AGENDA

Meeting Type:	ZONING
Date:	09/21/1987

City of Charlotte, City Clerk's Office

CHARLOTTE

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

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

Council Agenda

Monday, September 21, 1987

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

Belmont Area Plan

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

ITEM NO.

1. Invocation by the Reverend Michael Adcock, Emanual Baptist Church.

HISTORIC PROPERTIES PUBLIC HEARING

2. Hearing to consider designation of the Henry M. McAden House, (including the interior, exterior, an out building and the land associated therewith) located at 920 Granville Road, as historic property.

The Historic Properties Commission bases its judgement on the following considerations:

1. The Henry M. McAden House, built in 1917-18, was the residence of Henry M. McAden (1872-1957), a leading bank executive and member of a family of important textile manufacturers in this region.

2. The present owner, David M. McConnell, has held many important public offices during his distinguished lifetime, including United States Ambassador to the United Nations in 1968-69.

3. The house was designed by Louis Asbury, an architect of local and regional importance.

4. The grounds of the Henry M. McAden House were designed by Earle Sumner Draper, a landscape architect of local and regional importance.

5. The Henry M. McAden House is one of the older and more distinguished houses in Myers Park, an elegant streetcar suburb designed for the George Stephens Company by John Nolen, a nationally-important landscape architecture and urban planner.

Based on the current assessment and tax rate, the amount of deferrable taxes would be $3,794.32.

The property owner fully supports the historic designation. The Department Review Process revealed no conflicts between the historic designation and the City projects. The N. C. Division of Archives and History concurs in the proposed designation.

Recommend adoption of an ordinance designating the Henry M. McAden House, an out building and the associated land located at 920 Granville Road, as historic property.

Attachment No. 1

3. Hearing to consider designation of the Thomas Griffith Warehouse Building, (including the interior, exterior and the land upon which the building sits) located at 209 East Seventh Street, as historic property.

The Historic Properties Commission bases its judgement on the following considerations:

1. The Thomas Griffith Warehouse Building, erected in 1925, was initially owned by Thomas Griffith (1864-1947), a local insurance executive and civic leader of Charlotte.

2. The building was designed by Lockwood Greene and Company, an important industrial architecture firm.

3. This warehouse is an important remnant of a distribution warehouse district which arose in the first quarter of the 20th century along Charlotte's oldest railroad corridor, on the east side of Charlotte's central business district.

Based on the current assessment and tax rate, the amount of deferrable taxes would be $1,162.49.

The property owner fully supports the historic designation. The Department Review Process revealed no conflicts between the historic designation and City projects. The N. C. Division of Archives and History concurs in the proposed designation.

Recommend adoption of an ordinance designating the Thomas Griffith Warehouse Building, land upon which it sits, located at 209 East Seventh Street, as historic property.

Attachment No. 2

PUBLIC HEARINGS

4. Hearing on Petition No. 87-72 by Crosland-Erwin-Merrifield Associates for a change in zoning from U-MUD to U-MUD-O and a Site Plan Amendment to an existing U-MUD-O zoning for a 3.46 acre site bounded by 5th and 6th Streets, College Street and Southern Railroad right-of-way.

Attachment No. 3-A

5. Hearing on Petition No. 87-73 by Philip A. and Valya E. Visser for a change in zoning from R-6MFH to O-6(CD) for a .208 acre site located at 1925 Park Drive.

Attachment No. 3-B

6. Hearing on Petition No. 87-74 by Charlotte Freedom Mart, Ltd. for a change in zoning from I-1 and O-6 to B-1S(CD) for a 20.053 acre site located along the northeasterly side of Freedom Drive, south of Tuckaseegee Road and east of Old Cannon Airport (Ashley Road).

Attachment No. 3-C

7. Hearing on Petition No. 87-75 by Turnpike Properties, Inc. for a change in zoning from R-9 to B-1(CD) for an approximate 2.94 acre site located on the southeast corner of the intersection of Sugar Creek Road and I-85.

Attachment No. 3-D

8. Hearing on Petition No. 87-76 by John G. Blackmon for a change in zoning from R-9 to B-2(CD) for a 50 feet strip paralleling Independence Boulevard, which totals .56 acres on Dion Avenue.

Attachment No. 3-E

9. Hearing on Petition No. 87-77 by Carmel Investment Corporation for a change in zoning from R-9MF to R-20MF (Innovative) for 15.9 acre site located off Kimmerly Glen Lane, east of Campbell Creek and south of the Norfolk and Southern Railway.

Attachment No. 3-F

10. Hearing on Petition No. 87-78 by Peerless, Inc. for a change in zoning from O-15 and B-2 to B-D(CD) for 6.8 acres located on the northerly side of I-85, between Stewart Creek and Beatties Ford Road.

