# AGENDA

Meeting Type:	20NING	
Date:	12/19/1988	

City of Charlotte, City Clerk's Office

Mayor Sue Myrick

Mayor Pro Tem Al Rousso

John A (Gus) Campbell
Stanley M Campbell
Dan Clodfelter

Roy Matthews

Cyndee Patterson

Flla Butler Scarborough

Charlie & Dannelly Gloria Fenning Richard Umroot Velva W Woollen

# Council Agenda

Monday, December 19, 1988

5:00 p.m. - Dinner

Meeting Chamber Conference Room

6:00 p.m. - ZONING HEARINGS
Meeting Chamber

### ITEM NO.

1. Invocation by Dr. Thomas R. Sigmon, Sharon United Methodist Church.

#### PUBLIC HEARINGS

Hearing to consider designation of the Lyles-Sims House (specifically, the exterior and interior of the house and the entire tract of land upon which it sits), located at 523 North Poplar Street as historic property.

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

- (1) The Lyles-Sims House, erected between 1867 and 1869 and substantially enlarged and modified sometime between 1870 and 1887, is a rare survivor of nineteenth century domestic architecture in Charlotte and exhibits the impact which growing prosperity had upon the built environment of Charlotte.
- (2) The Lyles-Sims House is among the few older houses in Fourth Ward that occupy their original sites.

The Commission is aware that the North Carolina Division of Archive and History does not concur with the Commission's recommendation. The comments of the Division of Archives and History were carefully evaluated by the Commission, and the Commission voted nonetheless to move forward with processing the subject property for designation as historic property.

The Department Review process revealed no conflict with other City projects.

Pased on the current assessment and tax rate, the amount of deferrable taxes would be \$1,028.39.

Consider adoption of an ordinance designating the Lyles-Sims Pouse, including the exterior and the interior of the house as well as the entire tract of land upon which it sits, as historic property.

Attachment No. 1

Hearing to consider designation of Charlotte Fire Station No. 6 (specifically, the exterior and the interior of the fire station and the entire tract of land upon which it sits), located at 249 South Laurel Avenue as historic property.

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

- (1) Charlotte Fire Station No. 6, erected in 1928-29, was designed by Charles Christian Hook (1864-1938), an architect of local and regional significance.
- (2) Station No. 6 has served from the outset as the fire station for the Eastover, Myers Park, Crescent Heights, Colonial Heights, and Elizabeth neighborhoods.
- (3) Station No. 6, one of three fire stations which Hook designed in Charlotte, was part of a major expansion program instituted in the 1920's by Hendrix Palmer, Charlotte Fire Chief.
- (4) Station No. 6 is an excellent example of non-residential architecture which harmonizes successfully with the surrounding neighborhood.

The Department Review process revealed potential conflict over fire station upfit. The owner, City of Charlotte, has requested that the grounds and the interior of the fire station not be designated. The Commission considered this request but voted to affirm its original recommendation. Attached is a memorandum from Fire Chief L. L. Fincher, Jr. stating the department's concerns.

This property is exempt from ad valorem taxes.

Recommend Council take one of the following actions:

- 1) Adopt the ordinance as proposed.
- 2) Adopt the ordinance with amendments it deems necessary.
- 3) Reject the proposed ordinance.

Attachment No. 2

Hearing on Petition No. 88-48 by Sayre Lineberger Meyer for a change in zoning from B-1 and O-6 to R-12MF for a 2.76 acre site located on Providence Road at the corner of Ardsley and Providence Roads.

This hearing was deferred at the July 18, September 19, and November 21 meetings.

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

Attachment No. 3

Hearing on Petition No. 88-93 by Charlotte/Mecklenburg Hospital Authority for a change in zoning from R-15 to R-12MF(CD) for a 3.61 acre site located on the northerly side of Sardis Road between Providence Road and Randolph Road across from Timber Lane.

Attachment No. 4-A

Hearing on Petition No. 88-94 by Kindercare Learning Centers for a change in zoning from R-15 to R-12MF(CD) for a 1.39 acre site located on the northerly side of Sardis Road between Randolph and Providence Roads across from Timber Lane.

Attachment No. 4-B

Hearing on Petition No. 88-95 by Withrow Capital, Inc. for a change in zoning from R-12 to R-12(CD) and 0-15(CD) for a 75.3 acre site located on the northerly side of Arrowood Road opposite the Arrowpoint Business Park.

Attachment No. 4-C

Rearing on Petition No. 88-96 by Charlotte-Mecklenburg Planning Commission for a text amendment to Section No. 1102 of the Charlotte City Code to amend definition section regarding thoroughfares and to add additional yard and/or setback requirements for lots along thoroughfares.

