small Area Plan

Name of Agent

Agent's Address

Telephone Number

CMPC
Name of Petitioner(s)

301 S. McDowell St.
Address of Petitioner(s)

336-2205
Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

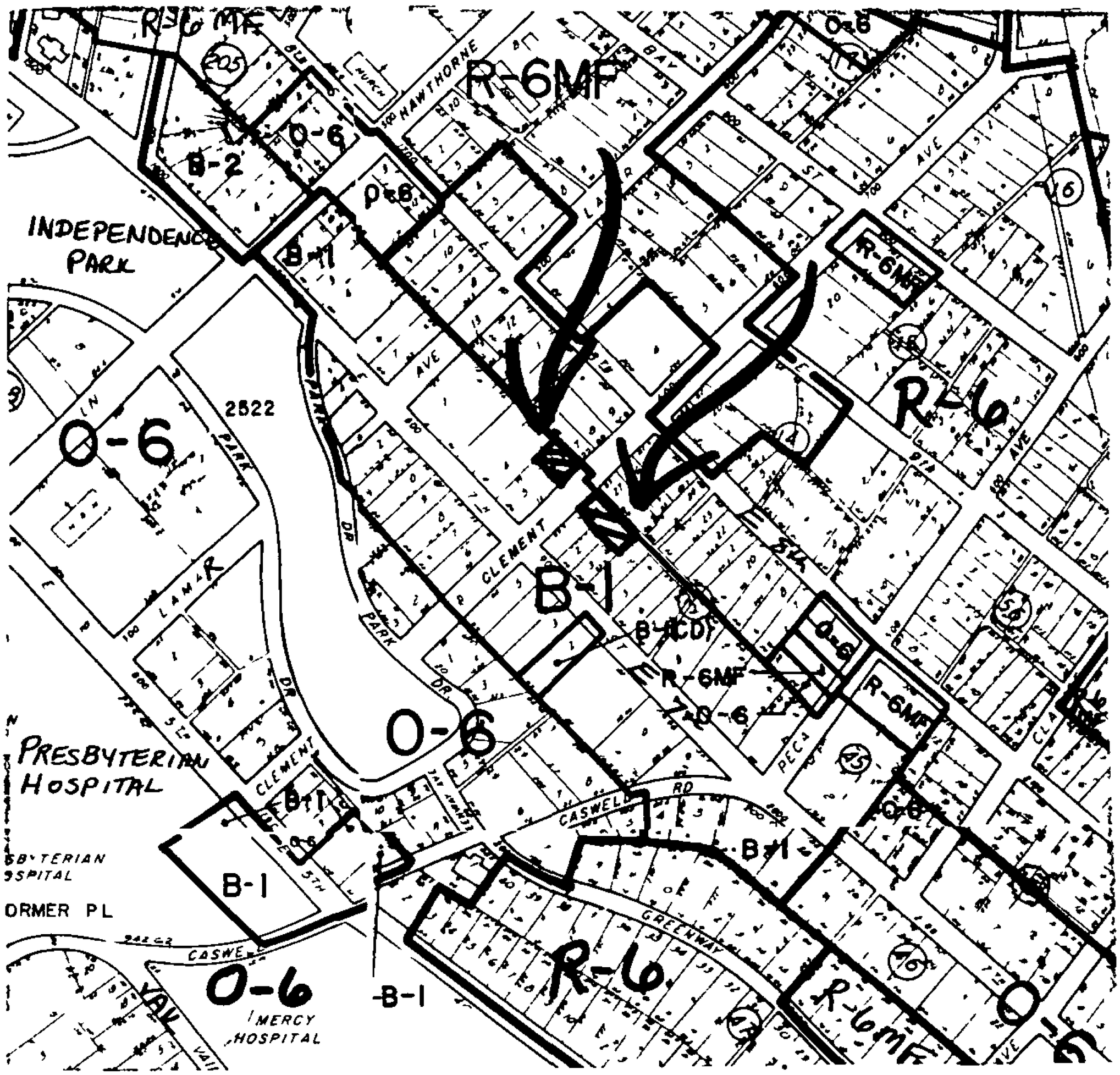
Elizabeth #4

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO 87-29 HEARING DATE March 30, 1987

ZONING CLASSIFICATION, EXISTING B-1 REQUESTED R-6

LOCATION Two parcels fronting on Clement Avenue between E. 7th Street and E. 8th Street



ZONING MAP NO. 101 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-29
Date Filed 2-5-87
Received By [illegible]
OFFICE USE ONLY

Ownership Information

Property Owner Mr. & Mrs. Frank W. Carper/Dorothy Hall Properties

Owner's Address 410 Clement Ave., Charlotte, NC 28204/P. O. Box 36469, Charlotte, NC 28236

Date Property Acquired N/A

Deed Reference 4455-967/5110-334 Tax Parcel Number 127-031-28/127-032-06

Location Of Property (address or description) The parcels at the S.W. and S.E. corners of the intersection of Clement Avenue and the alley, between E. 7th St. and E. 8th St.

Description Of Property

Size (Sq. Ft.-Acres) .287 Street Frontage (ft.)

Current Land Use Single family

Zoning Request

Existing Zoning B-1 Requested Zoning R-6

Purpose of zoning change To comply with the intent of the Elizabeth Urban Design and Transportation Study.

Name of Agent

Agent's Address

Telephone Number

CMPC
Name of Petitioner(s)

301 S. McDowell St.
Address of Petitioner(s)

336-2205
Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

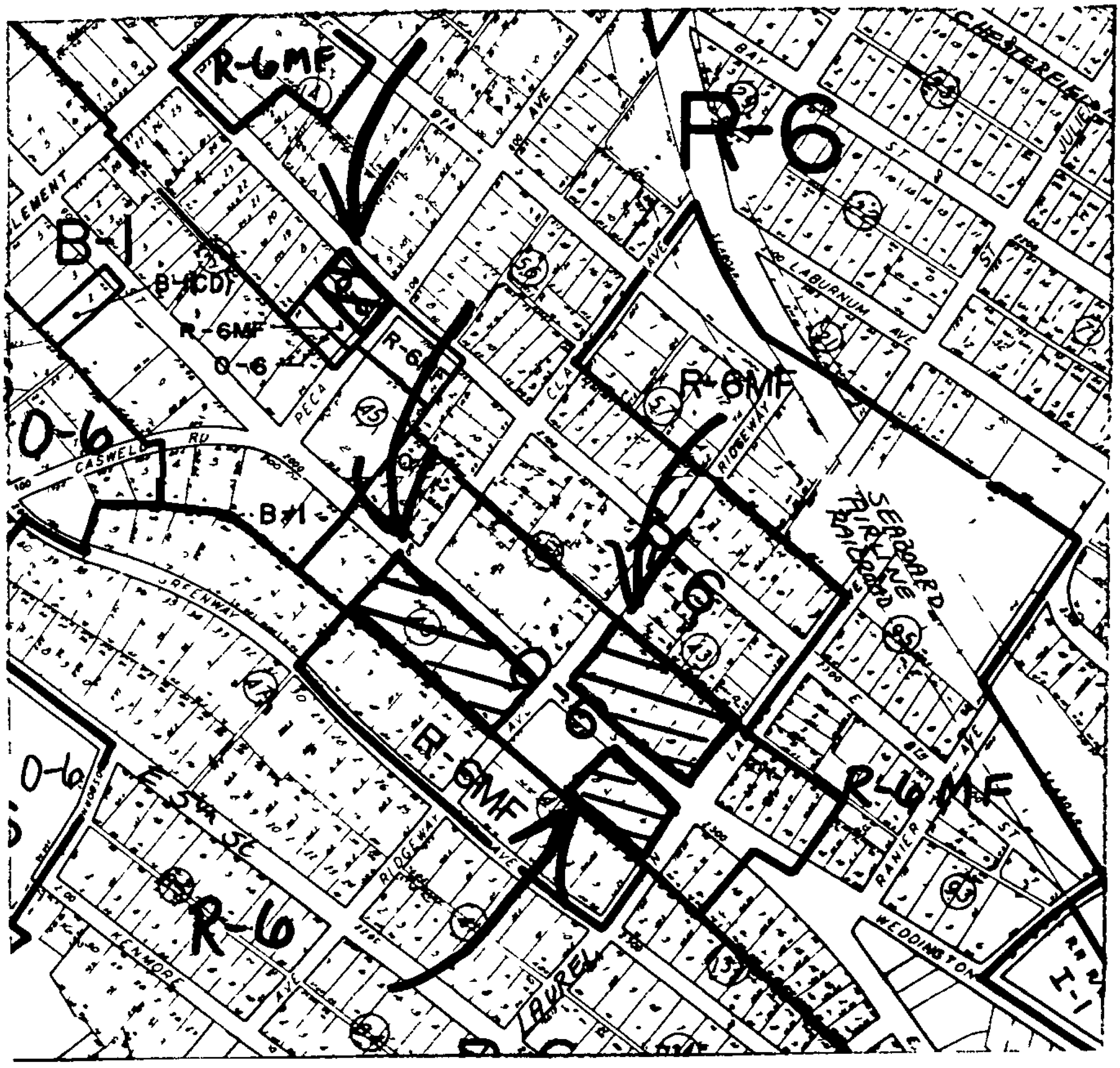
Elizabeth #5

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 87-30 HEARING DATE March 30, 1987

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

LOCATION 4.984 acres including nine parcels fronting on E. 7th Street extending from Laurel Avenue to Ridgeway Avenue, five parcels just west of the intersection of E. 7th Street and Ridgeway Avenue and three parcels on the westerly corner of Pecan Avenue and E. 8th Street



ZONING MAP NO. 101 and 112 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-30
Date Filed 2-5-87
Received By [illegible]
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)

See Attached Sheet

Description Of Property

Size (Sq. Ft.-Acres): 4.984 Acres Street Frontage (ft.)

Current Land Use: Single family, Mulit-family, Warehousing, and vacant

Zoning Request

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

Purpose of zoning change: To comply with the intent of the Elizabeth Urban Design and Transportation Study.

