AGENDA

Meeting Type:	Z
Date	05-21-1990
SUBJECT	

City of Charlotte, City Clerk's Office

CHARLOTTE

Council Agenda

May 21, 1990

FILE COPY

CHARLOTTE

Meetings in May '90

------THE WEEK OF MAY 1 - MAY 5----------

1	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
	Tuesday, 5 00 p m	**BUDGET WORKSHOP/General Discussion** - CMGC, Room 267
2	Wednesday, 6 15 p m	**YOUTH INVOLVEMENT COUNCIL** - CMGC, Room 118

------THE WEEK OF MAY 6 - MAY 12----------

7	Monday, 12 Noon	**PLANNING COMMISSION/Work Session** - CMGC, 8th Floor Conference Room
	Monday, 5 00 p m	**BUDGET WORKSHOP/Operating** - CMGC, Meeting Chamber Conference Room
8	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
	Tuesday, 5 00 p m	**BUDGET WORKSHOP/Operating** - CMGC, Meeting Chamber Conference Room
	Tuesday, 6 00 p m	**YOUTH INVOLVEMENT COUNCIL** - CMGC, Room 267
9	Wednesday, 8 00 a m	**CLEAN CITY COMMITTEE** - CMGC, Room 267
	Wednesday, 8 30 a m	**CIVIL SERVICE BOARD** - CMGC, 7th Floor Conference Room
	Wednesday, 7 00 p m	**METROPOLITAN PLANNING ORGANIZATION** - CMGC, Cornelius Town Hall
10	Thursday, 5 30 p m	**BUDGET PUBLIC HEARING** - CMGC, Meeting Chamber
	Thursday, 6 00 p m	**BUDGET WORKSHOP/Council Discussion** - CMGC, Meeting Chamber Conference Room
	Thursday, 7 00 p m	**COMMUNITY DEVELOPMENT PUBLIC HEARING** - CMGC, Room 271

------THE WEEK OF MAY 13 - MAY 19----------

14	Monday, 7 30 p m	**HISTORIC LANDMARKS COMMISSION** - 1221 S Caldwell Street
15	Tuesday, 12 Noon	**JOINT CITY COUNCIL/COUNTY COMMISSION/SCHOOL BOARD LUNCHEON** - CMGC, Room 267
	Tuesday, 2 00 p m	**HOUSING AUTHORITY** - 1301 South Blvd , Administrative Office
	Tuesday, 4 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Aquatic Center Ad Hoc Art Advisory Group** - 8th Floor Conference Room
	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
16	Wednesday, 4 00 p m	**HISTORIC DISTRICT COMMISSION** - CMGC, 8th Floor Conference Room
	Wednesday, 4 30 p m	**CITIZENS CABLE OVERSIGHT COMMITTEE** - CMGC, Room 119
17	Thursday, 5 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee** - CMGC, 8th Floor Conference Room
	Thursday, 6 30 p m	**CHARLOTTE TREE ADVISORY COMMISSION** - Charlotte/Douglas International Airport, Administrative Offices Conference Room
18	Friday, 7 30 a m	**PLANNING LIAISON COMMITTEE** - CMGC, 8th Floor Conference Room

(CONTINUED ON BACK)

Public Service And Information Department

600 East Fourth Street

Charlotte NC 28202 2861

704/336-2395

------THE WEEK OF MAY 20 - MAY 26----------

21	Monday, 5 00 p m	**COUNCIL/MANAGER DINNER** - CMGC, Meeting Chamber Conference Room
	Monday, 6 00 p m	**CITY COUNCIL/Zoning Meeting** - CMGC, Meeting Chamber
22	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
	Tuesday, 5 00 p m	**BUDGET WORKSHOP/Capital** - CMGC, Meeting Chamber Conference Room
23	Wednesday, 5 00 p m	**BUDGET WORKSHOP/Final Decisions** - CMGC, Meeting Chamber Conference Room
24	Thursday, 5 00 p m	**BUDGET WORKSHOP/Optional** - CMGC, Meeting Chamber Conference Room

------THE WEEK OF MAY 27 - MAY 31----------

28	Monday	**MEMORIAL DAY** - All City Offices Closed
29	Tuesday, 2 00 p m	**CITY ZONING BOARD OF ADJUSTMENT** - Hal Marshall Building, 700 North Tryon St , Building Standards Training Room
	Tuesday, 2·00 p m	**CHARLOTTE-MECKELNBURG ART COMMISSION/Reedy Creek Ad Hoc Art Committee** - CMGC, 8th Floor Conference Room
	Tuesday, 3 30 p m	**PLANNING COMMISSION/Executive Committee** - CMGC, 8th Floor Conference Room
	Tuesday, 4 00 p m	**PLANNING COMMISSION/Planning Committee** - CMGC, 8th Floor Conference Room
	Tuesday, 4 30 p m	**PLANNING COMMISSION/Zoning Work Session** - CMGC, Room 119
	Tuesday, 6 00 p m	**COUNCIL/MANGER DINNER** - CMGC, Meeting Chamber Conference Room
	Tuesday, 6 30 p m	**CITIZENS HEARING (Televised on Channel 32)** - CMGC, Meeting Chamber
	Tuesday, 7 00 p m	**CITY COUNCIL MEETING (Televised on Channel 32)** - CMGC, Meeting Chamber
31	Thursday, 4 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee** - CMGC, 8th Floor Conference Room
	Thursday, 5 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION** - CMGC, 8th Floor Conference Room
	Thursday, 6 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Special Committee** - CMGC, 8th Floor Conference Room

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

Community Facilities Committee
Housing Appeals Board

CHARLOTTE

Mayor Sue Myrick | *Mayor Pro Tem Cyndee Patterson*

Stanley M Campbell
Daniel G Clodfelter
Ann Hammond
Pat McCrory
Tom Mangum
Hoyle H Martin
Roy Mattheus
Ella Butler Scarborough
Richard Vinroot
Lynn M Wheeler

Council Agenda

Monday, May 21, 1990

5:00 p.m. - Council-Manager Dinner
Meeting Chamber conference Room

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

Invocation by The Reverend John Harrill, Hickory Grove Baptist Church.

ITEM NO.

PUBLIC HEARINGS

1. Hearing to consider designation of the Palmer Fire School, (specifically the interior and exterior of the education building, the interior and exterior of the six-story tower, and the parcel of land upon which it is located, with the exception of a strip of land for a future right-of-way adjacent to East Seventh Street, located at 2601 Seventh Street, Charlotte, North Carolina, as historic property.

   The Historic Landmarks Commission judges that the property known as the Palmer Fire School does possess special significance in terms of Charlotte-Mecklenburg and bases its judgment on the following considerations:

   (1) The Palmer Fire School, a WPA project which opened on May 13, 1940, served as a training center and social center for the Charlotte Fire Department until 1976.

   (2) The school, named for Charlotte Fire Chief Hendrix Palmer, was at the time of its opening one of the finest facilities of its type in the United States.

   (3) The school, especially the rubble stone education building, possesses architectural significance.

   Since the property is owned by the City of Charlotte, there are no deferrable taxes.

Consider adoption of an ordinance designating the Palmer Fire School, including the exterior and interior, and the parcel of land upon which it sits, as historic property.

Attachment No. 1

2. (90-16) Hearing on Petition No. 90-16 by Spiro Pappas and Bill Dedemadis for a change in zoning from R-9 to I-1 for a 60.4 acre site located on the northeast corner of Beatties Ford Road.

This hearing was deferred at the March 19, 1990 meeting.

Attachment No. 2

3. (90-36) Hearing on Petition No. 90-36 by Crosland-Erwin Associates, Faison Associates, and Childress-Klein Properties for a Text Amendment to Section No. 2002 of the Charlotte City Code to add a new and separate requirement for computing off street parking for shopping centers.

The petitioner has requested this hearing be postponed for one month.

Attachment No. 3

4. (90-37) Hearing on Petition No. 90-37 by Charlotte-Mecklenburg Planning Commission for a Text Amendment to Section No. 1102 of the Charlotte City Code to revise the definition of a restaurant with drive-in service.

Attachment No. 4

5. (90-38) Hearing on Petition No. 90-38 by Samuel M. Youngblood, III for a change in zoning from R-12 to R-12MF(CD) for a 1 acre site located on the east side of McGill Street, bounded by Neal Drive and Heathway Drive.

Attachment No. 5

6. (90-39) Hearing on Petition No. 90-39 by Frank E. Mangum for a change in zoning from R-15 to R-15MF(CD) for approximately 6.3 acres located on the north side of Lawyers Road, west of McAlpine Creek.

Attachment No. 6

7. (90-40) Hearing on Petition No. 90-40 by Rameses Temple for a change in zoning from R-9 to R-9MF(CD) for approximately 4.13 acres located at the end of Northcliff Drive extending to the rear of lots along Cricketeer Drive.

Attachment No. 7

8. (90-41) Hearing on Petition No. 90-41 by Carol Patterson for a change in zoning from R-9 to R-9MF(CD) for a .368 acre tract on North Sharon Amity Road north of Abbeydale Place.

Attachment No. 8

9. (90-42) Hearing on Petition No. 90-42 by Charlotte Metro Credit Union and Charlotte Fire Department Credit Union for a change in zoning from R-6MF, O-6 and B-2 to O-6(CD) for 2.5 acres located on the south side of Central Avenue east of Brookshire Freeway and extending to Sunnyside Avenue.

Attachment No. 9

10. (90-43) Hearing on Petition No. 90-43 by Carmel Financial Group, Inc. for a change in zoning from R-9MF and O-15(CD) to I-1(CD) for 44.9 acres located on the southwest side of Hebron Street Extension west of Nations Ford Road.

Attachment No. 10

11. (90-44) Hearing on Petition No. 90-44 by Carmel Investment Group/Hebron for a change in zoning from R-9MF to I-1 for 3.38 acres located on the southwest corner at the intersection of Hebron Street and Nations Ford Road.

Attachment No. 11

12. (90-45) Hearing on Petition No. 90-45 by Charlotte-Mecklenburg Planning Commission for a change in zoning from R-6MF to R-6 for 29.4 acres known as the Lockwood Neighborhood fronting along Keswick, Sylvania, and Plymouth Avenues generally from Bancroft Street to Dunloe Street.

Attachment No. 12

BUSINESS AGENDA

13. Recommend City Council at its May 21, 1990 meeting to approve Option A and authorize the City Manager to expend $2,840,000 in Innovative Housing funds by entering into contracts to fund four projects selected by the Innovative Housing Committee totaling 190 housing units and also to authorize the City Manager the discretion needed to finalize negotiations to consummate the contracts.

Background:
On September 11, 1989, City Council approved a policy framework for expending Innovative Housing funds not allocated to the Housing Partnership. The policy allocated $1.5 million to develop 50-75 affordable housing units with proposals being solicited by the Innovative Housing Committee using the Request for Proposals (RFP) process. The units to be developed are targeted to serve families earning less than 40% of median income and living in substandard, overcrowded or unaffordable housing and are on the Housing Authority's Master List needing housing.

The RFP was approved by City Council on February 26, 1990. RFPs were mailed to 27 persons on February 28, 1990, and an RFP announcement was placed in The Charlotte Observer on March 4, 1990 and the Charlotte Post on March 8, 1990.

On March 30, ten proposals were received from six developers on 14 different land sites. The land sites are listed and the features of each proposal are given for the 14 sites on Exhibit A which is attached to this Request. Nine items of criteria required by the RFP are listed under each land site.

On April 10, 1990, the Innovative Housing Committee met to review the proposals. The first action taken was to eliminate 7 of the fourteen sites for the following reasons:

1) not in compliance with the City's Housing Assistance Plan;
2) no evidence of site control;
3) no evidence of ability to finance the project.

Of the remaining 7 sites, the Committee selected four sites (3 proposals) in the following priority ranking: (See Exhibits A & B) At the request of City Council, the Crosland Properties' proposal has been broken out into two developments instead of one.

(1)
- Developer - Ned Bishop - Carocon Corporation
- Site (requires rezoning)- Carmel Road & Carmel Forest Drive (C.T. 30.03)
- Project - 48 units providing priority assistance to 40% or less of the median income.
- Total Cost - $2,396,659
- City Loan - $1,300,000

(2A)
- Developer - Crosland Properties, Division of the Crosland Group, Inc.
- Site - York Road at Sandy Porter Road (C.T. 59)
- Project - 52 units providing assistance to 40% or less of the median income (26 units) and 60% or less of Charlotte's median income (26 units).
- Total Cost - $2,719,803
- City Loan - $467,000

(2B)
- Developer - Crosland Properties, Division of the Crosland Group, Inc.
- Site - Knights Bridge Rd. (C.T. 58.02)
- Project - 40 units providing assistance to 40% or less of the median income (20 units) and 60% or less of Charlotte's median income (20 units).
- Total Cost - $2,330,503
  City Loan - $433,000

(3)
- Developer - Charlotte Housing Authority
- Site - Park Road and Seneca Place (C.T. 31.03)
- Project - 50 units providing priority assistance to 40% or less of the median income.
- Total Cost - $2,499,162
- City Loan - $640,000

A site map for each of the four proposals is attached as Exhibit C. The Assistant Superintendent for Planning and Research has advised that these four proposals will have no negative impact on the Charlotte-Mecklenburg Schools (see Exhibit D). Also, attached is the Planning staff's review of the proposals (see Exhibit E).

On April 23, 1990, City Council deferred action on all of the recommended proposals to the May 21, 1990, Council meeting. In the interim, staff was directed to meet with the affected four neighborhoods to discuss and receive their input and comments regarding the projects. Meetings were held on May 1, 2 and 3 with two follow-up meetings on May 7 and 8. Minutes of each of the meetings are attached as Exhibit F. As a result of the meetings, the Knights Bridge Road site was modified from a 52 unit to a 40 unit development. (See Exhibit G.) This action responded to the neighborhood concerns regarding density, and the number of levels in the building design was reduced from three stories to two stories to be compatible with the Sharon South Condominiums which are also two stories in design.

As a result of the neighborhood meetings, there was a concensus that the neighborhood leaders better understood City Council's housing goals, objectives and its Housing Assistance Plan (HAP) and strategy. Also, they had a better understanding of the various types of assisted housing that has been developed, such as federally-built, city-built, transitional and public/private. The four proposed housing developments are categorized as public/private ventures with the exception of the Housing Authority which would be transitional housing,

and the developments would house residents that are the lower income, working citizens as indicated in Exhibit H. The four neighborhood groups acknowledged the public purpose of the HAP, but all four neighborhoods opposed the individual sites.

From the meetings there is only one recommended change as previously mentioned. The change reduces the Knights Bridge Road development from a 52 unit development to a 40 unit development which reduced the overall project cost by $407,419 and the City contribution by $50,000. The explanation of this change is shown in Exhibit G.

Explanation of Request:

The following four options have been developed for Council's consideration:

- Option A - Authorize the City Manager to expend $2,840,000 in Innovative Housing funds by entering into contracts to fund four housing developments in priority ranking selected by the Innovative Housing Committee totalling 190 housing units. (The Innovative Housing Status Report on funds is attached to this request as Exhibit I.)

- Option B - Authorize the City Manager to expend $1,300,000 in Innovative Housing funds by entering into a contract to fund the Bishop/Carocon Corporation proposal, the Innovative Housing Committee's #1 priority ranking, to develop 48 housing units.

- Option C - Reject all proposals

- Option D - Authorize the City Manager to expend Innovative Housing Funds by entering into contracts to fund one or more housing developments to be determined by City Council at its May 21st meeting.

The Innovative Housing Fund currently has an unspent balance of $3,278,833 (see last page of Exhibit I). For this reason enough money is available to fund more than one project. Since the City has received several proposals that comply with City Council's recently adopted Housing Policy Plan, Housing Assistance Plan, and Land Acquisition Policy, it is recommended that the City Council fund four of the fourteen request for proposals received at this time which will construct and develop 190 housing units that would be made available to approximately 4,000 families currently on the Housing Authority's Waiting List.

Therefore, the City Manager recommends that the City Council accept the Innovative Housing Committee's recommendation of Option A. Option A authorizes expending $2,840,000 of the current funds available in the Innovative Housing funds (see Exhibit I) leaving a balance of $438,833 to fund small projects until June 30, 1990. It is anticipated that City Council will appropriate an additional $4.5 million for FY91.

As requested by Council, the Community Relations Committee has reviewed the four proposals and staff comments regarding changes to the neighborhoods as related to racial composition are attached as Exhibit J.

The Innovative Housing Committee ranked the four (4) projects it's recommending in priority ranking because each of the projects are contingent upon receiving tax credits from the North Carolina State Housing Finance Agency; and, due to the expected State-wide competition for the tax credits, there may not be enough tax credits available for Charlotte to receive and fund three (3) projects. However due to the mix of the projects recommended (Private, Private/non-profits), the projects should be competitive. The State Housing Finance Agency's deadline of April 30th for tax credit applications was extended to May 29, 1990. This extension and Council's deferral allowed neighborhood notification, review and comment on the proposed housing developments. City Council agreed to make a decision on May 21 in order for developers to apply for tax credits if their loans were approved by Council.

Finally, City staff did not have the opportunity to negotiate the terms of the loans, deed restrictions, etc. due to the RFP format used. Therefore, it is requested that the City Manager be given the authorization and discretion to finalize the negotiations on each project funded to ensure compliance with Council's goal on long-term availability and repayment of the City's loan to recycle funds; however the City loan amounts approved by City Council for each development would not change.

Source of Funding:
City Innovative Housing Fund

Clearances:
The Innovative Housing Committee on April 10, 1990.

Bibliography:
Copies of the proposals are on file in the Community Development Department

Attachments 13

DECISIONS

14. (90-20) Decision on Petition No. 90-20 by E. C. Griffith Company and Laurel Eye Associates for a change in zoning from R-12 to O-15(CD) for approximately 46.5 acres located on the westerly side of Randolph Road at the Billingsley Road intersection.

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 deferred action on this request for 30 days at the specific request of the petitioner.

Attachment No. 14

15. (90-21) Decision on Petition No. 90-21 by Pineville Realty Associates, Inc., for a change in zoning from R-9MF to O-6(CD) and B-1(CD) for a 10.2 acre site located on the east side of Cheshire Road at Nivens Road and extending to Mallard Creek Road.

This hearing was deferred at the March 19 and April 16 meetings.

The Zoning Committee recommends that this petition be denied.

Attachment No. 15

16. (90-26) Decision on Petition No. 90-26 by Sam Johnson for a change in zoning from R-6MF and R-6MF (Conditional Parking) to B-2(CD) for approximately 1.54 acres located off the east side of South Boulevard (to the rear of Metro Lincoln Mercury/Merkur automobile dealership).

The Zoning Committee recommends that this petition be approved.

Attachment No. 16

17. (90-27) Decision on Petition No. 90-27 by S. C. Hondros & Associates for a change in zoning from O-15 to I-1(CD) for 2.79 acres located on the east side of Stewart Creek Boulevard south of North Hoskins 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 deferred action on this request for 30 days due to the fact that the petitioner wished to submit a revised site plan.

Attachment No. 17

18. (90-28) Decision on Petition No. 90-28 by Billingsley Road Associates for a Site Plan Amendment to an existing O-15(CD) zoning for 7.2 acres located on the south side of Billingsley Road approximately 665 feet east of Randolph Road.

The Zoning Committee recommends that this petition be approved.

Attachment No. 18

19. (90-29) Decision on Petition No. 90-29 by Charles E. Knox for a change in zoning from R-15MF to R-15(CD) and I-1(CD) for 2.7 acres located on the northerly side of Alleghany Street west of Ashley Road.

The Zoning Committee recommends that this petition be approved.

Attachment No. 19

20. (90-31) Decision on Petition No. 90-31 by Kimco Development Corporation for a change in zoning from I-2 to B-1SCD for approximately 12.8 acres located on the southeasterly corner of Woodlawn Road and South Boulevard.

Attachment No. 20

The Zoning Committee recommends that this petition be approved.

21. (90-32) Decision on Petition No. 90-32 by Charles Brewington for a change in zoning from B-1 to B-2(CD) for a .459 acre site located on the east side of Beatties Ford Road south of Holly Street.

The Zoning Committee deferred action on this request for 30 days and requested that the petitioner provide additional information in terms of site plan improvements and uses for the property.

Attachment No. 21

22. (90-33) Decision on Petition NO. 90-33 by Charlotte-Mecklenburg Planning Commission for a change in zoning from B-2 to B-1 for approximately 3.24 acres located along the southwesterly side of Rozzells Ferry Road between Oregon Street and Norwood Drive.

A protest petition has been filed and is 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. 22

23. (90-34) Decision on Petition No. 90-34 by Charlotte-Mecklenburg Planning Commission for a change in zoning from I-2 and B-2 for a .394 acre site located on the northwest corner of the intersection of East Carson Boulevard and South Boulevard. Councilmembers McCrory and Scarborough were excused from the hearing.

The Zoning Committee recommends that this petition be approved.

Attachment No. 23

24. (90-35) Decision on Petition NO. 90-35 by Charlotte-Mecklenburg Planning Commission for a change in zoning from I-2 to B-1 for a 6 acre site located on the southwest corner of the intersection of South Boulevard and Bland Street.

Councilmembers McCrory and Scarborough were excused from the hearing.

The Zoning Committee recommends that the petition be approved.

Attachment No. 24

25. Recommend adoption of Resolution setting a joint public hearing for June 18, 1990, at 6:00 p.m. in the Meeting Chamber, 600 East Fourth Street, by the City Council and the Charlotte-Mecklenburg Historic Landmarks Commission concerning the designation of the W. D. Beaty House and the land associated therewith as historic landmark.

26. Recommend adoption of Resolution setting a joint public hearing for June 18, 1990, at 6:00 p.m. in the Meeting Chamber, 600 East Fourth STreet, of the City Council and the Charlotte-Mecklenburg Historic Landmarks Commission concerning the designation of the Mt. Zion Lutheran Church and the land associated therewith as historic landmark.

27. Recommend adoption of Resolution setting public hearings for June 18, 1990, at 6:00 p.m. in the Meeting Chamber, 600 East Fourth Street, on Petition Nos. 90-11, 90-46 through 90-51 and 90-53 through 90-55 for zoning changes.

- ANNOUNCEMENTS -

In its meeting on Monday, June 25, 1990, City Council will make nominations to fill vacancies on the following committees:

1. Airport Advisory Committee - Two appointments beginning July 31, 1990. The incumbents, Earl Gulledge and Sue Friday, are eligible for reappointment. Terms are for three years.

2. Auditorium-Coliseum-Convention Center Authority - One appointment for an unexpired term ending April 25, 1991. John H. Maxheim has resigned. Regular terms are for three years.

3. Community Facilities Committee - Two appointments beginning September 1, 1990. The incumbents, Steve McCleod and Thomas H. Sykes, are eligible for reappointment. Terms are for two years.

4. Historic District Commission - One appointment beginning June 30, 1990. Melody (Burgess) Poetzsch was reappointed on April 9, 1990, but does not want to serve a second term. Terms are for three years.

5. Historic Landmarks Commission - Two appointments beginning July 16, 1990. The incumbents, Daniel W. Desmond and James P. Hammond are eligible for reappointment. Terms are for three years.

6. Housing Authority - One appointment for an unexpired term ending December 17, 1991. Julia Turner has resigned. Normal terms are for five years.

7. Mint Museum Board of Trustees - One appointment beginning July 31, 1990. The incumbent, Mrs. James Richardson, is eligible for reappointment, but has not met Council's attendance requirement policy of attending 75% of the meetings. Terms are for three years.

8. Charlotte Parks Advisory Committee - One appointment beginning June 1, 1990. Mr. Edward McDowell has not met City Council's attendance requirement of attending 75% of the Committee meetings. Terms are for three years.

9. Charlotte Uptown Development Corporation - Board of Directors - Five appointments beginning August 31, 1990. Fred Klein, Susan Hamilton, Freda Nicholson, and Cullie M. Tarleton are eligible for reappointment. Douglas Booth, in the Business Category, is not eligible for reappointment. Terms are for three years.

SCHEDULE OF MEETINGS
May 22, 1990 - May 31, 1990

Tuesday, May 22, 1990	Joint City/County/School Board Meeting CMGC - Room 267 12:00 Noon
Tuesday, May 22, 1990	Budget Workshop/Operating Meeting Chamber Conference Room 5:00 p.m.
Wednesday, May 23, 1990	Budget Workshop/Capital Meeting Chamber Conference Room 5:00 p.m.
Thursday, May 24, 1990	Budget Workshop/Final Decisions Meeting Chamber Conference Room 5:00 p.m.
Monday, May 28, 1990	HOLIDAY
Tuesday, May 29, 1990	Council/Manager Dinner Meeting Chamber Conference Room 6:00 p.m.
Tuesday, May 29, 1990	Citizens' Hearing CMGC, Meeting Chamber 6:30 p.m.
Tuesday, May 29, 1990	City Council Meeting CMGC, Meeting Chamber 7:00 p.m.

AN ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK THE PROPERTY KNOWN AS THE "PALMER FIRE SCHOOL" TO INCLUDE THE FOLLOWING BOTH THE INTERIOR AND THE EXTERIOR OF THE EDUCATION BUILDING, BOTH THE INTERIOR AND THE EXTERIOR OF THE SIX-STORY TOWER, AND THE PARCEL OF LAND UPON WHICH IT IS LOCATED, LISTED UNDER TAX PARCEL NUMBER 127-091-01, WITH THE EXCEPTION OF A STRIP OF LAND FOR A FUTURE RIGHT-OF-WAY ADJACENT TO EAST SEVENTH STREET THAT EXTENDS NO MORE THAN FIFTY FEET FROM THE PRESENT CENTERLINE OF EAST SEVENTH STREET THE PROPERTY, OWNED BY THE CITY OF CHARLOTTE, IS LOCATED AT 2601 EAST SEVENTH STREET, CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina have been met, and

WHEREAS, the Members of City Council of the City of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the ____ day of _____ , 1990, on the question of designating a property known as the "Palmer Fire School" as a historic landmark, and

WHEREAS, the "Palmer Fire School," a WPA project which opened on May 13, 1940, served as a training center and social center for the Charlotte Fire Department until 1976, and

WHEREAS, the "Palmer Fire School" was named for Charlotte Fire Chief Hendrix Palmer, and

WHEREAS, the "Palmer Fire School" was at the time of its opening one of the finest facilities of its type in the United States, and

WHEREAS, the "Palmer Fire School," especially the rubble stone education building, possesses architectural significance, and

WHEREAS, the current owner, the City of Charlotte, has faithfully maintained the "Palmer Fire School" and has thereby made

a substantial contribution to the cultural richness of Charlotte and Mecklenburg County, and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the "Palmer Fire School" possesses a structure having integrity of design, setting, workmanship, materials, and/or association, and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the "Palmer Fire School" possesses special significance in terms of its history, architecture, and/or cultural importance, and

WHEREAS, the property known as the "Palmer Fire School" is owned by the City of Charlotte,

NOW, THEREFORE, BE IT ORDAINED by the Members of City Council of the City of Charlotte, Mecklenburg County, North Carolina

1 That the property known as the "Palmer Fire School" (including the interior and the exterior of the education building, the interior and the exterior of the six-story tower, and the parcel of land upon which it is located, listed under Tax Parcel Number 127-091-01, with the exception of a strip of land for a future right-of-way adjacent to East Seventh Street that extends no more than fifty feet from the present centerline of East Seventh Street) is hereby designated as historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina The location of said landmark is noted as being situated at 2601 East Seventh Street in Charlotte, Mecklenburg County, North Carolina

2 That said designated landmark may be materially altered, restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted

3 That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition Nothing herein shall be construed to prevent the landmark owner from making any use of this landmark not prohibited by other statutes, ordinances, or regulations

4 That a suitable sign may be posted indicating that said property has been designated as historic landmark and containing any other appropriate information If the owner consents, the sign may be placed on said landmark

5 That the owners and occupants of the landmark known as the "Palmer Fire School" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as

ORDINANCE -- PALMER FIRE SCHOOL

required by applicable law

6 That which is designated as historic landmark shall be subject to Chapter 160A, Article 19, and any amendments to it and any amendments hereinafter adopted

Adopted the _____ day of _____ 1990 by the Members of City Council of the City of Charlotte, Mecklenburg County, North Carolina