Attachment No. 4-D

Hearing on Petition No. SUB 88-4 by the Charlotte-Mecklenburg Planning Commission to amend various sections dealing with metes and bounds property description, definitions, multiple building sites, and minimum road right-of-way requirements.

Attachment No. 4-E

#### POLICY AGENDA

Decision on Petition No. 88-83 by C. N. Reid for a change in zoning from I-2 to B-ISCD for a 10.67 acre site located on the westerly side of South Boulevard south of Woodlawn Road.

Councilmember Clodfelter was excused from the hearing on this petition due to a conflict of interest.

This petition was deferred for 30 days at the November meeting.

The Zoning Committee recommends that the petition be approved.

Attachment No. 5

Decision on Petition No. 88-80 by the Charlotte-Mecklenburg Planning Commission, for a text amendment to Section 2100 of the Charlotte City Code, sign regulations, to allow off-site directional signs, and temporary off-site real estate signs.

The Zoning Committee deferred action on this request until its December work session to allow staff time to prepare additional language.

Attachment No. 6-F

Decision on Petition No. 88-81 by Harry Grimmer and Company, Inc., for a change in zoning from R-15MF(CD) to R-12(CD) and a Site Plan Amendment to an existing R-15MF(CD) zoning, for a 4.2 acre site located on the west side of Carmel Road north of Shadow Lake Drive.

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

The Zoning Committee recommends that the petition be approved.

Attachment No. 6-G

Decision on Petition No. 88-82 by Land Shapes, Inc., for a change in zoning from R-15 to R-20MF (Innovative) for a 9 acre site located on the southerly side of Sardis Road at the intersection of Sardis Road and Randolph Road.

The Zoning Committee recommends that the petition be approved.

Attachment No. 6-H

Decision on Petition No. 88-85 by W. S. Abernathy and Nancy A. Starretta for a change in zoning from B-2, R-12MF and R-9 to B-2(CD), R-12MF(CD) and R-9(CD) for an 88 acre site located on the west side of North Tryon Street opposite the Eastway Drive intersection.

The Zoning Committee recommends that the petition, as modified, be approved.

Attachment No. 6-I

Decision on Petition No. 88-87 by Smith Properties for a change in zoning from I-2(CD) and R-6MF to I-2 for a .77 acre site located south of Golf Acres Drive and northwest of Morris Field Drive.

The zoning Committee recommends that the petition be approved.

Attachment No. 6-J

ITEM NO.

Decision on Petition No. 88-89 by Taco Bell Corporation for a change in zoning from R-9 to B-1(CD) for a one acre site located on the southwest corner of Sugar Creek Road and Wilson Lane.

The Zoning Committee recommends that the petition be denied.

Attachment No. 6-K

Decision on Petition No. 88-90 by Edens and Avant, Inc., for a change in zoning from R-12 to B-1(CD) for a 4.92 acre site located on the southerly side of Matthews-Pineville Road (N.C. 51) east of Blue Heron Drive.

The Zoning Committee recommends that the petition be denied.

Attachment No. 6-L

Decision on Petition No. 88-91 by Eric B. Easterling for a change in zoning from R-12MF to R-12 for an 15 acre site located on the southerly side of Thermal Road, west of Pineburr Road.

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

The Zoning Committee recommends that the petition be denied.

Attachment No. 6-M

Decision on Petition No. 88-92 by the Charlotte-Mecklenburg Planning Commission for a text amendment to Section Nos. 1208, 1302 and 3304 to replace the current rezoning and special use permit fee structure with fees set in accordance with the City of Charlotte's "Schedule of User Fees".

The Zoning Committee recommends that the petition be approved.

Attachment No. 6-N

Recommend adoption of resolution calling for public hearings on Tuesday, January 17, 1989, at 6:00 p.m. in the Meeting Chamber, 600 East Fourth Street, on Petitions 89-1 through 89-8 for zoning changes.

## BUSINESS AGENDA

### Business

Consider the Housing Authority request for funding of project being developed by The Trinity Group/McDevitt & Street at the corner of Thermal Road and Pineburr Road.

Information on this item will be sent in the Friday, December 16 Council-Manager memorandum. The item was deferred at the December 12 Council Meeting.

# SCHEDULE OF MEETINGS December 19, 1988 - January 6, 1989

Monday, December 19	COUNCIL/MANAGER DINNER Chamber Conference Room ZONING MEETINC Meeting Chamber	5:00 p. m. 6:00 p. m.
Tuesday, December 20	CITY/COUNTY LUNCHEON Conference Center	12:00 Noon
Friday, December 23 Monday, December 26	CHRISTMAS HOLIDAYS All City Offices Closed	
Monday, January 2	NEW YEAR'S HOLIDAY All City Offices Closed	