Name of Agent	CMPC Name of Petitioner(s)
Agent's Address	301 S. McDowell St. Address of Petitioner(s)
Telephone Number	336-2205 Telephone Number
	Signature
	Signature of Property Owner if Other Than Petitioner

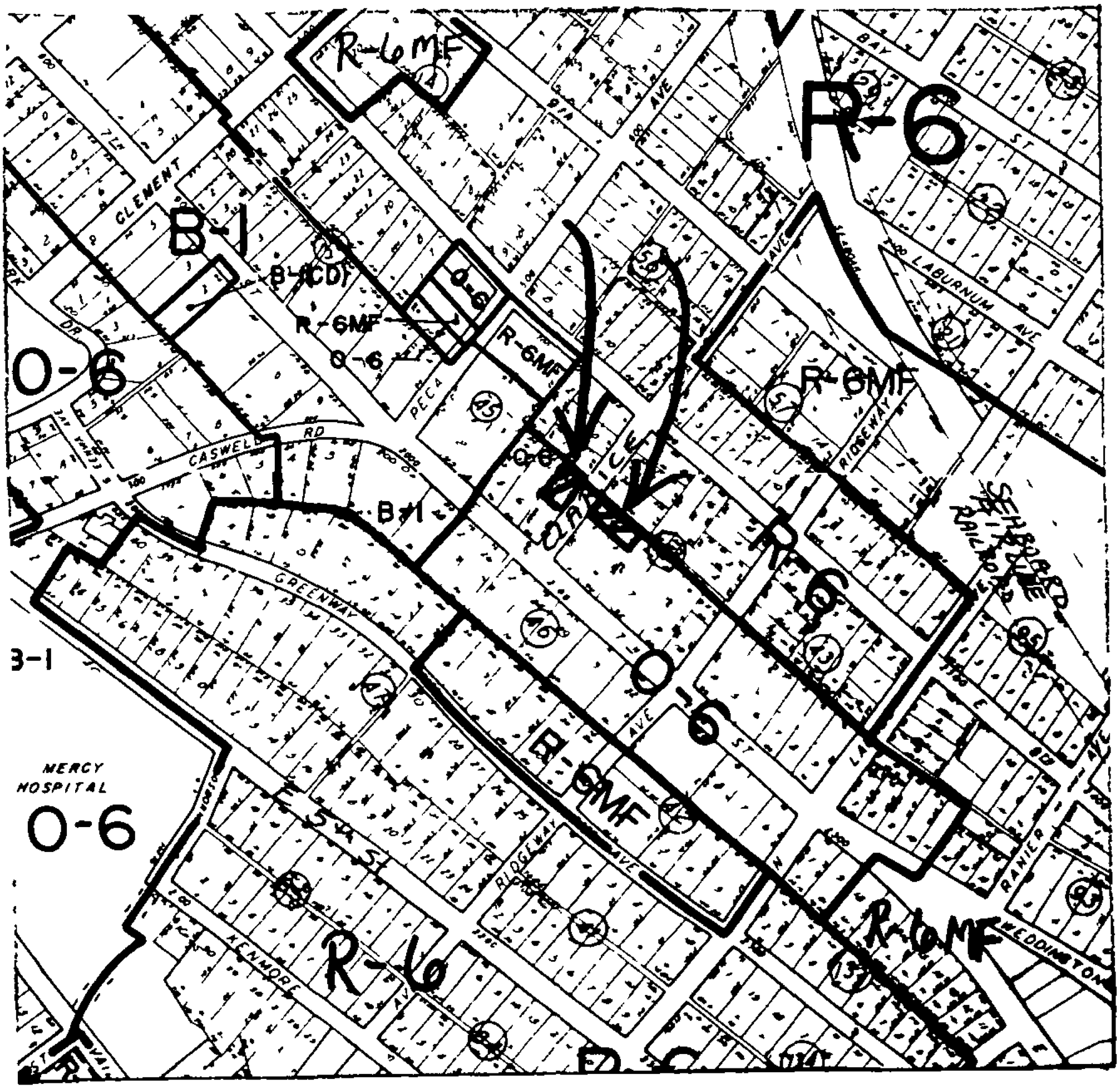
Elizabeth #6

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO 87-31 HEARING DATE March 30, 1987

ZONING CLASSIFICATION, EXISTING O-6 REQUESTED R-6

LOCATION Two parcels fronting on Clarice Avenue between E 7th Street and E. 8th Street



ZONING MAP NO. 101 and 112 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-31
Date Filed 2-5-87
Received By
OFFICE USE ONLY

Ownership Information

Property Owner Mr. & Mrs. Alan Resnik and Mrs. Rowena G. Krauss

Owner's Address 2711 Randolph Road, Charlotte, NC 28207
409 Clarice Ave. Charlotte, NC 28204

Date Property Acquired N/A

Deed Reference 4921-342/1704-171 Tax Parcel Number 127-044-04/127-045-08

Location Of Property (address or description) The two parcels to the east and west and south of the alleyway on Clarice Ave., between E. 8th Street and E. 7th Street.

Description Of Property

Size (Sq Ft.-Acres) .283 Street Frontage (ft.)

Current Land Use Single Family and Duplex

Zoning Request

Existing Zoning O-6 Requested Zoning R-6

Purpose of zoning change To comply with the intent of the Elizabeth Urban Design and Transportation Study.

Name of Agent

Agent's Address

Telephone Number

CMPC
Name of Petitioner(s)
301 S. McDowell St.

Address of Petitioner(s)
336-2205

Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

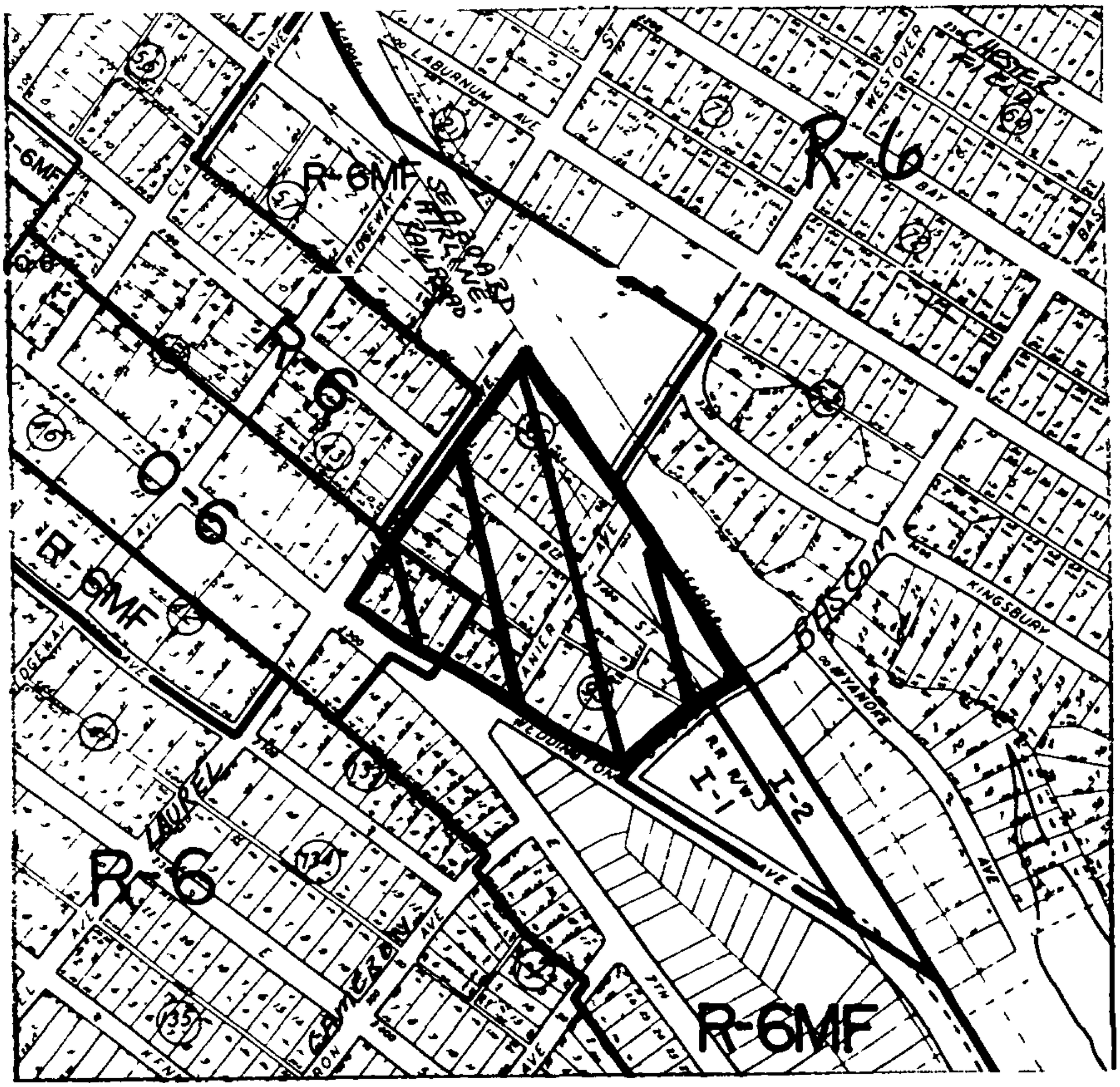
Elizabeth #7

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 87-32 HEARING DATE March 30, 1987

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

LOCATION A 7.244 acre site bounded by N. Laurel Avenue, Bascom Street, Weddington Avenue and Seaboard Airline Railroad



ZONING MAP NO. 112 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-32
Date Filed 2-5-87
Received By LA
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 Seabord/Airline Railroad East of Laurel Ave., north of E. 7th Street and Weddington Ave., and west of Bascom St.

Description Of Property

Size (Sq Ft.-Acres): 7.244 acres Street Frontage (ft.):

Current Land Use: Vacant, Single Family, Duplex, Multi-Family, Service and Institutional

Zoning Request

Existing Zoning: O-6 & R-6MF Requested Zoning: R-6

Purpose of zoning change: To comply with the intent of the Elizabeth Urban Design and Transportation Study.