_____
Clerk to the City Council

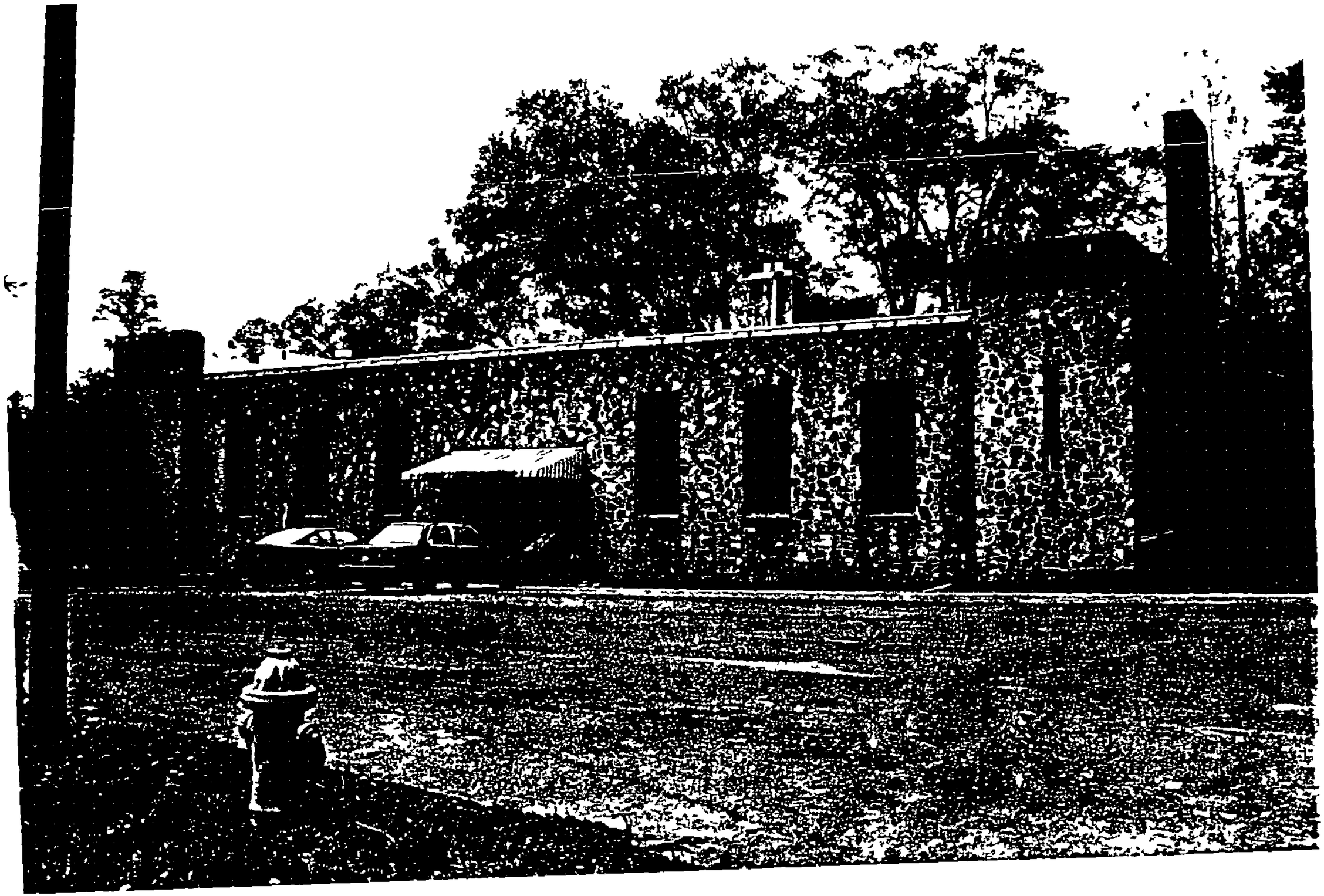
Approved as to form

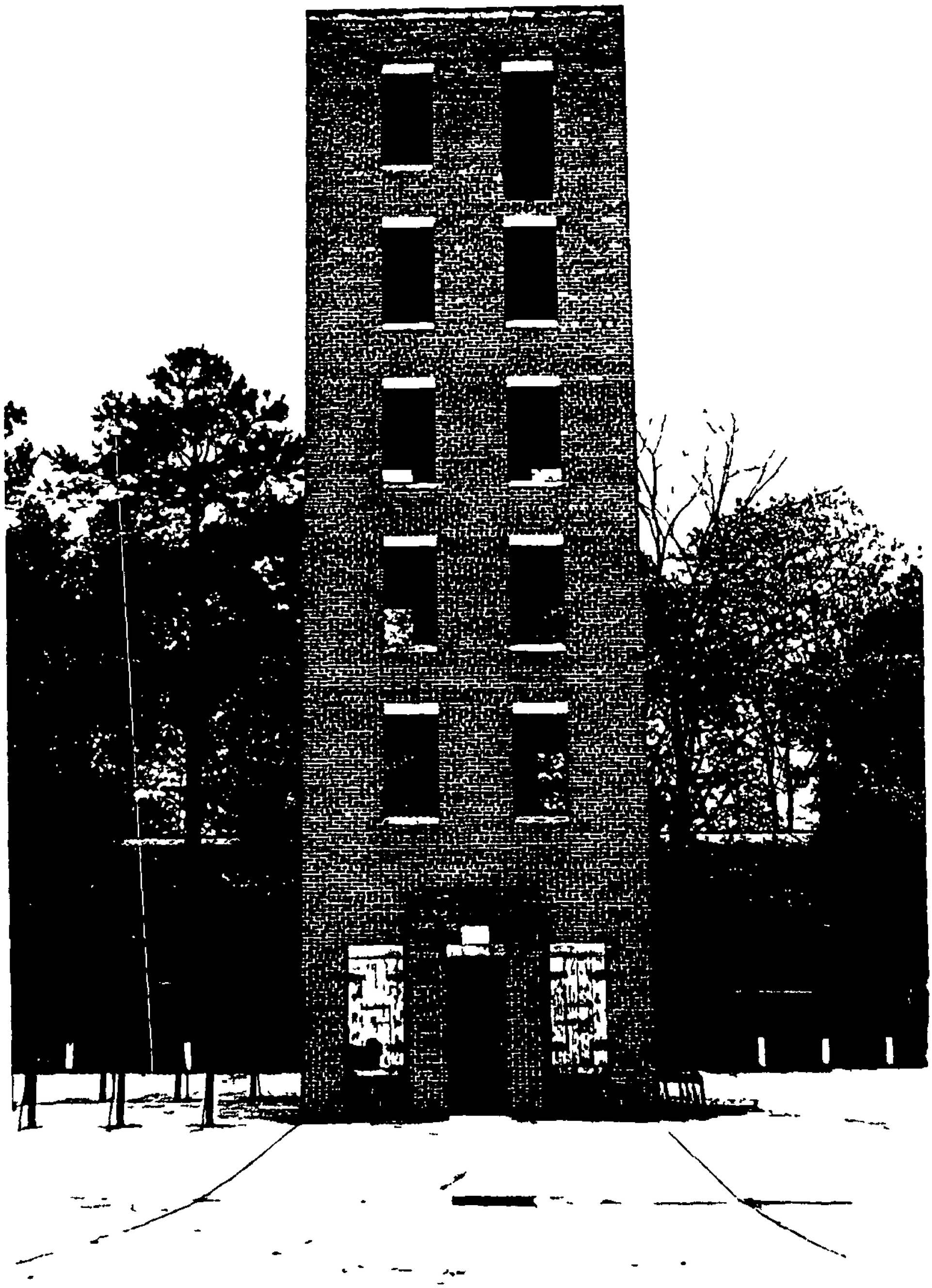
Henry W Underhill, Jr

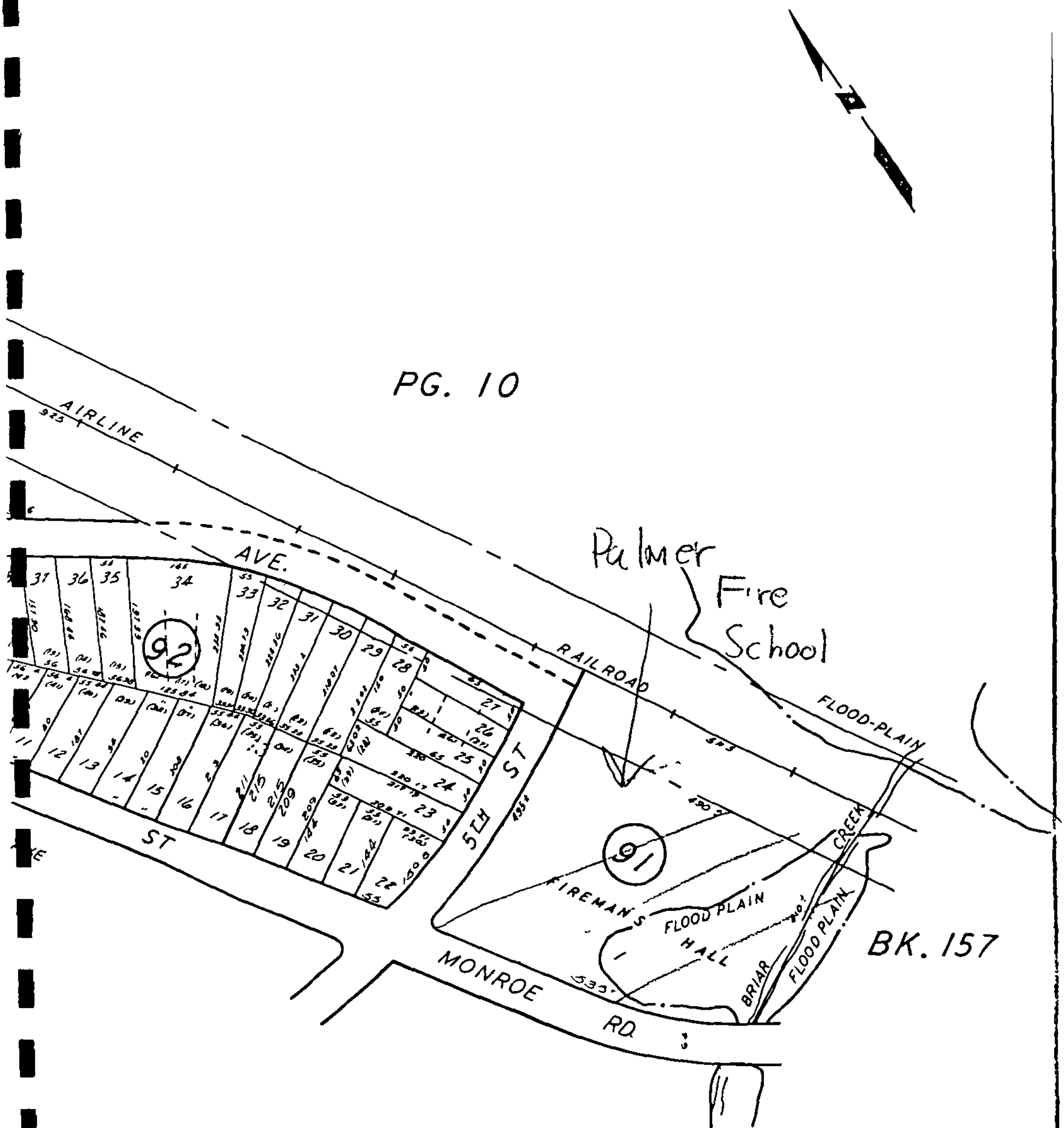
City Attorney

by David M Smith

Assistant City Attorney







TAX LINE MAP BOOK 127 PAGE 09	
MECKLENBURG COUNTY NORTH CAROLINA	
REVISED	SCALE 1" = 200'

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

May 11, 1990

Mayor and City Council:

RE: Petitions to be Heard in May, 1990

Attached you will find appropriate maps and copies of each petition, as well as the Pre-Hearing Staff Analysis, for petitions scheduled for public hearing on Monday, May 21, 1990 at 6:00 o'clock P.M., in the Charlotte-Mecklenburg Government Center, Meeting Chamber, 600 East Fourth Street.

This material is intended to provide background information concerning the requests and the area in which the properties are located.

Sincerely,

Walter G. Fields, III
Land Development Manager

WGF:mlj

Attachments

600 East Fourth Street • Charlotte, North Carolina 28202 2853 • (704) 336-2205

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 90-16

Petitioner: Spiro Pappas and Bill Dedemadis

Location: Approximately 60.4 acres located on the northeast corner of Beatties Ford Road.

Request: Change from R-9 to I-1

BACKGROUND

1. Existing Zoning. The property involved in this request is presently zoned R-9. Most of the surrounding area is also zoned R-9 with a few scattered tracts of O-6, O-9, and B-1 located south of Slater Road.

2. Existing Land Use. The subject property presently contains some single family detached dwellings. To the north of the subject property are scattered single family detached dwellings, a church, and existing nonconforming mobile homes and a commercial use. To the west across Beatties Ford Road is a quarry. To the east, this tract is bordered by I-85 with existing single family beyond the interstate. To the south acre additional single family tracts as well as an existing office and institutional use (YMCA).

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicates that residential development should fill in the remaining open land that is interspersed in already developed areas of the northwest and indicates the subject areas as developing residential.

   2. Northwest District Plan. The pending Northwest District Plan recommends single family residential uses for this area. Beatties Ford Road is also recommended for streetscape considerations as a major thoroughfare and gateway highway.

4. Site Plan. No site plan submitted with this petition.

5. School Information. Not applicable.

6. Zoning History (See Attached Map).

Petition No.	Request	Action	Date
1. 75-5(c)	R-9 to Cond. Use (Fraternal Organization)	Approved	05/05/75
2. 75-31(c)	R-9 to B-2	Denied	12/01/75
3. 88-15(c)	Cond. Fraternal Organization to R-9	Approved	04/18/88
4. 89-63	Establish zoning in annexed area	Approved	08/28/89

7. Neighborhood. Not applicable.

REVIEWS

1. Plan Consistency. This petition proposes the rezoning of existing R-9 to I-1. The 2005 Plan and the Northwest District Plan call for this area to remain residentially zoned. Therefore, the proposed zoning is inconsistent with public plans for this area.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The petitioner met with staff prior to the filing of the application and staff strongly discourage submittal of the application.

   2. Departmental Comments. Due to the conventional nature of this petition, there were few comments from reviewing agencies. The Department of Transportation indicates that the site as presently zoned would generate approximately 2,920-3,796 trips per day. Under the proposed zoning, the site would generate approximately 3,492 trips per day and, therefore, would not have a significant impact on the thoroughfare system.

ISSUES

1. Land Use. This petition seeks rezoning from a single family residential district to an industrial district. Publicly adopted and pending plans recommends that single family residential uses remain for this area. Also, as this petition is for a conventional rezoning with no site plan, there is opportunity to address streetscape concerns along Beatties Ford Road that is also included in the publicly adopted and pending plans. Therefore, this petition is not considered appropriate for approval.

2. Site Plan. There is no site plan which accompanies this petition inasmuch as it is a conventional application rather than a conditional application.

CONCLUSION

This petition raises substantial land use issues and is not considered appropriate for approval. Publicly adopted plans call for the area of the subject property to continue to be used for residential purposes.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Staff Review Meeting
Tuesday Feb. 6 @ 9:00

Petition No 90-16
Date Filed January 16, 1990
Received By [illegible]
OFFICE USE ONLY

Ownership Information

Property Owner SEE ATTACHED LIST

Owner's Address

Date Property Acquired

Tax Parcel Number SEE ATTACHED LIST

Location Of Property (address or description) BEATTIES FORD ROAD AT SLATER ROAD

Description Of Property

Size (Sq Ft.-Acres) 60,404 Acres Street Frontage (ft.) 1955

Current Land Use RESIDENTIAL

Zoning Request

Existing Zoning R-9 Requested Zoning I-1

Purpose of Zoning Change LIGHT INDUSTRIAL DEVELOPMENT

Name Of Agent

Agent's Address

Telephone Number

SPIROS PAPPAS & BILL DEDEMADIS
Name of Petitioner(s)

8 WOODLAWN GREEN, CHARLOTTE, N.C.
Address of Petitioner(s)

704-525-1874
Telephone Number

Signature

SEE ATTACHED LIST
Signature of Property Owner If Other Than Petitioner

PETITIONER Spiros Pappas & Bill Dedemadis

PETITION NO. 90-16 HEARING DATE March 19, 1990

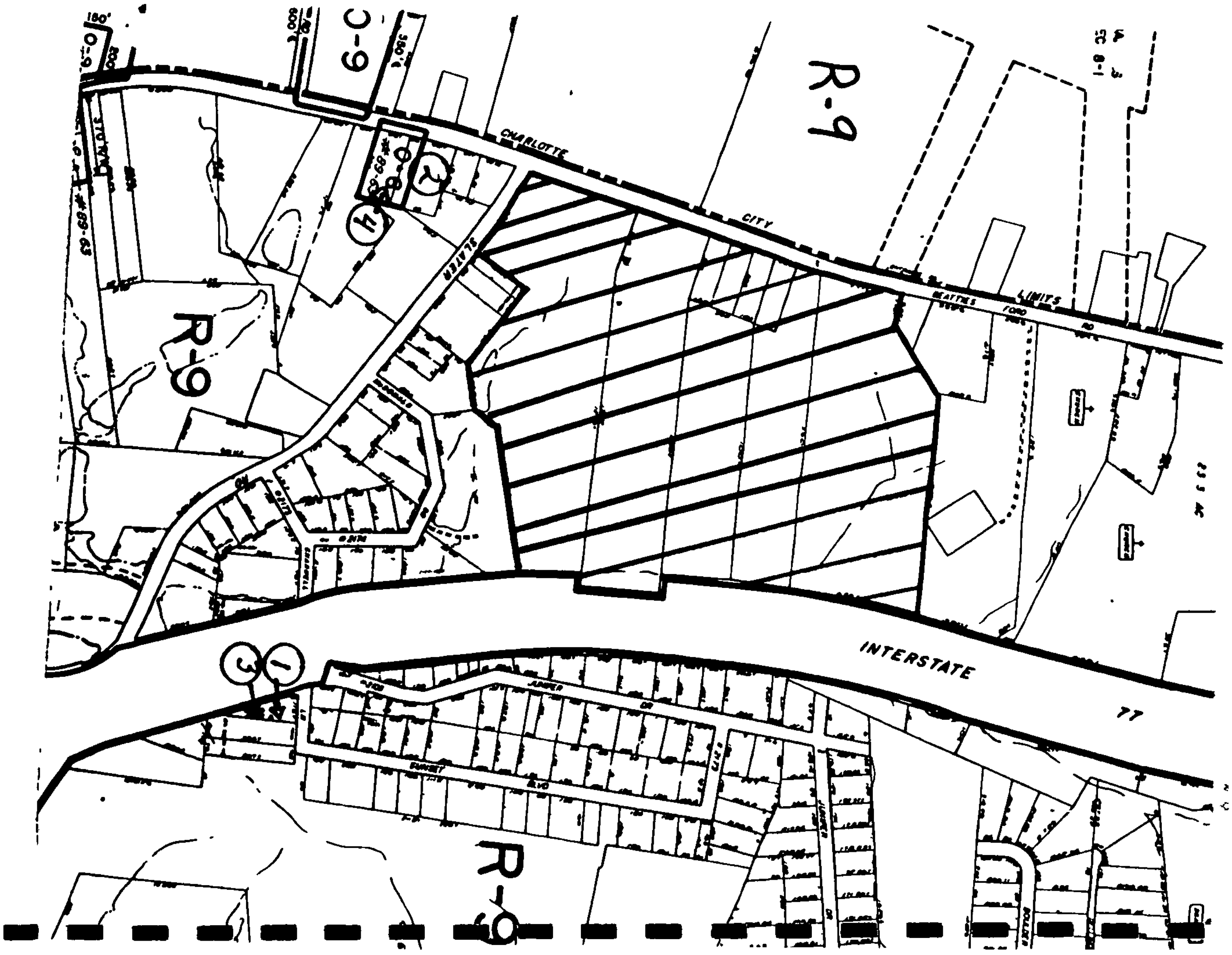
ZONING CLASSIFICATION, EXISTING R-9 REQUESTED I-1

LOCATION Approximately 60.4 acres located on the northeast corner of Beatties Ford Road and Slater Road extending to I-77.

SEE ATTACHED MAP

ZONING MAP NO. 69 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


C-9
R-9
R-9
R-9
CHARLOTTE
CITY
LIMITS
INTERSTATE
77
SLATER
JANICE
DR
SUNSET
BLVD
BOLLING
4
2
3
1

FRED E. BRYANT, PLANNER

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

May 9, 1990

Mayor Sue Myrick and
Members, Charlotte City Council
Charlotte, North Carolina

Dear Mayor and Council Members:

On behalf of a number of companies involved in the development of shopping centers, I filed a petition to consider the amendment of the Zoning Ordinance as it relates to "offstreet parking" requirements. Among the companies involved are Crosland Erwin Associates, Faison Associates and Childress Klein Properties. This request is identified as **Petition 90-36** and is currently scheduled for public hearing on May 21.

It is requested that this **hearing** date **be postponed one month** to your **zoning hearing date in June.** This is being proposed because of a conflict with a national meeting of shopping center developers and operators which will necessitate all of the principals in this matter being out of town on the 21st. We feel it will be important to have the principals present to answer any specific questions that could come up.

If you have any questions concerning this request, please let me know.

Sincerely,

Fred E. Bryant

Fred E. Bryant, AICP

FEB/df

cc: Mr. Walter Fields
Ms. Pat Sharkey

RECEIVED
MAY 10 1990
OFFICE OF CITY CLERK

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 90-36

Petitioner: Crosland-Erwin Associates, Faison Associates, and Childress-Klein Properties

Request: This amendment proposes to add a new and separate standard for computing off-street parking requirements for shopping centers.

BACKGROUND

The current zoning ordinance does not have a provision for computing required parking for a shopping center as a total unit. Required parking spaces are determined on an individual use basis just as if each use were located on individual lots. This method does not take into consideration the fact that customers often visit several stores while at a shopping center and thus parking spaces are shared by the various businesses.

Currently, parking requirements are not only based upon use, but also floor area devoted to sales area and the number of employees. With most new shopping centers individual store uses can not be determined at the time of a zoning change petition or even building permit application, and obviously the number of employees is only an estimate at best. This method of determining required parking is difficult and cumbersome to administer. The result is that new centers must create a theoretical mix of uses along with some estimate for the number of employees in order to obtain plan approval. This may result in providing more spaces than necessary or run the risk of not being able to change the mix of uses as the market changes. In some instances older centers are unable to change their mix of uses since they may not be able to increase the number of parking spaces.

PROPOSED AMENDMENT

This text amendment proposes to define a shopping center as a group of at least three commercial or retail establishments having unified design of parking areas available to all customers of the center, vehicular access locations and loading areas, and containing at least 25,000 square feet of building area. The proposed parking requirement for such a center would be a uniform one space per 250 square feet of gross floor area with no separate consideration for the number of employees.

COMMENTS

The City Department of Transportation (CDOT) has concern for shopping center outparcels. They state that typical outparcel developments such as banks and restaurants do not generate shared trips/parking with other shopping center uses. These typical outparcel uses require more parking spaces than the average retail use or shop. CDOT feels that

while the parking requirements for that portion of the shopping center which has connected uses can be changed, the parking requirements for outparcels should be based upon specific uses.

The Planning staff and Building Standards Department also have concern that movie theaters and restaurants, eventhough they may be connected to other uses in a shopping center, should have parking requirements specifically for them.

The Planning staff also has two other areas which they feel need to be addressed.

1. It is felt that defining a shopping center on as little as 25,000 square feet is too low. Fifty thousand square feet which is the size of a neighborhood convenience center would be more appropriate.

2. It is recognized that except for a few holiday periods, most shopping center parking lots are under utilized, thus creating a sea of aesthetically unpleasing asphalt. Certainly this space could be put to better use in providing additional landscaped areas. Charlotte's Tree Ordinance currently requires that whenever the impervious cover exceeds 10,000 square feet, 10% of this total must be provided for internal landscaping and tree planting. The County does not have this provision. The petitioner's application states, "that with the need to create as much open space as possible, unneeded parking is not warranted." This being the case, the Planning staff agrees that any unneeded parking space area could be better utilized as open space. One such location where increased open space could drastically help the streetscape appearance would be in the required setback area. Since parking and its maneuvering are now permitted in the required setback area in business and industrial districts, consideration should be given to prohibiting such activity in this area for those establishments that come under this amendment's proposed definition of a shopping center.

<u>CONCLUSION</u>

This amendment as proposed in its present form is not acceptable for approval. It is felt however, that a revised amendment that addresses these issues would be appropriate.

*Subject to further refinement following public hearing.

ZONING ORDINANCE TEXT AMENDMENT APPLICATION

CITY OF CHARLOTTE

Petition No 90-36
Date Filed March 19, 1990
Received By [illegible]
OFFICE USE ONLY

Section No Section 2002 Schedule of Off-Street Parking Requirements (adding a new
(Title) item 2002.36)

Purpose of Change

This amendment proposes to add a new and separate requirement for computing off-street parking for shopping centers.

The Zoning Administration is currently requiring parking for shopping centers to be computed on the basis of each individual use in the center; for example, a retail store at one (1) space per 200 square feet and a restaurant at one (1) space per each three (3) seats This is calculating parking as if a center was the same as individual uses on individual lots. The amount of sharing of parking (when a customer visits several stores, but only parks in one space) is completely overlooked.

The result is that new centers must create a theoretical mix of uses in order to obtain plan approval, and probably show more spaces than necessary or run the risk of not being able to change the mix of uses as the market changes. Older centers are finding themselves unable to change this mix since they may not be able to increase parking spaces.

With the need to create as much open space as possible, unneeded parking is not warranted.

Fred E. Bryant, Planner
Name of Agent
1850 E. Third St., Charlotte, NC 28204
Agent's Address
333-1680
Telephone Number

Crosland Erwin Associates and
Faison Associates and
Childress Klein Properties
Name of Petitioner(s)
125 Scaleybark Road, Charlotte, NC 28209
Address of Petitioner(s)
523-0272
Telephone Number
[illegible]
Signature

Revised 04/16/90

ORDINANCE NO _____

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

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

Section 1 Appendix A, "Zoning' of the City of Charlotte is hereby amended as follows.

1 Amend Section 2002 by adding the following new paragraph 2002 36

2002 36	Shopping centers (defined as a group of at least three (3) commercial or retail establishments having unified design of parking areas available to all customers of the center, vehicular access locations and loading areas and containing at least twenty-five (25,000) square feet of building area)	X	1 space per 250 square feet of gross floor area

Section 2 That this ordinance shall become effective upon adoption

Approved as to form

_____
City Attorney

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

_____
Pat Sharkey, City Clerk

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 90-37

Petitioner: Charlotte-Mecklenburg Planning Commission

Request: Text amendment to revise the definition of a restaurant with drive-in service.

BACKGROUND

The changing technology of the fast food restaurant has emerged with a new relatively small building consisting of only drive-through service with no indoor seating and very limited parking. Several of these restaurants have been constructed in or around Charlotte. In September the City Council heard a zoning request for B-1 for such a facility. The Zoning Administrator had ruled that under the current definition of a "restaurant with drive-in service", this new type of drive-through only restaurants do not fall under that definition and as a result are permitted in B-1 districts. City Council has requested the Planning staff to draft a text amendment that would clarify that drive-through only restaurants are to be treated as "restaurants with drive-in service", and thus limited to B-2 zoning districts.

The concern expressed was that if these drive-through only type restaurants can be built in every neighborhood business (B-1) district they represent a greater potential impact when compared to traditional fast food restaurants. Because the drive-through restaurants have no indoor seating or little parking for patrons, they can be built on a relatively small lot. Small spots of B-1 zoning, on one or two lots, are scattered throughout the older residential neighborhoods. There would be no control over their placement or impact on traffic patterns in neighborhoods. It has been observed at one of these new type of restaurants that people are parking on adjacent lots to eat the food purchased at the drive-through restaurant.

PROPOSED AMENDMENT

This proposed zoning text amendment has added a phrase to the definition of "restaurants with drive-in service" which includes restaurants having a drive-in service window and/or an outdoor service window with less than 50 indoor seating accommodations. This would mean that if this amendment were to be adopted it would prohibit these kinds of restaurants in the (B-1) neighborhood business district. (Building plans were examined for 10 fast-food restaurants comprising 6 different companies with drive-in service windows. All had more than 50 indoor seating accommodations.)

CONCLUSION

This text amendment is recommended for approval. It will serve to allow these automobile intensive uses only in the general business (B-2) district.

*Subject to further refinement following public hearing.

ZONING ORDINANCE TEXT AMENDMENT APPLICATION

CITY OF CHARLOTTE

Petition No. 90-37
Date Filed March 19, 1990
Received By [illegible]
OFFICE USE ONLY

Section No. 1102. Definitions, Restaurants with drive-in service.
(Title)

Purpose of Change:

Text amendment to include restaurants with drive-in service with limited indoor seating accommodations to be included under the definition of "restaurant with drive-in service."

Name of Agent

Agent's Address

Telephone Number

CMPC
Name of Petitioner(s)
600 E. 4th Street, CMGC
Address of Petitioner(s)
336-2205
Telephone Number

Signature

ORDINANCE NO. DRAFT AN ORDINANCE AMENDING APPENDIX A OF THE CITY CODE - ZONING ORDINANCE

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

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

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

1. Amend Section 1102. Definitions, Restaurant with drive-in service, by adding the following phrase to the end of the existing sentence:

   "or a restaurant with drive-in service having indoor seating accommodations for fewer than 50 patrons."

   The amended definition will then reads as follows:

   "Restaurant with drive-in service. An establishment designed, in whole or in part, to cater to or accommodate the consumption of food and/or beverages in automobiles on the premises of such establishment, or a restaurant with drive-in service having indoor seating accommodations for fewer than 50 patrons."

Section 2. These amendments shall become effective upon its adoption.

Approved as to form:

_____
City Attorney

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

_____
Pat Sharkey, City Clerk

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 90-38

Petitioner: Samuel M. Youngblood, III

Location: Approximately 1.0 acre located on the east side of McGill Street, bounded by Neal Drive and Heathway Drive.

Request: Change from R-12 to R-12MF(CD).

BACKGROUND

1. Existing Zoning. The property involved with this request is presently zoned R-12 as is the adjacent area east of McGill Street. West of McGill Street and along North Tryon Street, the existing zoning is B-2. South of Heathway Drive, there is a parcel of R-12 within an area of B-2, B-D, and I-1 zoning.

2. Existing Land Use. The property involved with this request is presently vacant. Single family zoned properties to the east of McGill Street presently contain single family residences and some vacant tracts. Along N. Tryon Street and west of McGill Street are various existing general business uses. The area south of Heathway Drive presently contains a water tower on the residentially zoned parcel. A business park is currently under development within the distributive business and industrial zoned tracts.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicates existing and developing employment land uses along the North Tryon Street corridor. Elsewhere property is indicated as existing residential land uses. 2005 Strategies include streetscape improvements along N. Tryon Street and a potential light rail station nearby.

   2. East District Plan (draft). The East District Plan (draft) recommends single family land uses in the area of the subject property.

4. Site Plan. The site plan which accompanies this application proposes the rezoning of the property from R-12 to R-12MF to allow a day care center for a maximum of 88 children. Access to the site is to be from Heathway Drive with no access to Neal Drive in order to separate the potential day care traffic from the existing single family residential traffic. Screening is proposed along the adjacent single family property lines to be in accordance with the Charlotte Zoning Ordinance and Charlotte Tree Ordinance. The day care center is to be a maximum of 5040 square feet with 9468 square feet of play area.

5. School Information.

Schools	Capacity	Enrollment
Newell (K-6)		825
Williams (7-9)		769
West Charlotte (10-12)		1727

6. Zoning History (See Attached Map).

Petition No.	Request	Action	Date
1. 89-75	B-2 & R-12 to B-D(CD)	Approval	10/18/89

7. Neighborhood. This petition does not fall within any previously defined neighborhood area.

REVIEWS

1. Plan Consistency. This petition proposes the rezoning of a single family residential district to a multi-family residential district to allow for the construction of a day care center. The 2005 Plan indicates the continuance of existing residential land uses in the subject area. The draft East District Plan recommends single family land uses in the area of the subject property. However, as this application is proposing the rezoning from one residential district to another, and all access to the site will be restricted to a street bordered by existing business and industrial uses, it is concluded that this petition is consistent with publicly adopted plans and policies for the area.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The staff met with the petitioner prior to the filing of the application. Subsequently, the staff communicated a number of comments to the petitioner regarding the site plan.

   2. Departmental Comments. There were very few departmental comments regarding this application. All of the site plan comments have been addressed by the petitioner. Charlotte Department of Transportation felt that the increased trip generation would not have a significant impact on the surrounding transportation system. The Charlotte-Mecklenburg School System also felt the proposed zoning would not have a negative impact on the school community. The Charlotte Fire Department noted that the available water supply was not supportive of the proposed use and additional construction methods may be necessary.

ISSUES

1. Land Use. The publicly adopted plans indicate residential uses for the area of the subject petition. The proposed use, a day care center, is permitted in the proposed multi-family residential district. In addition, all access to the site is designed to be from a street bordered with existing business and industrial uses in order to minimize any potential impacts to the existing residential dwellings. Therefore, from a land use standpoint, this petition is considered appropriate for approval.

2. Site Plan. There are no significant site plan issues which accompany this application. All of the technical corrections have been addressed on the site plan by the petitioner. Screening of the proposed use is shown on the site plan along with a condition that a landscape plan will be submitted and approved prior to the issuance of building permits and that the screening will meet the minimum requirements of the Charlotte Zoning Ordinance. Therefore, from a site plan standpoint, this petition is considered appropriate for approval.

CONCLUSION

This petition is considered appropriate for approval.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 90-38
Date Filed March 19, 1990
Received By MCM
OFFICE USE ONLY

Ownership Information

Property Owner Samuel M. Youngblood III

Owner s Address 11535 Getaway Lane
Charlotte, N. C. 28215

Date Property Acquired April 25, 1989

Deed Reference BK. 3681 PG 255 &BK 4000 PG 912 Tax Parcel Number 049-52-9 049-52-10

Location Of Property (address or description) Property bounded by Heathway Drive, McGill Street and Neal Drive

Description Of Property

Size (Sq. Ft.-Acres) 43,454 S. F. Street Frontage (ft.) 225.02

Current Land Use Vacant land

Zoning Request

Existing Zoning R-12 Requested Zoning R-12MF(CD)

Purpose of Zoning Change To allow a child day care center fronting on Heathway Drive

Name Of Agent

Agent s Address

Telephone Number

Name of Petitioner(s)
Samuel M. Youngblood III

Address of Petitioner(s)
11535 Getaway Lane
Charlotte, N. C. 28215

Telephone Number
(704) 568-4562

Signature
Samuel M. Youngblood III

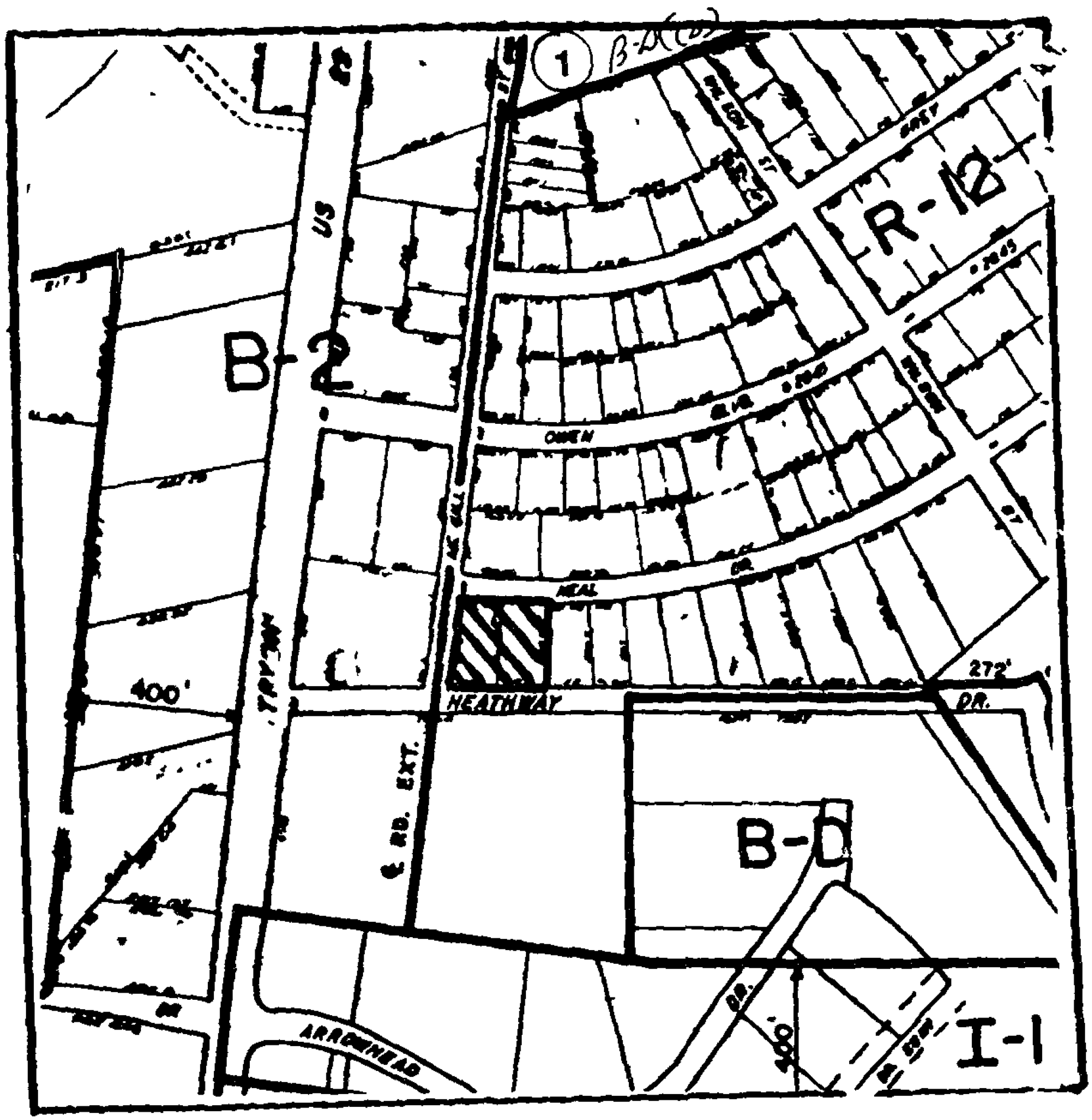
Signature of Property Owner if Other Than Petitioner

PETITIONER Samuel M. Youngblood, III

PETITION NO. 90-38 HEARING DATE May 21, 1990

ZONING CLASSIFICATION, EXISTING R-12 REQUESTED R-12MF (CD)

LOCATION Approximately 1.0 acres located on the east side of McGill Street bounded by Neal Drive and Heathway Drive.