Attachment No. 3-G

11. Hearing on Petition No. 87-79 by Quail Corners Associates for a Site Plan Amendment to an existing B-1S(CD) zoning for approximately 17 acres bounded by Sharon Road West, Park Road, Hamlin Park Drive, and Brandon Forest Drive.

Attachment No. 3-H

12. Hearing on Petition No. 87-71 by the Charlotte-Mecklenburg Planning Commission for a text amendment to Section No. 1625 et seq. (Historic Districts) of the Zoning Appendix to the City Code, to bring the ordinance up to standards required for participation in the Certified Local Government Program; and to adopt the Secretary of Interior's Standards for Rehabilitation as the Commission's guidelines.

Attachment No. 3-I

POLICY AGENDA

13. Consider issuance of a floodway permit (FP87-4) to Evco Construction Company which would allow the construction of a warehouse adjacent to Little Sugar Creek at 2218 North Brevard Street.

The Charlotte Floodway Regulations generally prohibit any encroachment into areas designated as Floodway Districts. However, these same regulations provide for the issuance of a Floodway Permit which would allow some minor degree of encroachment into these restricted areas if granted. Section 9-41 of the Charlotte Floodway Regulations prescribes the method and consideration which should be given to such requests. Upon the recommendation from the Zoning Committee, City Council makes the final decision on this type of request.

The process does not involve a public hearing, but adjacent property owners are notified about the request and when the request will be considered.

Evco Construction Company has applied for a Floodway Permit which would allow construction of a warehouse in the floodway fringe areas three feet below the flood protection elevation.

The Planning Staff, Zoning Administrator, Parks and Recreation, and Engineering staff find this request is technically acceptable and that the effect of the warehouse on the capacity of the floodway is not significant and recommend approval.

A map is attached showing the area in question.

Attachment No. 4

14. Recommend adoption of the Belmont Special Project Plan as a policy guide for land use decisions in the future.

Attachment No. 5

15. Decision on Petition No. 85-79 (Part 2) by the City of Charlotte for a change in zoning from R-9MF to I-1(CD) for a 8.416 acre site bounded by Spratt Street, Southern Railway and the Brookshire Freeway Ramp.

On November 18, 1985, Council approved rezoning 5.1 acres of this petition to I-1(CD). On January 20, 1987, it was referred back to the Planning Commission. A second hearing was held August 17, 1987.

The Planning Commission recommends that the petition be approved.

Attachment No. 6-J

16. Decision on Petition No. 87-66 by the City of Charlotte for a change in zoning from O-6 to R-6MF for 23.4 acres (Independence Park) located south of East Seventh Street along Park Drive.

A protest petition has been filed and found insufficient to invoke the 3/4 rule.

The Planning Commission recommends that the petition be approved.

Attachment No. 6-K

17. Decision on Petition No. 87-68 by Steele's Body and Paint Shop, Inc. for a change in zoning from BD to B-2(CD) for a 2.7± acre site located on the west side of Pineville Road across from Longleaf 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 Council, not excused from voting, in order to rezone the property.

The Planning Commission recommends that the petition be denied.

Attachment No. 6-L

18. Decision on Petition No. 87-69 by D. MacRay Elliott and Clarence M. Elliott for a change in zoning from B-1 to I-1(CD) for a 1 acre site located between Yorkmont Road and Southern Railroad south of the intersection of Billy Graham Parkway and York Road.

The Planning Commission recommends that the petition be denied.

Attachment No. 6-M

19. 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 Fifth Street and Bartow Court was on for a decision at the zoning meeting June 22, 1987. Parcels 1-13 were denied. Parcels 14-26 and parcels 27-34 were deferred until a petition to rezone Independence Park to R-6MF was filed. The hearing to rezone Independence Park was held on August 17th and a decision is on the agenda this evening.

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

The Planning Commission recommends that the remaining parcels on this petition be denied.

Attachment No. 7

20. Recommend adoption of a resolution calling for public hearings for Monday, October 19, 1987, at 6:00 p.m. in the Board Room of the Education Center, on Petitions No. 87-80 through 87-87 for zoning changes.

21. Recommend adoption of a resolution calling for a public hearing for Wednesday, October 14, 1987, at 7:00 p.m. in the Board Room of the Education Center, on Petition No. SUB 87-1.

SCHEDULE OF MEETINGS
September 21 - 25, 1987

Monday, September 21	COUNCIL/MANAGER DINNER Education Center - Rooms 237-239	5.00 p. m.
	ZONING HEARINGS/DECISIONS Board Room	6:00 p. m.
Tuesday, September 22	PRIMARY ELECTION	
Thursday, September 24	COMMUNITY DEVELOPMENT & HOUSING COMMITTEE City Hall, 2nd Floor Conference Room	4.00 p. m.