Name of Agent

Agent's Address

Telephone Number

CMPC
Name of Petitioner(s)

301 S. McDowell St.
Address of Petitioner(s)

336-2205
Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

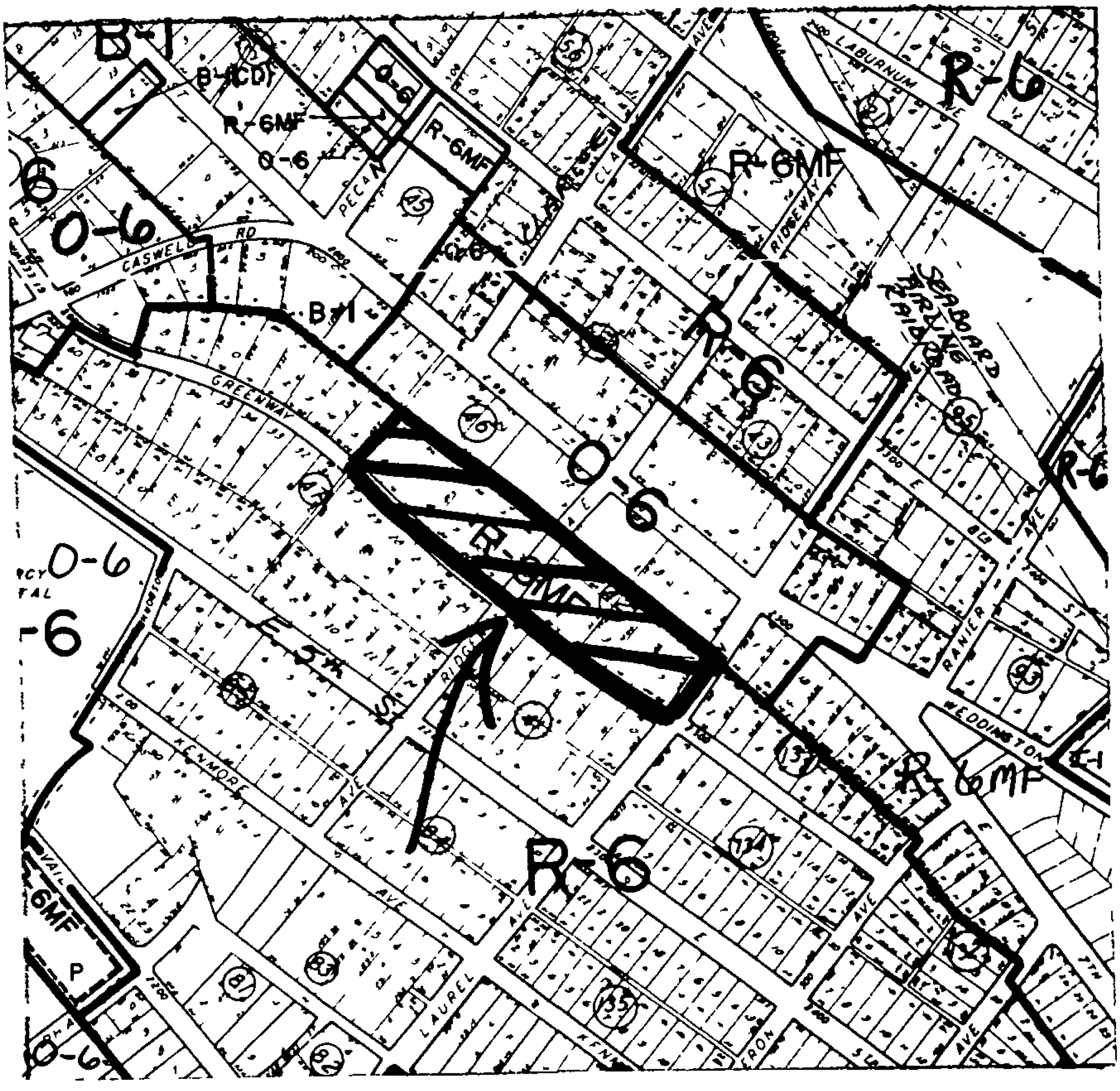
Elizabeth #8

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 87-33 HEARING DATE March 30, 1987

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

LOCATION 4 acres along the northeasterly side of Greenway Avenue extending from N. Laurel Avenue to west of Ridgeway Avenue



ZONING MAP NO. 112 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-33
Date Filed 2-5-87
Received By [illegible]
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)

along Greenway Avenue in the O-6 zoning line.

Description Of Property

Size (Sq Ft.-Acres): Approximately 4 acres Street Frontage (ft.)

Current Land Use: Duplex, medical office and single family

Zoning Request

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

Purpose of zoning change: To comply with the intent of the Elizabeth Urban Design and Transportation Study.

Name of Agent

Agent's Address

Telephone Number

CMPC
Name of Petitioner(s)

301 S. McDowell Street
Address of Petitioner(s)

336-2205
Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

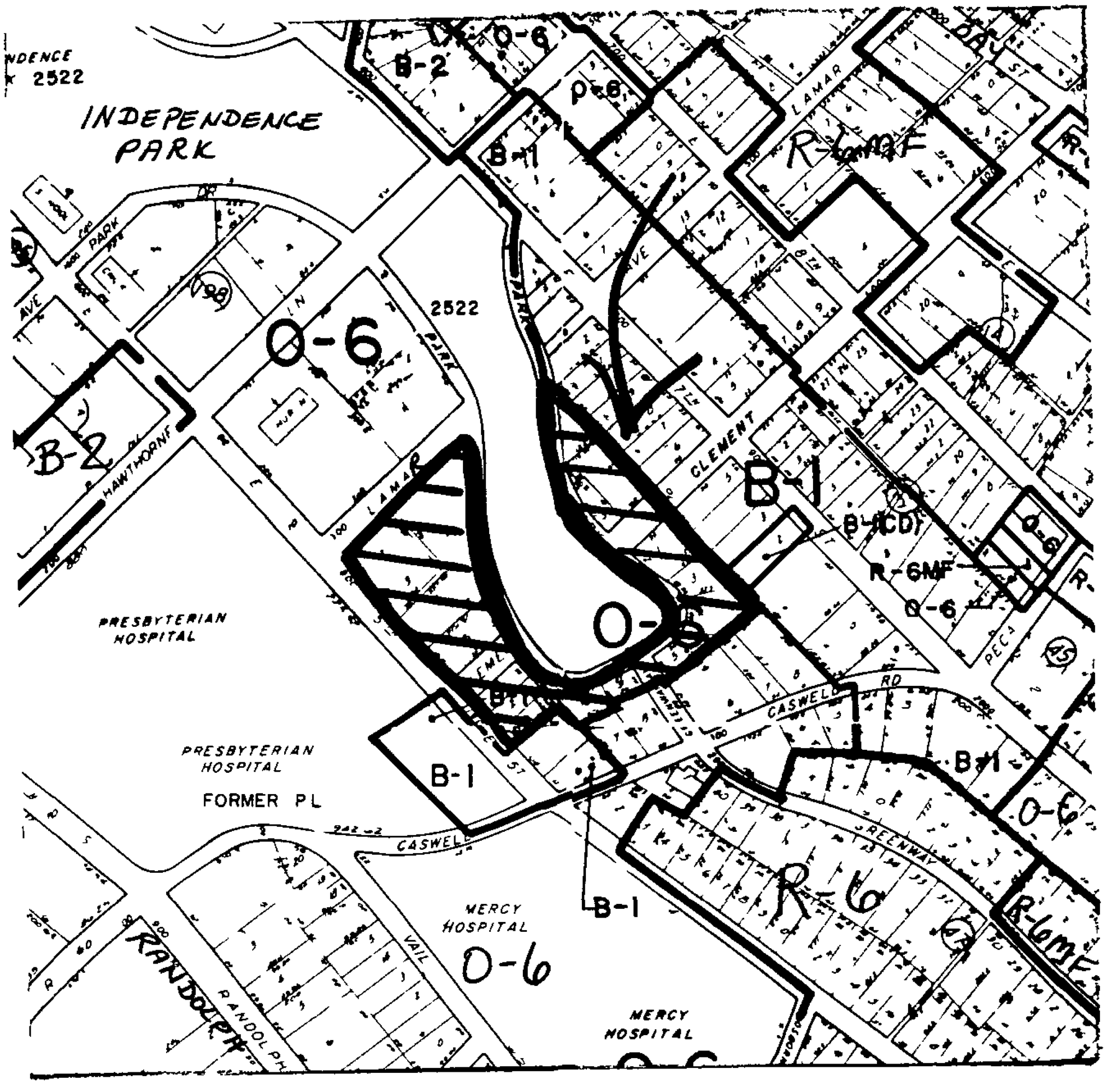
Elizabeth #9

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO 87-34 HEARING DATE March 30, 1987

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

LOCATION 5.215 acres encircling the southerly portion of Independence Park and Park Drive in the area southeast of Lamar Avenue



ZONING MAP NO. 101, 102, and 111 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-34
Date Filed 2-5-87
Received By LS
OFFICE USE ONLY

Ownership Information

Property Owner: See Attached List

Owner's Address: See Attached List

Date Property Acquired: N/A

Deed Reference: See Attached List

Tax Parcel Number: See Attached List

Location Of Property (address or description)

See Attached Sheet

Description Of Property

Size (Sq Ft -Acres): 5.215 Acres

Street Frontage (ft.):

Current Land Use: Single Family, Multi-Family, Office and Parking

Zoning Request

Existing Zoning: O-6 & B-1

Requested Zoning: R-6MFH

Purpose of zoning change: To comply with the Elizabeth Small Area Plan

Name of Agent

Agent's Address

Telephone Number

CMPC
Name of Petitioner(s)