ZONING MAP NO. 77 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 90-39

Petitioner: Frank E. Mangum

Location: Approximately 6.3 acres located on the north side of Lawyers Road, west of McAlpine Creek.

Request: Change from R-15 to R-15MF(CD).

BACKGROUND

1. Existing Zoning. The property involved in this request is presently zoned R-15 as is the majority of the surrounding area. Exceptions to this include some multi-family areas of R-15MF and R-9MF located south of McAlpine Creek. Directly opposite the subject site is an area of R-9MF(CD).

2. Existing Land Use. The property involved in this request presently contains a single family residence on the 6.3 acres. The surrounding areas have mainly been developed into single family residential subdivisions with a few remaining vacant tracts of various sizes and an existing church site. The multi-family zoned property on the south side of McAlpine Creek has been developed and the conditional multi-family district immediately opposite the subject site is currently undeveloped. A large portion of this site falls within the McAlpine Creek floodplain.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicates residential land uses in the area of the subject property. 2005 Strategies include improving Lawyers Road, expansion of the greenway system and extension of water lines.

   2. Transportation Improvement Program. The T.I.P. calls for the widening of Lawyers Road from Albemarle Road to Wilson Love Road as well as the construction of the Eastern Circumferential from Mallard Creek Church Road to Independence Boulevard.

   3. East District Plan (draft). The draft of the East District Plan indicates single family land uses for the subject property and greenway and water line extensions in the subject area.

4. Site Plan. The site plan which accompanies this application proposes the rezoning of the property from R-15 to R-15MF(CD). The plan proposes a maximum of 37 units at a density of 5.87 d.u./ac. These units can be developed as apartments, condominiums or townhouse-for-sale units. Twenty feet of additional right-of-way is to be dedicated along Lawyers Road prior to the issuance of any building permits. A 50 foot streetscape buffer inclusive of the required forty (40') foot setback is proposed along Lawyers Road to

be improved with a combination of berms, evergreen shrubs and deciduous street trees to meet the Charlotte Tree Ordinance. Landscaped buffers are also proposed along the east and west property lines and are to be a combination of existing natural vegetation and supplemental landscaping No buildings are to be allowed within the buffers. Access to the proposed project is via a single entrance off of Lawyers Road No access to the existing residential street, Ottawa Lane will be permitted The plan also proposes the dedication of Greenway area to Mecklenburg County Parks and Recreation Department.

5. School Information.

School	Capacity	Enrollment
Albemarle Rd (K-3)		720
Druid Hills (4-6)		405
Albemarle Rd (7-9)		944
Independence (10-12)		1693

6. Zoning History (See Attached Map).

Petition No.	Request	Action	Date
1. 69-24(c)	R-9 & R-MH to R-15MF	Approval	12/15/69
2. 85-70	R-9 to R-9MF(CD)	Approval	12/16/85

7. Neighborhood. This petition is located within the Albemarle Road neighborhood.

REVIEWS

1. Plan Consistency. This petition proposes the rezoning of a parcel from a single family residential district to a multi-family residential district. The 2005 Plan indicates residential land uses in the area of the subject property. The East District Plan (unadopted) indicates single family land uses for the subject property, however this site appears to meet the locational criteria for multi-family development as contained in the General Policies Plan. Therefore, the staff concludes that this request is consistent with present and proposed plans and policies for the area.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The agent for the petitioner discussed the proposal with staff prior to the filing of the application. Subsequently, the staff communicated a number of site plan issues to the petitioner.

2. Departmental Comments Most of the departmental comments regarding this application have been addressed by the petitioner The Charlotte Fire Department and Charlotte Department of Transportation commented that the proposed driveway did not meet minimum requirements Charlotte Engineering Department requested the dedication of right-of-way 50' from centerline along Lawyers Road and the reservation of a 25' construction easement. Clarification of the buffers and setback delineation, location and treatment was also requested from Planning staff.

However, there are some outstanding issues that need to be addressed. The proposed Greenway area to be dedicated has been reduced from that shown on the originally submitted site plan in response to the requirement that proposed buildings be located a minimum of 30 feet from the proposed Greenway boundary. The curb, gutter and 5' sidewalk improvements to Lawyers Road requested by Charlotte Engineering Department are not addressed on the revised site plan Also, CDOT has expressed some concern with the location and design of the proposed driveway and its relationship to the proposed Idlewild Road-Lawyers Road connector.

ISSUES

1 Land Use. This petition proposes the rezoning of a parcel of land from a single family district to a multi-family district. While the East District Plan (unadopted) indicates single family land uses for the subject property, this site appears to meet the locational criteria for multi-family development as contained in the General Policy Plan. The proposed site is also within close proximity to other proposed and existing multi-family projects. Therefore, staff concludes that this petition is consistent with adopted plans and policies and is appropriate for approval from a land use standpoint.

2. Site Plan. While most of the technical comments have been addressed by the petitioner, there appear to be some remaining issues that still need to be addressed. Some of these concerns surfaced after the original departmental comments had been communicated to the petitioner and revised plans resubmitted. Until these issues can be addressed, from a site plan standpoint this petition is not appropriate for approval at this time.

CONCLUSION

Pending the resolution of the outstanding site plan issues, this petition is appropriate for approval.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 90-39
Date Filed March 19, 1990
Received By MCM
OFFICE USE ONLY

Ownership Information

Property Owner Frank Edward Mangum

Owner s Address RFD 6 Box 207
Mooresville, NC 28115

Date Property Acquired March 4, 1952

Tax Parcel Number 109-274-01

Location Of Property (address or description) North side of Lawyers Road, west of McAlpine Creek

Description Of Property

Size (Sq Ft Acres) 6 3 acres Street Frontage (ft.) 245 feet

Current Land Use Vacant except for one single-family residence

Zoning Request

Existing Zoning R-15 Requested Zoning R-15MF(CD)

Purpose of Zoning Change To allow the development of a low density attached housing project in keeping with location and nearby existing multi-family zoning.

Fred E. Bryant, Planner
Name Of Agent

1850 E. Third Street, Suite 216
Agent s Address

Charlotte, NC 28204
Telephone Number

333-1680

Frank E. Mangum
Name of Petitioner(s)

RFD 6 Box 207
Address of Petitioner(s)

Mooresville, NC 28115
Telephone Number

664-6631

Frank Mangum
Signature

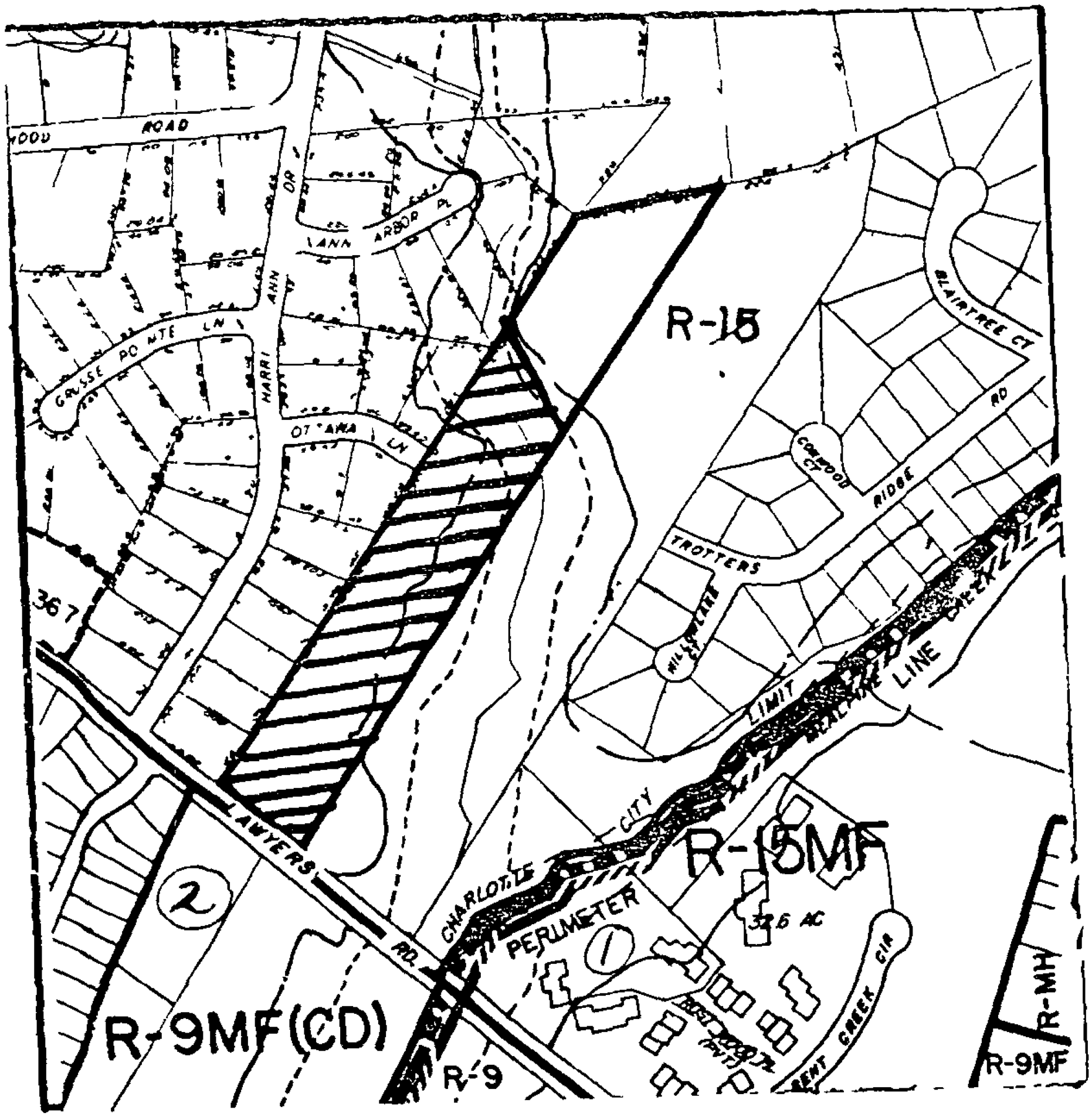
Signature of Property Owner if Other Than Petitioner

PETITIONER Frank E. Mangum

PETITION NO. 90-39 HEARING DATE May 21, 1990

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

LOCATION Approximately 6 3 acres located on the north side of Lawyers Road west of McAlpine Creek



ZONING MAP NO. 114 & 122 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 90-40

Petitioner: Rameses Temple

Location: Approximately 4.13 acres located at the end of Northcliff Drive extending to the rear of lots along Cricketeer Drive.

Request: Change from R-9 to R-9MF(CD).

BACKGROUND

1. Existing Zoning. The property involved in this request is presently zoned R-9. In general, the surrounding properties east of Stewart Creek and north of Hoskins Road are also zoned R-9 except for an R-6MF parcel fronting along the north side of Hoskins Road. Properties west of Stewart Creek and south of Hoskins Road are composed of O-15 and I-1 districts.

2. Existing Land Use. The property involved in this request presently contains an abandoned recreational area consisting of tennis courts and parking. Generally, all of the surrounding area is developed with single family detached dwellings. The multi-family residential parcels are currently vacant. The office and light industrial districts in the neighboring area are presently under development for a variety of nonresidential uses.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicates existing residential land uses in the area of the subject property.

   2. Northwest District Plan (unadopted). The Northwest District Plan (unadopted) recommends single family land uses in the area of the subject property.

   3. Transportation Improvement Program. The TIP includes the widening of Beatties Ford Road from I-85 to Capps Hill Mine Road with construction to begin in FY90.

   4. Westside Policy Plan (1984). The Westside Policy Plan does not make specific recommendations for the subject property.

4. Site Plan. The site plan which accompanies this application proposes the rezoning of the property to R-9MF(CD) for the purpose of constructing a Mason's Lodge and Recreational Center. The plan proposes a two story structure with a maximum 22,500 square feet. The existing tennis courts are to remain with the intent of a future softball field addition. Parking in addition to the existing spaces is proposed to meet minimum requirements. A ten foot planting strip within the required 30' setback, consisting of

a double row of mixed deciduous trees and evergreen shrubs, is shown around the entire project perimeter to provide screening for the adjacent residential properties.

5. School Information. Not applicable.

6. Zoning History (See Attached Map).

Petition No.	Request	Action	Date
1. 65-18	R-6 to I-2	Denied	03/01/65
2. 65-50	R-6 to R-6MF & B-2	Approved	06/28/65
3. 65-73	R-6 to O-15 & B-2	Approved	08/30/65
4. 66-27	R-6 to R-6MF	Approved	03/28/66
5. 69-39	B-2 & R-6MF to I-1	Approved	06/16/69
6. 76-66	R-6, R-6MF, O-6, O9 & I-1 to R-9, R-9MF, R-15MF & O-15	A.I.P.	01/07/77
7. 77-8(c)	R-6MF to I-1	Approved	03/07/77

7. Neighborhood. This petition falls within the area defined as the Northwood neighborhood.

REVIEWS

1. Plan Consistency. This petition proposes the rezoning of a single family residential parcel to a multi-family residential classification to allow for the construction of an institution use allowed under the multi-family residential district. This parcel is presently the site of an abandoned existing recreational area. The 2005 Plan recognizes the existing residential uses of the area. The Northwest District Plan (draft) recommends single family land uses in the area of the subject property. Concerns have been raised that the approval of this petition may add pressure to the tiers of lots fronting Hoskins Road to develop as nonresidential. This issue, however, would be addressed if and when rezoning petitions for those lots were submitted. Also, a portion of the recreation infrastructure is already existing. Therefore, staff concludes that this request is consistent with plans and policies for the area.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The petitioner discussed the proposal with staff prior to the filing of the application. Subsequently, the staff communicated departmental comments to the petitioner for their consideration and correction.

   2. Departmental Comments. There were very few departmental comments regarding this application. Charlotte Fire Department

required a fire hydrant to be installed within 500 feet of the most remote and accessible point of a building. Charlotte Department of Transportation commented that the proposed use would not have a significant impact on the surrounding thoroughfare system and required "End of Roadway" markers to be installed on the gate. Planning staff requested a double row of plantings to provide better screening for the adjacent single family detached dwellings. The petitioner addressed all of these comments on the revised site plans.

ISSUES

1. Land Use. This petition proposes a rezoning to a multi-family residential district to permit the construction of an institutional use allowed in a residential district. The publicly adopted plans and policies do not specifically address this use for the subject property, however residential districts are recognized. The infrastructure for a portion of the recreational area is presently existing and the petitioner proposes numerous improvements to the existing site. Therefore from a land use standpoint, this petition is considered appropriate for approval.

2. Site Plan. There were no significant site plan issues that accompanied this petition other than screening provisions to protect the existing single family neighborhood. The petitioner has addressed all of the site plan issues. From the site plan standpoint, this petition can be considered appropriate for approval.

CONCLUSION

This petition is considered appropriate for approval.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 90-40
Date Filed March 12, 1990
Received By MCM
OFFICE USE ONLY

Ownership Information

Property Owner RAMESES TEMPLE No. 51

Owner s Address 1601 NORTHCLIFF DRIVE, CHARLOTTE, NC 28216

Date Property Acquired JULY 8, 1989

Deed Reference 6134 PG. 0213 Tax Parcel Number 039-111-40

Location Of Property (address or description) 1601 NORTHCLIFF DRIVE CHARLOTTE, NC 28216

Description Of Property

Size (Sq Ft -Acres) 180,088.42 SQ FT (4.134 AC) Street Frontage (ft) 50 FT

Current Land Use ABONDONED RECREATIONAL AREA

Zoning Request

Existing Zoning R-9 Requested Zoning R-9MF-CD

Purpose of Zoning Change MASON'S LODGE & RECREATIONAL CENTER

Name Of Agent
RAMESES TEMPLE / W. P. HOLMES

Agent s Address
2000 ST JOHN ST, CHAR, N.C. 28216

Telephone Number
(704) 392-4658

Name of Petitioner(s)
CSEC CONSULTANTS / M.D AM

Address of Petitioner(s)
2517 TANGLEBROOK LANE (282

Telephone Number
(704) 392-2694

Marvin D Camas
Signature

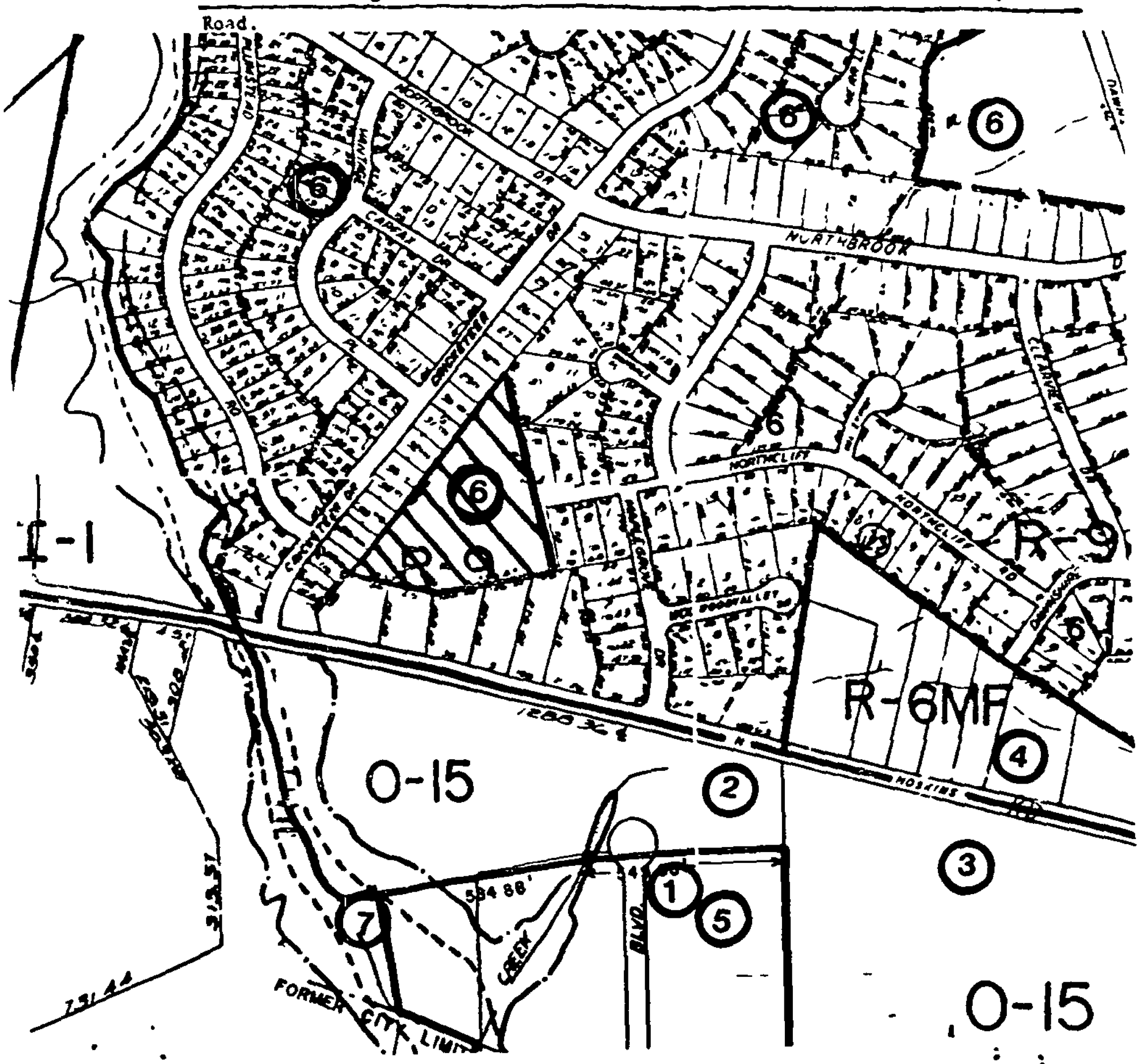
W. P. Holmes
Signature of Property Owner if Other Than Petitioner

PETITIONER Rameses Temple

PETITION NO. 90-40 HEARING DATE May 21, 1990

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

LOCATION Approximately 4.13 acres located at the end of Northcliff Drive extending to the rear of lots along Cricketeer Drive, north of Hoskins Road.



ZONING MAP NO. 68, 69, 79, & 80 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 90-41

Petitioner: Carol Patterson

Location: A .368 acre tract on North Sharon Amity Road north of Abbydale Place.

Request: R-9 to R-9MF(CD).

BACKGROUND

1. Existing Zoning. The subject property is zoned R-9 as are the adjoining properties to the north, south, and west. The property to the east across North Sharon Amity is zoned R-12. Further to the north along Sharon Amity areas of R-9MF multi-family zoning can be found.

2. Existing Land Use. The property involved in this petition is currently being used as a small group day care home. The property to the north is occupied by a church. To the south and west the property is developed with single family homes. Portions of the property across North Sharon Amity, to the east, are vacant and portions are developed with apartments. The predominate land use for the area is single family residential.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicates residential land uses in the area of the subject property. A major mixed use center (Eastland Mall) is indicated nearby.

   2. East District Plan (draft). The draft East District Plan indicates single family land uses for the subject property.

4. Site Plan. The property is currently occupied by a single family home which will be used for the proposed day care center for 20 children. Access to the site is via one driveway from North Sharon Amity. This driveway will be limited to right-in/right-out only. Parking for the site is provided behind the existing structure. The plan also provides screening along all property lines.

5. School Information.

School	Capacity	Enrollment
Windsor Park (k-6)		800
Eastway (7-9)		747
Garinger (10-12)		1,588

6. Zoning History (See Attached Map).

Petition No.	Request	Action	Date
1. 82-50	R-9 to R-9MF(CD)	Approved	10/18/82
2. 83-71	R-12 to R-15MF(CD)	Approved	11/21/83

7. Neighborhood. The site falls within the area defined as the Robinwoods/Windsor Park neighborhood.

REVIEWS

1. Plan Consistency. This petition is requesting a change from R-9 to R-9MF(CD). The draft East District Plan recommends that the area remain zoned single family. Therefore, the petition is not clearly consistent with the draft East District Plan or the 2005 Plan recommendations. However, day care centers are often considered an appropriate adjunct to residential areas.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The staff met with the petitioner prior to filing. Subsequently, several comments relating to the site plan were passed on to the petitioner.

   2. Departmental Comments. The Fire Department had no comments regarding this proposed plan. The Department of Transportation will require that the existing driveway be widened to a 26 foot right-in/right-out driveway and that the last parking space be provided with sufficient space to turn around. They also requested that additional right-of-way be dedicated along North Sharon Amity. The Building Standards Department asked that the plan be clarified as to the number of children being requested and whether or not the site was going to be used as a small group day care or a day care center. The Planning staff asked that the front and rear yard be changed to reflect the minimum requirement. Planning also asked that the calculations for determining the maximum number of children be shown on the plan and that adequate maneuvering and drop off area be provided. All these comments have been addressed by the petitioner.

ISSUES

1. Land Use. This petition is proposes a change from R-9 to R-9MF(CD) to allow the property to be used as a day care center. Current plans and policies recommend that the area remain zoned for single family. However, the location of the property along a major thoroughfare (i.e. Sharon Amity) and its proposed use as a day care center lessen its impact on the surrounding neighborhood without setting a bad precedent for future rezoning along North

Sharon Amity. Therefore, from a land use standpoint, this petition may be considered appropriate for approval.

2. Site Plan. The site plan that accompanies this application proposes to use an existing single family home as a day care center. The site plan shows screening adjacent to single family homes as well as dedication of additional right-of-way along North Sharon Amity. Access to the site is via one existing driveway that will be widened to meet current driveway standards. However, the amount of space provided for dropping off children and maneuvering on site are at their minimums and may lead to congestion during peak hours. The limited access and cramped maneuvering space make this site inappropriate to accommodate an increase in the number of children presently allowed for a small group day care home. Therefore, from a site plan standpoint, this petition is not considered appropriate for approval.

CONCLUSION

The constrained access and maneuvering space make this petition is appropriate for approval.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 90-41
Date Filed March 19, 1990
Received By MCM
OFFICE USE ONLY

Ownership Information

Property Owner Leon Prenatt (Prenatt Realty)

Owner s Address 8603 East W. T. Harris Blvd., Charlotte, N. C. 28212

Date Property Acquired 1/27/88

Tax Parcel Number Book 101, Page 91, Lot 27

Location Of Property (address or description) 4525 W. Sharon Amity, 3 Bedroom Home

Description Of Property

Size (Sq Ft Acres) .368 Street Frontage (ft) 49.6

Current Land Use Smiley Faces Day Care Center

Zoning Request

Existing Zoning R9 Requested Zoning R9 MF (CD)

Purpose of Zoning Change To increase day care capacity from 15 children to 20 children.

Name Of Agent
Smiley Faces Day Care Center

Agent s Address
4525 N. Sharon Amity 28205

Telephone Number
(704) 532-5685

Name of Petitioner(s)
Carol L. Patterson

Address of Petitioner(s)
5836 Barrington Drive 28215

Telephone Number
(704) 568-1111

Signature

Signature of Property Owner if Other Than Petitioner

PETITIONER Carol L. Patterson

PETITION NO. 90-41 HEARING DATE May 21, 1990

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

LOCATION Approximately .368 acres located on the westerly side of North Sharon Amity Road north of Abbeydale Place.

ZONING MAP NO. 100 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 90-42

Petitioner: Charlotte Metro Credit Union and Charlotte Fire Department Credit Union

Location: A 2.5 acre site located on the south side of Central Avenue east of Brookshire Freeway and extending to Sunnyside Avenue.

Request: Change from R-6MF, O-6, and B-2 to O-6(CD).

BACKGROUND

This petition contains all of the property originally included in rezoning Petition No. 89-38 which went to public hearing in May, 1989. That request included a 8,250 square foot parcel located along the Brookshire Freeway right-of-way with frontage on Sunnyside Avenue and requested its rezoning from R-6MF to O-6. The purpose of that petition was to add this tract to existing O-6 property owned by the petitioners to provide for additional surface parking. Subsequent to the public hearing, the petitioner asked for a deferral in order that they might consider converting the original request to a conditional application and including additional properties in the request to bring the entire credit union site under a single conditional plan. Of special interest to the Zoning Committee, was the issue of access to Sunnyside Avenue. This petition represents that revised plan for the entire credit union property. Copies of the staff analysis and the Zoning Committee recommendation for Petition 89-38 are attached for reference. In addition, the staff analysis will be abbreviated to deal only with the specifics of the proposed site plan inasmuch as the surrounding conditions and circumstances are essentially the same.

1. Site Plan. The site plan which accompanies this application proposes the consolidation of the existing credit union site with a vacant lot with frontage on Central Avenue and a lot with frontage on Sunnyside Avenue. The lot on Sunnyside Avenue is presently occupied by a dilapidated multi-family structure and the lot on Central Avenue is presently used for unpaved surface parking. The plan proposes a total amount of floor area for this site not to exceed 17,524 square feet and indicates that the site meets minimum parking requirements for the use proposed. The plan indicates that the existing two driveways on the Sunnyside Avenue will be closed and the areas landscaped and that access to the site will be furnished via an existing driveway connection on Central Avenue and a driveway connection to Prospect Street, an existing public right-of-way parallel to the Brookshire Freeway. The plan indicates compliance with the Tree Ordinance in terms of interior landscaping as well as preservation of existing trees in the setback and recognizes the transitional setback from the Brookshire Freeway which impacts on a portion of the site. The plan shows 15 feet of additional right-of-way to be reserved along the Central

Avenue frontage but does not propose that that right-of-way be dedicated.

ISSUES

1. Land Use. This petition raises no land use issues. As noted in the earlier staff analysis for Petition 89-38, the conversion of this site to an office use is consistent with plans and polices for this area. In addition, the fact that the petitioner is eliminating commercially zoned property along Central Avenue and eliminating all access to Sunnyside Avenue further supports the notion that the conversion of this property to an O-6(CD) classification enhances its relationship to its neighbors. Therefore, from a land use standpoint, this petition is appropriate for approval.

2. Site Plan. There are no significant issues involved in the site plan accompanying this request. The petitioner has addressed all of the detailed departmental comments offered on this plan and the plan now meets all requirements for development of this sort including transitional setback. The plan proposes the preservation of the streetscape along Sunnyside Avenue by closing two existing driveways and landscaping the entire area as well as removing parking from the tree root zones of significant street trees along Central Avenue thereby enhancing their survivability. All of the access to this property will from Central Avenue and the only unresolved question is that of the potential for the dedication of 15 feet of additional right-of-way along Central Avenue rather than simple reservation. Therefore, from a site plan standpoint, this petition is considered appropriate for approval.

CONCLUSION

This petition is appropriate for approval.

*Subject to further refinement following public hearing.

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 89-38

Petitioner: Charlotte Metro Credit Union

Location: An approximately 8,250 square foot parcel located on the north side of Sunnyside Avenue just east of Brookshire Freeway.

Request: Change from R-6MF to O-6

BACKGROUND

1. Existing Zoning. The subject property is presently zoned R-6MF. The abutting parcels to the north and east are zoned B-2 and O-6 respectively. Brookshire Freeway adjoins the petitioned site to the west. To the east and south along Sunnyside Avenue, properties are zoned R-6MF.

2. Existing Land Use. The petitioned property is occupied by a four unit apartment building. The Credit Union is located on Central Avenue with its parking and drive through window facility adjoining the petitioned site to the east. Elsewhere on Central Avenue are numerous office and commercial developments. The predominant land use on Sunnyside Avenue is single family homes. Several multi-family residential uses are located near the intersection of Louise and Sunnyside Avenues.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan includes the area of the subject property in the Midtown Development Enterprise area and encourages a high intensity district of offices, shops, and housing. An urban greenway along Sugar Creek would provide pedestrian amenities and an attractive setting for shops and medium to high rise housing. The 2005 Plan recommends preparation of a streetscape plan for Central Avenue to enhance it as a gateway to Uptown Charlotte. The plan is recommended to help unify the varied land uses and make specific recommendations for street trees, sidewalks, and removal of sign and utility line clutter.

   2. Elizabeth Small Area Plan. The Elizabeth Small Area Plan, approved by City Council in 1985, also recommends streetscape improvements along Central Avenue and study of the Sunnyside Avenue area east of the subject property for possible designation as an historic district.

4. Site Plan. There is no site plan which accompanies the petition due to its conventional nature.

5. School Information. Not applicable.

6. Zoning History (See Attached Map).

1.	65-49	R-6MF to 0-6	Approved	05/31/65
2.	67-57	R-6MF & 0-6 to B-1	Approved	02/05/68
3.	69-44	0-6 to B-2	Denied	05/12/69
4.	68-12	0-6 to B-2	Approved	02/06/68
5.	70-72	R-6MF to B-2	Approved	06/01/70
6.	73-37	R-6MF to R-6	A.I.P.	11/19/73
7.	80-20	B-2 to R-6MF	Approved	07/28/80
8.	84-48	R-6MF to 0-6(CD)	Approved	09/17/84
9.	85-3	0-6 to R-6MF	Approved	03/04/85
10.	87-25	R-6MF & B-2 to R-6	Approved	06/22/87

7. Neighborhood. The site falls within the area defined as the Elizabeth Community.

REVIEWS

1.. Plan Consistency. Plans for this portion of the community recognize the transitional status of the petitioned site lying somewhat between the solid commercial and office development on Central Avenue and the long established residential development on Sunnyside Avenue. Public plans for the area call for the improvement of Central Avenue a a gateway to Uptown Charlotte and the possible designation of Sunnyside as a historic district.

The request at hand seeks to rezone the petitioned site from a residential to an office category. Inasmuch as the property is almost entirely surrounded by nonresidential zoning and land uses, lies along the Brookshire Freeway and is located outside of the potential historic district, the petition is viewed as consistent with public plans. However, the rezoning of additional properties on Sunnyside Avenue to nonresidential districts would be inconsistent with plans for the area.

2. Technical Consistency.

1. Pre-Hearing Staff Input. Representatives of the petitioner discussed the application with staff prior to the filing. The possibility of conditional zoning was discussed but, ultimately, staff supported the filing of the petition in a conventional mode.

2. Departmental Comments.

1. C-MUD. Water and sewer services are available.

2. Building Standards. No comment.

3. Fire Department. No comment.

4. CDOT. CDOT indicates the potential trips generated under the proposed rezoning would remain the same as under the current zoning.

5. Engineering Department. The Engineering Department indicates a four foot sidewalk along the property frontage on Sunnyside Avenue will be required upon submittal of development plans.

6. School Board. No comment.

7. Parks and Recreation. No comment.

8. Planning Staff. The staff gave the clear indication that this petition is not a signal for additional nonresidential petitions in the area.

ISSUES

1. Land Use. There are no land use issues raised by this petition. Public plans for the area attempt to upgrade and strengthen the Central Avenue corridor as a gateway to uptown and to maintain and enhance the residential character of Sunnyside Avenue east of the subject property. The request is viewed as consistent with those policies and therefore, appropriate for approval. However, should the property be rezoned, that should not be an indicator that other properties on Sunnyside Avenue are suitable for nonresidential zoning. The portion of Sunnyside east of the petitioned site should be maintained and preserved for residential purposes.

2. Site Plan. There is no site plan to consider along with this request due to the conventional nature of the application.

CONCLUSION

The petition is considered appropriate for approval.

*Subject to further refinement following public hearing.

DATE: May 22, 1989

PETITION NO.: 89-38

PETITIONER(S): Charlotte Metro Credit Union

REQUEST: Change from R-6MF to O-6

LOCATION: An approximately 8,250 square foot parcel located on the north side of Sunnyside Avenue just east of Brookshire Freeway.

ACTION: The Zoning Committee deferred action on this request for 30 days to allow the petitioner time to modify the petition to include the adjacent parcel and to convert the application to be considered through the conditional district approach.

VOTE: Yeas: Lassiter, Latham, Thomasson, and Wheeler.

Nays: Spencer.

REASONS

This petition proposes the rezoning of an 8,250 square foot parcel from a multi-family residential district to an office district to accommodate expansion of a credit union. The Zoning Committee discussed the petition at length. Principal among the issues discussed were the conventional nature of the petition, vehicular access to Sunnyside Avenue and the need for an exceptional system of buffering and landscaping. Most members felt the office classification could be appropriate if the petition were modified to incorporate the adjoining tract now developed with the drive through window and modified to be considered under the conditional district approach. The conditions need to stipulate that there would be no vehicular access to Sunnyside Avenue and include extensive buffering. However, the minority opinion expressed the viewpoint that the office zoning is inappropriate in this location regardless of whether the application is conventional or conditional.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 90-47
Date Filed March 19, 1990
Received By MCM
OFFICE USE ONLY

Ownership Information

Property Owner: Charlotte Metro & Charlotte Fire Department Credit Unions | William P. Hamilton

Owner s Address: 718 Central Avenue | 700 Central Avenue

Charlotte, NC 28204 | Charlotte, NC 28204

Date Property Acquired: 3/1/89, 2/14/84, 10/10/88 | 1/23/87

Tax Parcel Number: 080-183-03,04,12 | 080-183-02

Location Of Property (address or description) 700 blocks of Central Avenue and Sunnyside Avenue

Description Of Property

Size (Sq Ft -Acres): 2.596 acres

Street Frontage (ft): 138' on Central 145' on Sunnyside

Current Land Use: Office and Credit Union Facility and one four-unit apartment building.

Zoning Request

Existing Zoning: R-6MF, O-6, B-2

Requested Zoning: O-6(CD)

Purpose of Zoning Change: To permit an expansion of existing Credit Union use and commit to cease access to Sunnyside Avenue

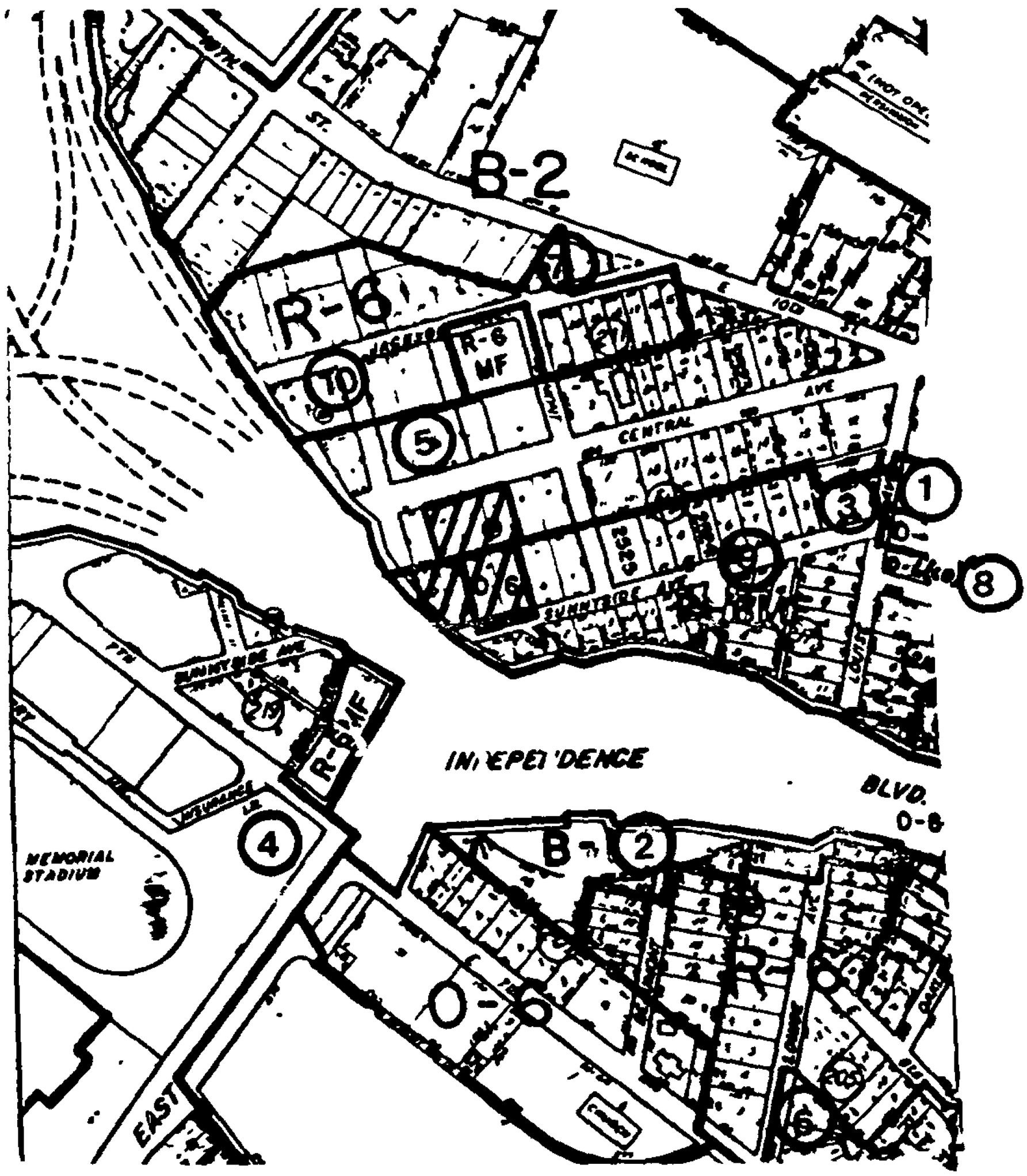
Fred E. Bryant, Planner	Charlotte Metro Credit Union & Charlotte Fire Department Credit Union
Name Of Agent	Name of Petitioner(s)
1850 E. Third Street, Suite 216	718 Central Avenue
Agent s Address	Address of Petitioner(s)
Charlotte, NC 28204	Charlotte, NC 28204
Telephone Number	Telephone Number
333-1680	375-0183
Robert E. Bruna President Charlotte Metro CU	Robert E. Honeycutt, Manager Charlotte Fire Dept Credit Union
	Signature x William P. Hamilton
	Signature of Property Owner if Other Than Petitioner

PETITIONER Charlotte Metro Credit Union & Charlotte Fire Dept. Credit Union

PETITION NO. 90-42 HEARING DATE May 21, 1990

ZONING CLASSIFICATION, EXISTING R-6MF, O-6, & B-2 REQUESTED O-6(CD)

LOCATION Approximately 2.596 acres located on the south side of Central Avenue east of Brookshire Freeway and extending to Sunnyside Avenue.



ZONING MAP NO. 102 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 90-43

Petitioner: Carmel Financial Group, Inc.

Location: 44.9 acres on the southwest side of Hebron Street Extension west of Nations Ford Road.

Request: Change from R-9MF and O-15(CD) to I-1(CD).

BACKGROUND

1. Existing Zoning. The property involved with this request is presently zoned R-9MF and O-15(CD). The R-9MF land has been zoned in that fashion for a number of years and the O-15(CD) land was rezoned to that category in 1988 as part of a larger zoning request. Properties immediately to the west and south of the subject site are zoned R-9MF and properties to the north and east of the site are zoned for a combination of nonresidential uses including O-15(CD), B-1(CD), B-D(CD), I-1, and I-2. All of the land immediately to the north of the proposed Hebron Street Extension as well as the O-15 portion of this site was zoned as part of a single petition in 1988 which with the remaining multi-family zoned area purported to support a mixed use development project.

2. Existing Land Use. The property involved with this request is presently vacant. Properties to the west and south are presently used for detached single family housing and there is a church immediately adjoining the site to the north. Properties immediately to the north across the proposed Hebron Street Extension are also vacant. A City fire station, a Federal Express facility, single family and multi-family housing exist along Nations Ford Road near the Hebron Street intersection. Further to the south of the subject site can be found the Vulcan Quarry, which is also the subject of a pending zoning request.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicate developing employment and residential land uses in the area of the subject property. A portion of the subject site is shown as an area for future employment land uses. The 2005 strategies for the area include extending waterlines, extending the greenway system, and transportation improvements including the extension of Hebron Street between Nations Pord Road and Arrowood Road.

   2. Transportation Improvement Program. The Transportation Improvement Program calls for a variety of improvements in this general area including improvements to I-77, Tyvola Road, Hebron Street Extension, and Arrowood Road. The Transportation Improvement Program also calls for the western alignment of the

outer belt to pass near this property. The environmental impact statement for the outer belt is underway and design and right-of-way acquisition could begin as early as FY96.

3. Southwest District Plan (draft). The Southwest District Plan calls for multi-family land uses in the area of the subject property.

4. Site Plan. Even though requesting an I-1(CD) classification, the site plan which accompanies this application proposes the development of the site under the standards of the Business Park district with minor exceptions. The plan indicates right-of-way dedication along both Nations Ford Road and Hebron Street Extension as well as commitments for left turn lanes constructed along Nations Ford Road at access points to the site. The plan indicates the Business Park requirement for the 100 foot project edge along the boundaries of the site except it does call for a 50 foot rather than 100 foot buffer along the Hebron Street and Nations Ford Road frontages. The plan commits not only to the development standards for the Business Park district but also to the review procedure contained within that district as well. Due to the nature of the Business Park category, no specific uses are indicated and no specific floor areas are included as part of this petition.

5. School Information. Information from the School Board indicated that this petition has no negative impact on the school system.

6. Zoning History (See Attached Map).

Petition No.	Request	Action	Date
1. 68-7(c)	R-9MF and R-9 to R-9MF, I-1, & I-2	Approved	10/16/68
2. 70-9(c)	B-1 & R-9MF to R-9MF & B-1	Approved	05/04/70
3. 71-18(c)	R-9MF to I-1	Approved	06/21/71
4. 88-35	R-9MF & R-9 to O-15(CD), B-D(CD), & B-1(CD)	Approved	07/18/88
5. 88-36	R-9MF to B-D(CD)	Approved	07/18/88
6. 89-90	R-9MF & I-1 to I-1(CD) & I-2(CD)	Pending	

7. Neighborhood. This petition falls within the area defined as the Sterling neighborhood.

REVIEWS

1. Plan Consistency. This petition proposes the rezoning of vacant multi-family and office zoned land to accommodate a business park type development. Plans for this area have long called for this

property to be used for residential purposes. Therefore, any further rezoning of residential land to nonresidential categories must be considered as inconsistent with plans and policies for this portion of the community.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The staff had only very brief discussions with the petitioner prior to the filing of this application. As originally filed, the request was for a Business Park category but the staff concluded that the property did not meet the minimum requirements for a Business Park district. At that point the petitioner amended the application to the I-1(CD) category.

   2. Departmental Comments. The petitioner has addressed all of the departmental comments regarding the development of this site. These comments included requirements for additional right-of-way along both Hebron Street and Nations Ford Road, turn lanes along Nations Ford Road at the entrances to the site, and notations regarding the location of fire hydrants as the property develops.

ISSUES

1. Land Use. This petition poses a significant land use issue. The conversion of the multi-family portion of this site to a nonresidential category is clearly inconsistent with present and proposed plans for this area. Indeed, the Southwest District Plan which is presently under development proposes that the entire tract be used to provide additional housing opportunities and be zoned for multi-family use. The staff advised the petitioner that this petition would not be consistent with plans and policies for the area and raised significant questions about the petitioner's commitments under the prior rezoning of a portion of this site. At the time that that rezoning was approved, a considerable amount of discussion revolved around the fact that the petitioner was maintaining a large portion of their site for multi-family use. In this way, the petitioner offered that that rezoning constituted a mixed use development which included residential as well as nonresidential uses. Eventhough opposed by the staff at the time, that rezoning petition was ultimately approved.

   This petition substantially erodes the concept of a mixed use development by substituting nonresidential uses for the existing residential portion of the site as well as intensifying the nonresidential uses already approved on the portion of the site presently zoned office. In view of the fact that this petition breeches the recommendations of existing and proposed plans for the area and in view of the fact that there is a substantial

amount of vacant nonresidential zoned property very near to this site, the staff recommends that this petition as it relates to the multi-family portion of this site be denied and that the office portion of the site be rezoned through this action back to the R-9MF category.

2. Site Plan. There are no particular site plan issues which accompany this request. It proposes the rezoning of the site to an industrial category but commits to developing the property under the Business Park development standards. However, one must recall that once the zoning of the site is changed to an industrial category subsequent consideration to eliminate or weaken the conditions on the plan are not treated as a rezoning of the property but rather an amendment to the existing plan. Therefore, this site plan establishes industrial zoning directly adjacent to existing single family neighborhoods. Eventhough the petitioner has responded to all of the technical issues raised in this request, the land use consideration is the paramount concern.

CONCLUSION

This petition is not appropriate for approval. In addition, this opportunity should be used to restore the multi-family zoning to that portion of the site that has previously been rezoned to O-15(CD).

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 90-43
Date Filed March 19, 1990
Received By MCM
OFFICE USE ONLY

Ownership Information

Property Owner Carmel Financial Group, Inc. and Wallace Capital Corp.

Owner s Address 6401 Carmel Road # 106
Charlotte, NC 28226

Date Property Acquired September 13, 1988 and January 24, 1990

Tax Parcel Number 203-041-04(Partial) 203-185-99(Partial)

Location Of Property (address or description) South side of Hebron Street at Nations Ford Road

Description Of Property

Size (Sq Ft -Acres) 44.99 acres Street Frontage (ft) 1237' on Nations Ford

Current Land Use Vacant

Zoning Request

Existing Zoning R-9MF & O-15(CD) Requested Zoning ~~BP~~ I-1(CD)

Purpose of Zoning Change To permit the development of a business park compatible with area objectives and reflective of market needs

Fred E. Bryant, Planner
Name Of Agent

1850 E. Third Street, Suite 216
Agent s Address

Charlotte, NC 28204
Telephone Number

333-1680

Carmel Financial Group, Inc.
Name of Petitioner(s)

7702 Pineville-Matthews Road
Address of Petitioner(s)

Charlotte, NC 28226
Telephone Number

541-3876

Signature

Signature of Property Owner if Other Than Petitioner

PETITIONER Carmel Financial Group, Inc.

PETITION NO. 90-43 HEARING DATE May 21, 1990

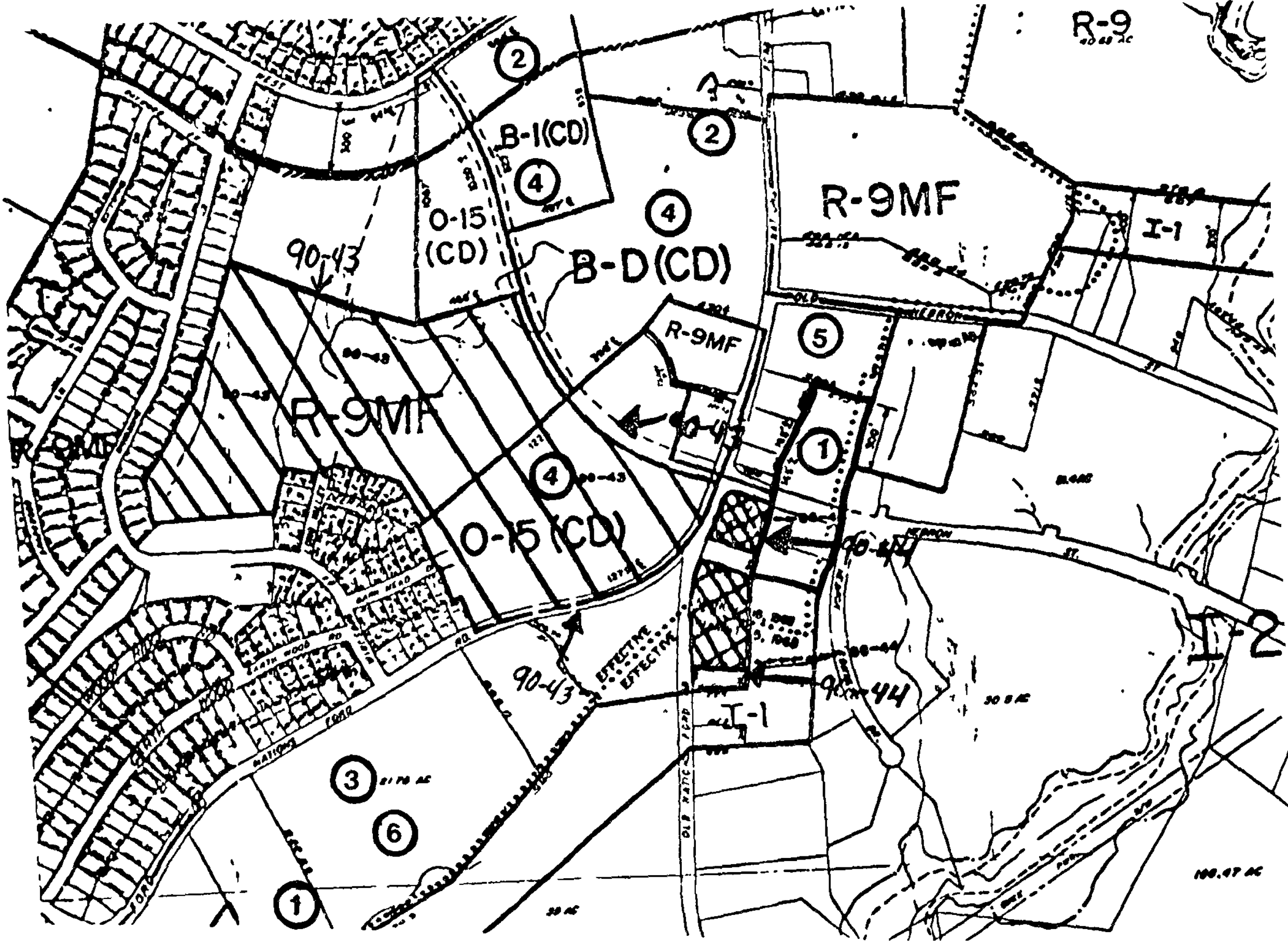
ZONING CLASSIFICATION, EXISTING R-9MF & O-15(CD) REQUESTED ~~BP~~ I-1(CD)

LOCATION Approximately 44.99 acres located on the southwest side of Hebron Street Extension and Nations Ford Road.

SEE ATTACHED MAP

ZONING MAP NO. 148 & 149 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


R-9
B-1(CD)
O-15
(CD)
90-43
B-D(CD)
R-9MF
I-1
R-9MF
O-15 (CD)
90-44
I-1
EFFECTIVE
EFFECTIVE
WALLING ROAD
OLD WALLING ROAD
50 AC
100.47 AC

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 90-44

Petitioner: Carmel Investment Group/Hebron

Location: 3.38 acres located on the southwest corner at the intersection of Hebron Street and Nations Ford Road.

Request: Change from R-9MF to I-1.

BACKGROUND

1. Existing Zoning. The property involved with this request is presently zoned R-9MF as are other properties to the west and south of the subject site. Directly to the east of the subject site, the property is zoned I-1 and to the north and northwest of the site can be found a combination of nonresidential categories including B-1(CD), B-D(CD) and O-15(CD).

2. Existing Land Use. The property involved with this request is largely undeveloped but does include one or two single family structures. Properties immediately to the south of the subject site are used for a single family house and a number of nonresidential uses along Old Nations Ford Road. Properties directly to the east of the subject site are largely undeveloped but are part of a developing employment area. Properties directly across Old Nations Ford Road and Nations Ford Road from the subject site are presently undeveloped. To the north of the site at the intersection of Hebron Street and Nations Ford Road is a Federal Express facility and a City fire station as well as several residential uses including multi-family housing and a mobile home park.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicates developing employment type land uses in the area of the subject property. The 2005 strategies include extending the greenway system along Kings Branch and the extension of Hebron Street between Nations Ford Road and Arrowood Road.

   2. Transportation Improvement Program. The Transportation Improvement Program calls for a number of transportation improvements in the area including improvements to I-77, Arrowood Road, Hebron Street, and the location of the western portion of the outer belt nearby.

   3. Southwest District Plan (draft). The draft Southwest District Plan designates the property for multi-family residential use. The existing I-1 zoning to the east of the subject site already serves as a transitional zone from the heavier I-2 zoning further to the east.

4. Site Plan. Inasmuch as this is a conventional rezoning request, no site plan is submitted as part of the application.

5. School Information. The School Board indicates this petition will not negatively impact the school system.

6. Zoning History (See Attached Map).

Petition No.	Request	Action	Date
1. 68-7(c)	R-9MF and R-9 to R-9MF, I-1, & I-2	Approved	10/16/68
2. 70-9(c)	B-1 & R-9MF to R-9MF & B-1	Approved	05/04/70
3. 71-18(c)	R-9MF to I-1	Approved	06/21/71
4. 88-35	R-9MF & R-9 to O-15(CD), B-D(CD), & B-1(CD)	Approved	07/18/88
5. 88-36	R-9MF to B-D(CD)	Approved	07/18/88
6. 89-90	R-9MF & I-1 to I-1(CD) & I-2(CD)	Pending	

7. Neighborhood. This property falls within the area defined as the Sterling neighborhood.

REVIEWS

1. Plan Consistency. This petition proposes the rezoning of property in an area which is in a transitional location between heavy industrial zoning to the east and single family and multi-family zoning to the west. The draft Southwest District Plan specifically calls for the properties with frontage along both sides of Nations Ford Road to be used for multi-family purposes. This is viewed as being preferable to industrial zoning fronting along Nations Ford Road opposite properties used for less intensive purposes. Therefore, this petition is not viewed as consistent with adopted and proposed plans for the area.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The staff had only brief discussions with the petitioner about this application.

   2. Departmental Comments. The City's Department of Transportation and Engineering indicated a desire for additional right-of-way along both Hebron Street and Nations Ford Road. Since this is not a conditional request, the petitioner is not obliged to comply with this request.

ISSUES

1. Land Use. This petition proposes a significant land use issue. It requests the rezoning of properties from a residential to an industrial classification in an area where proposed plans call for a residential future. The draft Southwest District Plan specifically calls for the frontage along both sides of Nations Ford Road to be used for residential purposes. The industrial zoning to the east of the subject site already serves as a transitional area between these multi-family properties and heavy industrial zoning further to the east. Changing these properties to an industrial classification brings heavy employment and manufacturing uses all the way to Nations Ford Road frontage. That, coupled with the fact that this petition does not provide any assurances as to the quality of that development, raises significant concerns as to the appropriateness of this request. Therefore, from a land use standpoint, this petition is not appropriate for approval.

2. Site Plan. There is no site plan which accompany this application.

CONCLUSION

This petition is not appropriate for approval. It is not consistent with proposed plans for the area and has the potential to establish uses along Nations Ford Road which will detract from the residential environment.

*Subject to further refinement following public hearing.

PETITIONER Carmel Investment Group/Hebron

PETITION NO. 90-44 HEARING DATE May 21, 1990

ZONING CLASSIFICATION, EXISTING R-9MF REQUESTED I-1

LOCATION Approximately 3.38 acres located on the southeast corner of Hebron Street and Nations Ford Road.

SEE ATTACHED MAP

ZONING MAP NO. 148 & 149 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 90-44'
Date Filed March 19, 1990
Received By MCM
OFFICE USE ONLY

Ownership Information

Property Owner: Carmel Investment Group/Hebron & Ruth G Murchison, Mrs. R M. By Ent

Owner s Address: 6401 Carmel Road # 106 — 9437 Nations Ford Road

Charlotte, NC 28226 — Charlotte, NC 28210

Date Property Acquired: August 23, 1985 — February 10, 1964

Tax Parcel Number: 205-151-19 (Partial) — 205-151-05

156

Location Of Property (address or description) South side of Hebron Street at Nations Ford Road

Description Of Property

Size (Sq Ft Acres): 3.38 acres

Street Frontage (ft): 691.93' on Nations For and Old Nations Ford F

Current Land Use: Vacant

Zoning Request

Existing Zoning: R-9MF

Requested Zoning: I-1

Purpose of Zoning Change: To permit the development of a property compatible with predominant adjoining zoning

Fred E. Bryant, Planner
Name Of Agent

1850 E. Third Street, Suite 216
Agent s Address

Charlotte, NC 28204
Telephone Number

333-1680

Carmel Investment Group/Hebron
Name of Petitioner(s)

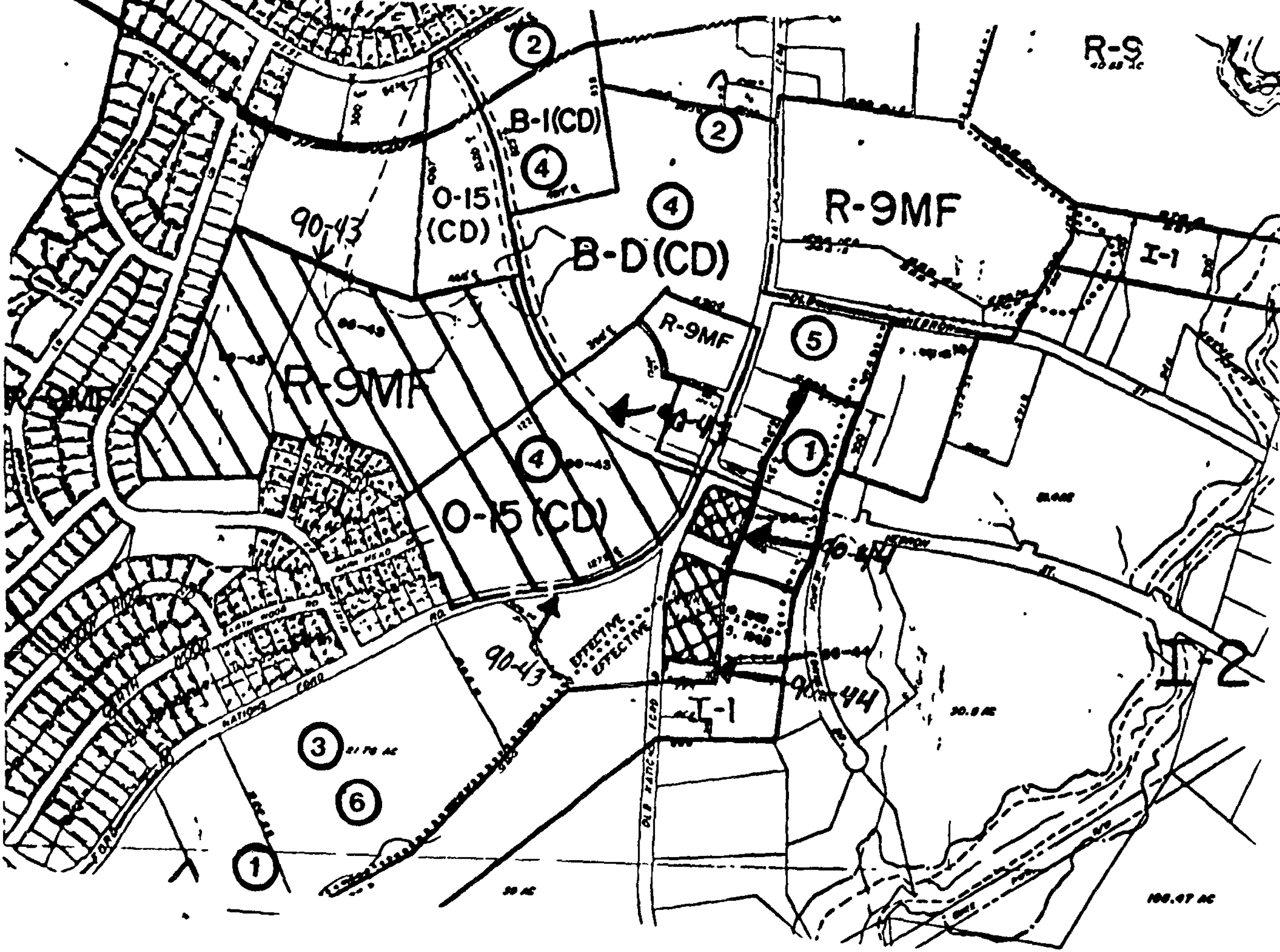
7707 Pineville-Matthews Road
Address of Petitioner(s)

Charlotte, NC 28226
Telephone Number

541-3876

Signature

Signature of Property Owner if Other Than Petitioner


R-9
B-1(CD)
O-15
(CD)
90-43
B-D(CD)
R-9MF
I-1
R-9MF
O-15 (CD)
90-43
90-44
I-1
90-43
90-44
EFFECTIVE
EFFECTIVE
OLD RANCH ROAD
NATIONAL ROAD
100.47 AC

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 90-45

BACKGROUND

In May 1987, the Charlotte City Council formally approved the North Tryon Corridor Study; a plan aimed at revitalizing and enhancing this major gateway into the city.

The recommendations made by the North Tryon Corridor Study included implementing a streetscape plan, revitalizing North Tryon's employment areas, and protecting existing residential areas throughout the corridor.

Petition No. 90-45

This petition includes approximately 29.4 acres generally known as the Lockwood Neighborhood. Properties proposed for rezoning front along Keswick, Sylvania, and Plymouth Avenues generally from Bancroft Street to Dunloe Street.

These properties are currently zoned R-6MF. The predominant land use in this area is single family with several duplexes, apartments, and vacant lots scattered about the area. There are also two day care centers within the study area.

The North Tryon Corridor Study recommends rezoning these properties from R-6MF to R-6. The proposed new zoning would protect the existing single family character of the Lockwood Neighborhood.