301 S. McDowell St.
Address of Petitioner(s)

336-2205
Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

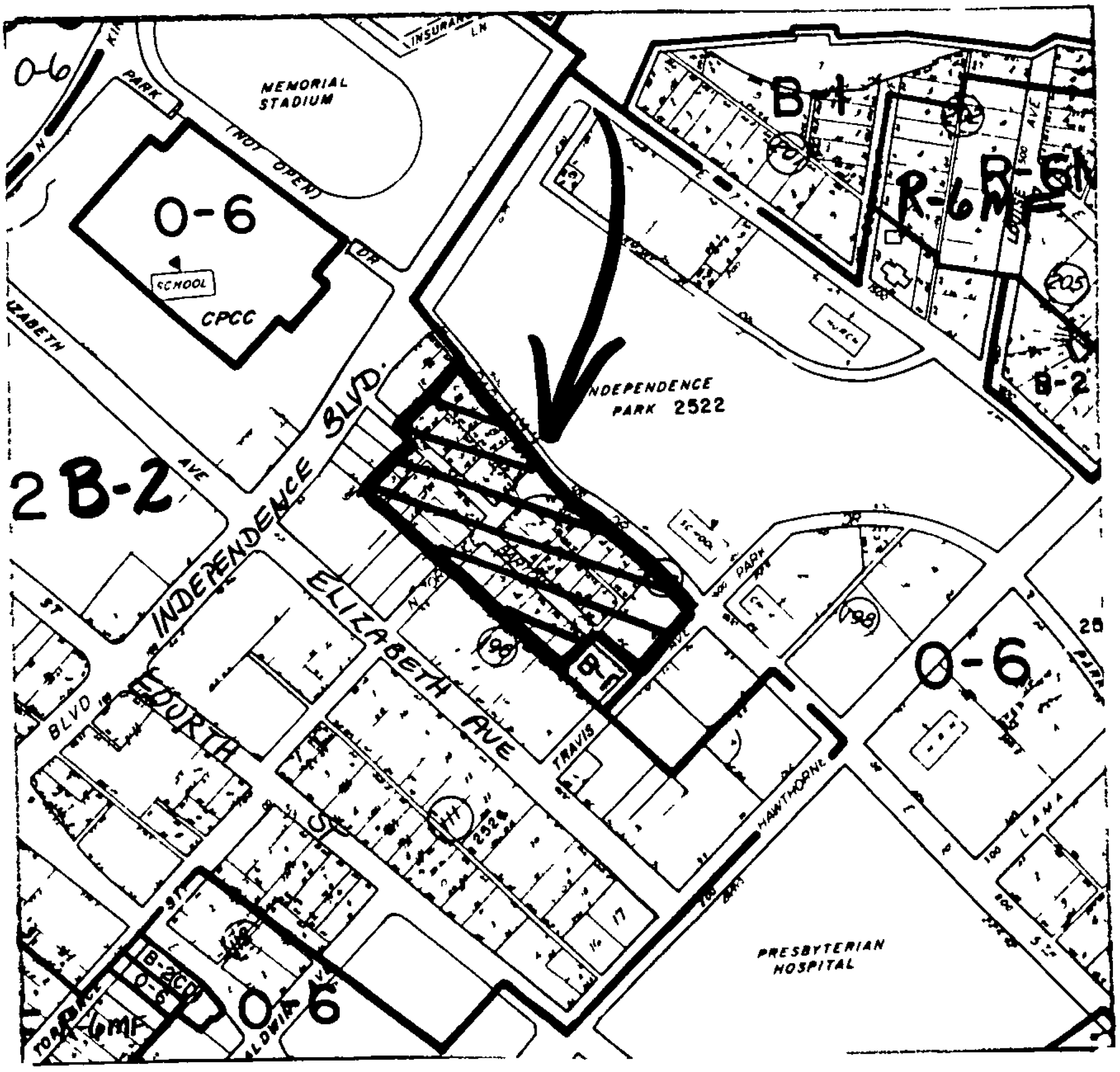
Elizabeth #10

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 87-35 HEARING DATE March 30, 1987

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

LOCATION 4.633 acres southeast of the intersection of East Independence Boulevard and Park Drive along East 5th Street and Bartow Court



ZONING MAP NO. 102 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-35
Date Filed 2-5-87
Received By LS
OFFICE USE ONLY

Ownership Information

Property Owner: See Attached List

Owner's Address: See Attached List

Date Property Acquired: N/A

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

Location Of Property (address or description) See Attached Sheet

Description Of Property

Size (Sq Ft.-Acres): 4.633 acres Street Frontage (ft.)

Current Land Use: Single Family, Multi-Family, Duplex, Office, Retail and Vacant

Zoning Request

Existing Zoning: O-6 Requested Zoning: R-6MFH

Purpose of zoning change: To comply with the Elizabeth Small Area Plan

Name of Agent

Agent's Address

Telephone Number

CMPC
Name of Petitioner(s)

301 S. McDowell Street
Address of Petitioner(s)

336-2205
Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

Elizabeth #11

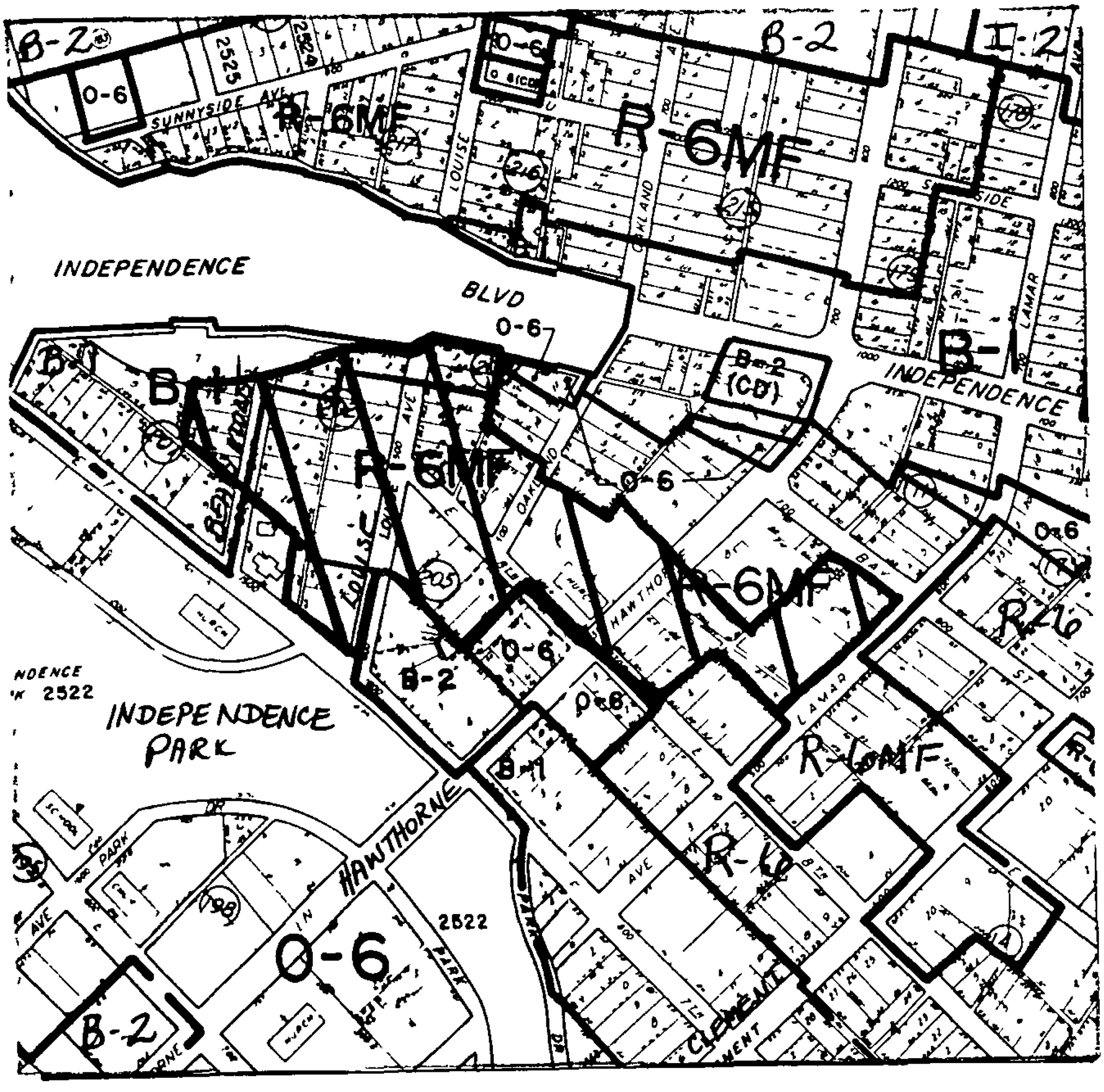
2

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 87-36 HEARING DATE March 30, 1987

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

LOCATION 9.287 acres south of Independence Boulevard along Beaumont Avenue, Louise Avenue, E 8th Street, Oakland Avenue, Hawthorne Lane, and Lamar Avenue



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

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-36
Date Filed 2-5-87
Received By [illegible]
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) See Attached Sheet

Description Of Property

Size (Sq Ft.-Acres) approx. 9.287 acres Street Frontage (ft.)

Current Land Use Single Family, Duplex, Office, Vacant, Multi-Family

Zoning Request

Existing Zoning R-6MF, O-6, B-1 Requested Zoning R-6

Purpose of zoning change To comply with the Elizabeth Small Area Plan.