The proposed rezonings would make the apartments and many of the duplexes nonconforming. Depending on the number of children, the two day care facilities may also become nonconforming.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 90-45
Date Filed March 19, 1990
Received By [illegible]
OFFICE USE ONLY

Ownership Information

Property Owner See Attached List

Owner s Address See Attached List

Date Property Acquired N/A

Tax Parcel Number See Attached List

Location Of Property (address or description) These properties are located along Keswick, Sylvania and Plymouth Avenue between N. Tryon Street and N. Graham Street

Description Of Property

Size (Sq Ft Acres) 29.4 acres Street Frontage (ft)

Current Land Use Those properties are predominantly single family homes with a few duplexes quadraplexes, and vacant lots

Zoning Request

Existing Zoning R-6MF Requested Zoning R-6

Purpose of Zoning Change To implement the rezonings proposed by the North Tryon Corridor Study approved by City Council in May of 1987

Name Of Agent

Charlotte-Mecklenburg Planning Commiss
Name of Petitioner(s)

Agent s Address

600 East Fourth Street, Charlotte, N. (
Address of Petitioner(s)

Telephone Number

336-2205
Telephone Number

North Tryon Rezoning Petition #1

Signature

Signature of Property Owner if Other Than Petitioner

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 90-45 HEARING DATE May 21, 1990

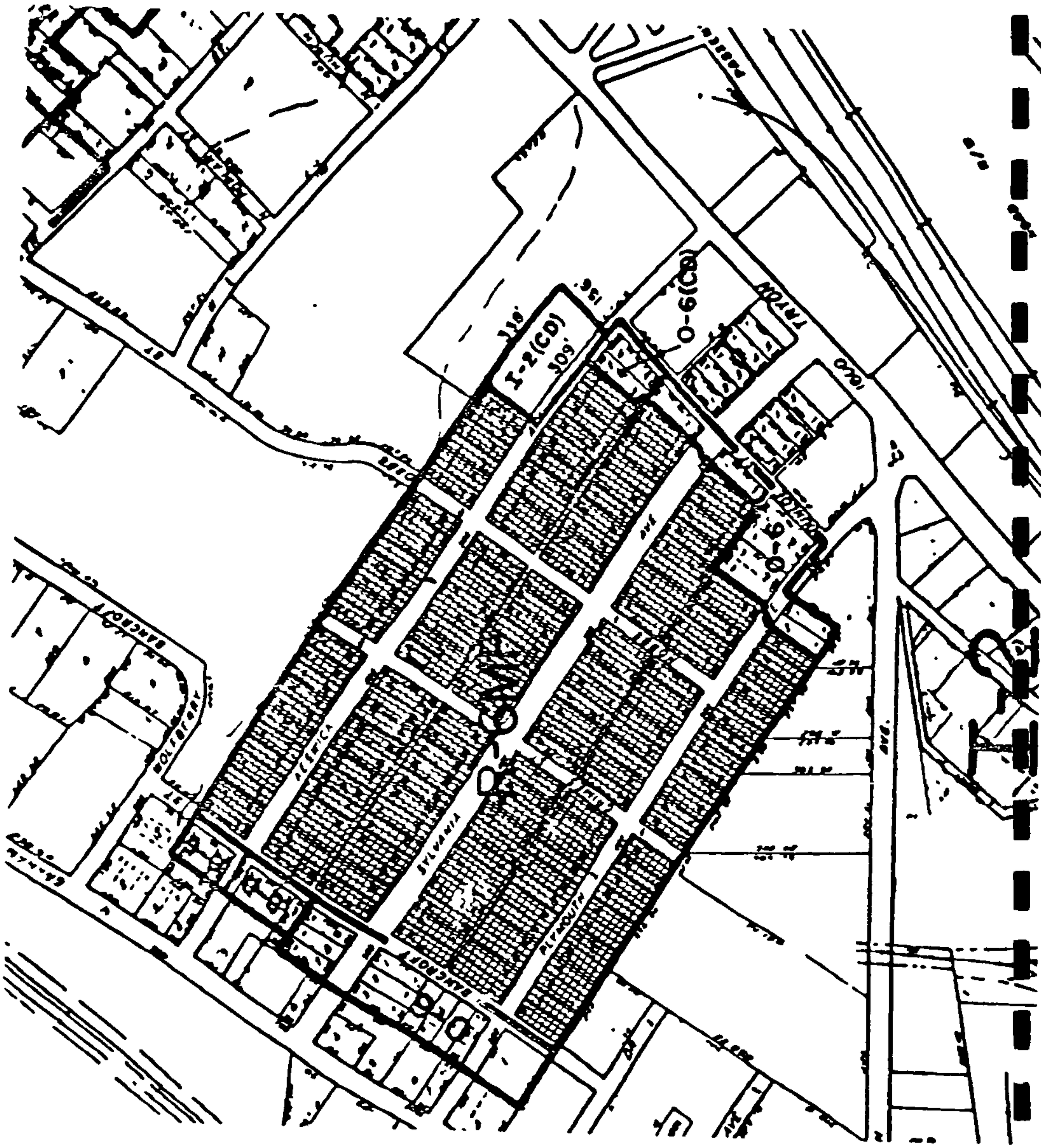
ZONING CLASSIFICATION, EXISTING R-6MF REQUESTED R-6

LOCATION Approximately 29.4 acres located along Keswick, Sylvania and Plymouth Avenues between North Tryon and Graham Streets.

SEE ATTACHED MAP

ZONING MAP NO. 88 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE



North Tryon Corridor Study Rezonings

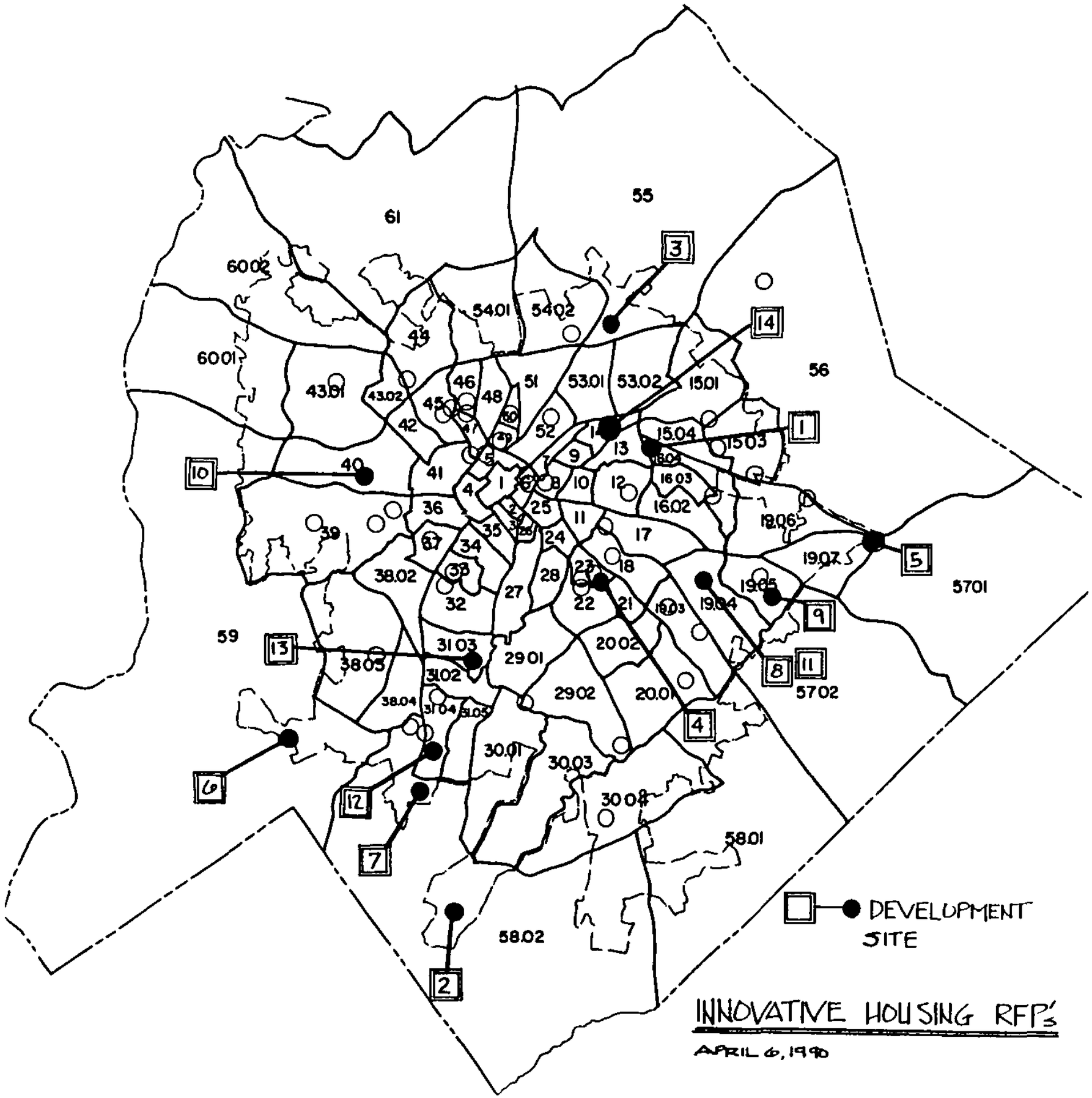
R-6MF TO R-6

EXHIBIT A
REVISED

REVISED
SUMMARY DEVELOPERS/PROPOSALS (5 16 90)

CRITERIA	BISHOP 1 Peace St & Eastway Dr	BISHOP 2 Carmel Rd & Carmel Forest	BISHOP 3 Graham St & Princess	BISHOP 4 Billingsley & Marvin Rd	CROSLAND 5 Albemarle Rd & Lake Leslie	CROSLAND 6 York Rd & Sandy Porter	CROSLAND 7 Knights Bridge Rd	SALLOUM 8 Thorngrove	SALLOUM 9 5107 Idlewild Rd North	SALLOUM 10 Allegany St & Denver Av	AMERIFIRST 11 Thorngrove	AMERIFIRST 12 Sharon Lakes Rd	CHA 13 Park Rd & Seneca Pl	TRENTON 14 North Charlotte
No Units	52	48	52	52	52	52	40	32	55	32	32	44	50	177
Development Cost														
Building	$2 070,397	$1,996,659	$2,056 919	$2,044,369	$2,361,753	$2,541,568	$2,005 278		$2,726,020		$3 235 000		$1,997 525	$9 197 109
Land	$186,000	$400,000	$200,000	$230,000	$470,000	$178,235	$305,000		$465,000		$340,000		$501,637	$650,000
Total	$2,256 397	$2,396,659	$2 256,919	$2,274 369	$2,831,753	$2,719,803	$2,310,278		$3 166,020		$3 575 000		$2 499,162	$9 847 109
FINANCING					($26,000)	($26,000)	($20,000)							
IHP	$1,150,000	$1,300,000	$1,150,000	$1,175 000	$1,630,000	$467,000	$433,000		$1,500 000		$1 375,000		$640 000	$3 642,000
Private Lender	0	0	0	0	0	$515,000	$385,000		0		$1,100,000		$140 957	$1 796,650
Equity (Tax Credits)	$806 397	$796,659	$806,919	$799,369	$927,753	$996 577	$779,503		$1 666,020		$1 100 100		$867 205	$4 108 459
Housing Partnership	0	0	0	0	0	$467,000	$433,000		0		0		$550 000	0
Energy Credits	$300,000	$300,000	$300 000	$300,000	$300 000	$300,000	$300,000		0		0		$300 000	$300 000
Total	$2,256,397	$2,396,659	$2 256,919	$2,274,369	$2,857,753	$2,745,577	$2,330,503		$3 166 020		$3 575 100		$2 499 162	$9 847,109
COMMITMENTS														
Private Lender	City (1st)	City (1st)	City (1st)	City (1st)	City (1st)	Firm	Firm		City (1st)		Firm($975 000)		Firm	Interest
Equity	Interest	Interest	Interest	Interest	None	Firm	Firm		None		Firm		Interest	Firm
LEVERAGING FACTOR	1 to 96	1 to 84	1 to 96	1 to 94	1 to 74	1 to 2 9*	1 to 2 7**		1 to 1 11		1 to 2 60		1 to 2 1***	1 to 1 70
CITY COST PER UNIT	$22 115	$27,083	$22,115	$22 596	$31 345	$17,761*	$21,650**		$17 241		$18 092		$23 800***	$20 576
LONG TERM AFFORDABILITY (Based on 15yr proformas)	15yrs	15yrs	15yrs	15yrs	15yrs	15yrs	15yrs		15 30yrs		15yrs		30yrs	15yrs
HAP COMPLIANCE														
Census Tract	16 04	30 03	55	23	19 07	59	58 02	19 04	19 05	40	19 04	31 04	31 03	7
Area Class	Restricted	Priority	Priority	Spec Obj	Priority	Priority	Restricted	Priority	Restricted	Priority	Priority	Restricted	Priority	Spec Obj
Pupil Assignment	Neutral	No Negative	Neutral	Negative	No Negative	No Negative	No Negative	No Negative	No Negative	Negative	No Negative	No Negative	No Negative	Negative
PLAN REVIEW	OK	OK (rezone)	OK	OK	OK (rezone)	OK	OK	OK	Negative	Negative	OK	OK	None	OK (rezone)
Eliminated by I H Committee	X		X	X				X	X	X				X
Priority Ranking for Funding Only	1					2A	2B						3	

* Total of $934,000 includes the CMHP & City loans
** Total of $866,000 includes the CMHP & City loans
*** Total of $1,190,000 includes the CMHP & City loans



INNOVATIVE HOUSING RFP'S

APRIL 6, 1990

EXHIBIT B
REVISED

SUMMARY OF OPTIONS FOR COUNCIL'S CONSIDERATION

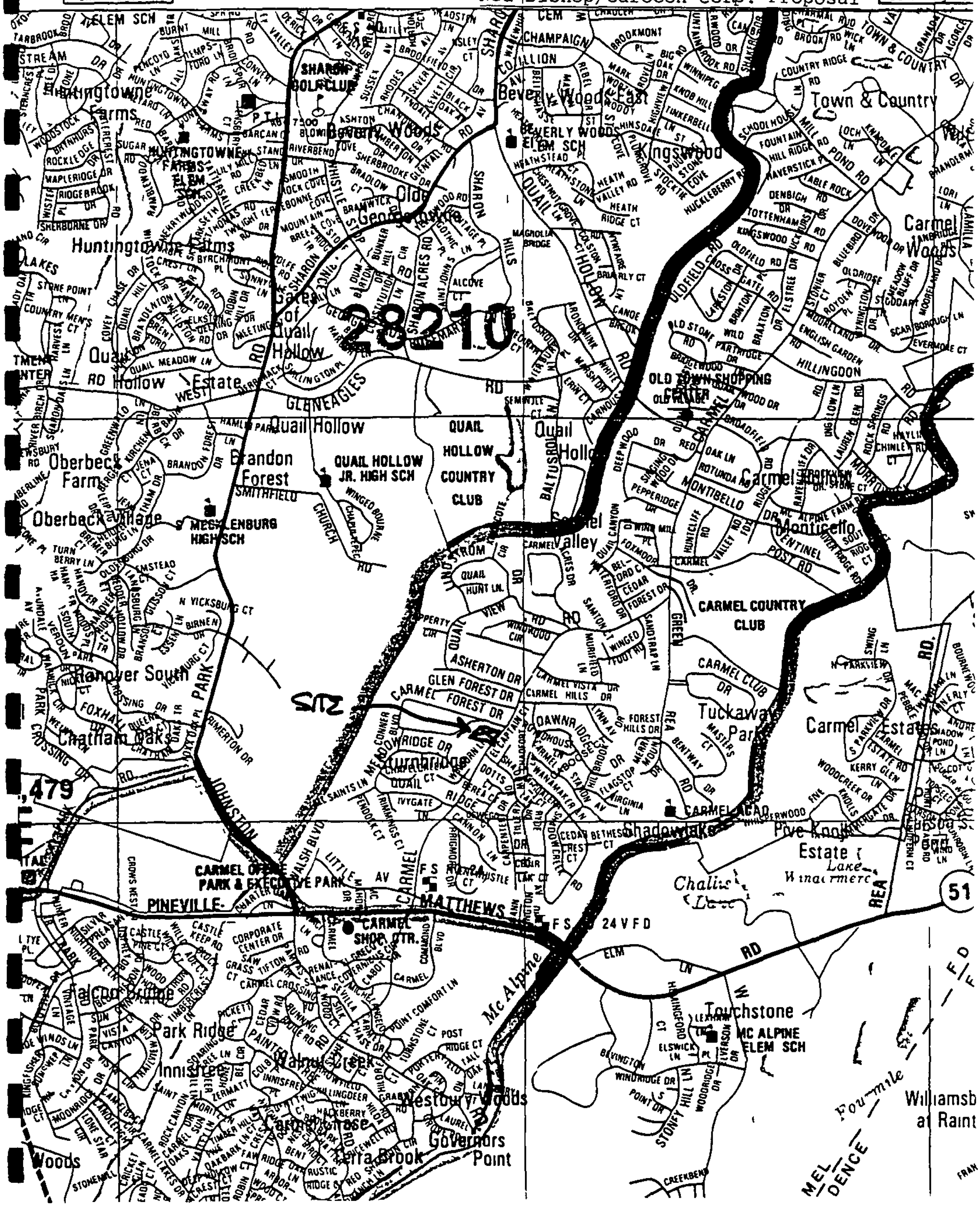
PROJECT

		Bishop/Carocon	Crosland Properties * York Rd & Sandy Porter Rd	Crosland Properties * Knightsbridge	Charlotte Housing Authority
1	Design of units	2 BRs - 22 3 BRs - 22 4 BRs - 4	2 BRs - 26 3 BRs - 22 4 BRs - 4	2 BRs - 20 3 BRs - 20	2 BRs - 24 3 BRs - 24 4 BRs - 2
2	Contractor	Carocon Corp.	Crosland Properties	Crosland Properties	Charlotte Housing Authority
3	Construction Lender	City	First Union Natl. Bank City/Housing Partnership	First Union Natl Bank City/Housing Partnership	First Union/CHA/ Housing Partnership
4	Property Manager	Shelter Mgmt. Group	Crosland Properties	Crosland Properties	Charlotte Housing Authority
5	City Security	1st Deed of Trust	2nd Deed of Trust	2nd Deed of Trust	2nd Deed of Trust
6	City IHF Loan Requested	$1,300,000 - No interest deferred repayment until sale of refinance	$467,000 - No interest 30 years or until converted to market	$433,000 - No interest 30 years or until converted to market	$640,000 - Deferred payments 15 years
7	City Subsidy Required for Rent	None	None	None	None
8	Site Size	4 04 acres	4 51 acres	3 534 acres	3 58 acres
9.	Project Name	Not yet determined	Summerfield	Knightsbridge Square	Seneca Woods
10.	Contact Person	Ned Bishop	Roger Lewis	Roger Lewis	Harrison Shannon
11.	Average Rent	$218	$217 @ 40% $393 @ 60%	$215 @ 40% $390 @ 60%	$290**
12	Annual Income Range of Families Served	$10,736 to $15,248	$10,800 to $22,980	$10,800 to $22,980	$10,600 to $16,944
	Priority Ranking for Funding	1	2A	2B	3

*Half of the units to serve families 40% or less of median income and half of the units to serve families 60% or less of median income
**Includes utilities and a $20 savings deposit

EXHIBIT C-1

Ned Bishop/Carocon Corp. Proposal



2. A. Vicinity Map

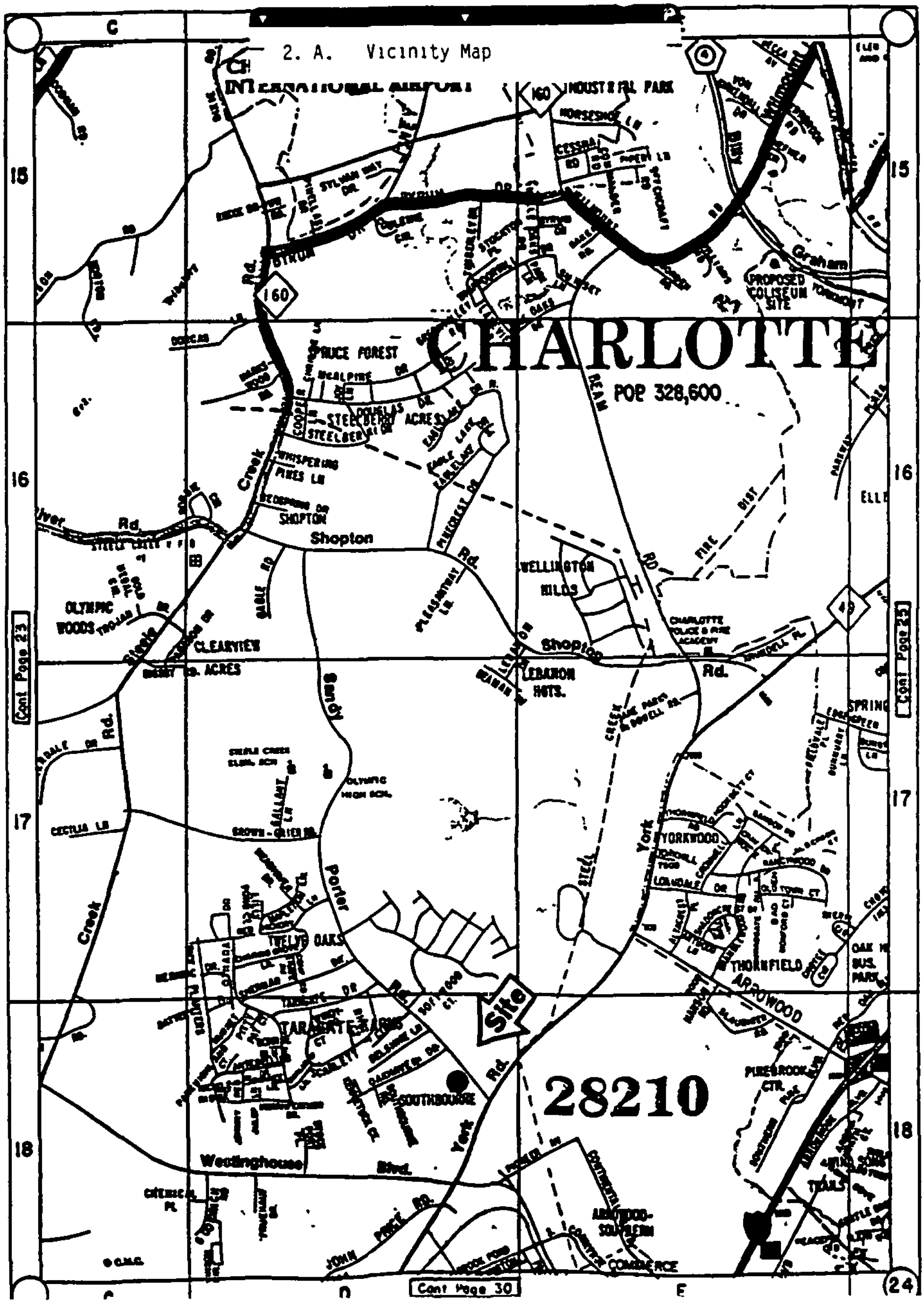


EXHIBIT C-3
Crosland Properties Proposal

KNIGHTSBRIDGE SQUARE

2. A. Vicinity Map

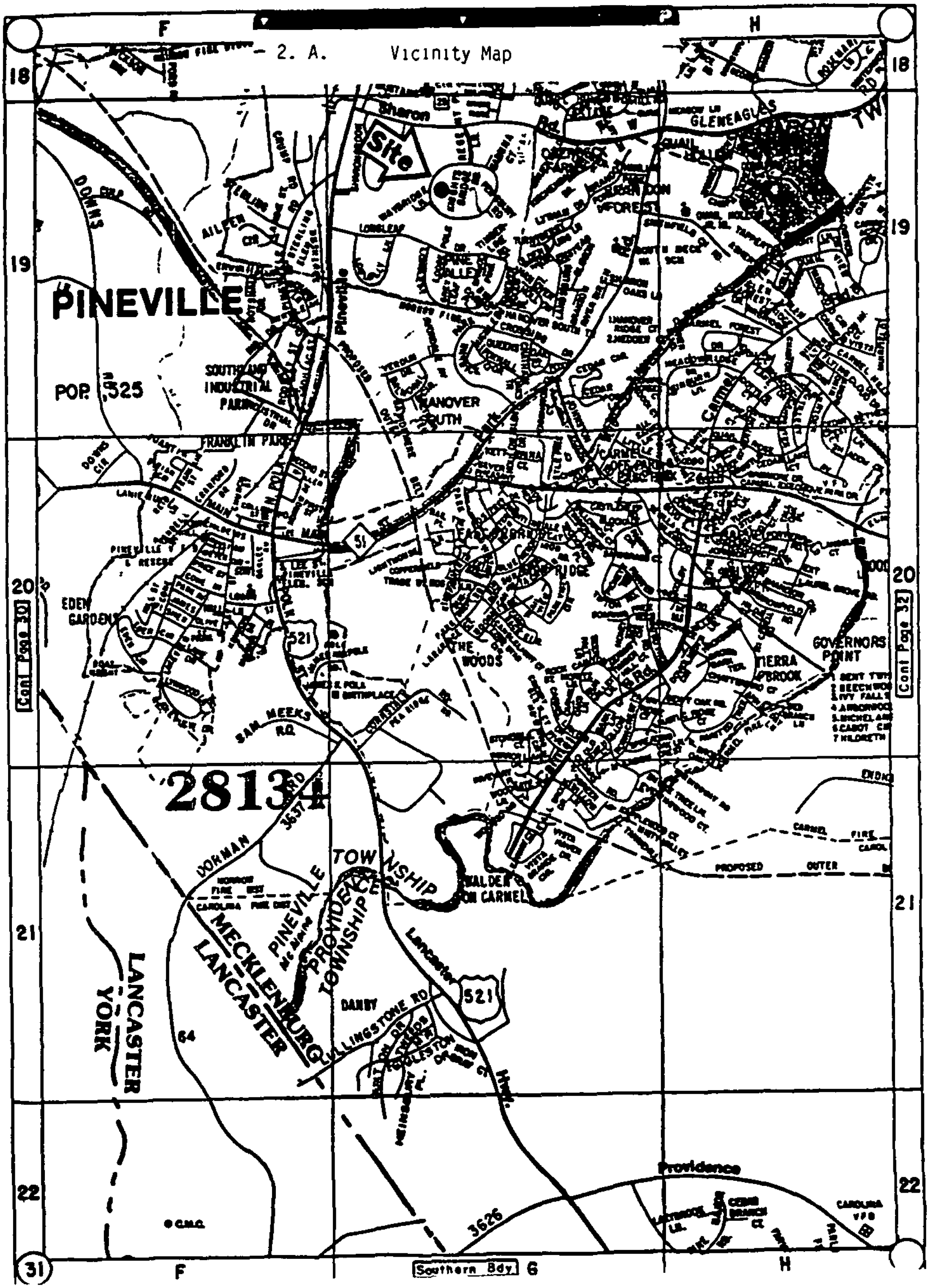
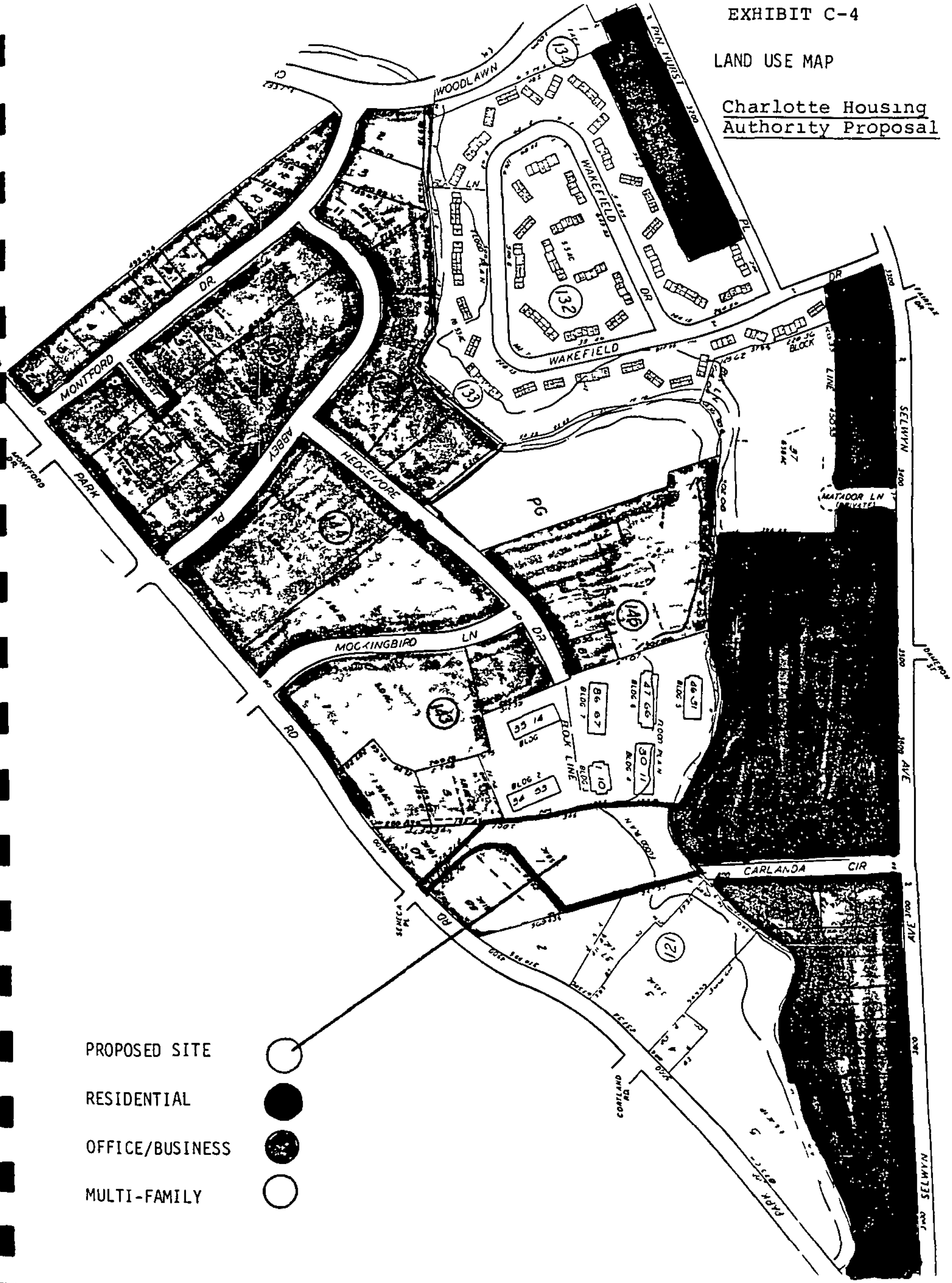


EXHIBIT C-4

LAND USE MAP

Charlotte Housing Authority Proposal



PROPOSED SITE

RESIDENTIAL

OFFICE/BUSINESS

MULTI-FAMILY

EXHIBIT D-1

Charlotte-Mecklenburg Schools
Post Office Box 30035
Charlotte North Carolina 28230
Telephone (704) 379-7000

Peter D Relc
Superintendent

March 19, 1990

Mr. Edwin H. Bishop, Jr., President
Bishop and Company
141 Scaleybark Road
Charlotte, NC 28209

Dear Edwin:

In response to your letter of March 9, 1990, my staff and I have studied the proposal and have the following comment(s).

Carmel Road Site:

This project is in Beverly Woods' attendance area. Beverly Woods (K-3) is paired with Barringer (4-6). As of today, the membership at Beverly Woods is 664 (71 white and 29 black).

Using your standards:
1. No negative impact.

2. No negative impact.

3. No negative impact.

I hope this information is complete. If not, please call me.

Sincerely,

Harold Deal

Harold Deal
Assistant Superintendent
Planning and Research

EXHIBIT D-2

2. A. 1. School Administration Letter

Charlotte-Mecklenburg Schools
Post Office Box 30035
Charlotte North Carolina 28230
Telephone (704) 379-7000

Peter D Relic
Superintendent

March 22, 1990

Mr. Roger M. Lewis, Vice President
Development
Crosland Properties
P. O. Box 11797
Charlotte, NC 28202

Dear Mr. Lewis:

The project

4.51 acres south of Sandy Porter Road near its intersection with York Road (NC #49) in Southwest Charlotte

will have no negative impact on Charlotte-Mecklenburg Schools. We are in the process of locating a new elementary school in the southwest and would most likely designate this project as part of the new attendance area. Presently, Steele Creek and Amay James serve this area. Both are experiencing high enrollment for their capacities.

Sincerely,

Harold Deal

Harold Deal
Assistant Superintendent
Planning and Research

EXHIBIT D-3

REVISED

Charlotte-Mecklenburg Schools
Post Office Box 30035
Charlotte North Carolina 28230
Telephone (704) 379 7000

Peter D Relic
Superintendent

May 15, 1990

Mr. Roger M. Lewis, Vice President
Development
Crosland Properties
P. O. Box 11797
Charlotte, NC 28202

Dear Mr. Lewis:

The project

3.5.4 acres in the inside of the Knights Bridge Road Circle about 1/4 mile south of Sharon Road West in South Charlotte

will not have a negative impact on Charlotte-Mecklenburg Schools. This site is in the Starmount attendance area which has a 37% black ratio.

Sincerely,

Harold Deal

Harold Deal
Assistant Superintendent
Planning and Research

EXHIBIT D-4

Charlotte-Mecklenburg Schools
Post Office Box 30035
Charlotte North Carolina 28230
Telephone (704) 379-7000

Peter D Relic
Superintendent

RECEIVED
MAR 21 1990

March 20, 1990

Mr. Larry A. Loyd, Assistant Executive Director
Charlotte Housing Authority
P. O. Box 36795
Charlotte, NC 28236

Dear Larry:

Tax Parcel Number 175-121-01

This area is in the Park Road (K-3) and Marie G. Davis (4-6) attendance areas. If this project is approved, it would not have a negative impact on these schools

Thank you.

Sincerely,

Harold Deal

Harold Deal
Assistant Superintendent
Planning and Research

EXHIBIT E-1

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

March 29, 1990

Mr. Edwin H. Bishop, Jr.
Bishop & Company
141 Scaleybark Road
Charlotte, NC 28209

Dear Ned:

In response to your request, staff has reviewed the proposed site on Carmel Road to build 50 units of low income housing. The site is located in an upper income, predominantly white populated area in South Charlotte. This site is surrounded by upscale single family housing.

There is no area plan that encompasses this area. However, the land use recommendations of the 2005 plan calls for residential development to be maintained in this area. The project is consistent with land use objectives in the 2005 Plan. Also, it is, a desirable location because it will help accomplish the City's objectives of placing low income housing in an area where it does not already exist.

The property is currently zoned R-15MF(CD) to allow for the development of 24 owner occupied townhouses. This property will require a rezoning to build the number of units desired.

The site meets the criteria for multi-family development as established in the District Plan General Policies document being on a major thoroughfare and near shopping, employment and transit services. This proposed project will be built at a density of 11.89 dwelling units per acre. The adjoining single family development should be adequately buffered and protected from any negative impacts of this development.

If you have any questions, please contact me or Debra Campbell at 336-2205.

Sincerely,

David A. Howard
Community Planning Manager

DAH/DDC:sls

600 East Fourth Street • Charlotte, North Carolina 28202-2853 • (704) 336-2205

— 2.A.2. Planning Commission Letter —

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

March 30, 1990

Mr. Roger M. Lewis
Vice President, Development
Crosland Properties
Post Office Box 11797
Charlotte, North Carolina 28220

Dear Mr. Lewis:

Staff has reviewed the proposed 4.51 acre tract south of Sandy Porter Road near the intersection of York Road to build a 52 unit low income apartment complex. The site is located in Southwest Charlotte. This property is located within an area that is urbanizing and becoming racially integrated.

The proposed project is consistent with land use recommendations as proposed in the Southwest District Plan which calls for multi-family development at this location. The proposed project would be built at a density of approximately 11.52 dwelling units per acre. The property is currently zoned R-9MF which allows up to 17.4 units per acre.

The Southwest Plan also calls for creating a strong residential and retail presence to supplement the numerous jobs already in the area. The area's proximity to the airport and the encroachment of industrial uses have negatively impacted the image of the area for good quality housing. A goal of the Southwest District Plan is to stabilize the area to attract all ranges of housing opportunities as well as high quality commercial development.

This is a desirable location from the standpoint of its accessibility to shopping, employment and transit. It is less desirable in terms of the potentially adverse impacts it could have on future development and the plan's goal to encourage higher quality development.

If you have any questions please call Debra Campbell or me at 336-2205.

Sincerely,

David A. Howard,
Community Planning Manager

DAH:DC:dmh

600 East Fourth Street • Charlotte North Carolina 28202 2853 • (704) 336-2205

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

March 30, 1990

Mr. Roger M. Lewis
Vice President, Development
Crosland Properties
Post Office Box 11797
Charlotte, North Carolina 28220

Dear Mr. Lewis:

In response to your request, staff has reviewed the 3.534 acre site located inside of the Knights Bridge Road Circle to construct a 52 unit low income apartment complex. This site is located in South Charlotte in a predominantly white, middle income neighborhood. The adjacent land uses include condominium development to the west with single family homes to the north.

There is no area plan that encompasses this site. However, the land use recommendations of the 2005 Generalized Land Use Plan calls for the existing residential development to be maintained. The site is adjacent to existing condominium development. The proposed multi-family project would be compatible with existing development and land use plans for the area. The proposed site is appropriately zoned R-9MF to accommodate multi-family development up to 17.4 dwelling units per acre. The proposed development would be built at a density of 14.67 units per acre.

This site meets the locational criteria for multi-family housing as established in the District Plan General Policies document, being accessible to a major thoroughfare, shopping and transit. Also, the site is located in South Charlotte which is an area targeted by the City to place low income housing.

If you have any questions please contact Debra Campbell or me at 336-2205.

Sincerely,

David A. Howard,
Community Planning Manager

DAH:DC:dmh

600 East Fourth Street • Charlotte North Carolina 28202 2853 • (704) 336-2205

EXHIBIT E-4

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

April 18, 1990

Mr. Larry Lloyd
Charlotte Mecklenburg Housing Authority
Post Office Box 36795
Charlotte, North Carolina 28236-6795

Dear Mr. Lloyd:

Staff has reviewed the site located off Park Road to build 50 units of affordable rental housing. This site is located in South Charlotte in a predominantly white, middle income area.

There is no area plan that encompasses this site. However, the land use recommendation in the 2005 Generalized Land Use Plan calls for the existing residential development to be maintained. The site is located adjacent to existing multi-family development to the south, and office use to the west fronting on Park Road. The property is currently zoned O-6. The proposed development would be built at a density of 14.1 dwelling units per acre.

The site meets locational criteria for multi-family housing as established in the District Plan General Policies document being near a major thoroughfare, shopping and transit. Also, the site is located in a census tract which is being targeted by the City to place low-income housing.

If you have any questions, please contact Debra Campbell or me at 336-2205.

Sincerely,

David A. Howard
Community Planning Manager

DAH/DC:mh

Attachments

600 East Fourth Street • Charlotte, North Carolina 28202 2853 • (704) 336-2205

MINUTES FROM MAY 1, 1990 MEETING
REGARDING PROPOSED HOUSING DEVELOPMENT BY THE HOUSING AUTHORITY
(Seneca Woods)

A meeting was held on Tuesday, May 1, 1990 at 7:00 p.m. in rooms 270 and 271 of the Charlotte-Mecklenburg Government Center with staff members of the Community Development Department, staff and board members of the Charlotte Housing Authority and approximately 20 neighborhood representatives from the Park Road/Seneca area. Also in attendance were City Council members, City Manager's Staff and staff from the Planning Commission and School Administration.

As directed by City Council, the meeting was held to share with the residents of the area of the proposed housing development City Council's housing goals and objectives and to address and review any concerns they had regarding the proposed development off Park Road by the Charlotte Housing Authority.

J. W. Walton, Director of the Community Development Department, welcomed the residents to the meeting and presented the Housing Assistance Plan overview. Exhibits related to proposed City assisted housing were distributed, and Mr. Walton went over these exhibits inviting any questions from the audience as he went along. Staff from the Housing Authority assisted in answering questions. A question/ answer period followed, and primary concerns expressed by the residents were as follows:

- Type housing proposed to be built, how close would units be, who will be renting the housing;
- Site too small for that number of units, terrain very steep, and large portion of site is in flood plain; site clearing could create more flooding of surrounding area;
- Deep creek on the property that swells and floods during rain storms and would be dangerous for children living that close to it;
- Five swimming pools located in close proximity to site that would be tempting for the children to attempt to get into, possibly resulting in drownings. Fear also that if, this danger existed, it could affect their insurance or even force them to drain and close the pools.
- Site too expensive, more than appraisal value, costing tax payers unnecessary dollars;
- Could City staff pursue alternative site on City-owned park land at Marion Deal Center on Tyvola Road;
- Project would devalue their property resulting in many property owners selling and moving to other areas; for sale signs already going up;

- Renters would not take as much pride in their property as homeowners;

- Occupancy level, would the number of people in each unit be controlled, and how many children would be living there;

- What type of facilities, activities and supervision would be available for the children, especially after school and in the summer. Concerned that if there were no facilities and little supervision for them to play they would be in their swimming pools, in the creek, cutting through their property to get to stores and creating problems at local businesses, in the parking areas etc., possibility of drug problems;

- Generally concerned that with no sidewalks foot traffic through their property would be a problem and what the Housing Authority would do to control this;

- Safety of residents, would crime rate increase, would residents be screened to prevent people with arrest records being admitted, if resident was arrested for misconduct, theft etc., would they automatically be evicted, would this be stipulated in their lease;

- Number of added cars would cause further congestion on local roads;

- How the Housing Authority compiled the 2.2% unemployment rate for transitional housing, would the Housing Authority have any control over the percentage of unemployed residents;

- Would there be a resident manager and if not how often would property be inspected, would there be any type of counselling of residents to improve property maintenance;

- How much site preparation would there be, grass, flowers, shrubbery, buffers, etc. and was cost included in the total cost of project;

- Was any type soil testing done to determine any problems such as covered drums that could contain hazardous waste, problems with bed rock etc. If problems existed, whose expense and responsibility would it be to alleviate the problems;

- Had members of staff and Housing Authority actually walked the site to see the problems to which they were referring;

Mr. Walton explained that staff was very interested in addressing all their concerns. Community Development staff was instructed to contact Park & Recreation and obtain information regarding the City-owned park land on Tyvola Road. A meeting was set up for Friday, May 4, 1990 at 5:30 p.m. for four staff members of the Housing Authority and three neighborhood representatives to meet and walk the site. The Housing

Authority also would prepare responses to their other concerns - supervision and activities for the children, danger from creek and swimming pools and ways to prevent drownings, justification of purchase price of site, soil testing for possible contamination, ways to deter foot traffic through their property - and a follow-up meeting was scheduled for the same location on Monday, May 7, 1990 at 7:00 p.m.

The meeting was adjourned at 8:55 p.m.

Pat Russell
Recording Secretary

MINUTES FROM MAY 2, 1990 MEETING
REGARDING PROPOSED HOUSING DEVELOPMENT BY NED BISHOP/CARACON CORPORTION
(Carmel Road)

A meeting was held on Wednesday, May 2, 1990 at 7:00 p.m. in rooms 270 and 271 of the Charlotte-Mecklenburg Government Center with staff members of the Community Development Department, Planning Commission and School Administration, Assistant City Manager Julie Burch, Councilmember Ann Hammond, Housing Authority Board of Commissioners Member Ricky Hall, Project Developer Ned Bishop, Construction Partner, John Huson, Property Management Representative Mel Ediger, and 18 neighborhood representatives from the Carmel Road area.

As directed by City Council, the meeting was held to share with the residents of the area of the proposed housing development City Council's housing goals and objectives and to address and review any concerns they had regarding the proposed development on Carmel Road by Ned Bishop/Caracon Corporation.

J. W. Walton, Director of the Community Development Department, welcomed the residents to the meeting and presented the Housing Assistance Plan overview. Exhibits related to proposed City assisted housing were distributed, and Mr. Walton went over these exhibits inviting any questions from the audience as he went along.

Ned Bishop presented his housing proposal using site plans and other visual aids and shared with residents the features of the proposal - "where, what, for whom and how the development would be operated". He then introduced Ms. Mel Ediger, representative of U. S. Shelter Management Group who will manage the project. Ms. Ediger gave the group background information about the company, how it operates, and showed slides of other developments the company manages. Ms. Ediger would be in charge of managing the development and have a resident manager and maintenance manager working for her. She explained that someone in authority would always be on the property, and one of the managers would be in residence. Ms. Ediger stressed the quality of management and extensive screening of applicants. She also pointed out that a resident's council would be organized to get residents involved in such programs as a crime watch program and a day care program. The day care program would be set up using mothers who stay home to take care of children of working mothers. J. W. Walton stated that other local programs to assist residents are available, i.e. Family Housing Services and Employment and Training etc.

Primary questions and concerns expressed by the residents were as follows:

- Attractiveness of three-story buildings in area of single family homes;

- Multi-family housing backing up to single family housing, thought there were more appropriate sites that could be found on Carmel Road nearer businesses or closer to similar multi-family buildings; felt high density multi-family development against low density single family housing was very inappropriate;

- Development would severely affect marketability of adjacent homes and depreciate property value;

- Site too small for 48 units;

- Land may not have suitable soil;

- Questions raised regarding rezoning process;

- Cost of land and cost per unit too high; was an appraisal done of the property;

- Developer has no "out of pocket" cash equity in development, what is developer's profit;

- How do tax credits work, do they require the development to remain low income, what would happen if tax credits were lost;

- What is the law that requires the City to develop scattered site housing;

- What type buffer would be used, what type setback; is 45 feet enough;

- Drainage of site, where would water be drained after development;

- How many children would live there, what type play areas would be provided, how large and how many children would it accommodate;

- What was process and ranking system used to choose the four sites, why was the Carmel Road Project selected as #1 by the Innovative Housing Committee, what made the sites that were eliminated ineligible, what did negative and neutral mean on the summary developers/proposals chart regarding the School Board's evaluation, who were members of the Innovative Housing Committee;

- Was it possible that developer would "walk away" from development after a few years and what would happen to development if he did. If the City acquired the property, would it become another public housing development.

- Traffic issue needs to be addressed, would traffic study be done;

- Upset because the community had no in-put in selecting site or in planning and asked in the future that developers go to the communities for their assistance in selecting an area site;

Mr. Bishop invited in-put from the residents as to placement of buildings on the site and number of buildings (4 or 5). At the residents request, Mr. Bishop said he would get them copies of the site plans to study.

Responses were given by staff and/or developers to all questions and concerns raised. It was the concensus of the neighborhood representatives that this was not a good site on which to develop affordable housing; however, no follow-up meeting was requested.

Mr. Walton thanked the neighborhood representatives for coming and assured them staff understood their concerns and would be responsive to any further questions.

The meeting was adjourned at 9:45 p.m.

Pat Quigley
Recording Secretary

MINUTES FROM MAY 3, 1990 MEETING
REGARDING PROPOSED HOUSING DEVELOPMENT BY CROSLAND PROPERTIES
(SUMMERFIELD, SANDY PORTER ROAD)

A meeting was held on Thursday, May 3, 1990 at 4·30 p.m. in rooms 270 and 271 of the Charlotte-Mecklenburg Government Center with staff members of the Community Development Department, Harold Deal of the School Administration, Deputy City Manager Pam Syfert, Councilmember Ella Scarborough, Gwen Boyton, Charlotte-Mecklenburg Housing Partnership Board Member, Pat Garrett, President and Peter Hubicki, Operations Manager of the Charlotte-Mecklenburg Housing Partnership, Jud Little and Roger Lewis of Crosland Properties (developer) and approximately 31 neighborhood representatives from the Sandy Porter Road area.

As directed by City Council, the meeting was held to share with the residents of the area of the proposed housing development City Council's housing goals and objectives and to address and review any concerns they had regarding the proposed development on Sandy Porter Road by Crosland Properties.

J. W. Walton, Director of the Community Development Department, welcomed the residents to the meeting and presented the Housing Assistance Plan overview. Exhibits related to proposed City assisted housing were distributed, and Mr. Walton went over these exhibits inviting any questions from the audience as he went along.

Questions were raised and concerns expressed by the neighborhood residents as follows.

- Subsidized housing already existed in their area in Windsong Trail and Twelve Oaks; also, HUD houses were in the area,

  - Mr. Walton explained that single-family housing and assisted units developed for homeownership were exempt under the locational policy criteria and that some of the homes were mortgage subsidized with HUD funds.

- Development would depreciate property values;

- Development would create more crime;

- What would be the family make-up of occupants; where would the tenants come from; who decided that people in this income level would be happy in a community where people make much more;

- When was seller notified by Crosland Properties of type housing to be built on this site;

- When was City Council informed of proposal, why was public announcement so close to the City Council meeting regarding the request, too little time was given for neighborhood response;

- What was the difference in type of housing planned for this site and that planned for Carmel Road, why was the Carmel Road housing more expensive;

- Why was this area chosen especially since area was already surrounded by government subsidized and low income housing, garbage incinerator, expansion of airport, etc.;

- York Road and Hwy. 49 were already congested, and the incinerator in Arrowood would impact them much more with all the trucks. Hwy. 49 was not scheduled to be widened for years;

- Did not think any housing should be built on this site due to the proximity to the airport, and it was in the flight pattern. Felt a catastrophe could result if a plane crashed. The noise level from planes would be extremely bad for the people living there

- Neighborhood was already integrated so development was not necessary to balance schools;

- Schools were "running over"; Steele Creek Elementary had a capacity of 600 students and already had 1,000 students enrolled;

  - Harold Deal of the School Administration informed the group that land had already been purchased for a new elementary school on Irwin Road and hopefully would be built the following year. He explained also that attendance was down at Olympic and Kennedy Junior High Schools and with the addition of the new elementary school, this development would have no negative impact on the schools;

- Felt social and human services needs had not been addressed; i.e., parks, library, no entertainment, no sidewalks, no public transportation; the local medical center would be too expensive for the residents; police and medical responses were already slow; no day care facilities, who would supervise children; felt facilities for the social and human services should be in place prior to a development being built;

- Would Crosland buy more land later and make a huge development;

Mr. Walton asked the group to give Mr. Little and Mr. Lewis an opportunity to share some details of the proposed development and why it is a good site.

Mr. Little gave the group some background information about Crosland Properties. He stated that the residents of this development would have a better environment, better job opportunities, a medical center and shopping and schools close by. He described their joint venture with the Charlotte-Mecklenburg Housing Partnership and why the joint venture would make the development work better; that with the additional financing they could serve a broader income range and that a Community Center would be built with the Partnership involved in

providing services in credit counselling, budgeting, ways to help people improve their situations and life styles.

Pat Garrett explained that they had been working through City and County agencies to provide services already in place, i.e. Employment & Training, day care people, etc.

Other concerns raised:

- What would prevent Crosland from pulling out of the development in five years;

- What was rate of evictions from other similar projects;

- Would there be a resident manager;

  - Mr. Lewis explained that the Manager would spend 1/2 day at this development and 1/2 day on another and that the maintenance work would be done within a 24 hour period.

- No guarantee that residents would want or get jobs in the Arrowood Business Park;

Responses were given by staff and/or developers and the Charlotte-Mecklenburg Housing Partnership to all questions and concerns raised. Mr. Walton informed the group that their questions and concerns would be summarized and sent to City Council and copies of the minutes would be sent to everyone on the sign-in sheet.

A follow-up meeting was discussed; however, the group was assured that Councilmembers would be made aware that it was the consensus of the neighborhood representatives that this was not a good site on which to develop affordable housing, and no follow-up meeting was requested.

Mr. Walton thanked the neighborhood representatives for coming and assured them staff understood their concerns and would be responsive to any further questions or a follow-up meeting upon request.

The meeting was adjourned at 6:50 p.m.

Pat Curcetti
Recording Secretary

MINUTES FROM MAY 3, 1990 MEETING
REGARDING PROPOSED HOUSING DEVELOPMENT BY CROSLAND PROPERTIES
KNIGHTS BRIDGE ROAD

A meeting was held on Thursday, May 3, 1990 at 7:00 p.m. in rooms 270 and 271 of the Charlotte-Mecklenburg Government Center with staff members of the Community Development Department, Chuck Dulaney of the School Administration, Carol Morris of the Planning Commission, Assistant City Manager Julie Burch, Pat Garrett, President and Peter Hubicki, Operations Manager of the Charlotte-Mecklenburg Housing Partnership, Jud Little and Roger Lewis of Crosland Properties (developer) and approximately 12 neighborhood representatives from the Knights Bridge Road area.

As directed by City Council, the meeting was held to share with the residents of the area of the proposed housing development City Council's housing goals and objectives and to address and review any concerns they had regarding the proposed development on Knights Bridge Road by Crosland Properties.

J. W. Walton, Director of the Community Development Department, welcomed the residents to the meeting and presented the Housing Assistance Plan overview. Exhibits related to proposed City assisted housing were distributed, and Mr. Walton went over these exhibits inviting any questions from the audience as he went along.

Mr. Walton introduced Mr. Jud Little and Mr. Roger Lewis of Crosland Properties who gave a presentation of the proposed housing development. Mr. Lewis advised that the development was being reduced from 52 units to 40 units to make the development more compatible with the neighborhood by reducing the building from 3 stories to 2 stories. Mr Walton had spoken to him regarding the considerable concern about the land use impact of a very dense development, and they researched the prevailing density of the buildings in the area. The proposed development is between Sharon South which has 7 units per acre and the Villages Apartments which has 14 units per acre. By reducing the development by 12 units, the density will be 10-11 units per acre. Current zoning allows up to 17 units per acre.

Mr. Walton then opened the floor for comments and questions. Primary questions and concerns expressed were as follows·

- A discussion was held regarding income ranges of the tenants, type of families and bedroom mix;

- Purpose of Community Adult Education Club House, unaware of any classes scheduled through CPCC;

  - Pat Garrett addressed this question by informing group that their Board has a Human Services Committee that had been working for several months with City and County agencies talking about the type of services these families are going to need. They were planning to utilize City and County services already

in place; i.e. Employment & Training and Day Care people, and would provide help to enable residents to improve the quality of their life through lifestyle classes, credit and budgeting counselling, etc.

- Clarification of which census tract this development was proposed for; (Richard Bargoil of Community Development responded that proposed development was in census tract 58.02.) Currently, this census tract has 50 units of assisted housing which is a restricted area, but an additional 589 assisted housing units are permitted within the census tract.

- Strong feeling this area should be a "yellow dot area" (prohibited area) due to the Pine Valley subdivision;

  - J. Walton explained that the Pine Valley development was single-family units and was developed as a turnkey program for homeowners; therefore, exempt under the Housing Assistance Plan. Locational Policy Criteria approved by Council on March 12, 1990 (Section H.2 and H.3).

- Mr. Larry J. Ford of 1604-31 Sharon Road W. stated the following:

  "The Knights Bridge representatives are of the opinion that the proposed project (Knights Bridge) should not be developed due to the fact that it lies within 1/4 mile of an 'assisted housing project' (Pine Valley). Pine Valley was developed under a Federal Assistance Program. The Housing Assistance Plan prohibits projects, such as the one proposed for Knights Bridge, within a 1/4 mile radius of <u>any assisted housing project</u>. Thus, the HAP policy should prohibit the proposed Knights Bridge project, as the site is approximately 625 feet from Pine Valley. Mr. Walton and staff are of the opinion that the HAP exempts the proposed project from this prohibition. Our position is that a close reading of the policy exemption does not support the City's position. Our reading of the exemptions indicates that the proposed development would be exempt from HAP if it were to be developed for homeownership. Since it is not, it should be prohibited. The exemptions apply to proposed, new developments. Mr. Walton says the exemption for homeownership applies to Pine Valley, so that its assisted status can be ignored for purposes of this project. We believe this is an incorrect interpretation."

- The representatives thought this site would be a poor environment for children because of the proximity to Pine Valley. There were many break-ins and robberies, people being accosted in their cars (all of which representatives said had been attributed to residents of the Pine Valley subdivision). The consensus of the group was that this should be a prohibited area on this basis, and that the development should not be approved.

- Site was poor selection due to

  - lack of playgrounds
  - traffic congestion
  - few places for employment
  - poor access to closest shopping since bus service did not go directly from development to nearest shopping center, would have to go downtown and transfer
  - location of units - would be in middle of the neighborhood, not adjacent, would be impossible to completely buffer them, residents of the development would have to drive through another complex in order to get out
  - Tenants would not be accepted by the neighborhood, would change the compatibility of the area
  - Due to the close proximity to their pool and tennis courts, their liability insurance would increase and they could not afford higher insurance rates. Had heard that insurance rates in areas close to similar developments had skyrocketed; afraid they may even have to close pool.
  - Already problem with walk through traffic and afraid now it would intensify
  - Big concern was the number of units (and tenants) in such a small area

- Suggestion was made to build development on City-owned land behind the Marion Diehl center;

- Thought purpose of scattered site housing was to "spread out" assisted housing. Thought Districts 1, 2 & 3 already had largest concentration of low income families, and it was not right to put any more in those districts.

- School district was incorrect in letter from Harold Deal, Assistant Superintendent of Planning & Research of the School Administration, children would go to Starmount not Bruns Avenue. Chuck Dulaney of the School Administration stated that if the letter was incorrect, a new letter would be sent to Mr. Lewis immediately stating correct school district and impact on the schools. Also, Mr. Dulaney advised that the school system would look more favorably to the assignment to Starmount and Smith Jr. High because the black ratio of those schools is below the system average and because they are constructing additional classrooms at Starmount and there is available space at Smith Jr. High that is significantly underutilized right now. The Knights Bridge Neighborhood representatives objected to Mr. Dulaney engaging in "instant analysis" of the impact on the schools in the neighborhood. Mr. Ford stated "Mr. Dulaney's comment in response to the mis-identification of the schools impacted by the proposed project, that the kids going to the correct school (Starmount) would have a positive impact, is totally unsupported by credible research."

- Neighborhood was already integrated;

- Where would residents park cars;

- How big would buffer zone be, what would setback be;

- They were informed when they bought their property that there would always be a large common area and the buildings would all be townhouses, now, with apartments right in the middle of their complex, the entire complexion of their neighborhood would change,

- Would the developer consider building townhouses instead of apartments or rent to the elderly rather that families,

- They did not learn of the proposed development until the Thursday before it went to Council for consideration the following Monday;

- Wanted to know process for evaluating proposals received from the Request for Proposals; why was Knights Bridge the only proposal chosen that was in a restricted area while five (5) proposals were eliminated that were in priority areas; wanted definition of "neutral" and "negative" and how these terms affected the elimination process.

Responses were given by staff and/or developers and the Charlotte-Mecklenburg Housing Partnership to all questions and concerns raised. Mr. Walton informed the group that their questions and concerns would be summarized and sent to City Council and copies of the minutes would be sent to everyone on the sign-in sheet.

Mr. Walton thanked the neighborhood representatives for coming and assured them staff understood their concerns and would be responsive to any further questions. A follow-up meeting was requested and scheduled for Tuesday, May 8, 1990 at 7 00 p.m.

The meeting was adjourned at 9:40 p.m.

Pat Aycoth
Recording Secretary

R

MINUTES FROM MAY 7, 1990 MEETING
REGARDING PROPOSED HOUSING DEVELOPMENT BY THE HOUSING AUTHORITY
(Seneca Woods)

A meeting was held on Monday, May 7, 1990 at 7:00 p.m. in rooms 270 and 271 of the Charlotte-Mecklenburg Government Center with staff members of the Community Development Department, staff and board members of the Charlotte Housing Authority, Atilla Orkin, architect for planning for Charlotte Housing Authority, Heather Fisk of the Charlotte-Mecklenburg Housing Partnership and approximately 16 neighborhood representatives from the Park Road/Seneca area. Also in attendance were Deputy City Manager Pam Syfert, Assistant City Manager Julie Burch, and residents of existing transitional housing.

This was a follow-up meeting, requested by the neighborhood representatives, to the meeting held on Tuesday, May 1, 1990 regarding the proposed development off Park Road by the Charlotte Housing Authority.

J. W. Walton, Director of the Community Development Department, welcomed the neighborhood residents to the meeting and passed out the minutes from the May 1, 1990 meeting. Mr. Walton asked if there were any corrections or additions to the minutes. Minutes were accepted with the following additions:

- What was the breakdown of the site preparation costs?

  Mr. Loyd stated they would not have the breakdown costs for site preparation until later when they get surveys, soil borings etc. He said the Housing Authority would provide the neighborhood representatives with all the information they wanted when they got to that point in the planning.

- What was the effect of Villa Hermosa and its eligibility as a Section 8 property:

  Mr. Loyd stated that Villa Hermosa itself was not a subsidized housing development. He also stated that he would check the following day to see if anyone in that community was subsidized under one of their subsidy programs such as Section 8 certificates or Section 8 vouchers and would call them and let them know.

- Would transportation be provided for grades 1-3 to Park Road Elementary since the development would be within the radius that children would have to walk to school?

  Mr. Walton said that since no representative from the School Administration was present to answer that question, he would have a staff member call Mr. Harold Deal of the School Administration and have Mr. Deal call them with this information.

(It was decided that Ms. Peggy Toler would be the contact person to be called regarding the above information.)

Mr. Walton then turned the meeting over to Larry Loyd of the Charlotte Housing Authority to address questions raised at the meeting of May 1, 1990.

Mr. Loyd stated that he had walked the site Friday with some members of the Park Road/Seneca Association and that it was a good experience and a time of sharing ideas. He outlined the proposal process: The Housing Authority had responded to the Request for Proposals and had met all the evaluation criteria i.e. income levels, complied with HAP, no negative impact on schools, complied with land use pattern, # of units suggested in plan and unit mix, cost per unit was reasonable using as much leveraging as they could, complied with the guidelines for low-income tax credits, transportation was available, design was compatible with neighborhood and he felt the Housing Authority plans met all the required needs.

Mr. Loyd handed out a package of information which contained an overview of the low income housing and covered tax credits, an explanation of sources of funds for the development, the resident selection process, management, cultural and recreational resources, transitional housing services to participants, a projected comparison of Seneca Woods with other developments as to income, unemployment, age of head of household, and serious crime rate. Also contained in the package was an executive summary on the impact of scattered site public housing on residential property values prepared by Vivian Puryear, Department of Sociology, University of North Carolina at Charlotte. Mr. Loyd said this information would answer many of the questions raised at the May 1st meeting.

Mr. Loyd stated that Seneca Woods would be paired with Park Towne Terrace and the live-in manager of Park Towne Terrace would also manage Seneca Woods. He said that one of the residents of Seneca Woods would have a reduced rental rate and would be an Assistant to the Manager and would be the "eyes and ears" on site.

Mr. Loyd introduced Mr. Doug Gentile of the Housing Authority who explained in more detail the sources and uses of funds for the development.

One of the primary concerns of the neighborhood representatives from the May 1st meeting and one that was raised again in this meeting was the price being paid for the land. They felt the City was paying four times the value of the land (according to value of land listed on the tax records.) Mr. Loyd stated that the tax value had no relation to what the land was actually worth. Mr. Loyd said they felt this was a reasonable amount to pay and had checked with several real estate brokers who had verified that the asking price was reasonable. Mr. Loyd also said that they looked at the overall price, and the development would cost less than $50,000 per unit which they considered reasonable.

Mr. Walton asked Mr. A. C. Shull of the Community Development staff to give a report from the Real Estate Division of the City regarding the cost of the land. Mr. Shull said the report from the Real Estate Division stated "most comparables in this area were industrial or business zoning, with one lot zoned multi-family. It appears from these comparables (priced from $100,000 to $240,000 per acre) that this land is priced at current fair market value."

Another concern raised again by the representatives was the density planned for the site; they felt that 50 units were too many to go in so small an area and that only about 1/2 of the site could be utilized due to a flood zone. The suggestion was made that only 34 units be built. The representatives asked if the buildings could be reduced from 3 stories to 2 stories to give residents a better quality of life and less density. Mr. Loyd said if they reduced the height the buildings would take up more land area. He stated that most condominiums in the Charlotte area were three story walk-ups. Mr. Loyd said, however, if Council approved the development, the Housing Authority would have a lot of dialogue with the neighborhood residents as to the site plan, set-backs etc.

Mr. Loyd introduced Mr. Atilla Orkin, an architect for planning of the development, and Mr. Orkin showed 3 different designs they were considering. He explained that since the land was zoned for business, they would have to comply with business zoning but would put more set-back. As for the number of units being planned, he said that zoning allowed up to a maximum 57 units on the site. He explained that they were trying to utilize land in the best way possible by using 3-story buildings with a courtyard in the middle and nothing in the floodway area. Playgrounds would be in the courtyard area. He stated that the quality of the buildings would be better than most developments and the buffer would be 60 feet (including the street to property lines. There would be four buildings, three with 12 units and one with 14 units. There would be firewalls and would comply with all building code requirements. The bedroom mix would be 24 2 BRs, 24 3 BRs, and 2 4 BRs.

To help answer questions from the previous meeting regarding tenant selection, supervision and activities of the children, Mr. Loyd introduced Mr. John Hayes who discussed "who will live there" and the types of services, amenities and child care that would be provided. He stated that the Housing Authority was very selective in the tenant process and explained the criteria by which they were chosen which was outlined in their hand-outs. He stated that they turned down many more applicants than they accepted, and said their program was very positive and aimed toward the family. He said they looked for a special type resident; one who exudes success and a commitment to themselves, their family and the neighborhood. Mr. Hayes stated that the Housing Authority enjoyed a close working relationship with many community organizations and churches. The YWCA sponsors after-school and summer programs in many of their scattered site developments and quite a few of the churches are currently working with residents' organizations to provide after-school, recreational and cultural programs in their developments. They are currently discussing, with a church near the

Seneca Woods proposed development, ways to provide similar programs once the development is occupied. Participants in the Transitional Housing Program also receive assistance with child care from Child Care Resources. Other services are provided through Employment and Training, and counseling is available through the Transitional Housing staff as to money management, home owner responsibility, minor home repair and upkeep, looking for homes and other subjects to assist the families achieve their goals of housing independence.

Mr. Hayes introduced Ms. Sandra Gripper, a transitional housing resident in Valley View who told of the good quality of life in Valley View and how they wanted the same things for their families as the people present did. She said they were good people who worked hard and looked after their children. She stated "you are not going to see a run-down tenement, broken-down cars and children running amok". She asked that they be given a chance to prove themselves. She said that the playground facilities at Valley View were well kept and that the lake behind the development had not created a problem with children drowning.

The danger from the creek and near-by pools was addressed again in this meeting. No solution was offered; however, staff said danger from children drowning was a problem throughout the City due to all the lakes and pools, and they did not envision children running loose and unsupervised with the programs available for them.

Mary Thomas, a resident of Piedmont Courts, spoke of the advantages she was receiving through the transitional housing program; lower rent, day care center on site, playgrounds, an opportunity to go to CPCC and eventually get into decent and affordable housing. She was a young mother who was working hard to get out of public housing and make a better life for herself and her family with the help of the transitional housing program.

The representatives from the neighborhood said their concern was not the prospective tenants; they understood the criteria and the Housing Authority's program. Their main concerns stemmed from the feasibility of the site, and they were concerned about the well being of the residents who would live there and the "sardine effect" of that number of people on a small site. They were also still concerned about the land issue regarding the purchase price. Mr. Loyd stated this was a matter of a difference of opinion. From the information the Housing Authority had gathered, they felt it to be a reasonable price and the neighborhood representatives felt it was a very unreasonable price. Mr. Walton said this was an issue that City Council would have to deal with and decide.

Others questions raised and addressed by the Housing Authority staff were:

- What was the history of success for tenants moving up and out of transitional housing? How many had failed?

- What type park or playground was planned?

- What other sites were considered in that census tract and would they come back with proposals to build more units after this one?

  - J. W. Walton responded that the census tract would only allow for 60 more units of assisted housing before the 5% maximum was reached.

The question was again asked about the possibility of assisted housing being built on the land on Tyvola Road behind the Marion Diehl Center. Mr. A. C. Shull addressed this question. He stated that he had talked with the Director of Parks and Recreation and learned there were two sites involved. One was owned by the Charlotte-Mecklenburg Utility Department and was not a development potential. The other was privately owned but would have to acquire access through the Park, and Park & Recreation would probably not be agreeable to allowing this access.

Mr. Loyd stated that the Housing Authority had tried to address all of the issues and, if City Council approved the development, they would work with the neighborhood as to the site plan, buffers, etc.

Mr. Walton thanked those present for being concerned citizens and offered to meet again if they so desired. No other meeting was requested.