Name of Agent

Agent's Address

Telephone Number

CMPC
Name of Petitioner(s)

301 McDowell St
Address of Petitioner(s)

336-2205
Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

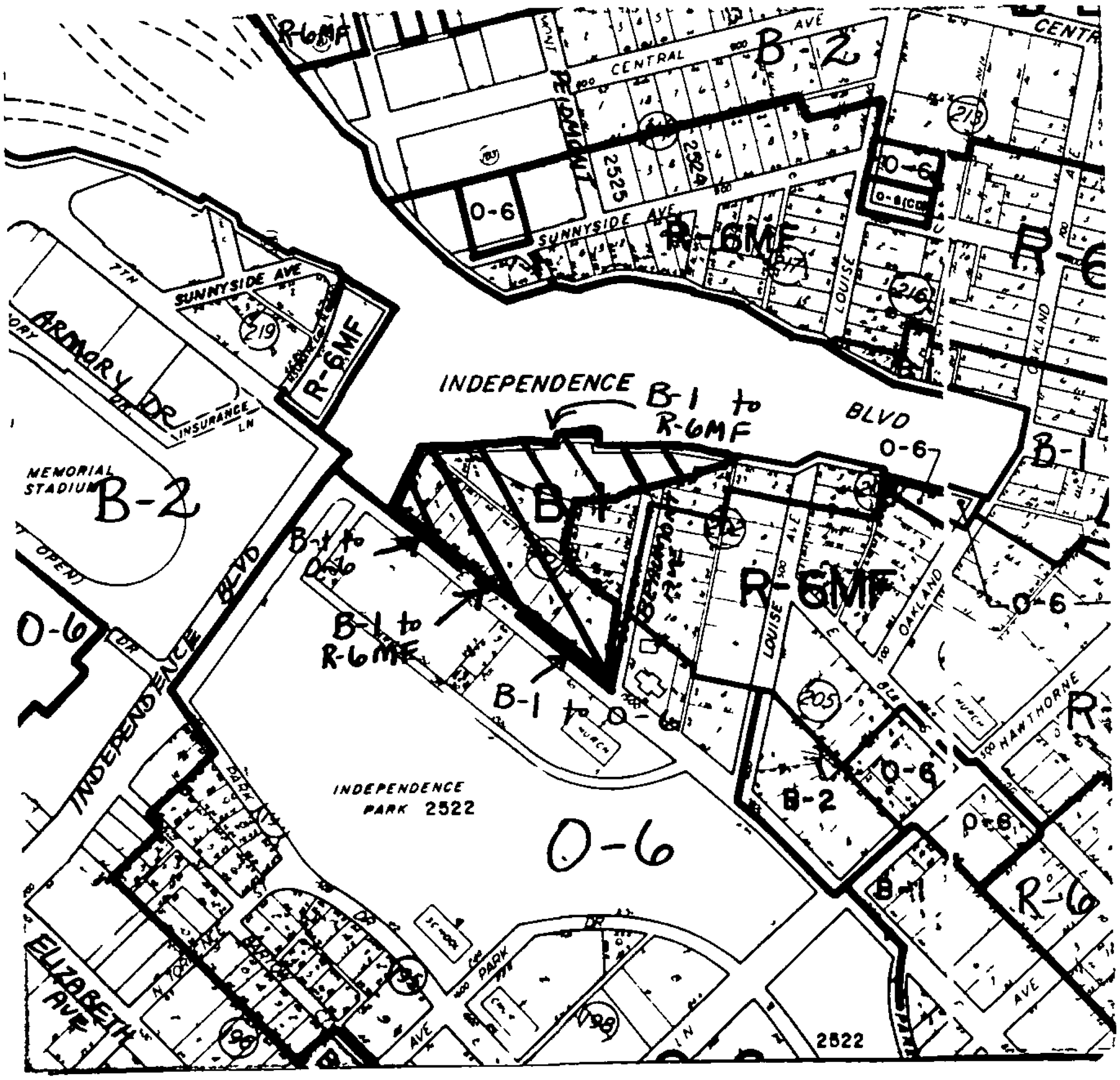
Elizabeth #12

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 87-37 HEARING DATE March 30, 1987

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

LOCATION 4.01 acres bounded by Independence Boulevard, East 7th Street and Beaumont Avenue



ZONING MAP NO. 102 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87-37
Date Filed 2-5-87
Received By JS
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 to the south and east of Indep. Blvd., north of E. 7th Street and to the north and west of Beaumont Ave.

Description Of Property

Size (Sq Ft.-Acres) 4.01 acres Street Frontage (ft.)

Current Land Use Single-family, multi-family, duplex, office, and vacant

Zoning Request

Existing Zoning B-1 Requested Zoning O-6, R-6MF

Purpose of zoning change To comply with the Elizabeth Small Area Plan.

Name of Agent

Agent's Address

Telephone Number

CMPC
Name of Petitioner(s)

301 S. McDowell St.
Address of Petitioner(s)

336-2205
Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

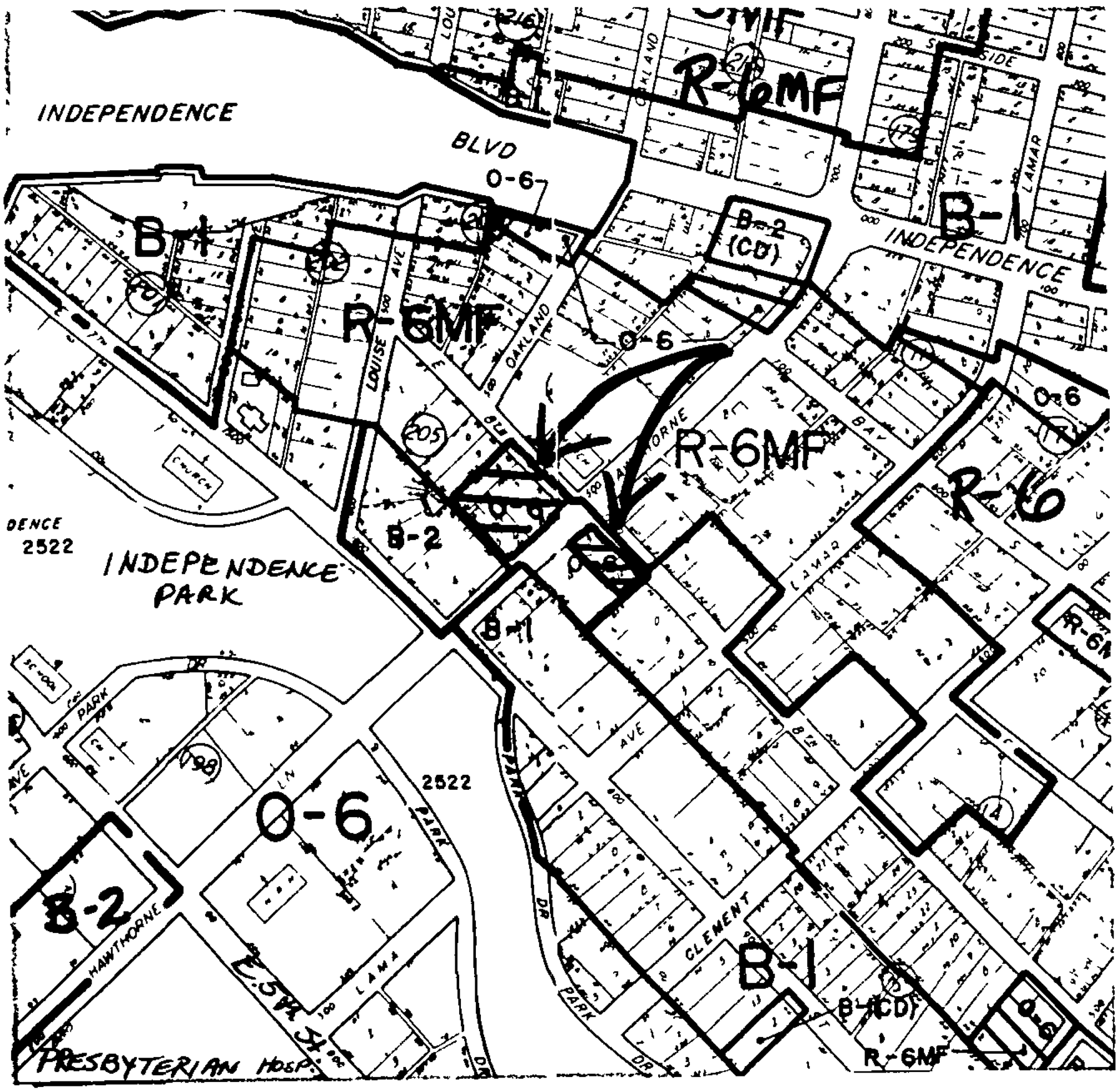
ELIZABETH #13

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 87-38 HEARING DATE March 30, 1987

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

LOCATION Four parcels west of the intersection of East 8th Street and Hawthorne Lane and one parcel on the southeast corner of the intersection of East 8th Street and Hawthorne Lane



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

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 87 38
Date Filed 2-5-87
Received By [illegible]
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 four parcels south of E. 8th St., west of Hawthorne Ln., and east of and south of the alleyway, and the two parcels at the corner of E. 8th St. and Hawthorne Lane.

Description Of Property

Size (Sq. Ft.-Acres) 1.063 Street Frontage (ft.)

Current Land Use Apartments, Multi-Family and Duplex

Zoning Request

Existing Zoning O-6 Requested Zoning P-6MF

Purpose of zoning change To comply with the Elizabeth Small Area Plan

Name of Agent

Agent's Address

Telephone Number

CMPC
Name of Petitioner(s)

301 S. McDowell St.
Address of Petitioner(s)

336-2205
Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

Elizabeth #14

STAFF ANALYSIS

ELIZABETH NEIGHBORHOOD REZONINGS

INTRODUCTION

The Elizabeth neighborhood was one of the first "suburbs" developed in Charlotte gettings its beginning with the establishment of the Old Elizabeth College on the site of present day Presbyterian Hospital in 1897 The Elizabeth neighborhood is bound by Randolph Road to the south, Brookshire Freeway to the west, Briar Creek to the east, and Tenth Street and the railroad tracks to the north

In an effort to preserve the unique quality of the neighborhood, the City of Charlotte and the historic Elizabeth Foundation funded the Elizabeth Urban Design Plan and Transportation Study which was prepared by LandDesign After the completion of this document, the Charlotte-Mecklenburg Planning Commission completed the Elizabeth Small Area Plan which was adopted by City Council on November 18, 1985 Both documents provide a framework for the future of the neighborhood

Four of the 14 rezoning petitions were recommended in the Elizabeth Small Area Plan and those petitions are 87-34, 87-35, 87-36 and 87-37 On January 6, 1987, the Elizabeth Neighborhood Association requested that the Planning Commission consider the remaining 10 petitions The Planning Committee of the Planning Commission voted on January 20, 1989 to sponsor the rezoning petitions requested by the Elizabeth Neighborhood Association

The Planning Committee also recommended the UR-C district be used in Elizabeth to develop the neighborhood mixed use districts recommended in the plan The Planning Commission will hold a public hearing on application of the UR-C district outside the freeway loop The text amendment will be forthcoming to the City Council

It should be noted that this hearing represents the second Elizabeth Neighborhood hearing for rezonings In 1973, a single, large petition for areas throughout the neighborhood was heard at public hearing and resulted in removing some R-6MF areas and replacing the zoning with R-6 single family.

In the upcoming pre-hearing staff ananlysis reports, staff has evaluated each petition Background information on the small area plan and the urban design plan is included In some cases, staff has re-examined individual parcels to the extent that a change from the proposed zoning is recommended Staff has weighted existing land use and zoning patterns, proposed patterns, property owner's plans and interests, etc As always it is emphasized that this analysis represents a <u>pre-hearing</u> report and, especially, in cases like these is subject to further evaluation/change based on new or clarifying information presented at public hearing.

ELIZABETH NEIGHBORHOOD REZONINGS

PRE-HEARING STAFF ANALYSIS

Petition No 87-25

This petition encompasses several parcels of land totaling about 2 6 acres located along both sides of Jackson Avenue near East Tenth Street The present zoning on the property is a combination of R-6MF and B-2 and the petition is requesting R-6 The petition is brought forward to public hearing on behalf of the Elizabeth neighborhood group It is the intent of the petition to comply with the Elizabeth Urban Design and Transportation Study

The property is principally developed with single family structures although there is a small multi-family development which is under construction at the corner of Piedmont Avenue and Jackson Avenue and there is also a small day care center located on Jackson Avenue Rezoning those properties would make those two uses non-conforming under the R-6 zoning

Throughout the vicinity nearby is a mixture of other residential development along with a concentration of non-residential development along Central Avenue and East Tenth Street Institutional development in the form of the Salvation Army and Piedmont Middle School are also in the neighborhood Zoning patterns indicate that both Central Avenue and East Tenth Street in this vicinity is zoned B-2 whereas most residential areas in the vicinity are zoned R-6MF Some years ago a number of the single family structures within this petition were rehabilitated and the housing returned to good condition Today these homes remain well maintained. Approval of the petition will insure single family stability in the area and provide for the continued retention of these homes along Jackson Avenue

In evaluating the merits of the petition, staff has looked at the two potential non-conforming uses that would be created Staff would recommend that the multi-family project which is under construction be retained under the R-6MF zoning. The multi-family project should be omitted and thereby retain its conforming zoning and be allowed to continue as a conforming use

The Elizabeth Small Area Plan and the Urban Design Plan both recommend that Jackson Avenue be closed at Tenth Street to prevent cut through traffic through this neighborhood. The small area plan also includes the subject property as potentially an area for future designation as an historic district

Petition No. 87-26

This petition encompasses land on the southwest corner of the intersection of Central Avenue and Oakland Avenue and one parcel located southeast of the intersection of Central Avenue and Louise Avenue The existing zoning is B-2 and the petition seeks R-6MF The petitions are being sponsored on behalf of the Elizabeth neighborhood The purpose of the petition is to comply with the intent of the Elizabeth Urban Design and Transportation Study

The land at Central and Oakland is presently developed with an apartment building on the immediate corner followed by two single family structures The other parcel in the petition on Louise Avenue is also developed with a multi-family building Land uses along Central Avenue are non-residential in nature with most of them being a commercial/business use of one sort or another Neighborhood streets nearby offer a variety of housing types including single family as well as some duplex and small apartment buildings

The housing in this general vicinity represents very valuable housing stock and promotes a highly residential character Staff believes that the multi-family building which stands on Louise Avenue is an important part of the residential fabric and due to its present use and its orientation to Louise Avenue should be rezoned to the requested classification in order to protect and preserve it and its continued use and function Staff similarly believes for the same reasons that the two single family structures which front on Oakland Avenue should be rezoned to the requested classification, also The multi-family building at the corner of Oakland and Central Avenue, however, represents a more difficult land use and zoning dilemma to solve Despite its use for multi-family residential purposes, it nonetheless represents the lone remaining residential building in the immediate vicinity All other parcels are some form of non-residential development Based upon existing zoning and development patterns, it seems that rezoning this parcel to multi-family is incongruous with the patterns that exist and the anticipation patterns Staff would recommend that that parcel, therefore, not change to R-6MF An office classification, though, would represent a reasonable compromise The building is suited to adaptive re-use for office purposes In fact, the office zoning will offer several land use alternatives As such it is recommended for the environment along Central Avenue

The Elizabeth Small Area Plan recommends that Oakland Avenue north of Independence Boulevard be closed to westbound traffic (onto Independence) while maintaining access for buses The property included in the area of the petition is possibly designated for historic district purposes and the plan also recommends the streetscape improvements along Central Avenue. The Urban Design Study proposes street tree plantings for the southwest corner of the intersection of Oakland and Central and recognizes that the intersection of Central, East Tenth and Louise is in need of improvement and increased pedestrian safety

Petition No. 87-27

The area of this petition encompasses about 4.4 acres along Lamar Avenue including several parcels north of Independence Boulevard near Sunnyside Avenue and two parcels southeast of the intersection of Lamar Avenue and Independence Boulevard The current zoning is B-1 and O-6 and the petition requests R-6MF The B-1 area is located north of Independence and the two parcels south of Independence are the ones zoned O-6 The petitions are being sponsored on behalf of the Elizabeth neighborhood in order to comply with the intent of the Elizabeth Urban Design and Transportation Study

Independence Boulevard in the immediate vicinity of the petition is zoned B-1 There is one parcel at the corner of Hawthorne which is zoned B-2(CD) Other

business areas nearby are zoned B-2. Residential areas in the neighborhood are a mixture of R-6MF and R-6

Land uses along Lamar Avenue north of Independence where the zoning is currently B-1 is a mixture of single family development, duplex/multi-family as well as business and vacant property Parcels within the petition north of Sunnyside Avenue are completely residential There is also one parcel on the west side of Lamar and two parcels on the east side, which are all located south of Sunnyside Avenue, also developed for residential purposes This area represents a solid base of residential development along that block and deserves the protection that R-6MF zoning would provide The housing is in good condition Staff would recommend that the zoning change take place there The remaining parcels in the petition zoned B-1 should not be changed due to the fact that they relate more to business/residential property The parcels themselves are vacant and used for business/parking as well as others within close proximity to Independence which would suffer the loss in value if zoned R-6MF, which in this case would be an unfair hardship due to the fact that some right-of-way needs for the future Independence project are anticipated

The two parcels located on Lamar south of Independence which are zoned O-6 are currently developed with two single family structures Much of Lamar Avenue, with the exception of parcels adjoining Independence, is residentially development Staff would recommend that the zone change, as requested, be approved for these two parcels in order to be consistent with the land use of these parcels and to further strengthen the residential character of Lamar Avenue, which is so strong

The Elizabeth Small Area Plan recommends a review of current zoning classifications after the Independence Boulevard plans are finalized The O-6 area of the petition is in an area recommended for historic designation and some B-1 parcels in the area are also possible expansion areas of the historic district.

<u>Petition No 87-28</u>

This petition consists of four parcels along the southeasterly side of Clement Avenue extending from East Eighth Street to East Ninth Street and two parcels on the southeast corner of Clement Avenue and Bay Street The current zoning is R-6MF and the petition is requesting R-6 This petition is brought forward to public hearing It will comply with recommendations contained in the Elizabeth Small Area Plan

The two parcels at the intersection of Clement and Bay are developed with a single family and a duplex structure whereas the other three parcels are all single family structures The first two parcels are surrounded by R-6 zoning in the neighborhood, but some R-6MF zoning does extend through the area including portions which front on Clement, Lamar, Hawthorne, and Oakland The immediate area is a mixture of single family and multi-family development Between the two areas of the petition lies an apartment building and other smaller multi-family buildings are located across Clement Avenue, still others front on East Eighth Street.

Rezoning these parcels will comply with the small area plan and except for the duplex all would be conforming under the R-6 zoning The duplex would become non-conforming

Petition No 87-29

This petition is comprised of two parcels fronting on Clement Avenue between East Seventh Street and East Eighth Street The current zoning is B-1 and the petition is requesting R-6 The petitions are brought forward to public hearing on behalf of the neighborhood in order to comply with the intent of the Elizabeth Urban Design and Transportation Study

The parcels are developed, on the one hand, with a single family residence on the south side of Clement and a small multi-family building on the north side of Clement Zoning along East Seventh Street is represented in the form of B-1 zoning which extends from near Pecan Avenue to Hawthorne Areas around Park Drive are zoned O-6 whereas other parcels elsewhere throughout many of the neighborhood streets are zoned R-6 and R-6MF Land uses in the vicinity reflect the commercial zoning and office zoning along East Seventh Street and a variety of residential in other areas of the neighborhood

The two parcels in this petition represent an important gateway into the neighborhood along Clement Avenue The residential character is important to retain in order to enhance and maintain the strength and the image of the gateway Upon final examination staff would opt to recommend R-6MF zoning in lieu of the petition's R-6 The R-6MF provides a more reasonable zoning transition between B-1 and R-6 and would recognize the multi-family nature of one of the parcels involved Because of the orientation to Clement Avenue, it is believed that the zone change to residential is reasonable and is certainly keeping in character with other parcels which are similarly situated

The Urban Design Study includes the subject property in an area to be designated as an historic district The small area plan recommends rebuilding Seventh Street between Independence Boulevard and Laurel Avenue as a three lane, two-way roadway and provide for streetscape improvements along Seventh Street between Independence and Briar Creek

Petition No 87-30

This petition involves several areas and encompasses about 4 9 acres, most of which fronts on East Seventh Street extending from Clarice Avenue to Laurel Avenue The petition also includes parcels on the corner of Pecan Avenue and East Eighth Street The current zoning in all of these areas is O-6 and the petition is seeking R-6MF The petition is brought forward to public hearing on behalf of the neighborhood to comply with the intent of the Elizabeth Urban Design and Transportation Study.

Areas along East Seventh Street are zoned a combination of B-1 and O-6. Residential areas in the neighborhood are R-6MF and R-6 and are scattered throughout many neighborhood streets In terms of land use the properties included in the petition represent a mixture of existing office and multi-family development for the most part. Parcels at the intersection of Pecan and Eighth Street are developed with a duplex, single family and a small

office/warehouse building Parcels fronting on Seventh Street between Clarice and Ridgeway Avenue are developed with five multi-family buildings Three parcels in the block between Ridgeway and Laurel are developed with multi-family development (Balmoral Apartments) That project also extends across East Seventh Street in the petitioned area between Ridgeway Avenue and Laurel. Other parcels in that part of the petition include other multi-family development along with a vacant parcel and a couple of single family structures The purpose of the petition is to match the on the ground uses with the proposed zoning From the neighborhood perspective approval of the petition would help to unify the neighborhood better by providing residential zoning along critical streets which run across Seventh Street The plan felt that the structures and the fabric of East Seventh Street and the neighborhood should be protected from further erosion represented by the 0-6 classification

Staff, however, in its final evaluation of this petition is not recommending the zone changes along East Seventh Street Changing the zoning does not necessarily insure the protection of the neighborhood fabric and character and it is further believed that a mixture of land uses which are represented by office and business zoning along Seventh Street can serve as an important continuing method to reinvest in the neighborhood (for example the recently completed Pecan Point retail center at the Pecan/Central intersection) Staff is also concerned about the resulting zoning pattern if the petition is approved which would leave some parcels zoned 0-6 while changing others to multi-family even though they are all very similarly sized and situated. Such a zoning change might prove to be a hardship to those property owners whose zoning would be removed When viewed in the overall context of these petitions, it is an overall equitable compromise to leave these properties zoned as is

As far as the other parcels are concerned at Pecan and Eighth Street staff would recommend the change there Two parcels are used for residential purposes and a third, very small lot, is used in a non-conforming office/warehouse structure Because the environment there is so heavily oriented to neighborhood/residential uses, it seems very logical to change the zoning there to match the use and what is intended to be a very strong orientation now and in the future to residential development

The Urban Design Study references the site at Pecan and Eighth Street as an area to be designated as an historic district

Petition No 87-31

This petition is comprised of two parcels fronting on Clarice Avenue between East Seventh Street and East Eighth Street Current zoning of these parcels is 0-6 and the petition is requesting R-6. The petition is brought forward to public hearing on behalf of the neighborhood in order to comply with the intent of the Elizabeth Urban Design and Transportation Study

The two parcels are residentially developed The parcel located on the westerly side of Clarice is a duplex and a single family structure is located on the other lot across the street. Other land uses along Clarice are residential in nature as they are along Eighth Street and other nearby neighborhood streets The parcels in question do, however, adjoin lots which

are oriented to East Seventh Street Those lots are used for office purposes and there are several other offices in the immediate vicinity which front on Seventh Street.

The proposed rezoning would make the duplex structure non-conforming Staff believes that it is important to assign a residential classification to these uses based on their current use and the fact that they do relate as a neighborhood entry point along Clarice It is felt that a more appropriate classification though would be an R-6MF district which can provide a zoning transition between O-6 and R-6 and make both parcels conforming as to land use Further, the rezoning would remove the threat of the structures from being torn down or used as offices or in conjunction with other parcels for office purposes

The Elizabeth Small Area Plan recommends streetscape improvements to East Seventh from Independence Boulevard to Briar Creek and improvements to East Seventh from Independence to Laurel The plan also recommends a new mixed district to encourage the development of a neighborhood commercial center near Caswell and Seventh Street Also, the construction of a right turn lane from northbound Caswell Road to eastbound Seventh Street is recommended to improve traffic flow conditions Finally, the plan recognizes Seventh Street as a major thoroughfare which serves as a gateway to uptown The Urban Design Plan also recognizes the importance of Seventh Street and focuses on a Seventh/Pecan/Caswell neighborhood commercial center The plan also recommends the re-striping of Seventh to three lanes, improvement of curbs and lowering of the roadway crown within the existing right-of-way

Petition No 87-32

This petition encompasses land which is generally bounded by Laurel Avenue, the Seaboard Airline Railroad, Bascom Street and Seventh Street/Weddington Avenue The total acreage is approximately 7.2 acres The current zoning is O-6 and R-6MF and the petition is requesting R-6. The petition is being brought forward to public hearing on behalf of the neighborhood in order to comply with the intent of the Elizabeth Urban Design and Transportation Study

The area within the petition is a mixture of single family, duplex, multi-family and office development There are also a few vacant parcels as well Other portions of the immediate neighborhood are generally single family in nature, particularly along East Eighth Street A concentration of multi-family is nearby between Seventh and Weddington as well as the block along Seventh Street between Ridgeway Avenue and Laurel Avenue There are also a couple of office uses directly across Seventh Street from the site

Office zoning extends along both sides of Seventh Street beginning at about the subject property towards an area near Pecan Avenue A small area of industrial zoning is located just across Bascom Street from the site Other land in the neighborhood is either R-6 or R-6MF including portions of R-6 zoning along the northerly and westerly sides and R-6MF zoning thereafter

The portion of this petition which is zoned office represents the extension of the office zoning which has previously been described in Petition 87-30 As in that case, staff believes in its final assessment that the office zoning should be retained A couple of the parcels within this area are already used for

office purposes and due to its location along Seventh Street as well as the fact that other office development is located across from it, it does seem feasible to continue the 0-6 classification here The remaining portion of the petition, which seeks R-6, seems more logical due to the fact that the parcels are more neighborhood oriented and are principally developed with single family structures Three duplex units which front on Weddington Avenue would become non-conforming Other portions of the area are vacant and could be negatively impact if developed with high density multi-family A single multi-family building which fronts on Laurel Avenue at East 8th Street would also become nonconforming

Petition No 87-33

This petition is comprised of approximately four acres along the northeasterly side of Greenway Avenue extending from Laurel Avenue to an area west of Ridgeway Avenue The area covered by the petition is currently zoned R-6MF and the R-6 single family district is requested by the petition The petition is brought forward to public hearing on behalf of the neighborhood and seeks to implement the intent of the Elizabeth Urban Design and Transportation Study

The area within the petition is made up almost entirely of a series of duplex structures although it does appear that a couple of single family structures are also included Other portions of Greenway Avenue are largely single family in nature, but there are again a few duplex units across a portion of the petitioned property There is also a small area of multi-family development at the intersection of Greenway and Caswell Road Other land uses which adjoin the site are a mixture of multi-family and office development involving parcels which front on Seventh Street Other neighborhood streets in the immediate vicinity are solidly developed with single family homes

Most other streets in the area are zoned R-6 The site also lies adjacent to 0-6 zoning which fronts on East Seventh Street East Seventh also has B-1 zoning beginning near Pecan Avenue and extending towards Hawthorne Other neighborhood areas elsewhere are zoned R-6MF

Greenway Avenue is an important neighborhood street The street as mentioned just above is single family in character, scale and appearance It is a quiet, neighborhood-type street. This despite the fact that the area of the petition is filled with duplex structures The structures, however, lend themselves very easily to the single family nature of the street It is staff's strong opinion that this street deserves the protection of entire single family zoning along it and supports the zone change Most of the duplex structures (exception corner lots) would become non-conforming in nature, but it is important to realize that the R-6MF zoning represents a potential high density threat and intrusion into the existing the neighborhood setting Removal of these duplex units would allow high density multi-family on a street that is not suited for such development

The Elizabeth Small Area Plan recommends that Greenway Avenue function as part of a bicycle path system through the neighborhood The subject property is also included in the area to be designated as an historic conservation district The Urban Design Study has similar recommendations as those listed above

Petition No 87-34

This petition is comprised of approximately 5 2 acres encircling the southerly portion of Independence Park and Park Drive in the area southeast of Lamar Avenue This area is currently zoned O-6 and the petition is seeking R-6MFH zoning The petition is brought forward to public hearing so as to comply with recommendations contained in the Elizabeth Small Area Plan

Land uses within the petitioned property are varied. Included are a mixture of office uses, single family structures, multi-family, dormitory, parking/ business uses These parcels are directly oriented to Independence Park Several major land use features dominate the immediate vicinity, most notably the Presbyterian Hospital and Mercy Hospital Other institutional uses such as King's College and St John's Baptist Church are nearby Other neighborhood institutional uses are in many cases related to the health care or medical industry, but there are also some day care functions and the International House which fronts on Hawthorne Lane

Office zoning extends throughout much of the immediate vicinity, especially along major streets in the area Some B-1 zoning is located at the intersection of East Fifth Street and Caswell as well as some B-2 zoning along Hawthorne at East Fifth Street Commercial areas also extend along East Seventh Street near the site

The area around Independence Park is seen as a major neighborhood amenity It is felt that the parcels in this petition are largely underdeveloped and do not take the fullest advantage and opportunity of their setting relative to this significant open space amenity The redevelopment of this area under high density residential, as allowed under R-6MFH, could become a very desirable area for new, infill housing High density residential development here will also provide the further impetus for neighborhood retail and other support services Approval of this petition will represent a very positive move towards the strengthening of the neighborhood and provide the opportunity for an invigorating mixed use area in and around the park Staff fees strongly about the approval despite the fact that several non-conforming uses would be created (offices, parking, etc).

The Elizabeth Small Area Plan recognizes that Independence Park is the geographic center of the Elizabeth neighborhood and functions as a "stabilizer" The plan recommends the removal of the Arts and Crafts building in the east end so as to reestablish a garden-like theme Also, remove the office building and service area from the edge of the park near Seventh Street to provide new elderly housing and redesign parts of the park to reinforce the garden-like qualities above Hawthorne Reorganize the active use areas below Hawthorne. The park is seen as an anchor in establishing an historic district to the north between Hawthorne and Laurel Park Drive and Greenway should be designated as part of a bicycle path New housing development is encouraged on key sites around or near Independence Park The subject property is designated as a residential infill area

The Urban Design Study recommends that a portion of the subject property be included in an area to be designated as an historic district Bicycle paths

are recommended along Park Drive Finally, a pedestrian connection from the park to Caswell/Pecan/Seventh should be provided

Petition No. 87-35

This petition is located southeast of the intersection of East Independence Boulevard and Park Drive along East Fifth Street and Bartow Court and contains approximately 4 6 acres The present zoning is O-6 and the request is for R-6MFH zoning The petition is brought forward to public hearing in conformity with policy recommendations contained in the Elizabeth Small Area Plan

The area within the petitioned boundaries is used for a variety of land purposes including single family and multi-family residential, offices and surface parking lots Portions of the petition fronting on Park Drive overlook Independence Park whereas the other boundaries of the site adjoin parcels which front on Independence Boulevard, Elizabeth Avenue and Travis Avenue Along Elizabeth Avenue there is a mixture of office and commercial uses At the end of Elizabeth Avenue at Hawthorne Lane stands Presbyterian Hospital. The Elizabeth Elementary School is across Park Drive from the site and several other institutional uses are in the area

The subject property is presently zoned O-6 and is bordered on two sides by O-6 zoning which extends generally between East Fifth Street and East Seventh Street and other blocks nearby in the Elizabeth neighborhood The other two sides of the site adjoin B-2 zoning which extends along Independence Boulevard, Elizabeth Avenue and Fourth Street Residential areas nearby are zoned R-6MF

If approved, the new zoning classification for this area will permit the redevelopment in the future to allow high density residential development This new residential development can relate to both the amenity of Independence Park as well as the mixed use character of the Elizabeth Avenue area. New residential development here will compliment the mix of uses along Elizabeth and nearby streets as well as other major neighborhood activities including Central Piedmont Community College on one end and the medical community on the other at Hawthorne Lane This type of development will create an exciting urban neighborhood which now is lacking only the residential component This area is often described now as a future "mid town" location and approval here will further that goal It should be noted that like the previous petition, this represents an important and positive move for the Elizabeth neighborhood and, similarly, several non-conforming office and surface parking lots would be created.

The Elizabeth Small Area Plan recognizes that Independence Park is the geographic center of the Elizabeth neighborhood and functions as a "stabilizer". The plan recommends the removal of the Arts and Crafts building in the east end so as to reestablish a garden-like theme Also, remove the office building and service area from the edge of the park near Seventh Street to provide new elderly housing and redesign parts of the park to reinforce the garden-like qualities above Hawthorne Reorganize the active use areas below Hawthorne The park is seen as an anchor in establishing an historic district to the north between Hawthorne and Laurel Park Drive and Greenway should be designated as part of a bicycle path New housing development is encouraged on

key sites around or near Independence Park The subject property is designated as a residential infill area

The Urban Design Study recommends bicycle paths along Independence Boulevard, Park and Greenway Pedestrian connections from the park to Elizabeth Avenue via Torrence Street are also recommended

Petition No 87-36

This petition encompasses 9 2 acres south of Independence Boulevard along Beaumont, Louise, East Eighth, Oakland, Hawthorne and Lamar The current zoning here is R-6MF, B-1 and O-6 and the petition is seeking R-6 The petition is being presented at public hearing in order to comply with policy recommendations contained in the Elizabeth Small Area Plan

Land included within the petition represents a very large part of the Elizabeth neighborhood Accordingly there are a number of different land uses, but mostly they are residential in character By far most of the area is developed with single family residential development Only a few multi-family structures exist, i e a building at the intersection of Lamar and Bay and another smaller building which fronts in the middle of the block on Beaumont Avenue There is also a duplex unit which is located beside the aforementioned multi-family building at Lamar and Bay Another duplex fronts on Lamar and there is also an office near the end of Louise Avenue Hawthorne Lane United Methodist Church is also within the boundaries of the petition at Hawthorne and East Eighth Street

The office use along with the multi-family and duplex structures would become non-conforming if this rezoning is approved Staff has evaluated each of these potential non-conformities and has concluded that the two structures (multi-family building and duplex) at Lamar and Bay Street should be omitted from the petition due to the current land use on those parcels as well as the fact that they directly are related and adjoin other multi-family uses and zoning Those parcels are also located at the extreme edge of the petition and can be easily removed from the request

It appears as if several parcels at the end of Louise Avenue, including the office use which houses a surveying company, are apparently slated to be purchased as part of the Independence widening project Staff would recommend that the zoning for those parcels would not be changed due to the pending sale of the property It also appears as if some city owned property at the end of Beaumont Avenue is also affected by the Independence project. Those parcels house services of the Engineering Department (Soils Lab) Staff would not recommend a zone change at this time either pending the sale of that property

The balance of the petition, therefore, contains large areas devoted to stable, single family homes These homes should be protected from the potential intrusion/redevelopment that the current high density multi-family now would allow An important part of the overall fabric of the neighborhood integrity and character can be assured through the preservation of these homes and the zone change will facilitate that goal

The Elizabeth Small Area Plan has the subject property within an area to be designated as either an historic or an historic conservation district The plan also recommends roadway and streetscape improvements to East Seventh Street in the vicinity of the subject property The plan also recommends closing Oakland south of Independence and Lamar south of Independence Also, the provision of pedestrian bicycle connections at Hawthorne and Independence are recommended and in general improve the "gateway" at Hawthorne and Seventh Street

The Urban Design Study designates most of the subject property within the area of this petition as either an historic district or historic conservation district The plan also recommends intersection improvements at Hawthorne and Seventh and streetscape improvements to Seventh Street

Petition No 87-37

This petition involves about four acres bounded by Independence Boulevard , East Seventh Street and Beaumont Avenue. The property is presently zoned a B-1 and the petition seeks R-6MF and O-6 The petition is brought forward to public hearing to comply with policy goals contained in the Elizabeth Small Area Plan It should be noted that while the geographic area of this petition is included in the small area plan, the plan recommended that the area be rezoned entirely to O-6.

Other zoning patterns in the area reflect the continuation of O-6 zoning across East Seventh from the site and extending in the direction towards Hawthorne Lane The zoning pattern there changes more towards an orientation of commercial zoning as East Seventh extends towards the Pecan and Caswell area Across Independence Boulevard from the site to the north are areas zoned R-6MF and other neighborhood streets immediately in the vicinity of the site, such as Beaumont and Louise, are also zoned R-6MF at the present time Other portions of Independence Boulevard nearby relate to B-2 zoning

The property involved in this petition is developed with several different land uses, though most are office oriented The Central Services Department of the City of Charlotte comprises the area which is zoned B-1 in the petition That site has access off of Beaumont Avenue Another office building is located at the corner of Beaumont and Seventh Street Some institutional uses are located at and near the corner of Independence and Seventh Street with some residential development in between there and the aforementioned office at the corner of Beaumont Across Seventh from the site is the headquarters for the Boy Scout Association, other office development, and a church The Independence Park area is also close by Other portions of the neighborhood in the vicinity reflect a mixture of office and commercial development at the intersection of Seventh and Hawthorne and especially along Seventh as it continues towards Pecan and Caswell

Rezoning the parcels in question will create some non-conforming uses (city-owned Central Services Department) Other parcels will conform to the proposed rezoning

This area of East Seventh Street represents one of the major gateway entrances into the neighborhood The commercial zoning there associated with the property represents a potential negative intrusion into the neighborhood The rezoning will help match the on the ground uses to current zoning as well as to facilitate future redevelopment which will compliment the goal of enhancing and preserving the neighborhood The small area plan recognizes the area's importance and poses streetscape and roadway improvements to East Seventh Street and some to portions of Independence Boulevard The Urban Design Plan also makes reference to the property as a "gateway" at the intersection of Independence and Seventh Street

Staff would recommend that all of the parcels which front on East Seventh Street be rezoned to O-6 That would be consistent with the small area plan recommendation The balance of the petition near Independence Boulevard is occupied by the City of Charlotte offices Staff supports a change of zoning there to R-6MF, but realizes that portions of that land are involved in the Independence Freeway project. Any final decision regarding that area should be left until those plans are finalized and acquisitions take place This site commands a potentially exciting view of uptown Charlotte and high density residential development here can create an exciting urban setting As a matter of fact staff would even entertain an R-6MFH zoning for this property to provide even higher densities than allowed under R-6MF

Petition No 87-38

This petition involves four parcels west of the intersection of East Eighth Street and Hawthorne Lane and one parcel on the corner of East Eighth Street and Hawthorne Lane Current zoning is O-6 and the petition seeks R-6MF zoning It should be noted that the application states that this petition complies with the Elizabeth Small Area Plan, but the areas located on the northwesterly side of Hawthorne are not included in the small area plan The parcel across the street is identified as being a part of a neighborhood mixed use district in the small area plan

The parcels in question, despite the office zoning, are developed residentially The lot which faces East Eighth Street has a single family residence on it and the parcels which front on Hawthorne adjoining that lot are developed with multi-family and single family uses (It should be noted that there is some question as to whether or not one of the single family structures is actually used as an office) Across the street the corner lot is developed with a single family house and to the rear is a small multi-family building Land uses along Hawthorne between Independence and Seventh Street are largely residential in nature along with Hawthorne Lane United Methodist Church However, there are some commercial uses on either end of the street at Independence and Seventh Street.

Although the geographic area of this petition is relatively small, it is an important link along Hawthorne and makes up an important part of the neighborhood setting The proposed zoning will be consistent with neighborhood preservation goals and match the land uses on the ground No non-conforming use would be created

The Elizabeth Small Area Plan as mentioned above recognizes the parcels on the east side of Hawthorne as part of a proposed neighborhood mixed use district Further, parcels west of the intersection of East Eighth and Hawthorne are in the areas being designated as an historic conservation district The other parcel is in an area to be designated as an historic district. The Urban Design Plan makes the same kind of recommendation as the one contained just above.