The meeting was adjourned at 8:55 p.m.

Pat Cusseth
Recording Secretary

MINUTES FROM MAY 8, 1990 MEETING
REGARDING PROPOSED HOUSING DEVELOPMENT BY CROSLAND PROPERTIES
KNIGHTS BRIDGE ROAD

A meeting was held on Tuesday, May 8, 1990 at 7:00 p.m. in room 118 of the Charlotte-Mecklenburg Government Center with staff members of the Community Development Department, Carol Morris of the Planning Commission, Councilmembers Hoyle Martin and Ann Hammond, Assistant City Manager Julie Burch, Tom Herin, Board Member and Heather Fisk staff member of the Charlotte-Mecklenburg Housing Partnership, Jud Little and Roger Lewis of Crosland Properties (developer) and approximately 13 neighborhood representatives from the Knights Bridge Road area and residents of existing transitional housing.

J. W. Walton, Director of the Community Development Department, welcomed the residents to the meeting and stated the meeting had been set up at their request to entertain on-going concerns with regard to the proposed development, and Mr. Little and Mr. Lewis were present to share more information with them. Mr. Walton handed out copies of the minutes from the May 3rd meeting and asked for any corrections or additions. The following additions were requested to be incorporated into the May 3rd minutes, and a revised copy of the minutes was to be mailed to each person present.

- The neighborhood representatives did not believe the minutes reflected their interpretation as to why the Pine Valley subdivision should make this census tract a prohibited "yellow dot" area. They stated that they would not have another opportunity to speak to Council, and they wanted to be sure the minutes reflected their feelings and concerns. Mr. Walton assured them that this was staff's desire and asked Mr. Larry Ford to write out exactly how he wanted this issue stated in the minutes.

  Mr. Ford provided the following which was to be added to the minutes of the May 3rd meeting:

  "The Knights Bridge representatives are of the opinion that the proposed project (Knights Bridge) should not be developed due to the fact that it lies within 1/4 mile of an 'assisted housing project' (Pine Valley). Pine Valley was developed under a Federal Assistance Program. The Housing Assistance Plan prohibits projects, such as the one proposed for Knights Bridge, within a 1/4 mile radius of <u>any assisted housing project</u>. Thus, the HAP policy should prohibit the proposed Knights Bridge project, as the site is approximately 625 feet from Pine Valley. Mr. Walton and staff are of the opinion that the HAP exempts the proposed project from this prohibition. Our position is that a close reading of the policy exemption does not support the City's position. Our reading of the exemptions indicates that the proposed development would be exempt from HAP if it were to be developed for homeownership. Since it is not, it should be prohibited. The exemptions apply to proposed, new developments. Mr. Walton says the exemption for homeownership applies to Pine Valley,

so that its assisted status can be ignored for purposes of this project. We believe this is an incorrect interpretation."

- Community Development staff was asked to check the tape from the May 3rd meeting to see exactly how Mr. Dulaney of the School Administration stated what impact this development would have on Starmount Elementary School since the letter from the School Administration to the developer incorrectly listed Bruns Avenue as the affected school. (The tape was checked and Mr. Dulaney was quoted in the revised minutes as follows, "the school system would look more favorably to the assignment to Starmount and Smith Jr. High because the black ratio of those schools is below the system average and because they are constructing additional classrooms at Starmount and there is available space at Smith Jr. High that is significantly underutilized right now".)

  The Knights Bridge Neighborhood representatives objected to Mr. Dulaney engaging in "instant analysis" of the impact on the schools in the neighborhood. Mr. Ford stated and asked that his statement be added to the revised minutes, "Mr. Dulaney's comment in response to the mis-identification of the schools impacted by the proposed project, that the kids going to the correct school (Starmount) would have a positive impact, is totally unsupported by credible research."

- Wanted to know process for evaluating proposals received from the Request for Proposals; why was Knights Bridge the only proposal chosen that was in a restricted area while five (5) proposals were eliminated that were in priority areas; wanted staff's definition of "neutral" and "negative" impact on school assignment and how these terms affected the elimination process.

  Mr. Spencer, a neighborhood representative, stated, "there were five priority sites reported and at least some of them were rejected because of the neutral impact on schools which was defined as negative."

  Mr. Walton informed the neighborhood representatives that staff had already sent City Council information as to why the different proposals were eliminated and a copy was provided to Mr. Spencer at the meeting.

The minutes were approved as amended.

During the discussion that followed, the question was raised as to why proposal #5 (Albemarle Road and Lake Leslie also by Crosland Properties), which was in a priority area and had no negatives, would not have been chosen before Knights Bridge. Mr. Walton answered that proposal #6 and #7 (York Road/Sandy Porter and Knights Bridge Road) had initially been submitted together as a joint venture with the Charlotte-Mecklenburg Housing Partnership and Crosland Properties, and City staff accepted this proposal thereby eliminating #5 by the ranking order. He added that since staff made that recommendation, City Council had asked staff to break-down these two sites separately.

The representatives reiterated strong feelings regarding their census tract being the only restricted tract chosen for an assisted housing development. They believed the Knights Bridge Road site would never have been selected if it had not been paired with the York Road, Sandy Porter site.

Mr. Walton stated again that City Council had directed staff to separate the two sites and provide them with a separate breakdown for each site. Mr. Walton stated further that Community Development staff was in the process of doing this and, when the information is provided to City Council, copies will also be sent to everyone in attendance at the meeting.

One neighborhood representative stated that they were the kind of neighborhood that scattered assisted housing sought to achieve. They have blacks, whites, old, young, Spanish and Britons. "We are as heterogeneous a community as there is in the City. We are what your goal is, but we will not be that kind of community if this housing project is placed here. We feel that we are entitled to be considered independently." Councilmember Martin agreed that their project should be viewed independently of any other project, and Mr. Walton added that it would be.

The representatives could not understand the City's reasoning for selecting this site which was already densely populated (it was stated that "if this development is approved, it will double the population of the area") and would be in the center of a townhouse community. Major concerns were the common area and their swimming pool which they felt would be a danger to the children in the development due to the close proximity to the pool. They also believed that the children in the Pine Valley development would be a bad influence on the children in the proposed Knights Bridge Square.

Mr. Lewis stated that the site manager would make it clear to all residents what their boundaries were. He informed the group that this development would be paired with Summerfield, and the manager's hours would be divided between these two projects. He further stated that a development of that size could not support having a full-time manager

One representative asked if he could see a copy of the minutes from the April 23, 1990 City Council meeting. His understanding from Mr. Walton's presentation at that meeting was that part of the criteria for eliminating proposals was if they were in a blue (restricted) area. He was informed that a copy of these minutes could be obtained for him if he wished from the City Clerk's office. Mr. Walton explained that they did not eliminate proposals because they were in a blue (restricted) area, and that restricted areas were areas that already had some assisted housing but additional units of assisted housing could be built. Councilmember Hoyle Martin stated that the real issue is not what Mr. Walton said but what the Housing Assistance Plan said clearly about the blue area.

Mr. Jud Little introduced Ms. Sandra Gripper, who lives in transitional housing in Valley View and Ms. Kerry Edwards, a resident of Hollis

House who told the neighborhood representatives a little about themselves and the transitional program. Ms. Gripper told the group that it was a very good program and that it was working. She told of the extensive screening that applicants had to go through, and that the residents were hard working people who looked after their homes and families. They both invited the neighborhood representatives to visit them and see for themselves what they were like and the good quality of life in both developments.

Mr. Spencer stated, "I am disturbed if we are being pictured as people who are insensitive to people who are less fortunate than ourselves. I resent that. What we are saying, we are not against people, but this neighborhood site that was selected imprisons those people in a small area. Either that or we have to say we'll take the responsibility for the people to be on our common area, we'll take all the expense, all the liability, and we can't afford that. When you are talking about scattered site housing, it is supposed to be in different socioeconomic areas of the City. That's fine. That's a good program. We feel that this site is just not the site for it to be. There are other sites that were priority sites. We think those could have been easily selected. We are not against people and don't want that impression to come across from this group of people." He further stated that 88% of assisted housing was in Districts #1, 2 & 3 and that District #3 had the second highest number of public units in Charlotte. He stated that they do not oppose scattered site housing, but feel the City is not making the best choice by selecting this site.

Mr. Walton thanked the neighborhood representatives for coming to the meeting and for being concerned citizens. He said staff was available for further meetings if they so desired. No further meetings were requested.

The meeting was adjourned at 9:12 p.m.

Pat Aycoth
Recording Secretary

EXHIBIT G

MEMORANDUM **CROSLAND PROPERTIES**

TO: J. W. Walton

FROM: Jud Little, Peter Hubicki

DATE: May 15, 1990

SUBJECT: Revised Joint Venture Proposal for Knightsbridge and Summerfield

We have worked on two tasks related to the above projects. We have separated the project costs for the two projects and also reduced the density for the Knightsbridge project in response to public and staff input.

Attached to this memo are four exhibits that illustrate the results of these changes.

Exhibit 1: Summary Project Data -- this chart shows the two projects separated in the format that has been used in the previous City Council correspondence.

Exhibit 2: Separate Project Case Analysis -- this table provides more detail on the two separate projects. Although the projects are similar, clearly the Knightsbridge project has a higher land cost.

Exhibit 3: Total Project Cost Analysis -- this table compares the current 92 units of the combined projects with the 104 units originally submitted. Overall the change is not significant. The percentage of City financing to total project cost remains approximately the same. The overall percentage of land cost goes up slightly.

Exhibit 4: Per Unit Cost Analysis -- this chart shows that per unit cost has increased for the 92 unit proposal by $2,394 per unit to $54,676 per unit. This is because the fixed costs of the project are being divided by a smaller number of units. Fixed costs in construction include the clubhouses, landscaping and general conditions. Design, legal, accounting, financing fees, and land are also fixed costs. Despite the slight rise in per unit costs, the Community Development funds are still less than $10,000 per unit and City and Partnership funds combined less than $20,000 per unit.

We hope that consideration of our project does not get lost in the details. We still firmly believe our two proposed developments are of considerable merit. This joint venture of the Partnership and Crosland Properties can deliver high quality affordable housing with an important human service component. While we think we are already leveraging City funds successfully, we may be able to obtain additional financing from the Federal Home Loan Bank Board that will reduce the City investment further. The Partnership has already submitted an application for these funds.

We appreciate the input and suggestions we have received from City staff. We look forward to your consideration and would be glad to answer any additional questions.

JFL:bw

EXHIBIT 1

SUMMARY DEVELOPERS/PROPOSALS
(MODIFIED CROSLAND PROPOSALS)

CRITERIA	CROSLAND 6	CROSLAND 7
Location	York Rd. & Sandy Porter	Knightsbridge Road
No. Units	52	40
DEVELOPMENT COSTS		
Building	$2,541,568	$2,005,278
Land	$178,235	$305,000
Total	$2,719,803	$2,310,278
FINANCING	($26,000)	($20,000)Interim Losses
IHF	$467,000	$433,000
Private Lender	$515,000	$385,000
Equity (Tax Credits)	$996,577	$779,503
Housing Partnership	$467,000	$433,000
Energy Credits	$300,000	$300,000
Total	$2,745,577	$2,330,503
COMMITMENTS		
Private Lender	Firm	Firm
Equity	Firm	Firm
LEVERAGING FACTOR	1 to 4.88	1 to 4.38
CITY COST PER UNIT	$17,961	$21,650
LONG-TERM AFFORDABILITY (Based on 15-yr Proformas)	15 yrs	15 yrs
HAP COMPLIANCE		
Census Tract	59	58.02
Area Class.	Priority	Restricted
Pupil Assignment	No Negative	No Negative
PLAN REVIEW	OK	OK

Exhibit 2

SEPARATE PROJECT COST ANALYSIS

Sources	Summerfield 52 d.u.	%	Knightsbridge 40 d.u.	%
CMHP	467000	17%	433000	19%
City	467000	17%	433000	19%
First Mortgage	515000	19%	385000	17%
Interim loss	-26000	-1%	-20000	-1%
Tax credits	996577	37%	779503	34%
Energy loan	300000	11%	300000	13%
Total Sources	2719577	100%	2310503	100%
Uses				
Construction	2049396	75%	1563302	68%
Design	52650	2%	52650	2%
Financing	130500	5%	117500	5%
Other Development Costs	61992	2%	61992	3%
Land	178235	7%	305000	13%
Fee	247030	9%	209834	9%
Total Uses	2719803	100%	2310278	100%

Exhibit 3

TOTAL PROJECT COST ANALYSIS

(Resulting from changed density at Knightsbridge project)

Sources	104 D.U. Project	%	92 D.U. Project	%	Change
CMHP	950000	17%	900000	18%	-50000
City	950000	17%	900000	18%	-50000
First Mortgage	1020000	19%	900000	18%	-120000
Interim loss	-52000	-1%	-46000	-1%	6000
Tax credits	1969500	36%	1776080	35%	-193420
Energy loan	600000	11%	600000	12%	0
Total Sources	5437500	100%	5030080	100%	-407420
Uses					
Construction	3969299	73%	3612697	72%	-356602
Design	105300	2%	105300	2%	0
Financing	262000	5%	248000	5%	-14000
Other Development Costs	123984	2%	123984	2%	0
Land	483235	9%	483235	10%	0
Fee	493682	9%	456864	9%	-36818
Total Uses	5437500	100%	5030080	100%	-407420

Exhibit 4

PER UNIT COST ANALYSIS

(Resulting from changed density at Knightsbridge project)

Sources	104 D.U. Project	%	92 D.U. Project	%	Change
CMHP	9134	17%	9783	18%	649
City	9134	17%	9783	18%	649
First Mortgage	9808	19%	9783	18%	-25
Interim loss	-500	-1%	-500	-1%	0
Tax credits	18937	36%	19305	35%	368
Energy loan	5769	11%	6522	12%	753
Total Sources	52282	100%	54676	100%	2394
Uses					
Construction	38166	73%	39268	72%	1102
Design	1012	2%	1145	2%	133
Financing	2519	5%	2696	5%	177
Other Development Costs	1192	2%	1348	2%	156
Land	4646	9%	5253	10%	607
Fee	4747	9%	4966	9%	219
Total Uses	52282	100%	54675	100%	2393

EXHIBIT H

RESIDENT TYPE BY HOUSING DEVELOPMENT

	Inner-City Developments	HUD Funded Scattered Sites	City Funded Scattered Sites	Transitional Housing (Stepping Stone)	Public/Private Developments	
Average Income	$5,850	$6,603	$6,853	$15,662*	$15,320**	$22,980***
Percent of Median Income	15.3%	17.3%	17.9%	40.9%	40%	60%
Average Rent	$117	$132	$126	$275-$315	$265-$315	$370-$450
Unemployment	65.0%****	51.0%****	44.9%****	2.2%	5.0% (Projected)	

NOTES

*Average income for transitional housing developments has increased from $13,000 - $13,500 to $15,662 since program began in late 1988.

**Income for public/private developments based on 40% of median income for Charlotte ($38,300) whereas other incomes based on average income of development.

***Income for public/private developments based on 60% of median income for Charlotte ($38,300) whereas other incomes based on average income of development.

****Unemployment based on 1987 data compiled by Housing Authority.

SOURCE: City of Charlotte and Housing Authority

INNOVATIVE HOUSING FUND STATUS REPORT AS OF MAY 11, 1990 EXHIBIT I

ALL APPROPRIATIONS TO DATE

PROJECTS FUNDED	DATE APPROVED BY COUNCIL	# OF UNITS	TOTAL PROJECT COST	AMOUNT OF CITY PARTICIPATION	AMOUNT OF PRIVATE PARTICIPATION	LEVERAGE RATIO (Private to City)	CITY COST PER UNIT
Summit Avenue Second Mortgages (Homeownership)	6-23-86	24	$ 1,693,765	$ 443,765	$ 1,250,000	2.8:1	$18,490
Shalom Homes (Rehab/Sale)	11-10-86	3	N/A	64,346	0	N/A	N/A
Highland Park Feasibility Study	2-9-87	0	N/A	17,000	N/A	N/A	N/A
Hoskins Mill (Private Rental Housing)	7-11-88	189	8,055,000	2,355,346	5,699,654	2.4:1	12,462
Winman Park (Private Rental Housing)	9-13-88	17	523,000	150,000	373,000	2.5:1	8,823
Habitat for Humanity (Homeownership)	9-26-88	8	276,850	52,850	224,000	4.6:1	6,600
McAlpine Terrace/Stonehaven (Private Rental Housing)	1-17-89	162	7,709,820	500,000	7,209,820	5.2:1	9,115
Saratoga Park (Private Rental Housing)	4-24-89	20	650,000	215,000	435,000	2.0:1	10,750
Housing Partnership	6-26-89	100	----	2,000,000	----	----	20,000
Wilmore-Neighborhood Housing Services (Rehab/New Construction)	7-24-89	23	540,660	415,660	125,000	----	18,072
Innovative Housing Policy Framework	9-11-89						
*Request for Proposals		50	----	*1,500,000	----	----	----
CHAPP (Local Rental Payments)	12-11-89	25	----	500,000	N/A	N/A	----
*Small Projects & Non-Profit		--	----	* 500,000	----	----	----
John Crosland Company (Private Rental Housing)	9-11-89	60	2,705,000	1,275,000	1,430,000	1.12:1	21,250
Jay Potter (Single Family/Sale)	9-11-89	5	280,000	120,000	160,000	1.33:1	24,000
Habitat for Humanity (Homeownership)	3-12-90	7	242,244	12,200			
	TOTAL	693	$22,676,339	$10,121,167	$16,906,474		

INNOVATIVE HOUSING FUND STATUS REPORT AS OF MAY 15, 1990
PAGE 2

APPROPRIATIONS TO INNOVATIVE HOUSING FUND		
FY86 General Revenue Sharing		$ 400,000
FY87 General Revenue Sharing		500,000
FY88 Pay-As-You-Go Capital		2,500,000
FY89 Pay-As-You-Go Capital		3,500,000
FY90 Pay-As-You-Go Capital		4,500,000
	TOTAL	$11,400,000

CURRENT FUNDS AVAILABLE IN INNOVATIVE HOUSING FUND	
Total Appropriations	$11,400,000
Expenditures to Date	- 10,121,167
Balance	$ 1,278,833
*Request for Proposals	+$ 1,500,000
*Small Projects & Non-Profits	+ 500,000
Total Available for Project Funding	$ 3,278,833
Priority Funded Projects	
#1	-$ 1,300,000
#2A	- 467,000
#2B	- 433,000
#3	- 640,000
Sub-Total	$ 2,840,000
Balance	$ 438,833

EXHIBIT J

April 17, 1990

Mr J W Walton, Director
Community Development Department
City of Charlotte
600 East Fourth Street
Charlotte, NC 28202

Dear Mr Walton

The staff of the Community Relations Committee has reviewed three proposals for the City's Innovative Housing Program. Carocon by Bishop and Company, Summerfield and Knightsbridge Square by Crosland Properties and the Charlotte-Mecklenburg Housing Partnership, and Seneca Woods by the Housing Authority of the City of Charlotte

We have no reason to believe that these proposals would have a significant impact upon the racial composition of the population of the several communities in which they might be located, except Summerfield We believe that the location of the Summerfield project on Sandy Porter Road could have an adverse impact upon the future racial balance of residential development in that area.

Because of its proximity to the airport and industrial/business properties, this area has had an image of being a low cost residential location This image is beginning to change The newer residential areas are developing rapidly, indicating an increasing appeal as quality residential property In fact, several sizeable communities in the area have developed as stable, very well-integrated neighborhoods with a black/white population ratio that approaches that of the county This type of naturally integrated housing development shows great promise

In our opinion, this development is still fragile The placement of Summerfield at the proposed location might be a disruptive factor

If you have any questions about this assessment, please feel free to call

Sincerely,

Jack L. Bullard

Jack L Bullard, Director

Charlotte-Mecklenburg Community Relations Committee
817 East Trade Street Charlotte, NC 28202 704/336-2424 (TTY)

EXHIBIT J-1

CHARLOTTE

April 27, 1990

Mr. J. W. Walton, Director
Community Development Department
City of Charlotte
600 East Fourth Street
Charlotte, N. C. 28202

Dear Mr. Walton:

I believe clarification of our comments upon the proposed Summerfield project might be helpful. When we were asked to review the applications and comment, I made it clear that such comments would be largely subjective, based upon the experiences and observations of the Community Relations Committee staff. This certainly applies to my comments about the Summerfield project. We have no statistical data that measures current popluation or upon which we might project future population in the area by race

Also, it was my understanding that we were being asked to identify any factors which we believed **might** have an impact upon the future black/white population ratios in affected areas.

To the extent that residential development of this area must overcome a past image as being less than desirable for housing than other areas, it appears "fragile." The market for black buyers appears somewhat stronger and the market for white buyers seems somewhat weaker than most new housing of similar cost. If the project is perceived by potential buyers as making the area less desirable, it might affect white buyers more than black buyers

In conclusion, I point out that this opinion is not characterized as being a probability It is regarded as only a possibility

Sincerely,

Jack L. Bullard,
Director

Charlotte-Mecklenburg Community Relations Committee
817 East Trade Street Charlotte, NC 28202 704/336-2424 (TTY)

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

May 4, 1990

Mayor Sue Myrick
Members, City Council
Charlotte, North Carolina

Dear Mayor and Council Members:

Attached are recommendations of the Zoning Committee of the Charlotte-Mecklenburg Planning Commission on petitions which have been heard and referred to the Planning Commission for consideration. The recommendations as reflected herein were arrived at in a meeting of the Planning Commission on April 23, 1990.

According to the adopted rules of procedure, these recommendations will be sent to the interested parties with a time period for the conveyance of any written statement set to elapse 12:00 Noon on Tuesday, May 15, 1990. This will then permit these matters to be placed on your agenda for consideration on Monday, May 21, 1990.

If you have questions or wish to discuss any aspect of these recommendations, please let me know.

Respectfully submitted,

Dr. Timothy Mead
Charlotte-Mecklenburg Planning Commission
Zoning Committee Chairperson

TM:mlj

Attachments

600 East Fourth Street • Charlotte, North Carolina 28202 2853 • (704) 336-2205

DATE: April 23, 1990

PETITION NO.: 90-20

PETITIONER(S): E. C. Griffith and Laurel Eye Associates

REQUEST: Change from R-12 to O-15(CD).

LOCATION: A 46.5 acre site located on the westerly side of Randolph Road at the Billingsley Road intersection.

ACTION: The Zoning Committee deferred action on this request for 30 days at the specific request of the petitioner.

VOTE: Yeas: Burns, Davis, Lassiter, Latham, Mead, and Points.

Nays: None.

(Commissioner Majeed was not present when vote was taken.)

REASONS

The agent for the petitioner in this request asked for a 30 day deferral to allow the petitioner to provide additional information regarding storm water and flooding in the area. This is the same request that they had made at the previous month's work session.

DATE: April 23, 1990

PETITION NO.: 90-21

PETITIONER(S): Pineville Realty Associates, Inc.

REQUEST: Change from R-9MF to O-6(CD) and B-1(CD).

LOCATION: A 10.2 acre site located on the east side of Cheshire Road at Nivens Road and extending to Mallard Creek Road.

ACTION: The Zoning Committee recommends that this petition be denied.

VOTE: Yeas: Burns, Davis, Lassiter, Latham, Mead, and Points.

Nays: None.

(Commissioner Majeed was not present when vote was taken.)

REASONS

The Zoning Committee discussed this petition for some time. Issues discussed included the relationship of this proposal to plans for the area and the proposed Nivens Road Extension alignment. In the final analysis, the Zoning Committee concluded that this petition was premature. Even if the Nivens Road Extension is built on the alignment shown on the petitioner's plan it will not be build for some time. The petitioner does not propose to build a road and, therefore, there cannot be any access to the shopping center portion of the site until the road is open. Only the two corner parcels at the intersection of Nivens Road Extension and Cheshire Road could be developed. The Zoning Committee believes that it is inappropriate to zone a piece of property for a retail center without providing access to the site and no access would be provided to this site until the road is constructed. The Zoning Committee indicated that at such time as there is a firm commitment to build the road, either from the petitioner or from the public, then a reconsideration of a proposal for this property would be appropriate. However, the Committee did not specifically endorse the notion of a retail use on this site.

STAFF OPINION

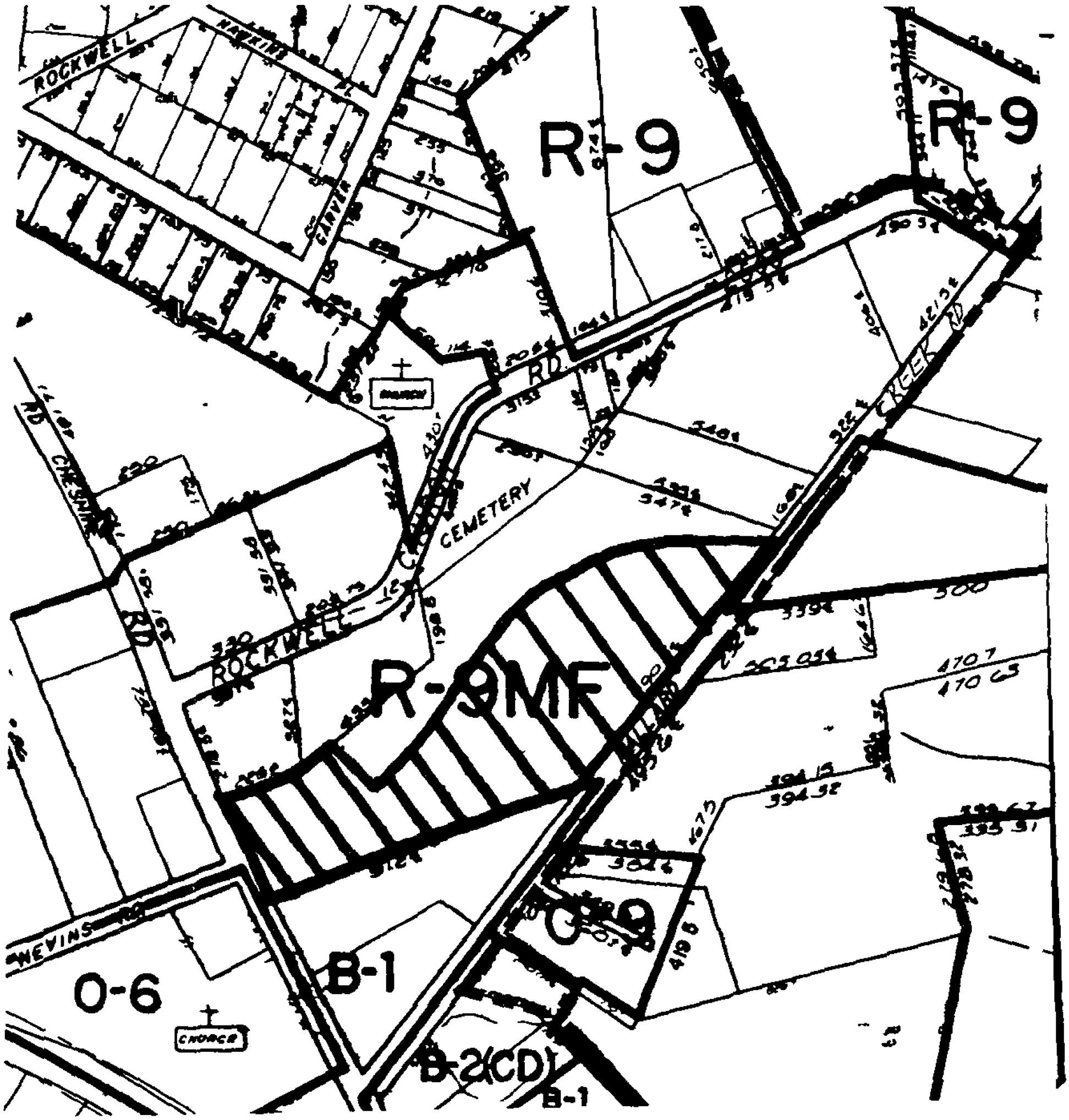
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER Pineville Realty Associates, Inc.

PETITION NO. 90-21 **HEARING DATE** March 19, 1990

ZONING CLASSIFICATION, EXISTING R-9MF **REQUESTED** O-6(CD) & B-1(CD)

LOCATION Approximately 10.2 acres located on the east side of Cheshire Road at Nevins Road and extending to Mallard Creek Road.



ZONING MAP NO. 59 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE: April 23, 1990

PETITION NO.: 90-26

PETITIONER(S): Sam Johnson

REQUEST: Change from R-6MF and R-6MF (Conditional Parking) to B-2(CD).

LOCATION: A 1.54 acre site located on the east side of South Boulevard (to the rear of Metro Lincoln Mercury/Merkur automobile dealership).

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Burns, Davis, Lassiter, Latham, Mead, and Points.

Nays: None.

(Commissioner Majeed was not present when vote was taken.)

REASONS

This petition requests the rezoning of a small tract of land to incorporate it into an automobile dealership site. The bulk of the land involved in this request is already used for accessory parking for the automobile dealership as approved under a former provision of the Zoning Ordinance which allowed business parking in multi-family districts as a conditional use. The petitioner will reconfigure the existing parking lot, provide a solid fence and landscape screening around the boundaries of the site, and further has agreed to dedicate and reserve land along the front portion of the dealership for additional right-of-way on South Boulevard. The Zoning Committee recommends that this petition be approved.

STAFF OPINION

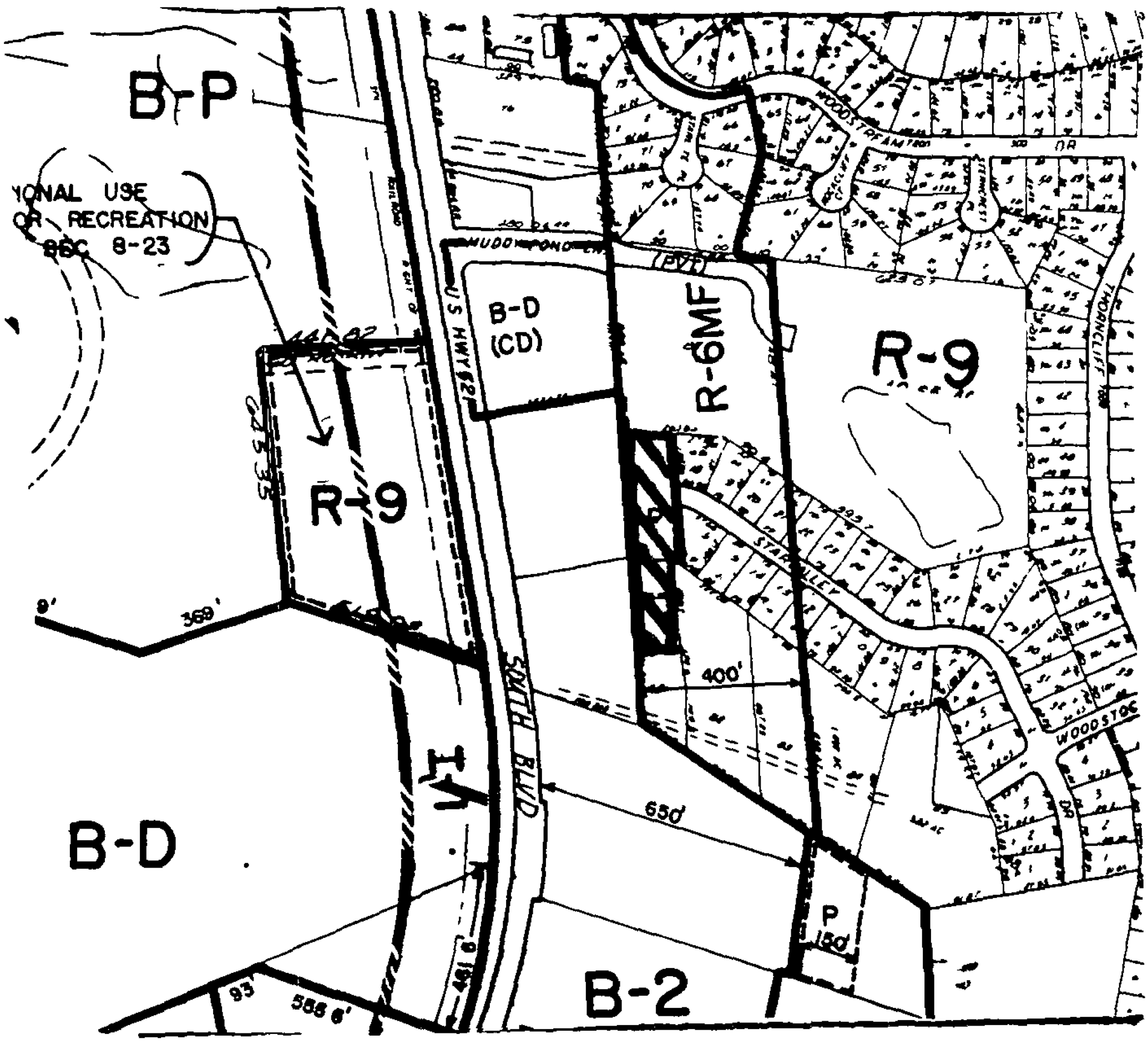
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER Sam Johnson

PETITION NO. 90-26 HEARING DATE April 16, 1990

ZONING CLASSIFICATION, EXISTING R-6MF & R-6MF(Cond. Parking) REQUESTED B-2(CD)

LOCATION Approximately 1.54 acres located off of the east side of U.S. Hwy 521 (South Boulevard) to the rear of Metro Lincoln Mercury Merkur Car Dealership.



ZONING MAP NO. 148 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE: April 23, 1990

PETITION NO.: 90-27

PETITIONER(S): S. C. Hondros & Associates, Inc.

REQUEST: Change from O-15 to I-1(CD).

LOCATION: A 2.79 acre site located on the east side of Stewart Creek Boulevard south of North Hoskins Road.

ACTION: The Zoning Committee deferred action on this request for 30 days due to the fact that the petitioner wished to submit a revised site plan.

VOTE: Yeas: Burns, Davis, Lassiter, Latham, Mead, and Points.

Nays: None.

(Commissioner Majeed was not present when vote was taken.)

REASONS

The Zoning Committee discussed this petition and expressed specific concerns about details of the site plan. The Committee was on the verge of deferring the matter on its own motion when the petitioner's agent indicated that they wished to file a revised site plan which addressed many of the site plan issues. Therefore in accordance with adopted policy, this matter is deferred for 30 days to provide time for review and comment of the revised site plan.

DATE: April 23, 1990

PETITION NO.: 90-28

PETITIONER(S): Billingsley Road Associates

REQUEST: Consideration of an O-15(CD) Site Plan Amendment.

LOCATION: A 7.2 acre site located on the south side of Billingsley Road approximately 665 feet east of Randolph Road.

ACTION: The Zoning Committee recommended that this petition be approved.

VOTE: Yeas: Burns, Davis, Lassiter, Latham, Majeed, Mead, and Points.

Nays: None.

REASONS

This petition requests the addition of a small amount of floor area to a previously approved office parcel and a separation of the development rights on the parcel into two specific development tracts. The only issue which arose in context of this discussion was the matter of the number of driveways that each site would be furnished with from Billingsley Road. The property owners wished to maintain the four total driveway connections to Billingsley Road which had been previously approved. Subsequently, an amendment to the plan consolidated the development rights of three parcels and also reduced the number of driveways from four to three. The petitioners now simply want to restore their original driveway connections and add floor area to one portion of the site. This request is consistent with plans for the area and there are no outstanding site plan issues with the exception of the Department of Transportation's concern about driveways. Therefore, the Zoning Committee recommends that this petition be approved.

STAFF OPINION

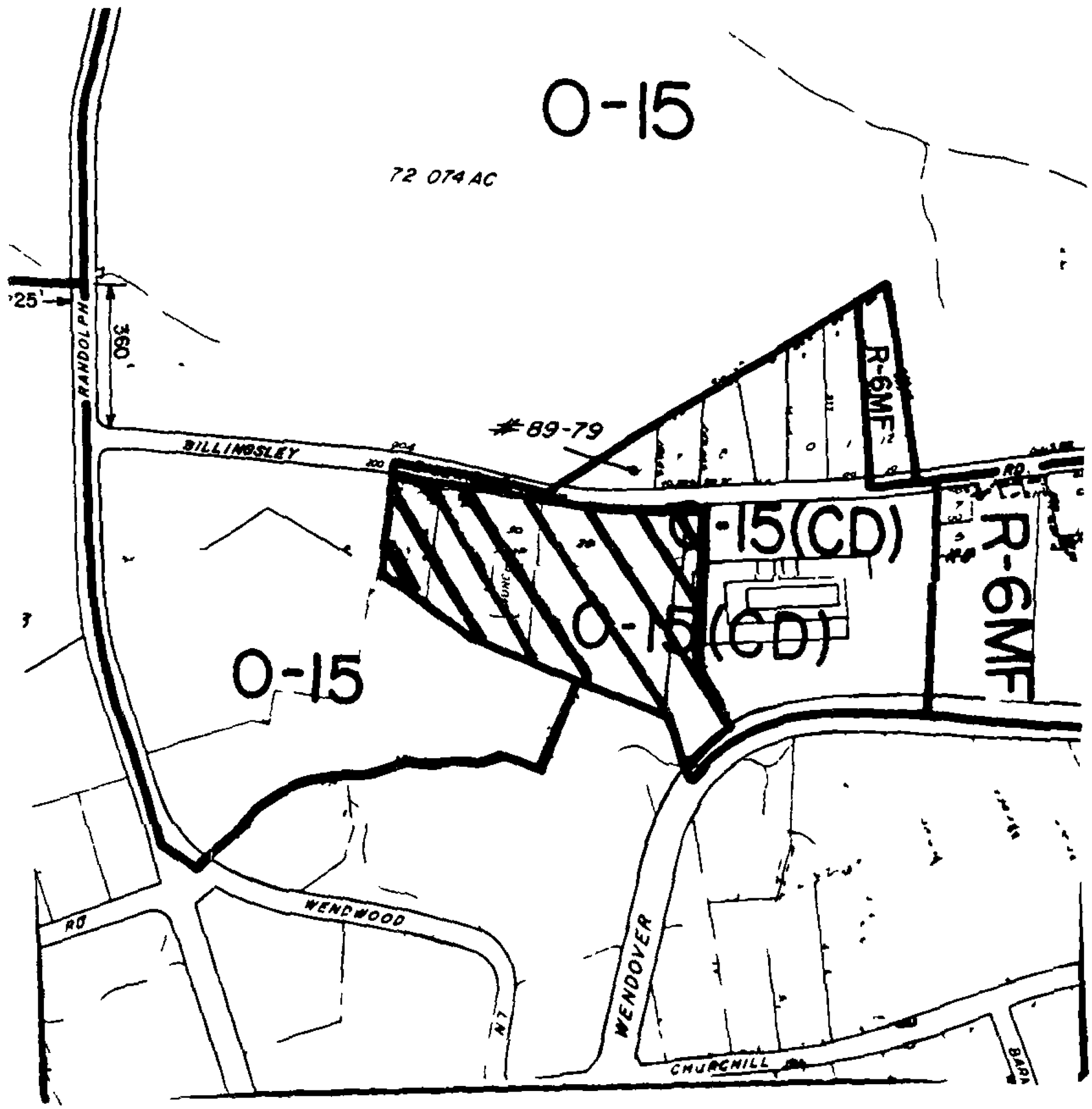
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER Billingsley Road Associates

PETITION NO. 90-28 HEARING DATE April 16, 1990

ZONING CLASSIFICATION, EXISTING O-15(CD) REQUESTED O-15(CD) Site Plan Amendment

LOCATION Approximately 7.2 acres located on the south side of Billingsley Road, approximately 665 feet east of Randolph Road.



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

PROPERTY PROPOSED FOR CHANGE

DATE: April 23, 1990

PETITION NO.: 90-29

PETITIONER(S): Charles E. Knox

REQUEST: Change from R-15MF to R-15(CD) and I-1(CD).

LOCATION: A 2.7 acre site located on the northerly side of Alleghany Street west of Ashley Road.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Burns, Davis, Lassiter, Latham, Majeed, Mead, and Points.

Nays: None.

REASONS

This petition requests the rezoning of a tract of land essentially to provide for 50 feet of additional industrial zoning on the rear of the site. The remaining area, which includes all the land which fronts along the northerly side of Alleghany Street across from Harding High School, will be maintained as a landscaped buffer area. This petition arose out of a previously filed petition (Petition No. 90-5) which proposed the rezoning of only the 50 foot strip leaving questions about the remainder of the land. In recommending that this petition be approved, the Zoning Committee also recommends that the petitioner be allowed to withdraw Petition No. 90-5 upon the approval of Petition No. 90-29.

STAFF OPINION

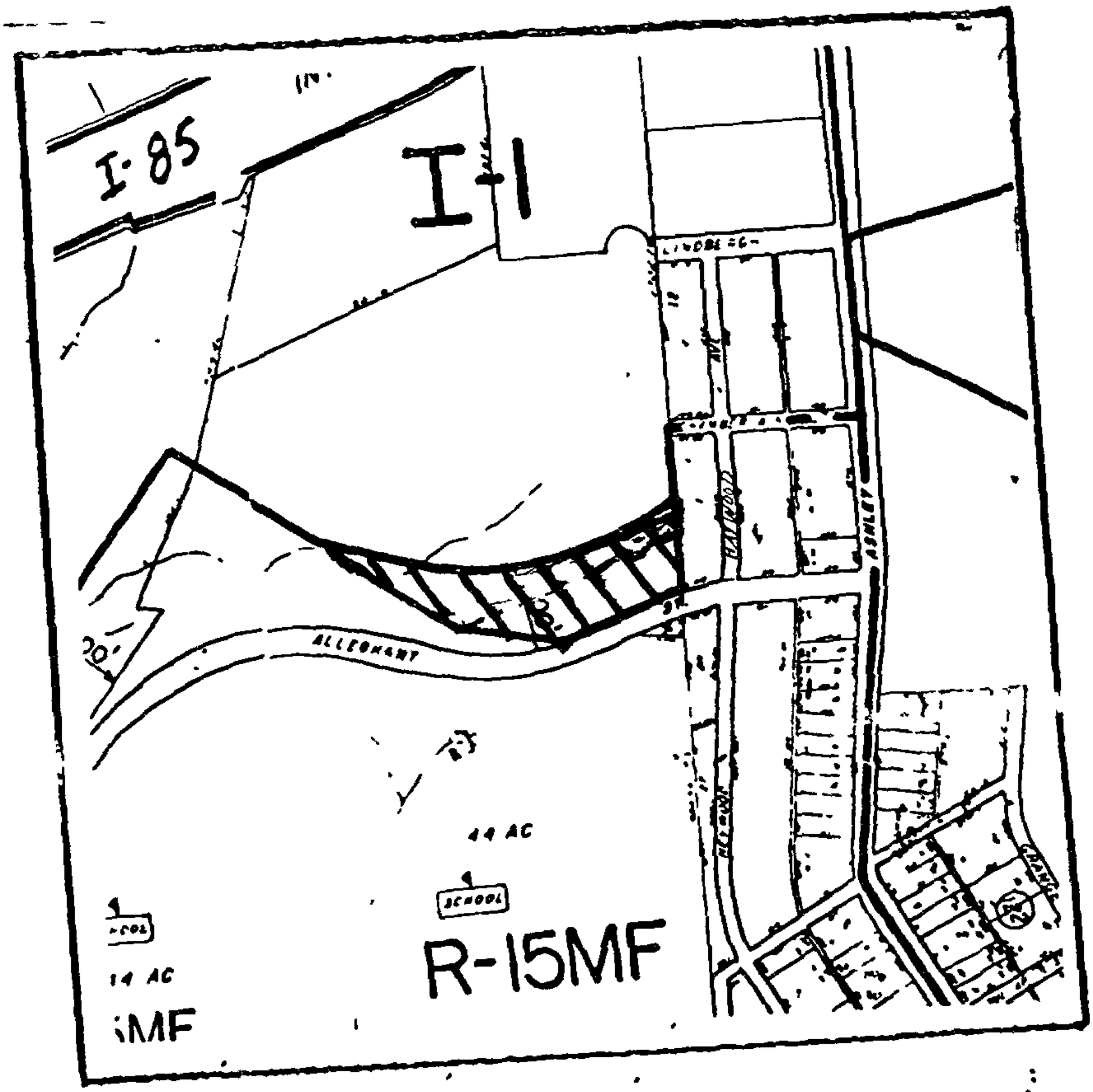
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER Charles E. Knox

PETITION NO. 90-29 HEARING DATE April 16, 1990

ZONING CLASSIFICATION, EXISTING R-15MF REQUESTED R-15(CD) & I-1(CD)

LOCATION Approximately 2.7 acres located off of the northerly side of Allegheny Street west of Haywood Avenue.



SCALE 1" = 400'

ZONING MAP NO. 86 & 87

PROPERTY PROPOSED FOR CHANGE

DATE: April 23, 1990

PETITION NO.: 90-31

PETITIONER(S): Kimco Development Corp.

REQUEST: Change from I-2 to B-1SCD.

LOCATION: A 12.8 acre site located on the southeasterly corner of Woodlawn Road and South Boulevard.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Burns, Lassiter, Latham, Mead, and Points.

Nays: Majeed.

(Commissioner Davis was not present when vote was taken.)

REASONS

This petition request the rezoning of an industrial tract of land to accommodate the expansion of the existing retail center already developed on the site. The petitioner proposes to add approximately 27,400 square feet of floor area to the existing site which represents an approximately 27% increase in the amount of total development rights on the property. The site plan meets all of the minimum requirements for tree planting, right-of-way protection, and parking. The petitioner proposes to reserve approximately 38,300 square feet of land area for rights-of-way along Woodlawn Road and South Boulevard but does not propose to dedicate those rights-of-way. In its discussions, the Zoning Committee debated the question of right-of-way dedication. At the public hearing, several members at Council had indicated a strong desire for the petitioner to consider right-of-way dedication inasmuch as they were asking for a substantial increase in development rights for the property. While the Zoning Committee does recommend approval of this request as a substantial improvement to the existing center, the Committee did not feel it was appropriate to also recommend that the petitioner dedicate the rights-of-way that are presently reserved on the plan.

STAFF OPINION

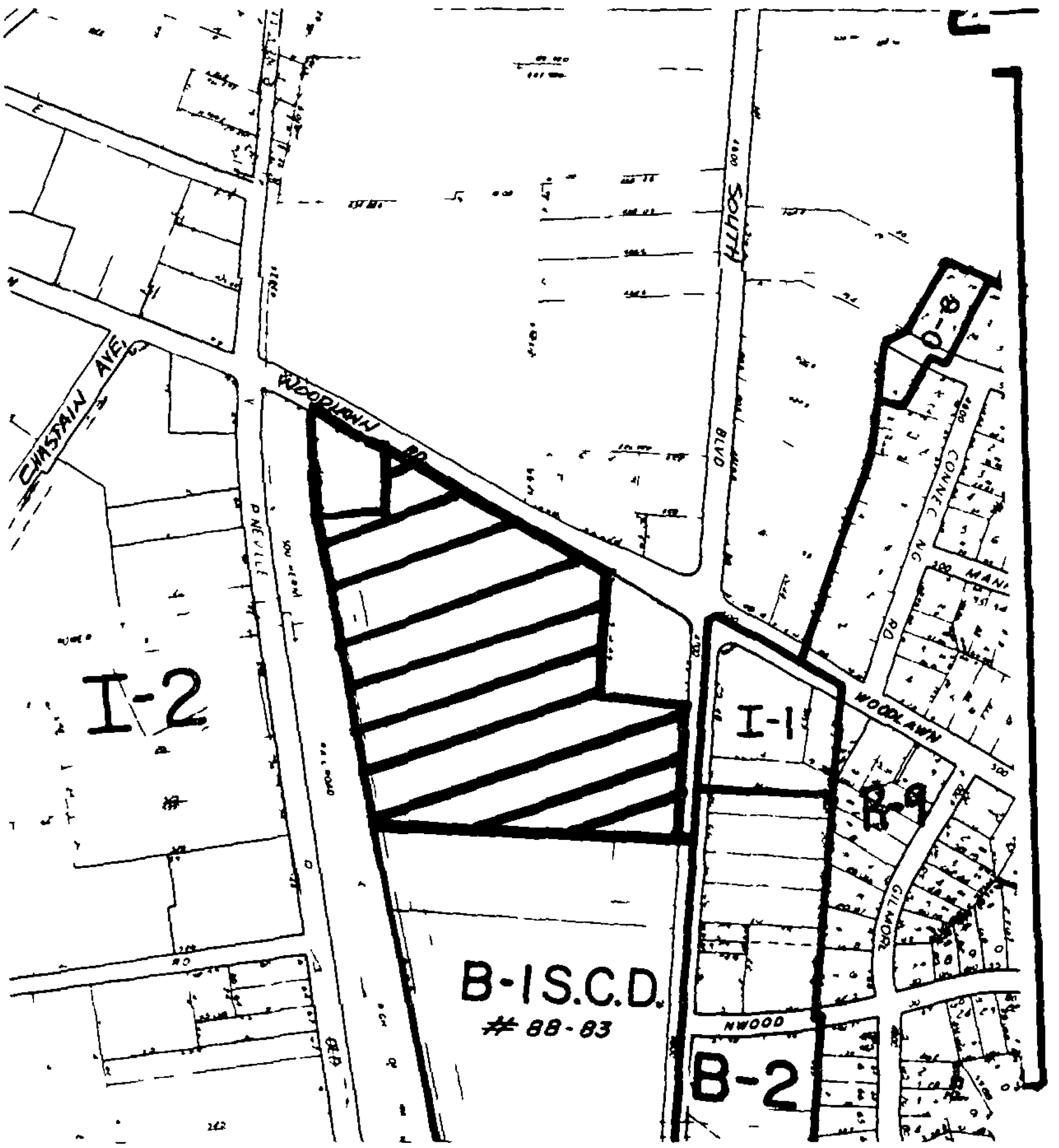
The staff agrees with the recommendation of the Zoning Committee but does note that the petitioner is requesting a 27.8% increase in development rights for the property while the total amount of right-of-way which would be involved with the potential dedication without affecting the site configuration in any way amounts to only 6.8% of the site.

PETITIONER Kimco Development Corp.

PETITION NO. 90-31 HEARING DATE April 16, 1990

ZONING CLASSIFICATION, EXISTING I-2 REQUESTED B-1SCD

LOCATION Approximately 12.8 acres located on the southeasterly corner of Woodlawn Road and US 521 (South Boulevard).



ZONING MAP NO. 126 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE: April 23, 1990

PETITION NO.: 90-32

PETITIONER(S): Charles Brewington

REQUEST: Change from B-1 to B-2(CD).

LOCATION: A .459 acre site located on the east side of Beatties Ford Road south of Holly Street.

ACTION: After discussion, the Zoning Committee deferred action on this request for 30 days and requested that the petitioner provide additional information in terms of site plan improvements and uses for the property.

VOTE: Yeas: Burns, Lassiter, Latham, Majeed, Mead, and Points.

Nays: None.

(Commissioner Davis was not present when vote was taken.)

REASONS

In its discussion of this case, the Zoning Committee expressed concern about the types of uses which might be located on this site. The property is already completely developed with a commercial building and has very little opportunity to provide the necessary screening and separation from residentially zoned properties to the rear. The petitioner was asked to consider providing additional screening on their revised site plan and though verbal commitments were discussed with the staff no site plan revisions were made. In addition, concern was expressed about the B-2 classification and the wide variety of uses which can be located in that district as it applies to this property. The Zoning Committee believes that a more specific list of uses for this site, which is essentially a neighborhood location, is needed.

DATE: April 23, 1990

PETITION NO.: 90-33

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from B-2 to B-1.

LOCATION: 3.24 acres located along the southwesterly side of Rozzelles Ferry Road between Oregon Street and Norwood Avenue.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Burns, Lassiter, Latham, Majeed, Mead, and Points.

Nays: None.

(Commissioner Davis was not present when vote was taken.)

REASONS

This petition was initiated by the Planning Commission in order to carry out the intents and purposes of the Thomasboro/Hoskins Small Area Plan. Properties in the area of this tract were rezoned to the neighborhood commercial classification and the Zoning Committee believes that it is also appropriate to treat these properties in the same fashion. Therefore, the Zoning Committee recommends that this petition be approved.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 90-33 HEARING DATE April 16, 1990

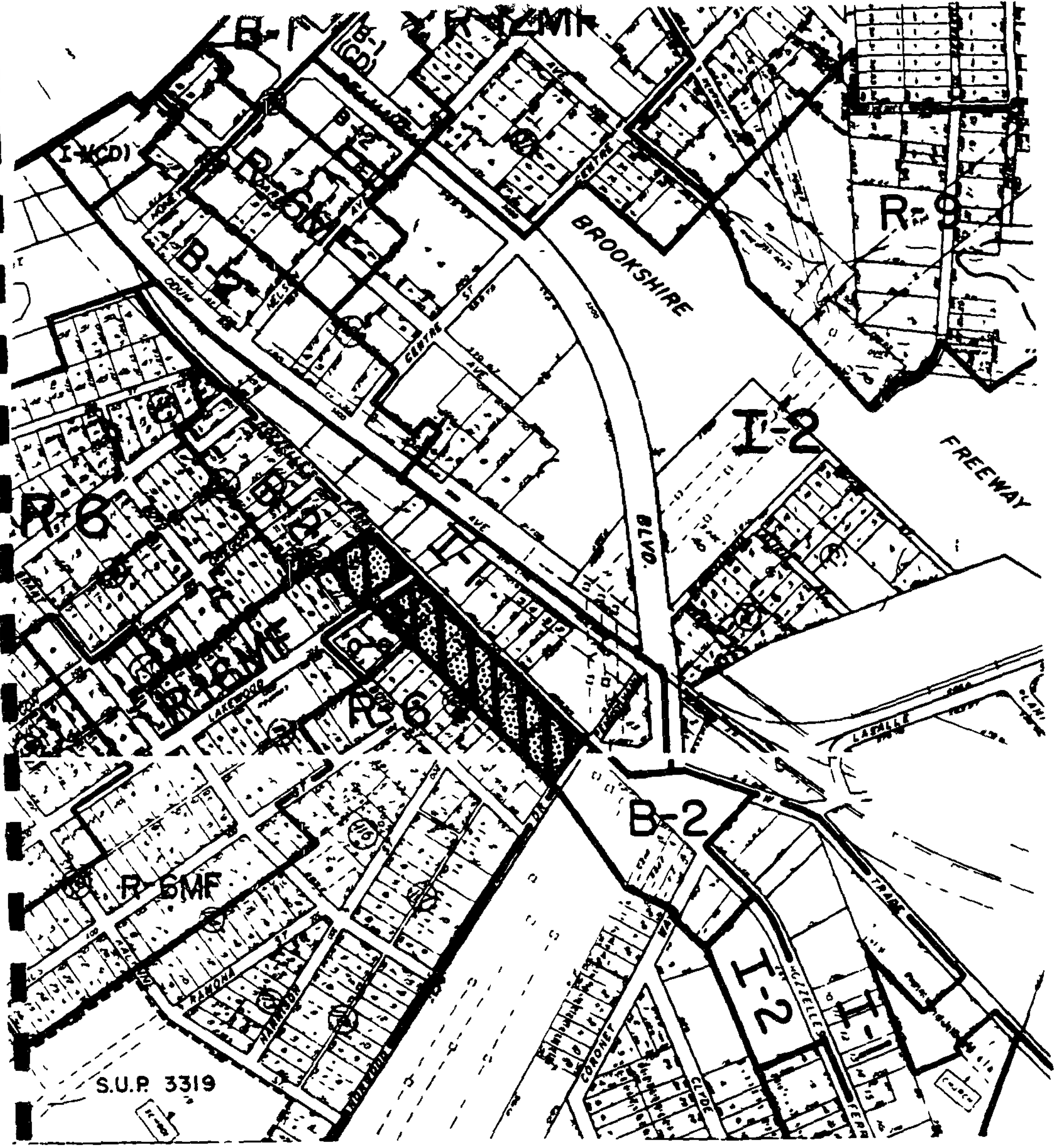
ZONING CLASSIFICATION, EXISTING B-2 REQUESTED B-1

LOCATION Approximately 3.24 acres located along the southwesterly side of Rozzelles Ferry Road between Oregon Street and Norwood Drive.

SEE ATTACHED MAP

ZONING MAP NO. 80,87 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE



THOMASBORO HOSKINS SPP

Petition #1

Rezone from B-2 to B-1

DATE: April 23, 1990

PETITION NO.: 90-34

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from I-2 to B-2.

LOCATION: A .394 acre site located on the northwest corner of the intersection of East Carson Boulevard and South Boulevard.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Burns, Lassiter, Latham, Majeed, Mead, and Points.

Nays: None.

(Commissioner Davis was not present when vote was taken.)

REASONS

This petition was initiated by the Zoning Committee in order to carry out the intents and purposes of the South Boulevard Plan. This property was apparently left out of recommendations for rezonings in the immediate area and the Zoning Committee believes that this tract should be treated in the same fashion as all similarly situated parcels. Therefore, the Zoning Committee recommends that this petition be approved.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

PETITIONER Charlotte-Mecklenburg Planning Commission

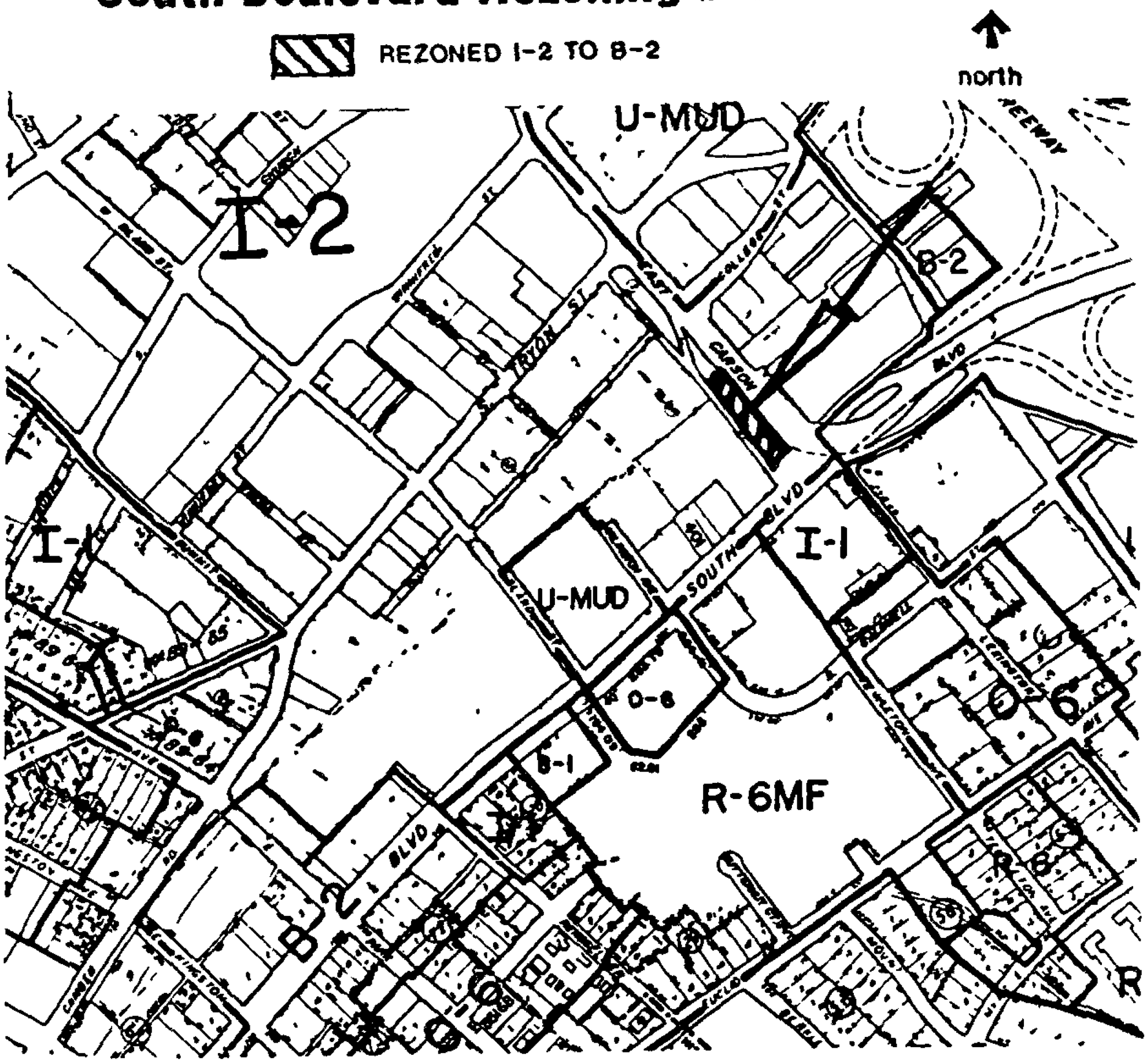
PETITION NO. 90-34 HEARING DATE April 16, 1990

ZONING CLASSIFICATION, EXISTING I-2 REQUESTED B-2

LOCATION Approximately .394 acres located on the northwest corner of the intersection of East Carson Boulevard and South Boulevard.

South Boulevard Rezoning # 10

REZONED I-2 TO B-2



ZONING MAP NO. 102

SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE: April 23, 1990

PETITION NO.: 90-35

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from I-2 to B-1.

LOCATION: A 6 acre site located on the southwest corner of the intersection of South Boulevard and Bland Street.

ACTION: The Zoning Committee recommends that the petition be approved.

VOTE: Yeas: Burns, Lassiter, Latham, Majeed, Mead, and Points.

Nays: None.

(Commissioner Davis was not present when vote was taken.)

REASONS

The Zoning Committee initiated this petition to carry out the intents and purposes of the South Boulevard Plan. This tract is a piece of property which presently houses a Duke Power Operations Center but is situated in an area where all of the surrounding zoning was recently changed. In order to be consistent with the zoning pattern in the area, this piece of property should also be rezoned from industrial to the neighborhood business classification to further support and enhance neighborhood retail opportunities along South Boulevard. Therefore, the Zoning Committee recommends that this petition be approved.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

PETITIONER Charlott-Mecklenburg Planning Commission

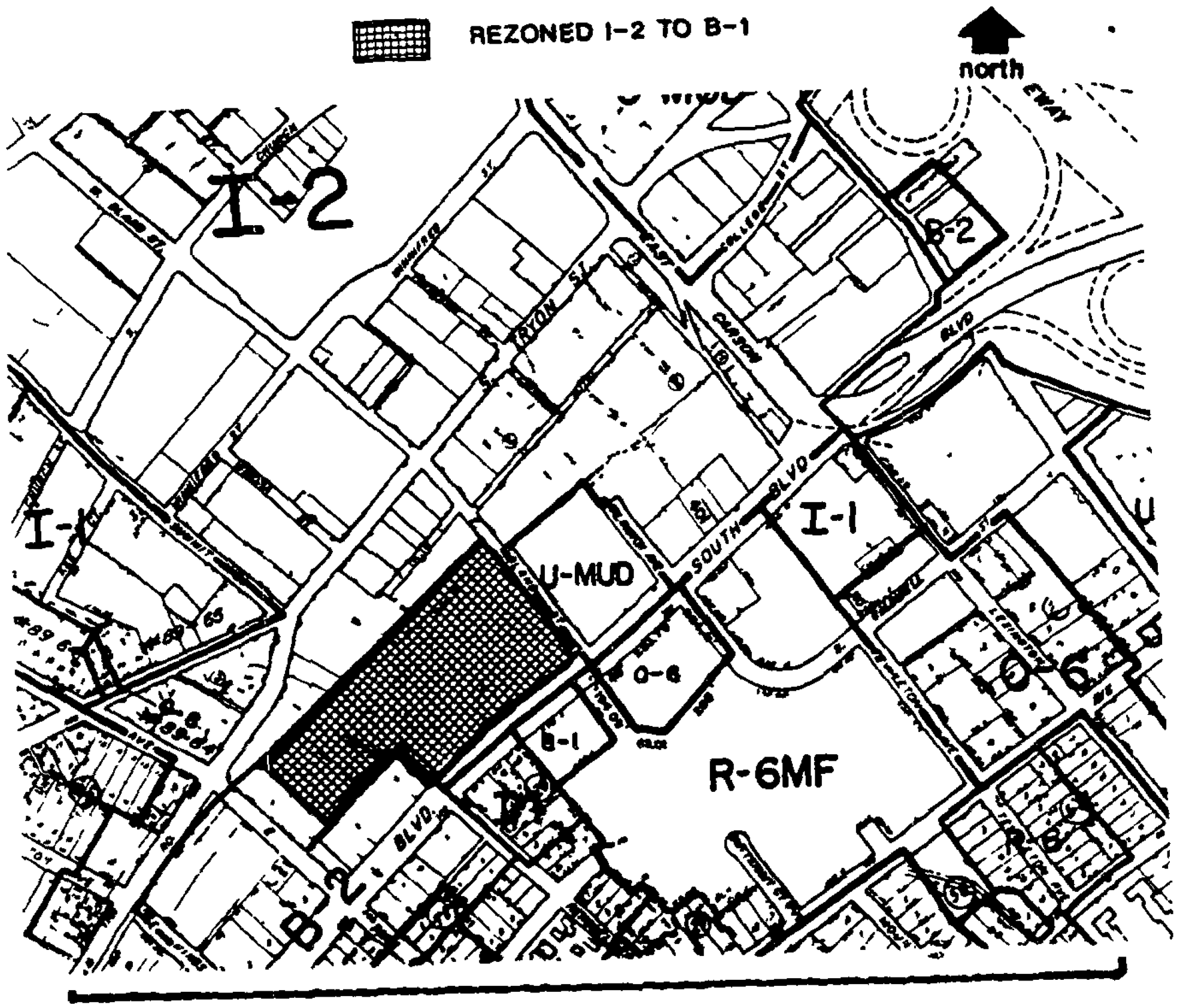
PETITION NO. 90-35 HEARING DATE April 16, 1990

ZONING CLASSIFICATION, EXISTING I-2 REQUESTED B-1

LOCATION Approximately 6.0 acres located on the [illegible] of the intersection of South Boulevard and Bland Street

South Boulevard Rezoning # 11

REZONED I-2 TO B-1



ZONING MAP NO. 102

SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE