AGENDA

Meeting Type:	B
Date.	03-18-1991
SUBJECT	

City of Charlotte, City Clerk's Office

6/6/90 DAVE HOWARD ASKED THAT THESE MINUTES BE TRANSCRIBED FOR USE IN PREPARING FOR 6/19/90 MEETING

(6/11/90 PAT McCRORY ~~REQUESTED~~ ASKED WHEN MINUTES COULD BE DONE FROM 5/29/90 ON W TRADE/BEATTIES FORD BUSINESS INCUBATOR)

6/21/90 Earl Lindberger - C-MUD. Excerp from June 11 Meeting Item 12-H

6/28/90 PETE GOSS - ENGINEERING - EXCERPT FROM 5/29 - INDEP. PLAZA PARK (AT SQUARE, RE: CLOCK)

7/12/90 North West Plan. (Dave Howard)

7/17/90 Wastewater Regional Plant (Fortmell, Bockhold, York. County Judy Burch.

7-18-90 Minutes Code Code - Revised - Item 5 - 7-16-90 meeting

7-25-90 Pam Syfert - needs open meetings discussion on 7/9/90

8-17-90 Pat McCrory - Verbatim Minutes on Aug. 6 Workshop - Convention Center

8-27-90 Tape from Item 5. Carriage House Lease - Aug 27. 11 meeting

9/7/90 Julie Burch - Item 14 - Dana - 8/27 MEETING

9/11/90 Run extra Copy of Agenda for Mayor

9/11/90 Minutes and Votes of Item 4, 7-10-90 meeting.

9/18/90 Sardis/Weddington Connector - 9/10/meeting - Ann Marsh

9/25/90 Providence Road West/Providence Road/Southern Outer Belt - 10-24-90 - Planning

10/7/90 Rose Hill Outer Loop. Hoyle Martin

11/19/90 Regionalism - from 11-16-90 Council retreat

6-19-91 Hoyle Martin - Discussion on redistricting 6-25-91

CHARLOTTE

Meetings in March '91

THE WEEK OF MARCH 3 - MARCH 9

4	Monday, 12 Noon	PLANNING COMMISSION/Work Session - CMGC, 8th Floor Conference Room
	Monday, 4·00 p m	CHARLOTTE-MECKLENBURG ART COMMISSION/University City Public Library Ad Hoc Meeting - CMGC, 8th Floor Conference Room
	Monday, 5:00 p.m	CITY COUNCIL WORKSHOP - CMGC, Conference Center
5	Tuesday, 9 00 a m	HOUSING AUTHORITY - 1301 South Boulevard
	Tuesday, 4·00 p m	PLANNING COMMISSION/Planning Committee - CMGC, 8th Floor Conference Room
6	Wednesday, 5:00 p.m	CITY COUNCIL & PLANNING COMMISSION/Work Session on New Zoning Ordinance - CMGC, Conference Center
	Wednesday, 6 30 p m	YOUTH INVOLVEMENT COUNCIL - CMGC, Conference Center
7	Thursday, 4·00 p m	CHARLOTTE-MECKLENBURG ART COMMISSION/Discovery Place's OmniMax Maquette Review - Discovery Place Conference Room, 301 North Tryon Street
9-12	Sunday-Tuesday	NATIONAL LEAGUE OF CITIES - Washington, D.C.

THE WEEK OF MARCH 10 - MARCH 16

12	Tuesday, 2.30 p.m.	HOUSING APPEALS BOARD - CMGC, 5th Floor Conference Room
	Tuesday, 4·00 p m	AIRPORT ADVISORY COMMITTEE - Charlotte/Douglas International Airport, Conference Room A, Main Terminal
13	Wednesday, 8·00 a m	CLEAN CITY COMMITTEE - CMGC, Rooms 270 & 271
	Wednesday, 8:30 a m	CIVIL SERVICE BOARD - CMGC, 7th Floor Conference Room
	Wednesday, 9·30 a m	CIVIL SERVICE HEARING - CMGC, Meeting Chamber Conference Room
	Wednesday, 4·00 p m	HISTORIC DISTRICT COMMISSION - CMGC, 8th Floor Conference Room
15	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 MARCH 17 - MARCH 23

18	Monday, 5 00 p m	**CITY COUNCIL/MANAGER DINNER** - Meeting Chamber Conference Room
	Monday, 6·00 p m	**CITY COUNCIL/PLANNING COMMISSION/Zoning Hearings** - CMGC, Meeting Chamber
	Monday, 7 00 p m	**HISTORIC LANDMARKS COMMISSION** - 1221 South Caldwell Street
19	Tuesday, 2 00 p m	**HOUSING AUTHORITY** - 1301 South Boulevard
	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, 6·00 p m	**CHARLOTTE ADVISORY PARKS COMMITTEE** - CMGC, Conference Center
20	Wednesday, 7 30 a m	**CITY/COUNTY/CHAMBER BREAKFAST** - CMGC, 15th Floor Conference Room
	Wednesday, 9 00 a m	**CIVIL SERVICE HEARING** - CMGC, Rooms 270-271
	Wednesday, 2 30 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee** - CMGC, 8th Floor Conference Room
	Wednesday, 5 00 p m	**CITY COUNCIL & PLANNING COMMISSION/Work Session on New Zoning Ordinance** - CMGC, Conference Center
	Wednesday, 6 30 p m	**YOUTH INVOLVEMENT COUNCIL** - CMGC, Meeting Chamber Conference Room
	Wednesday, 7 00 p m	**METROPOLITAN PLANNING ORGANIZATION** - CMGC, Conference Center
21	Thursday, 7 00 p m	**CHARLOTTE TREE ADVISORY COMMISSION** - CMGC, Room 270

THE WEEK OF MARCH 24 - MARCH 30

25	Monday, 8 00 a m	**QUARTERLY MEETING OF ELECTED AND CHAMBER OFFICIALS** - Charlotte Chamber, 129 West Trade Street
	Monday, 4 30 p m	**PLANNING COMMISSION/Zoning Work Session** - CMGC, 8th Floor Conference Room
	Monday, 5 00 p m	**CITY COUNCIL/MANAGER DINNER** CMGC, Conference Center
	Monday, 6 30 p m	**CITIZENS HEARING** - CMGC, Meeting Chamber (Televised on Cable Channel 32)
	Monday, 7 00 p m	**CITY COUNCIL MEETING** - CMGC, Meeting Chamber (Televised on Cable Channel 32)
26	Tuesday, 1·00 p m	**CITY ZONING BOARD OF ADJUSTMENT** - Hal Marshall Building, 700 North Tryon Street, Building Standards Training Room
27	Wednesday, 7 45 a m	**PRIVATE INDUSTRY COUNCIL** - CMGC, Conference Center
	Wednesday, 10·30 a m	**AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY** - Charlotte Convention Center, 101 S College Street, VIP-B Meeting Room
	Wednesday, 5·00 p m	**CITY COUNCIL & PLANNING COMMISSION/Work Session on New Zoning Ordinance** - CMGC, Conference Center
28	Thursday, 5 00 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION** - CMGC, 8th Floor Conference Room
29	Friday	**EASTER HOLIDAY** - All City Offices Closed

These organizations will <u>not</u> meet in March
Advisory Energy Commission
Community Facilities Committee
Community Relations Committee

CHARLOTTE

Mayor Sue Myrick *Mayor Pro Tem Cyndee Patterson*

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

Council Agenda

Monday, March 18, 1991

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

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

Invocation by Rev. Fred Crisp, Westmoreland Baptist Church.

ITEM NO.

PUBLIC HEARINGS

1. (91-16) Hearing on Petition No. 91-16 by Crosland-Erwin Association for a Text Amendment to the current sign regulations to allow off-premises directional signs and off-premises identification signs.

   Attachment No. 1

2. (91-17) Hearing on Petition No. 91-17 by Derita Masonic Lodge #715 for a change in zoning from R-12 to R-15MF for a 3.2 acre site located on the east side of Plum Street bounded by Maple Street and Hewitt Drive.

   Attachment No. 2

3. (91-18) Hearing on Petition No. 91-18 by Charlotte Capital Partners for a site plan amendment to an existing B-1SCD zoning to add 14,649 square feet to an existing building on approximately 24.3 acres located on the southwest corner of the intersection of Carmel Road Extension and Matthews-Pineville Road (N.C. 51).

   Attachment No. 3

DECISIONS

4. (90-92) Decision on Petition No. 90-92 by Crosland-Erwin Associates for a Site Plan Amendment to an existing R-15 PUD zoning for a 3.5 acre site located on the northwest corner of the intersection of Candlewyck Lane and Lawton Bluff Road.

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Council Members, not excused from voting, in order to rezone the property.

This petition was deferred at the January and February Meetings.

The Zoning Committee recommends that this petition be approved.

Attachment 4

5. (91-6) Decision on Petition No. 91-6 by United Carolina Bank for a Site Plan Amendment to an existing O-15(CD) zoning for a 2.65 acre site located on the east side of Providence Road bounded by Sardis Road and Old Sardis Road.

The vote by the Zoning Committee ended in a tie, therefore this petition will automatically be placed on the next Zoning Committee work session agenda for reconsideration.

Attachment No. 5

6. 91-7) Decision on Petition No. 91-7 by Kermit G. Phillips, II, for a change in zoning from R-9MF to R-6MF for approximately 10.27 acres located along both sides of Forestbrook Drive east of Tacoma Street.

The Zoning Committee recommends that this petition be approved.

Attachment No. 6

7. (91-8) Decision on Petition No. 91-8 by Interchange Partners for a change in zoning from B-D(CD) to I-1(CD) for approximately 8.37 acres located within the southeast quadrant of I-77 and I-85 along Tipton Drive.

The Zoning Committee recommends that this petition be approved.

Attachment No. 7

8. (91-9) Decision on Petition No. 91-9 by Donald Wilburn and Scott Clark for a change in zoning from R-9 to B-2(CD) for approximately 4.74 acres located off the northeast corner of the intersection of Independence Boulevard and Margaret Wallace Road along Campbell Creek.

The Zoning Committee deferred action on this petition for 30 days.

Attachment No. 8

9. (91-10) Decision on Petition No. 91-10 by Coltsgate Ltd. Partnership for a change in zoning from R-15 to O-6(CD) for approximately 6.61 acres located along both sides of Coltsgate Road east of Sharon Road.

The Zoning Committee recommends that this petition be approved.

Attachment No. 9

10. (91-11) Decision on Petition No. 91-11 by Churchill Galleries for a Site Plan Amendment to an existing B-1(CD) zoning for a 37,800 square foot parcel located on the northwest corner of East Morehead Street and Berkeley Avenue.

The Zoning Committee recommends that this petition be approved.

Attachment No. 10

11. (91-12) Decision on Petition No. 91-12 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from R-9MF to R-15, (Northwest District Plan), for a 22.4 acre site located on the northerly side of Pleasant Grove Road extending along both sides of Leolillie Lane to Oakdale Road.

The Zoning Committee recommends that this petition be approved.

Attachment No. 11

12. (91-13) Decision on Petition No. 91-13 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from R-6MF to R-6 and R-12MF, (Northwest District Plan), for approximately 97.67 acres along both sides of Moores Chapel Road generally extending to the southerly side of Piedmont and Northern Railroad right-of-way.

The Zoning Committee recommends A. rezoning the portion located along the Piedmont and Northern Railroad right-of-way and along Vance Street from R-6MF to R-6 as requested, and B. the balance of the property be rezoned to R-6 in lieu of R-12MF.

Attachment No. 12

13. (91-14) Decision on Petition No. 91-14 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from R-9MF to R-15, (Northwest District Plan), for a 42.45 acres site located on the southwest corner of Rozzelles Ferry Road and Toddville Road.

A protest petition was filed, but was not received in time to invoke the 20% rule.

Councilmembers McCrory and Scarborough were excused from the hearing on this petition.

The Zoning Committee recommends that this petition be approved.

Attachment No. 13

14. (91-15) Decision on Petition No. 91-15 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from R-9MF and I-1 to R-9, (Northwest District Plan), for approximately 69.5 acres located on the east side of Toddville Road south of Old Mt. Holly Road extending to Melynda Road.

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Council Members, not excused from voting, in order to rezone the property.

The Zoning Committee deferred action on this petition for 60 days.

Attachment No. 14

15. Recommend adoption of a Resolution calling for a joint public hearing by the City Council and the Charlotte-Mecklenburg Historic Landmarks Commission concerning the designation of the Nebel Knitting Mill (former) and the land associated therewith as historic landmark.

16. Recommend adoption of a Resolution calling for a joint public hearing by the City Council and the Charlotte-Mecklenburg Historic Landmarks Commission concerning the designation of the Charlotte Water Works/Vest Station and the land associated therewith as historic landmark.

17. Recommend adoption of a resolution setting public hearings for April 15, 1991, at 6:00 p.m. in the Meeting Chamber, 600 East Fourth Street, on Petition Nos. 91-20 through 91-27 for zoning changes.

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

March 6, 1991

Mayor and City Council:

RE: Petitions to be Heard in March, 1991

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, March 18, 1991 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 (LS)

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. 91-16

Petitioner: Crosland-Erwin Associates

Request: Text amendment to the current sign regulations to allow off-premises directional signs and off-premises identification signs.

BACKGROUND

This text amendment will reinstate two sections of the sign regulations which expired on February 13, 1991 as per the sunset provision. This new text amendment proposes to use the same text with two noteworthy revisions.

1) The new text has no sunset provision.

2) Off-Premises identification signs could be lighted in all districts except the single family residential district.

It is our opinion that these provisions are not needed and can only add visual clutter to the thoroughfare system. Also troublesome is the addition of lighting to off-premises identification signs when located in multi-family districts. It is inappropriate in our opinion to allow 30 foot high, 100 square foot signs to be lighted when adjacent to residential structures, regardless whether they are single family or multi-family structures. As a compromise, it has been suggested by the Zoning Administrator's office that any existing off-site identification signs be allowed to remain as legally nonconforming signs per Section 2112.7A. This would seem appropriate in the light that a substantial investment has been made in erecting these type signs.

CONCLUSION

We see no public value served by this text amendment, in fact the demand for this type of sign has been very limited with only one identification sign permit and two or three directional signs permits having been issued to date. Also the addition of allowing off-premises identification signs to be lighted in residential districts makes this text amendment more incompatible with public policy and less desirable than the originally approved text. This text amendment is not recommended for approval.

*Subject to further refinement following public hearing.

ZONING ORDINANCE TEXT AMENDMENT APPLICATION

CITY OF CHARLOTTE

Petition No. 91-16

Date Filed January 14, 1991

Received By [illegible]

OFFICE USE ONLY

Section No. 2110.3 Off-Premises Directional Development Signs
2110.4 Off-Premises Identification Signs

(Title)

Purpose of Change

After the sign ordinance was adopted in February, 1988, Sections 2110.3 and 2110.4 were added to permit, under carefully controlled circumstances, certain types of signs which would be located off-premises from the use they were identifying. These provisions were installed on an experimental basis to determine whether or not they would create any problems or issues. Because of the experimental nature, these sections were placed in the ordinance with a sunset provision that indicated that they would expire at the end of two years following February 13, 1989.

Although it has been agreed that no problems have been created by these provisions, they were allowed to expire as of February 13, 1991 Planning Staff has indicated that irregardless of the fact that no significant problems have been identified, they would not initiate action to preserve or reinstall these provisions in the ordinance. Hence, it is necessary for this private initiation of a request to restore these provisions to the ordinance. Without this being done, not only will these provisions not be available for future use, but signs already installed would have to be removed.

Fred E. Bryant, Planner
Name of Agent

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

333-1680
Telephone Number

Crosland-Erwin Associates
Name of Petitioner(s)

125 Scaleybark Rd , Charlotte, NC 28209
Address of Petitioner(s)

523-0272
Telephone Number

Signature

Petition No. 91-16
Petitioner: Crosland-Erwin Associates

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 the Ordinance by adding a new Section 2110.3 as follows

"2110.3 Off-Premises Directional Development Signs

For the purposes of directing traffic from Class II or III streets (major or minor thoroughfares) to developments located on Class IV or V streets (collectors or local streets) and not having direct access or visibility from the Class II or III streets, and to ensure that visual clutter is minimized, off-premises directional signs may be permitted subject to the following:

a. Application Requirements: The applicant for a directional sign permit shall submit complete and accurate information to the Zoning Administrator, including:

1. A form statement prepared by the Building Standards Department and signed by the owner of the parcel of property upon which the sign shall be located, consenting to and authorizing the location of the sign on the premises and the right of authorized City Officials or a designee to enter the property to remove a sign which is in violation of this ordinance.

2. A sketch showing the location of the proposed sign and manifesting that the sign's erection would be in compliance with the locational requirements contained herein.

3. Two blueprints or inked drawings to scale of the plans and specifications of the sign to be erected. Such plans shall include but not be limited to details of the design, dimensions, and material, of the proposed sign.

4. A letter from either the City's Department of Transportation or the North Carolina Department of Transportation, whichever agency has jurisdiction over the road on which the sign is to be located, verifying that the sign will not be in violation of any local or State regulations at its proposed location.

5. Acknowledgement by the applicant that he/she shall be responsible for the cost of removal of a sign for any reasons stated in (h) herein, and that if the City removes the sign the permit holder has five days to retrieve the sign, after which time the City may dispose of such sign.

6. If the sign is proposed in an historic district, approval of such a sign by the Historic District Commission shall be required prior to obtaining a sign permit.

b. Inspection and conditional approval· If the Zoning Administrator or his designee is satisfied that the applicant has submitted complete and accurate information as required by these provisions, then the Zoning Administrator shall notify the applicant that he/she has priority for that location and has 30 days to submit the following information for the issuance of the permit if not already submitted with (a) above:

1. A hold harmless/indemnification statement as described below in (i).

2. A cash bond or cash deposit as described in (i).

c. Use of directional sign· The person to whom the permit is issued is solely and exclusively responsible for the usage and maintenance of the directional sign and shall make the sign available for use by any eligible user. Matters of interpretation such as whether proposed copy is allowed by the provisions of this section, shall be a proper matter for the Zoning Administrator and/or Zoning Board of Adjustment.

The permit holder shall allow developments to be identified on the sign subject to the following.

1. The development is a unified commercial, residential, or institutional use under single ownership or management that has a minimum of 50 parking spaces and/or 50 units of residential dwellings.

2. The entrance that reasonably identifies the development is located no further than one and one half miles along streets from the intersection of the Class II or III Street with the Class IV or V Street.

3. The development does not have direct access or visibility from any Class II or III Streets.

4. The development does not have an identification sign located on a Class II or III Street nor does it have identification on another off-site directional sign. Only one sign per development shall be permitted.

d. Location and Orientation of Directional Sign: The sign shall be located in any zoning district only at the intersection of a Class II, III, or IV street with a Class V or VI street as defined in the adopted Comprehensive Street Classification System Manual. The sign face(s) shall be oriented toward the traffic flow on the Class IV or V Street, which is generally perpendicular to the Class II, III, or IV street. The sign must be located on the side of the Class II, III, IV street closest to the development(s) identified on the sign.

No portion of any sign shall be situated in such a way as to violate any public ordinances or regulation regarding sight distance or obstruction of vision at street intersections, nor shall any sign be located closer than 11 feet from the pavement edge of any public street, however the Charlotte Department of Transportation or N.C. Dept. of Transportation may require that the sign be located further than 11 feet from the edge of pavement.

e. Spacing Requirements: No sign shall be located closer than 500 linear feet to any other similar directional sign on the same side of the street. There shall be no more than two signs erected at any intersection. In addition, no directional sign shall be located closer than 20 linear feet to any on-premises sign(s).

f. Design of Directional Signs: A directional sign shall be constructed as a ground mounted sign designed to accommodate up to 4 panels of equal size for one to 4 separate and distinct development names. It shall be designed in accordance with the requirements stated below:

1. Maximum Size and Height:

Maximum structure width:	5-1/2 feet
Maximum sign face size:	20 sq. feet
Maximum panel size:	5 sq. feet
Maximum height:	6 feet if landscaping is planted at base of sign; otherwise 4-1/2 feet.

2. Construction of Sign

The signs shall be constructed of all-heart grade A wood or of aluminum having a minimum thickness of .090 with the overall depth of the sign frame no less than 3 inches. Copy on wood signs shall be either routed or sandblasted into the face panels. Copy on aluminum signs shall be either routed into the sign or shall be made of vinyl having a minimum five year durability rating.

To implement the requirements for the aesthetic appearance and uniformity of directional signs, the Zoning Administrator shall have the authority to prepare diagrams illustrating the requirements stated above and, further, to adopt any necessary details within the scope of the requirements, herein, to achieve standardized, directional signs.

3. Permitted Copy

Only the name, type, and/or logo under which a development is known or designated and a directional arrow shall be permitted on a sign. The name of the owner or developer or information related to availability of units, space, goods, or services shall not be permitted as copy on a sign.

4. Lighting

Signs shall not be lighted in residential districts.

g. Maintenance: All signs shall be maintained in accordance with Section 2104.3 herein.

h. Posting of bond and removal of sign: If the Zoning Administrator determines that there is a violation of these provisions, he shall issue a notice for violation to the permit holder. If the violation is not corrected or there has been no reversal of the decision of the Zoning Administrator by the Zoning Board of Adjustment or by any Court, then the Zoning Administrator shall have the authority to engage an independent contractor to remove the sign and pay for the removal of such signs from the bond. The sign may be removed for any of the following reasons:

1. A failure to maintain a sign in accordance with (g).

2. The failure to erect the sign within the location shown on the survey.

3 The revocation of the permit for any violation of S2110s.3.

4. Any other violation of this section.

i. Bond and indemnification: The Director of the Building Standards Department shall have the authority to set an amount for a cash bond double the estimated reasonable cost for the removal, the transporting, and the possible storage of a directional sign. Bonds shall be refunded to a permit holder when the permit holder removes the sign.

The applicant shall sign a hold harmless/indemnification statement on behalf of the City to hold the City harmless from any claim or dispute between the permit holder and a person seeking to have use of the directional sign when the dispute or legal matter in no way pertains to the City's Zoning Ordinance provisions.

j. Trees. The permit holder shall not destroy or trim any trees in the public right-of-way nor install a sign in such a manner to impact significant roots on trees in the public domain."

2. Amend the Ordinance by adding a new Section 2110.4 as follows:

"2110.4. Off-Premisses Identification Signs.

For the purpose of providing flexibility when a shopping center is located on a Class V or VI street and not visible from a Class II, III, or IV street, an applicant may obtain a permit for an off-premises identification sign subject to the following:

a. An applicant for an off-premises identification sign must comply with the application requirements specified in Section 2110.3(a), and in addition, provide a statement that the subject property being identified would not be visible from the nearest Class II, III, or IV street.

b. An approved off-premises identification sign shall be erected instead of (and not in addition to) both an applicant's on-premises identification or business sign and any off-premises directional sign permissible under the provisions herein.

c. A proposed off-premises sign shall comply with all the requirements in Section 2110.3(b) through (j) with the following exception:

1. SIZE OF CENTER ELIGIBLE FOR USE OF SIGN

The minimum size of a shopping center eligible for the use of an off-premises identification sign shall be 25,000 square feet, and the center must contain five or more businesses.

2. DESIGN OF SIGN

Maximum Size and Height:

The maximum size and height of a sign shall be the same as would be permitted if the sign were located on the premises being identified.

Permitted copy:

Only the name and/or logo of the shopping center and/or names of individual establishments within the shopping center shall be permitted on the sign face(s). No advertising shall be permitted.

Construction of Sign

Copy on aluminum signs shall be either routed into the sign or shall be made of vinyl or plastic having a minimum five-year durability rating."

Lighting:

Signs may be lighted except when located in a single-family residential district."

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. 91-17

Petitioner: Derita Masonic Lodge #715

Location: Approximately 3.2 acres located on the east side of Plum Street bounded by Maple Street and Hewitt Drive.

Request: Change from R-12 to R-15MF.

BACKGROUND

1. Existing Zoning. The subject property is presently zoned R-12 with the surrounding properties zoned R-12 as well. Due east of the subject property across Derita Road there is a preponderance of commercial zoning with a large R-9MF tract at the intersection of Hewitt Drive and Derita Road.

2. Existing Land Use. The subject property is presently vacant. Immediately adjacent to the property on all sides is single family residential with approximately 1/3 of the land vacant. Across Derita Road in the general area, commercial tracts front Derita Road with a school and church site at the intersection of Derita Road and Hewitt Drive (becomes Rumple east of Derita Road.)

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan shows existing residential land uses and a community commercial center in the area of the subject property. Strategies for the area include a light rail station and improvements to Mallard Creek Road. It also proposes relocating Mallard Creek Road to connect with Nevins Road and extending Graham Street to Mallard Creek Road. Additional transportation improvements include upgrading Cheshire Road. In addition, the 2005 Plan recognizes Derita as the springboard for residential growth in the Harris Boulevard area.

   2. Northeast District Plan. The Northeast District Plan recommends single family land uses with over one to four dwelling units per acre. A potential light rail station and neighborhood mixed-use center are shown in the general area.

   3. Derita Special Area Plan (adopted 1985). Goals of the Derita Plan are to protect the stability of existing single family neighborhoods and encourage additional residential development.

   4. Transportation Improvement Program. The Transportation Improvement Program includes the widening of Mallard Creek Road from the Graham Street Extension to Mallard Creek Church Road.

5. Charlotte-Mecklenburg Thoroughfare Plan. The Thoroughfare Plan shows the extension of Mallard Creek Road to connect with Nevins Road and the extension of Graham Street to Mallard Creek Road.

4. Site Plan. Since this is a conventional rather than a conditional rezoning petition, there is no accompanying site plan.

5. School Information. The School Board staff indicated that this petition will have no impact on the school system.

School		Capacity	Enrollment
Elementary:	Derita	572	585
Junior High:	Ranson	600	832
Senior High:	North	1,130	1,212

6. Zoning History (See Attached Map).

Petition No.	Request	Action	Date
1. 68-28	R-12 to B-1	Denied	05/27/68
2. 68-38	R-12 to B-1	Approved	05/27/68
3. 69-86	R-12 to O-6	Approved	09/22/69
4. 83-50	I-2 to I-1	Approved	11/18/83
5. 86-11	R-9MF, B-1, I-1, & I-2 to R-12, R-15MF & B-1	Approved	03/17/86
6. 86-13	I-1, O-6 to B-2, R-12	Approved	03/17/86

7. Neighborhood. The subject property falls within the area defined as the Derita neighborhood.

REVIEWS

1. Plan Consistency. This petition proposes the rezoning of a small tract of land from single family to multi-family in order for a fraternal organization to build a masonic facility. The publicly adopted plans for this area recommend the maintenance of existing single family neighborhoods. Therefore, the petition is inconsistent with publicly adopted plans for the area.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The staff met with the agent for the petitioner prior to the filing of the petition. At that time it was requested that a site plan be submitted with this request. The petitioner chose not to do so.

   2. Departmental Comments. Due to the conventional nature of this petition, there are very few departmental comments. CDOT

commented that the site as presently zoned could generate approximately 121 to 132 trips per day. With the proposed rezoning it could increase to 252 to 324 trips per day but will not have a significant impact on the surrounding thoroughfare system.

ISSUES

1. Land Use. The petition as presented is an inappropriate land use because of its relationship to the surrounding existing, single family neighborhood. Under this petition all uses allowed within the multi-family district will be permitted and; without a conditional rezoning request there is no way of determining the impact this petition could have on the surrounding neighborhood.

2. Site Plan. There is no site plan which accompanies this petition due to the conventional rather than conditional nature of the petition. To adequately assess the potential impact on the surrounding neighborhood, a site plan will have to be submitted.

CONCLUSION

This petition is considered inappropriate for approval.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 91-17
Date Filed January 14, 1991
Received By MCM
OFFICE USE ONLY

Ownership Information

Property Owner: T-C Construction Co., Inc. (Owner - Ted Taylor)

Owner's Address: Post Office Box 2 386 (27-5 W. Sugar Creek Road)
Charlotte, N.C. 28213 Telephone = 704 - 59-1441

Date Property Acquired: May 12, 1965, Deed Reference = 2630-279

Tax Parcel Number: 45-131-01 and 45-131-10

Location Of Property

(address or description) 45-131-01 on Hewitt St. in Derita community, legal description = lots 45-49 on recorded map 3/65.
45-131-10 on Maple St. in Derita, legal description = lots 41-43 on recorded map 3/65.

Description Of Property

Size (Sq Ft -Acres): 45-131-01 = 1.837 acres; 45-131-10 = 1.377 acres

Street Frontage (ft): 400 ft. on Hewitt St. 300 ft. on Maple St.

Current Land Use: Vacant and

Zoning Request

Existing Zoning: R-12

Requested Zoning: R 15 MF

Purpose of Zoning Change: To build new Derita Masonic Lodge (Existing lodge in right-of-way of N.C.D.O.T.)

Name Of Agent: Joel R. Carter, Lodge Member

Agent's Address: 3 01 Ridge Road, Charlotte, NC 282 9

Telephone Number: 704 - 875-6227

Name of Petitioner(s): Derita Masonic Lodge # 715

Address of Petitioner(s): Post Office Box 2 071, Charlotte, 28221

Telephone Number: 704-59-0274 - Wm. D. Abernathy Treasurer

Signature: William D. Abernathy

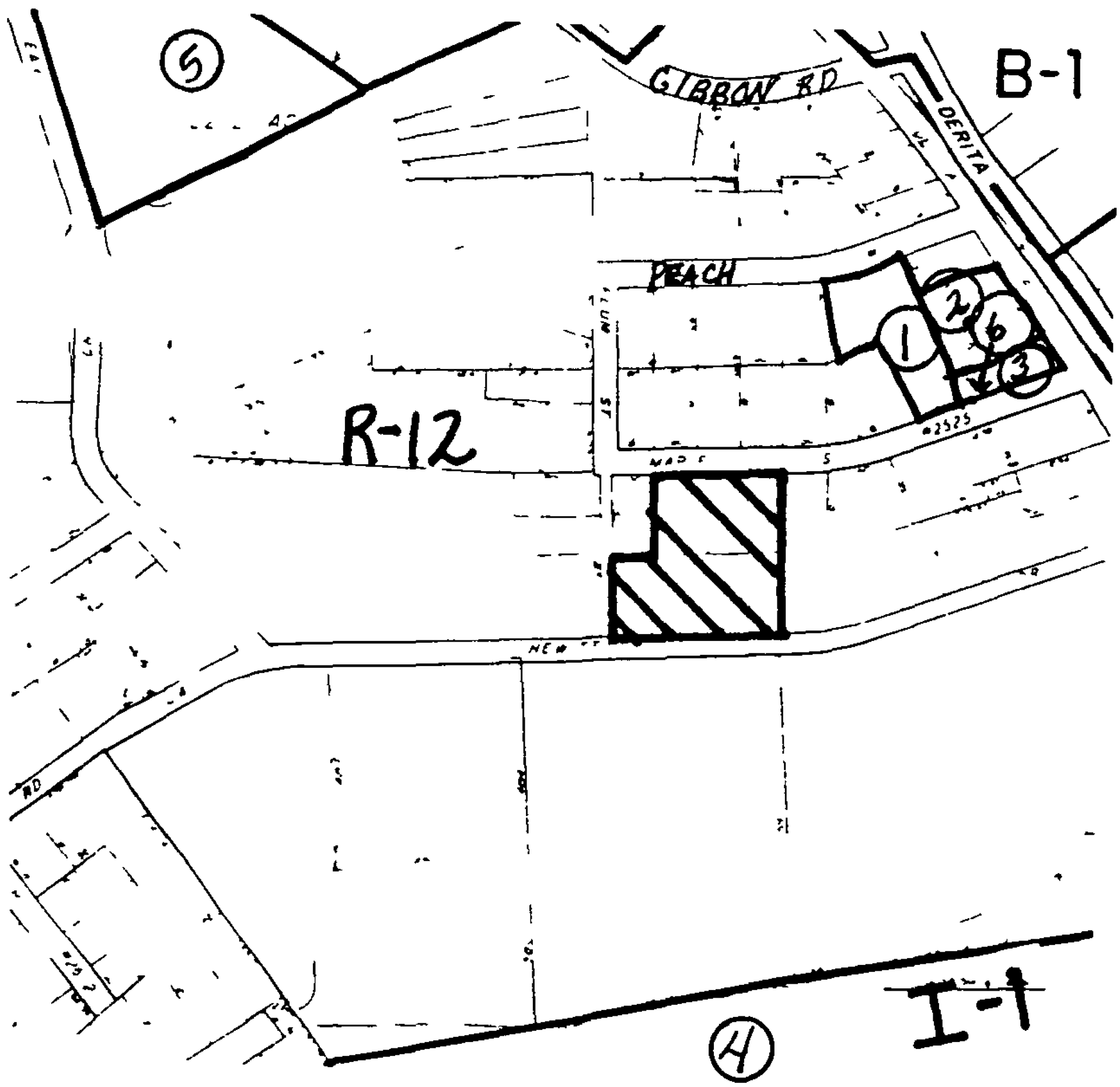
Signature of Property Owner if Other Than Petitioner: Ted Taylor

PETITIONER: Derita Masonic Lodge #715

PETITION NO.: 91-17 **HEARING DATE:** March 18, 1991

ZONING CLASSIFICATION, EXISTING R-12 **REQUESTED:** R-15MF

LOCATION Approximatel 3 2 acres located on the east side of Plum Street bounded by Maple Street and Hewitt Drive.



ZONING MAP NO(s).: 70 **SCALE 1" =** 400'

PROPERTY PROPOSED FOR CHANGE

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 91-18

Petitioner: Charlotte Capital Partners

Location: Approximately 24.3 acres located on the southwest corner of the intersection of Carmel Road Extension and Matthews-Pineville Road (N.C. 51).

Request: Consideration of a B-1SCD site plan amendment to add 14,649 square feet to the existing building.

BACKGROUND

1. Existing Zoning. The property involved in this request is presently zoned B-1SCD and was approved in 1970 as part of a large planned unit development. Originally the site was approved for over 400,000 square feet of retail space. Subsequent site plan amendments have decreased the retail commitment to approximately 120,000 square feet and increased allowable office and multi-family commitments. The subject site is adjacent to multi-family zoning to the southwest and a combination of office and business districts to the east, west, and south as well as north across N.C. 51.

2. Existing Land Use. The property involved in this request is presently the site of a retail shopping center containing 135,255 square feet. The multi-family districts to the southwest have been developed with condominiums and townhouses. The adjacent office and business districts have been developed with a variety of uses with few vacant tracts remaining.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicates residential land uses and a major mixed use center in the area of the subject property. The plan recognizes that the uses associated with the major mixed use center will continue to intensify. 2005 strategies include improving N.C. 51 and Park Road. Construction of the outer belt and the extension of Johnston Road are among other transportation improvements proposed in the area as well as improving and expanding the greenway system.

   2. Transportation Improvement Program.

      Johnston Road Extension to Southern Outer Belt - This project provides for the extension of Johnston Road from its present terminus, just south of Carmel Road Extension, to the outer belt. This project would then connect to the U.S. 521 relocation project to create a new four lane roadway.

      Southern Outer Belt - This provides for a new four and six lane freeway to be constructed across the southern portion of

the County. Purchasing of right-of-way and construction are underway and will continue through past 1996.

N.C. 51 Widening - From Pineville to Matthews currently under construction and will continue through FY91.

Carmel Road Widening - (Quail Hollow Road to N.C. 51) - This project will widen 2.4 miles of Carmel Road to four lanes between N.C. 51 and Quail Hollow Road with turn lanes at major intersections.

3. Thoroughfare Plan - Shows Johnston Road Extension and the outer belt with an interchange at Carmel.

4. N.C. 51 Special Project Plan (1983) - This plan calls for N.C. 51 to be widened to four lanes with medians. The subject property located just outside the corridor.

5. South Mecklenburg Interim District Plan (1987) - The area that includes Carmel Commons is recognized as functioning as a regional center (N.C. 51 from Pineville to Carmel Road). These centers have a 25 mile market area and up to 2,000,000 square feet - 1/2 office and 1/2 retail. Transportation improvements included in this plan: N.C. 51 widening, Southern Outer Belt and Johnston Road Extension (N.C. 51 to Outer Belt). This plan also calls for extending water lines along N.C. 51.

4. Site Plan. This request is a site plan amendment for the addition of 14,649 square feet. The site plan that accompanies this request illustrates two areas of expansion both to the rear of the existing buildings containing 7,200 square feet and 7,449 square feet respectively. Screening consisting of berms and landscaping located behind the shopping center is already existing and will rewain. The existing parking of 908 spaces already exceeds the minimum required 600 spaces with the additional square footage. No modifications to the existing curb cuts and traffic circulation patterns are proposed and new signage and landscaping will conform to the applicable City ordinances.

5. School Information. Not applicable to this petition.

6. Zoning History (See Attached Map).

Petition No.	Request	Action	Date
1. 70-19(c)	R-12, R-15 to R-PUD	Approved	09/08/70
2. 70-21(c)	R-12, R-15 to O-15	Approved	09/08/70
3. 72-59(c)	O-15 to B-1	Approved	11/06/72

4.	76-11(c)	R-PUD to R-12(CD), R-12MF(CD) & 0-15(CD)	Approved	06/07/76
5.	70-20(c)	R-12 to B-1SCD	Approved	09/08/70
6.	77-46(c)	B-1SCD to R-15MF(CD), B-1SCD	Approved	01/03/78
7.	80-20(c)	R-12MF to 0-15	Approved	07/07/80
8.	80-21(c)	B-1SCD Site Plan Amendment	Approved	09/02/80
9.	82-65	0-15 to B-1(CD)	Approved	11/15/82

7. Neighborhood. This site falls within the area defined as the Carmel Commons neighborhood.

REVIEWS

1. Plan Consistency. This petition proposes the addition of 14,649 square feet of retail space to an existing shopping center bringing the proposed total to 150,000 square feet. Publicly adopted plans and policies for the immediate area of the subject site recognize that uses associated with the major mixed use center will continue to intensify. The South Mecklenburg Interim District Plan also includes the subject site within the area functioning as a regional center. Therefore 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 on several occasions prior to the filing of this application. Subsequently, staff communicated information and comments to the petitioner.

   2. Departmental Comments. There were few departmental comments on this petition inasmuch as it requests a site plan amendment. Building Standards Department asked for a note revision addressing the proposed building additions area. The Charlotte Department of Transportation asked for traffic signs to be installed within the parking lot to comply with CDOT. Building Standards also requested additional right-of-way dedication along Carmel Road and N.C. 51 as well as the reservation of parking spaces to provide a park-n-ride lot. The petitioner has addressed all the departmental comments on the revised site plans.

ISSUES

1. Land Use. This petition raises no significant land use issues. It proposes the addition of 14,649 square feet of retail space to an existing shopping center which will bring the total allowable development area to 150,000 square feet. This site was originally approved in 1970 for a maximum 400,000 square feet of retail

space. Publicly adopted plans and policies for the area recognize that uses associated with the center will continue to intensify. Therefore, from a land use standpoint, this petition is consistent with plans for the area and is appropriate for approval.

2. Site Plan. This site plan amendment proposes the addition of retail space in two locations along the rear of the existing center. Screening for the center in a combination of landscaped berms and plantings already exists and will remain. Parking requirements already exceed the minimum needed. All departmental comments have been addressed on the revised site plans including the commitment for additional right-of-way dedication along Carmel Road and N.C. 51 and the reservation of parking spaces for a proposed park-n-ride lot. Therefore, this petition raises no significant site plan issues and 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. 91-18

Date Filed January 14, 1991

Received By MCM

OFFICE USE ONLY

Ownership Information

Property Owner: Charlotte Capital Partners

Owner's Address: 901 S. Kings Drive, Suite 100, Charlotte, NC 28204

Date Property Acquired: March 27, 1990

Tax Parcel Number: 221-441-02

Location of Property (address or description): Southwest ~~North-east~~ corner of the intersection of Carmel Road and Highway 51

Description of Property

Size (Sq. Ft. Acres): 24.3 acres

Street Frontage (ft.): 2,024

Current Land Use: Shopping Center

Zoning Request

Existing Zoning: B1SCD

Requested Zoning: B1SCD Site Plan Amendment

Purpose of Zoning Change: Add 14,649 square feet to the existing building

Pender Murphy

Name of Agent

901 S. Kings Drive, Suite 100, Charlotte, NC 28204

Agent's Address

704/343-4240

Telephone Number

Charlotte Capital Partners

Name of Petitioner(s)

901 S. Kings Dr., Suite 100

Address of Petitioner(s)

Charlotte, NC 28204

Telephone Number

704/343-4238

Signature

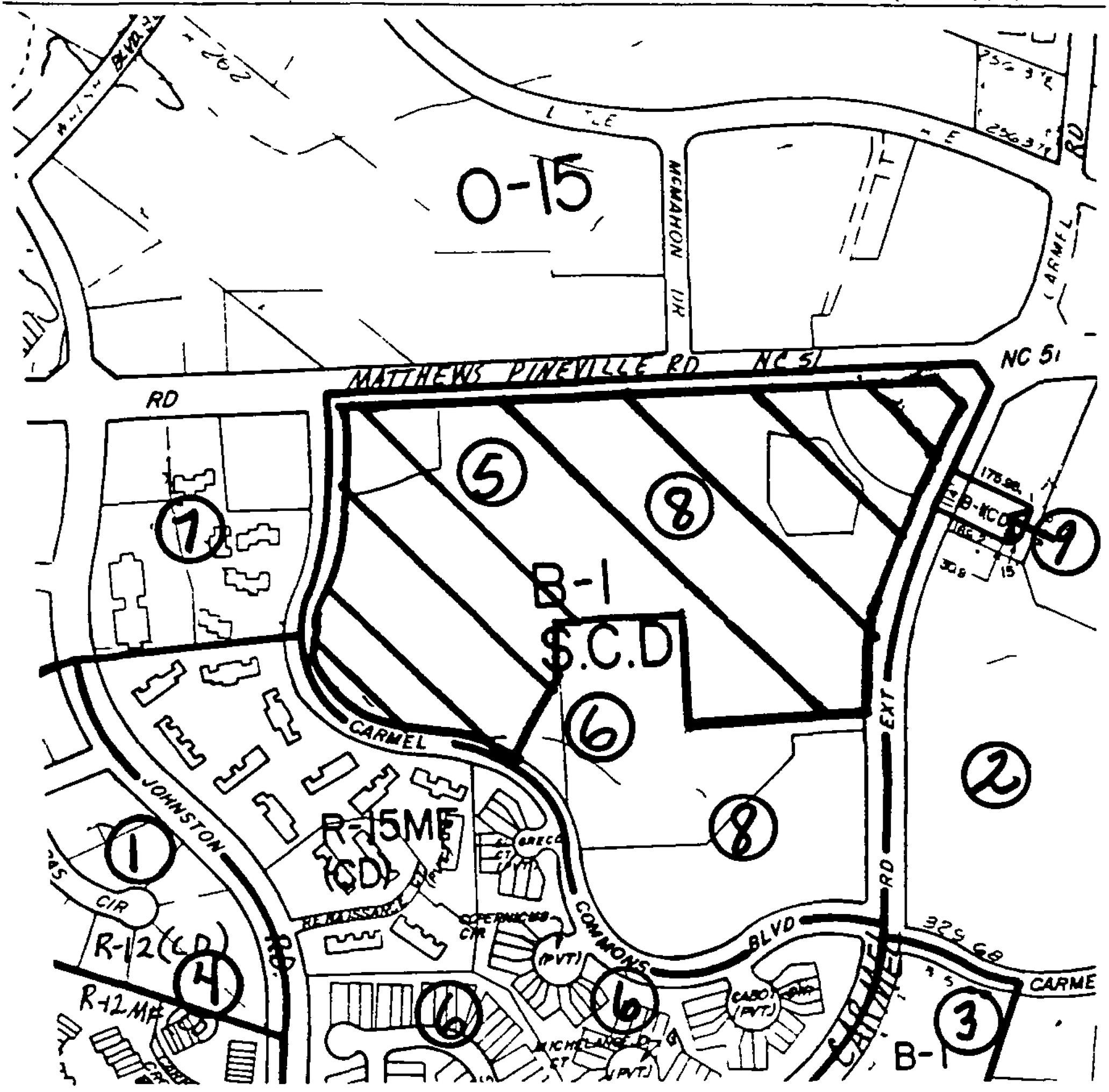
Signature of Property Owner / Partner if Other Than Petitioner

PETITIONER: Charlotte Capital Partners

PETITION NO.: 91-18 **HEARING DATE:** March 18, 1991

ZONING CLASSIFICATION, EXISTING: B-1SCD **REQUESTED:** B-1SCD Site Plan Amendment

LOCATION Approximately 2-3 acres located on the southwest corner of the intersection of Carmel Road Extension and Matthews-Pineville Road (NC 51).



ZONING MAP NO(s).: 167 **SCALE 1" =** 400'

PROPERTY PROPOSED FOR CHANGE

Petition No 91-10

GENERAL NOTES

1. Petitioner requests additional area as illustrated on the site plan, to accommodate specific needs of prospective tenants

2. Any additions to Shopping Center not to exceed the areas outlined on the site plan Locations of additions may be modified slightly to accommodate specific needs but areas will not be increased above maximum outlined on illustrative plan.

3. The Shopping Center will adhere to the City of Charlotte Tree Ordinance, including cut out islands, trees, planting areas, etc

4. All signage is existing Any new signage will adhere to the City of Charlotte Sign Ordinance.

5. All parking is existing, and is ample for our proposed additions.

6. No modifications to existing curb cuts and traffic circulation patterns are a part of this amendment

7. All screening (berms and landscaping) behind the Shopping Center is existing and will remain

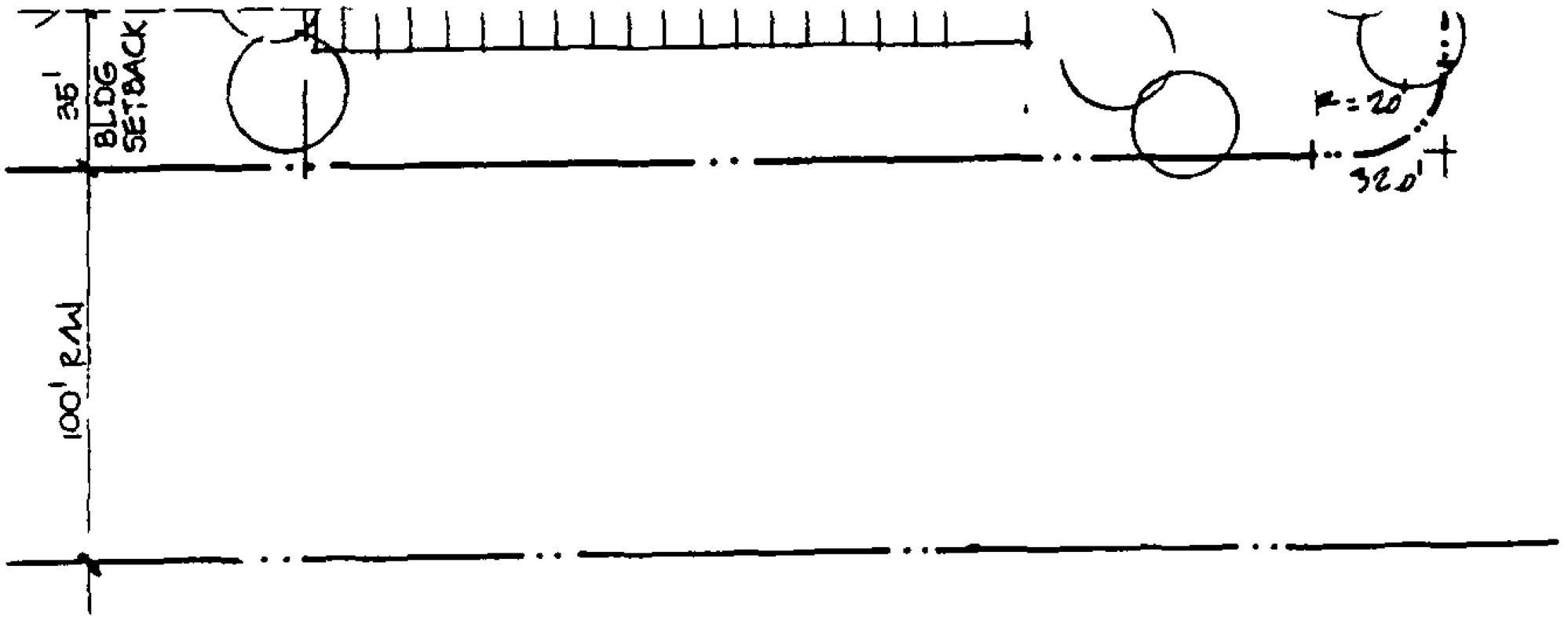
8. Fire hydrants will be installed so that a fire truck does not have to travel more the 500 feet to the most remote and accessible point of the building

9. Any use that is currently allowed in B-1 will be permitted.

10. Standard "stop signs", "keep right" signs, and any other signs required by DOT will be installed prior to proposed additions

11. The owner will reserve parking bays for a Park-N-Ride lot within the Shopping Center parking area The exact location to be determined by the Center's management.

12. The petitioner will dedicate R/W measuring 60 feet from the centerline of Carmel Road for 500 Feet back from the future NC 51 R/W, then tapering 45 1 to 50 feet from centerline, and 70 feet from the centerline on NC 51 for 500 feet back from the future Carmel Road R/W tapering 20 1 back to 50 feet from centerline R/W dedication to occur prior to issuance of building permits



ILLUSTRATIVE PLAN

1" 60'

24 3 acres

SITE PLAN AMMENDMENT to
B-1 SCD

Existing Retail "A"	20,100 sf
Existing Retail "B"	60,694 sf
Existing Retail "C"	43,400 sf
Existing Restaurant (outparcel)	6,681 sf
Existing Financial (outparcel)	2,580 sf
Existing Auto Service (outparcel)	1,896 sf
EXISTING TOTAL	135,351 sf
TOTAL ALLOWED by B-1 SCD (7/13/81)	135,255 sf
* PROPOSED ADDITIONS	14,649 sf
* TOTAL PROPOSED	150,000 sf

Parking Required	600
Existing Parking	908

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

February 28, 1991

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 February 25, 1991.

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 Monday, March 11, 1991. This will then permit these matters to be placed on your agenda for consideration on Monday, March 18, 1991.

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: February 25, 1991

PETITION NO.: 90-92

PETITIONER(S): Crosland-Erwin Associates

REQUEST: Consideration of an R-15PUD site plan amendment.

LOCATION: A 3.5 acre site located on the northwest corner of Lawton Bluff Road and Candlewyck Lane.

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

VOTE: Yeas: Baucom, McClure, Mead, Motley, and O'Brien.

Nays: Spencer and Thomasson.

REASONS

This petition proposes a site plan amendment for the neighborhood shopping center component of the Candlewyck Planned Unit Development. This petition had previously been deferred by Zoning Committee in order to consider a revised site plan which scales down the proposal to a 32,500 square foot stand alone grocery store. Concern was expressed by some members of Zoning Committee about changes which have occurred in this portion of the community since the Candlewyck PUD was originally approved including the many nearby, newly built or newly approved shopping centers. It was also noted that the City's Department of Transportation has estimated that approximately 90% of the trip generation will be from outside the neighborhood. However, the majority of Zoning Committee viewed the request as appropriate for approval and noted that neighborhood centers provide some benefit to the surrounding community.

STAFF OPINION

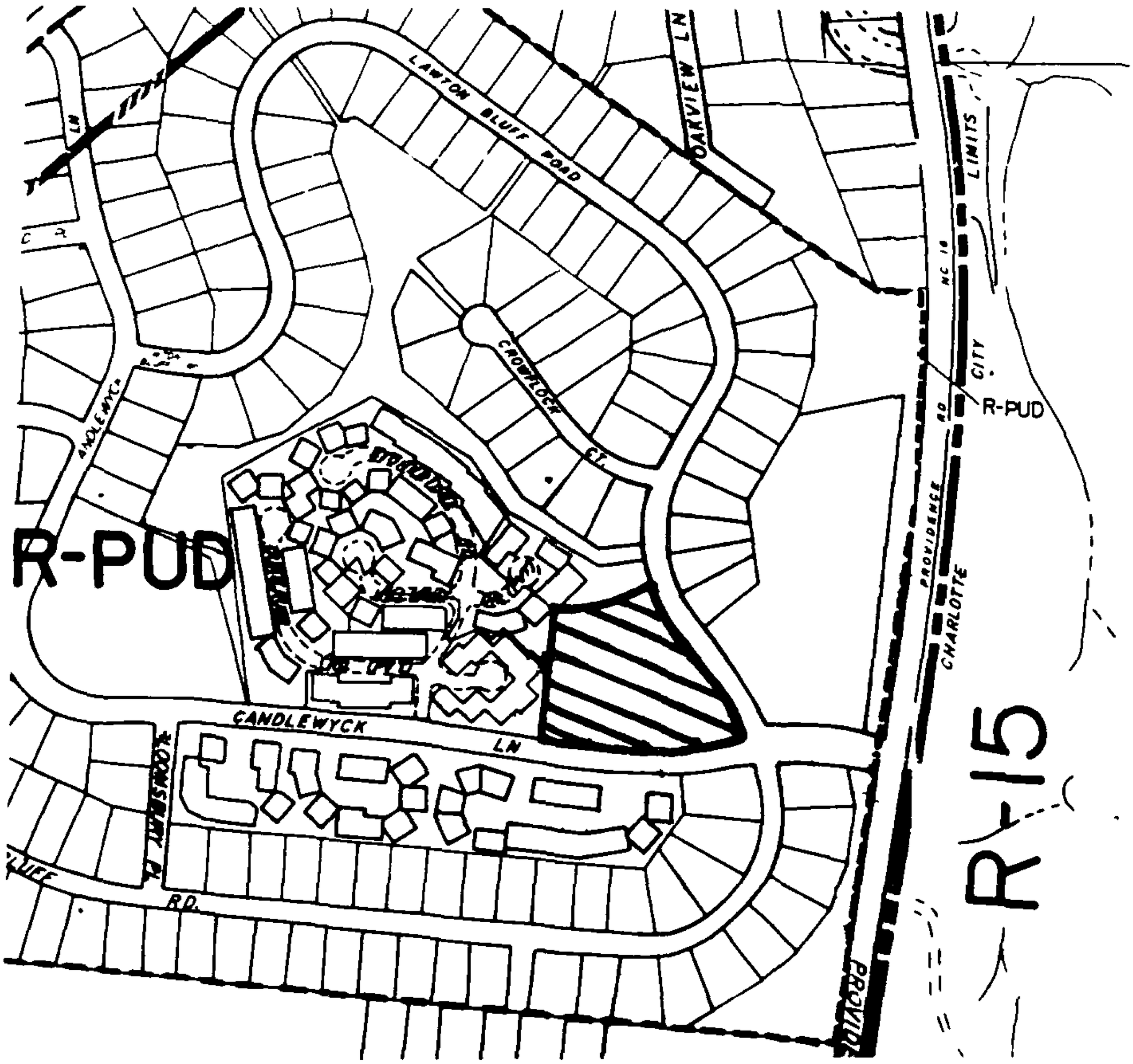
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER: Crosland-Erwin Associates

PETITION NO.: 90-92 HEARING DATE: December 17, 1990

ZONING CLASSIFICATION, EXISTING: R-PUD REQUESTED: R-PUD Site Plan Amendment

LOCATION Approximately 3.5 acres located on the northwest corner of the intersection of Lawton Bluff Road and Candlewyck Lane.



ZONING MAP NO(s).: 159 & 160 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE: February 25, 1991

PETITION NO.: 91-6

PETITIONER(S): United Carolina Bank

REQUEST: Consideration of an O-15(CD) site plan amendment.

LOCATION: Approximately 2.65 acres located on the east side of Providence Road bounded by Sardis Road and Old Sardis Road.

ACTION: On a motion to approve the site plan amendment, the resultant vote was 3 to 3. On a subsequent motion to approve the site plan subject to closing the existing driveway, the vote was again 3 to 3. According to the Zoning Committee rules of procedure, this petition will automatically be placed on the next Zoning Committee work session agenda for reconsideration.

Motion to approve:

VOTE: Yeas: McClure, Motley, and O'Brien.

Nays: Baucom, Mead, and Spencer.

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

Motion to approve as modified:

VOTE: Yeas: Baucom, Mead, and Spencer.

Nays: McClure, Motley, and O'Brien.

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

REASONS

The site plan amendment requested by this petition seeks to add a fourth driveway to the existing branch bank. The currently approved plan allows one driveway each to Providence Road, Sardis Road, and Old Sardis Road. The new driveway would be added to Old Sardis Road to line up with a driveway to the Strawberry Hill shopping center. The Zoning Committee noted the City Department of Transportation concerns about the impact the additional driveway will have on the City's planned park and ride lot along Old Sardis Road and discussed the various alternatives for addressing that issue. In response, the petitioner indicated that the bank would provide three park and ride lot spaces within their parking lot. However, several Zoning Committee members viewed the fourth driveway as excessive for this site. A motion was made to approve the petition based on the provision of the

three internal park and ride spaces. That motion failed 3 to 3. A subsequent motion was made to approve the site plan amendment subject to the closing of the existing driveway on Old Sardis Road. That motion also failed 3 to 3. Therefore, the request will be placed on the Zoning Committee March work session agenda for reconsideration.

DATE: February 25, 1991

PETITION NO.: 91-7

PETITIONER(S): Kermit G. Phillips, II

REQUEST: Change from R-9MF to R-6MF.

LOCATION: An approximately 10.27 acre site located along both sides of Forestbrook Drive east of Tacoma Street.

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

VOTE: Yeas: Baucom, McClure, Mead, Motley, O'Brien, and Spencer.

Nays: None.

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

REASONS

This petition proposes the rezoning of properties from one multi-family residential category to another multi-family residential category to allow a higher density of development. The public plans for this portion of the community recognize the site as appropriate for continued multi-family residential development. Therefore, Zoning Committee recommends that this petition be approved.

STAFF OPINION

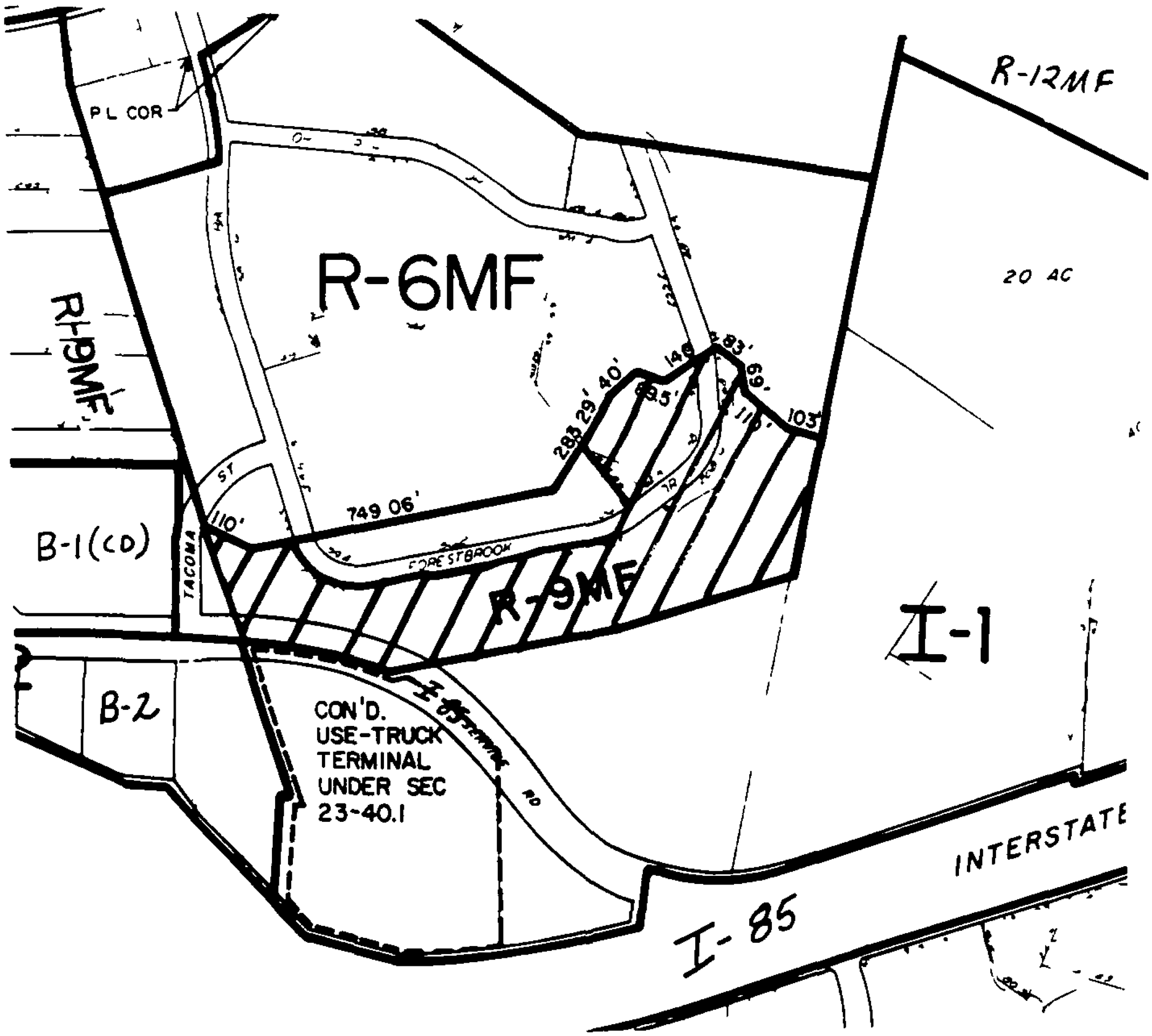
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER: Kermit G. Phillips, II

PETITION NO. 91-7 HEARING DATE: February 18, 1991

ZONING CLASSIFICATION, EXISTING: R-9MF REQUESTED: R-6MF

LOCATION: Approximately 10.27 acres located on the south side of Forestbrook Drive, east of Tacoma Street extending to I-85 Service Road.



ZONING MAP NO(s).: 86 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE: February 25, 1991

PETITION NO.: 91-8

PETITIONER(S): Interchange Partners

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

LOCATION: Approximately 8.37 acres located within the southeasterly quadrant of I-77 and I-85 along Tipton Drive.

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

VOTE: Yeas: Baucom, McClure, Mead, and O'Brien.

Nays: Motley and Spencer.

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

REASONS

This petition proposes the rezoning of properties from B-D(CD) to I-1(CD) to allow an expanded list of permitted uses in an existing building. No additions or changes to the building or grounds are proposed. Subsequent to the public hearing on this request, the petitioner agreed to the deletion of several uses typically allowed in the I-1 category in order to further restrict the list of permitted uses on the site. There was concern expressed by some members of Zoning Committee that the request is an erosion of the previous commitments made by the petitioner. However, the majority of the Zoning Committee viewed the petition as appropriate and noted that high quality employment centers in close proximity to residential development are positive for the community. Therefore, Zoning Committee recommends this petition be approved.

STAFF OPINION

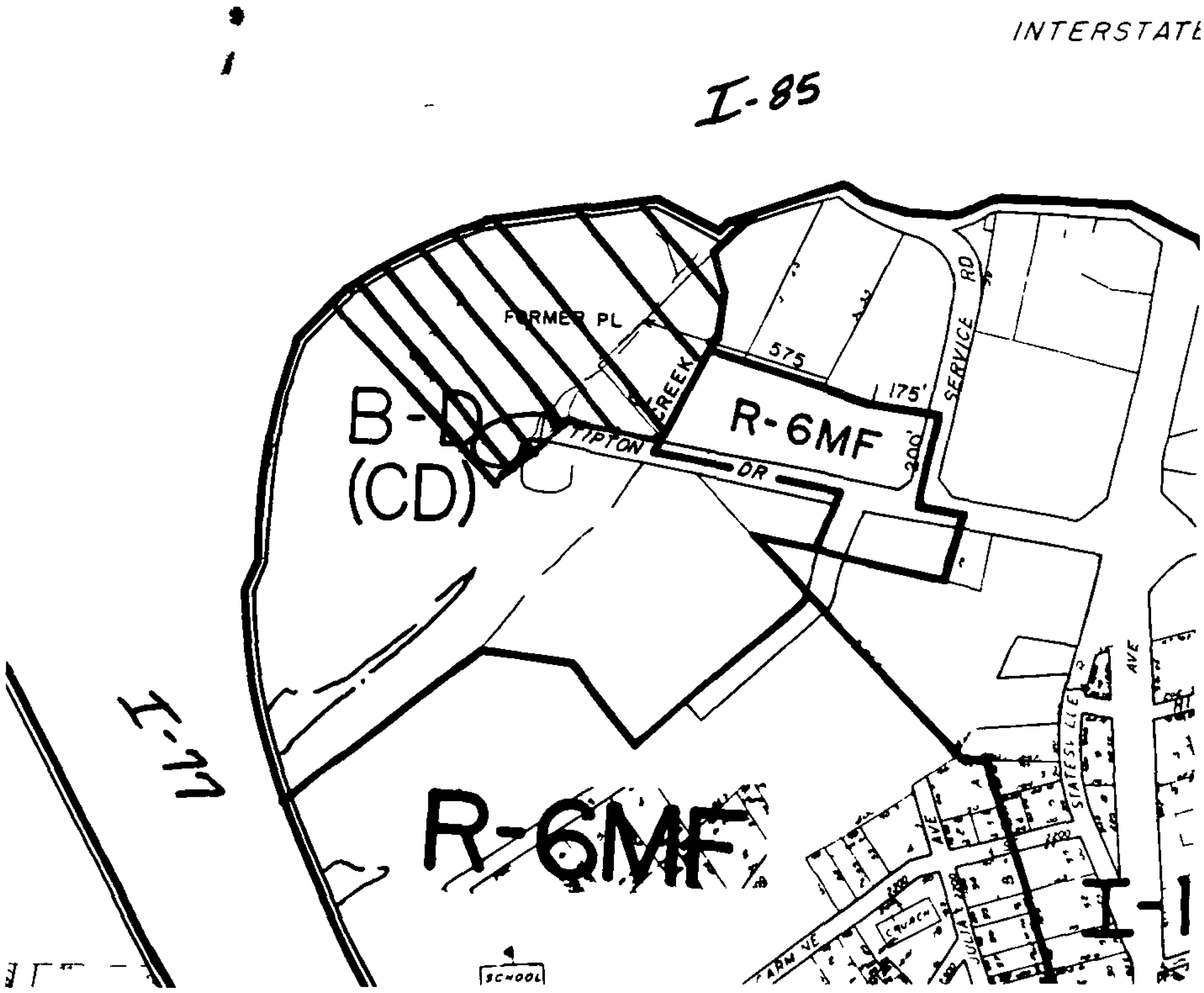
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER: Interchange Partners

PETITION NO.: 91-8 HEARING DATE: February 18, 1991

ZONING CLASSIFICATION, EXISTING: B-D(CD) REQUESTED: I-1(CD)

LOCATION: Approximately 8.371 acres located within the southeast quadrant of I-77 and I-85 along Tipton Drive.



ZONING MAP NO(s).: 79 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE: February 25, 1991

PETITION NO.: 91-9

PETITIONER(S): Donald Wilburn and Scott Clark

REQUEST: Change from R-9 to B-2(CD).

LOCATION: A 4.74 acre site located off the northeast corner of the intersection on Independence Boulevard and Margaret Wallace Road along Campbell Creek.

ACTION: The Zoning Committee deferred action on this petition for 30 days.

VOTE: Yeas: Baucom, McClure, Mead, Motley, O'Brien, Spencer.

Nays: None.

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

REASONS

This petition proposes rezoning to allow the expansion of an existing automobile dealership which fronts on Independence Boulevard and the establishment of a plant nursery at the rear of property which fronts on Margaret Wallace Road. The site plan indicates a 20 foot buffer along Campbell Creek adjoining the auto dealership tract and a 10 foot buffer along Campbell Creek on the portion of the site which is to be used for the plant nursery. There were some concern expressed by Zoning Committee about the width of these buffers and their ability to adequately protect Campbell Creek from stormwater runoff pollutants. Zoning Committee also noted that the site plan is unclear as to whether stormwater detention will be provided on site. Ultimately, Zoning Committee deferred the petition in order to allow time for the petitioner to better address the project edge along Campbell Creek.

DATE:	February 25, 1991
PETITION NO.:	91-10
PETITIONER(S):	Coltsgate Limited Partnership
REQUEST:	Change from R-15 to O-6(CD).
LOCATION:	An approximately 6.61 acre site located along both sides of Coltsgate Road east of Sharon Road.
ACTION:	The Zoning Committee recommends that this petition be approved.
VOTE: Yeas:	Baucom, McClure, Mead, Motley, O'Brien, and Spencer.
Nays:	None.
	(Commissioner Thomasson was not present when vote was taken.)

REASONS

This petition proposes rezoning of properties from R-15 to O-6(CD) to allow a 110,000 square foot office park. The petition is consistent with the 1988 SouthPark Land Use Study and it is recommended for approval by the Zoning Committee.

STAFF OPINION

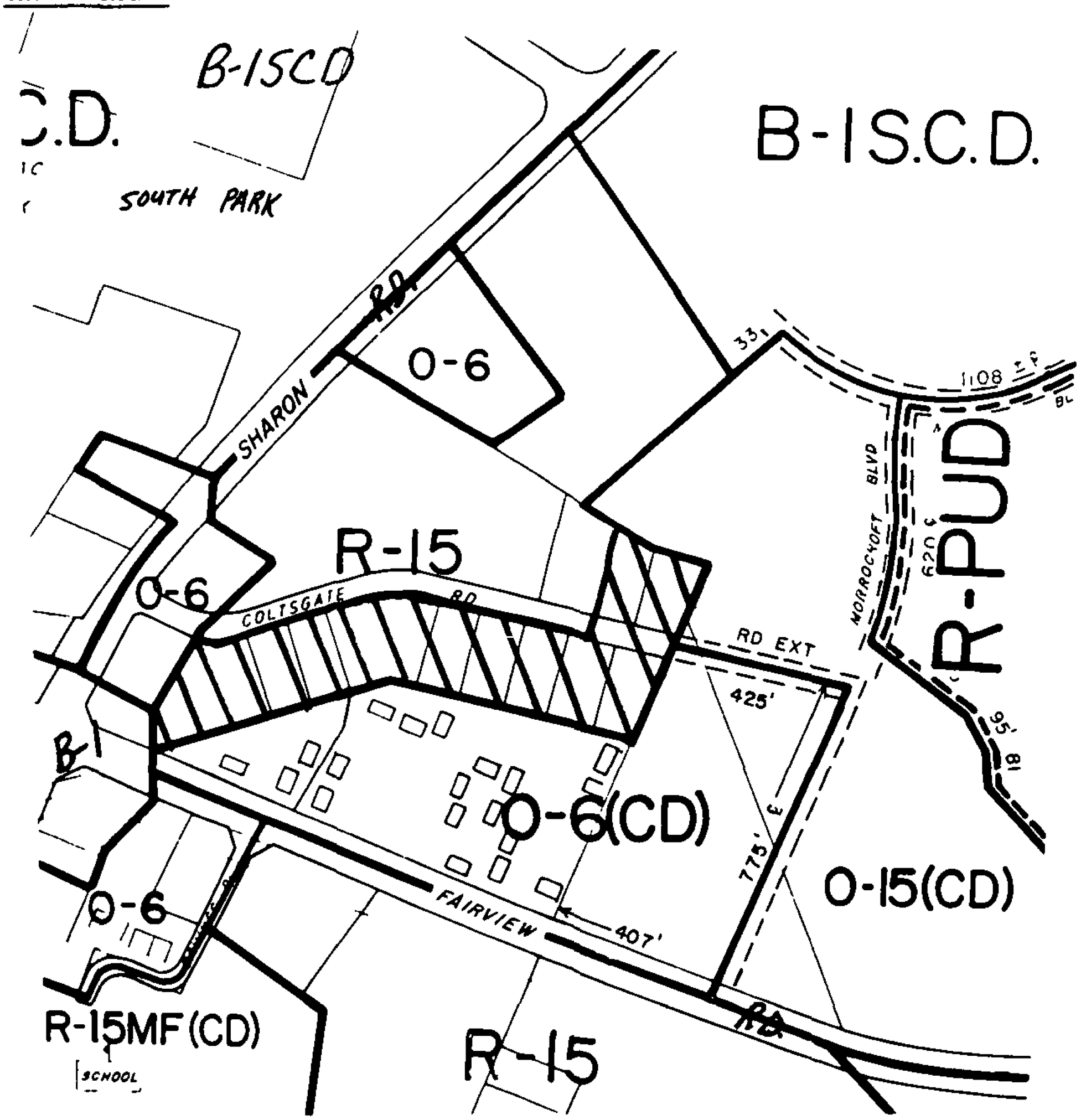
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER: Coltgate Ltd. Partnership

PETITION NO.: 91-10 HEARING DATE: February 18, 1991

ZONING CLASSIFICATION, EXISTING: R-15 REQUESTED: O-6(CD)

LOCATION: Approximately 6.61 acres located along both sides of Coltsgate Road east of Sharon Road.



ZONING MAP NO(s).: 135 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE: February 25, 1991

PETITION NO.: 91-11

PETITIONER(S): Churchhill Galleries

REQUEST: Consideration of a B-1(CD) site plan amendment.

LOCATION: A 37,800 square foot parcel located on the northwest corner of East Morehead Street and Berkley Avenue.

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

VOTE: Yeas: Baucom, McClure, Mead, Motley, O'Brien, and Spencer.

Nays: None.

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

REASONS

This petition proposes a site plan amendment to the existing Morehead Inn to allow a portion of the existing inn to be used for an antique gallery. Zoning Committee viewed the petition as appropriate and recommends its approval.

STAFF OPINION

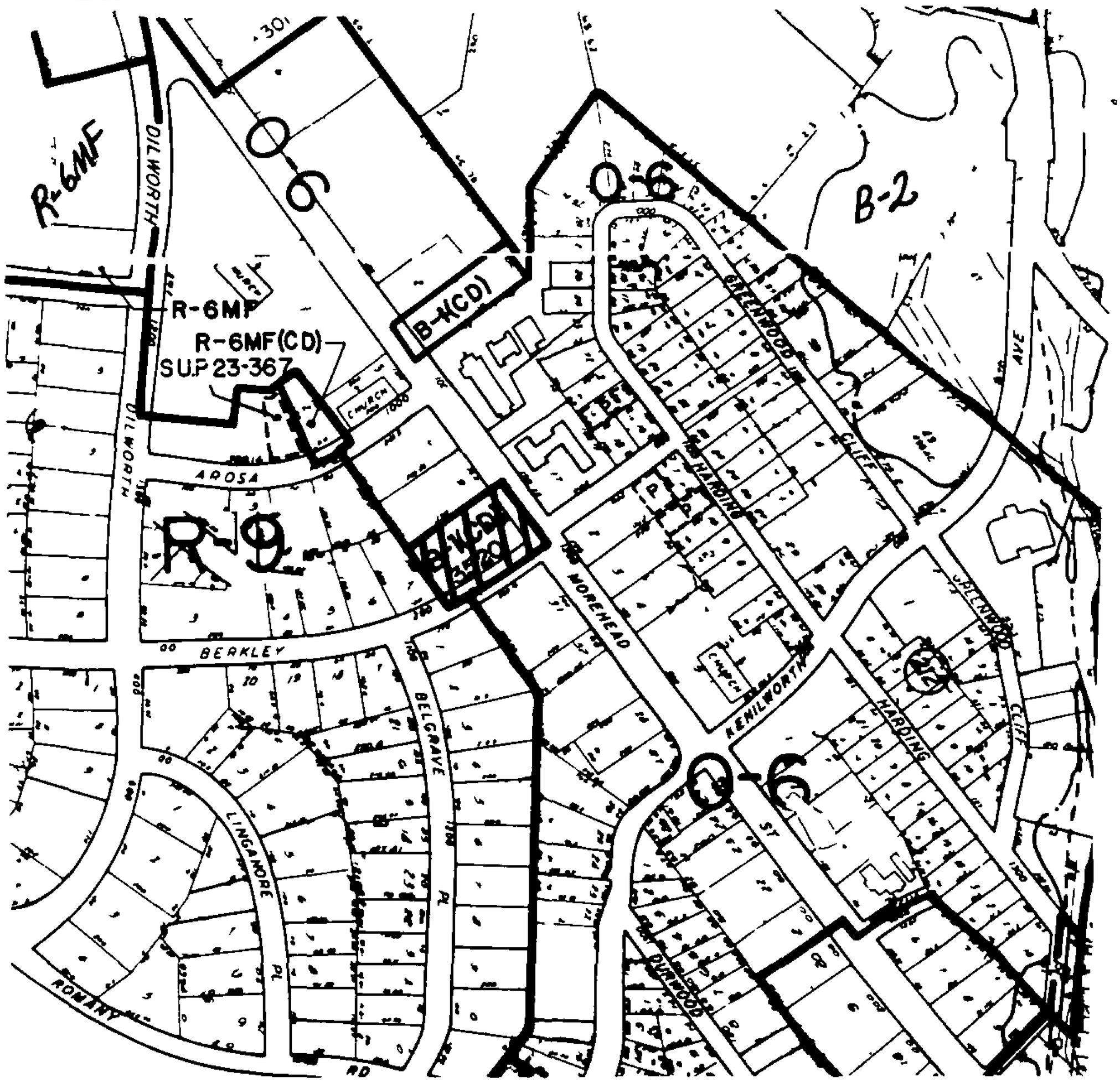
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER: Churchhill Galleries

PETITION NO.: 91-11 HEARING DATE: February 18, 1991

ZONING CLASSIFICATION, EXISTING: B-1(CD) REQUESTED: B-1(CD) Site Plan Amendment

LOCATION: A 37,800 square foot parcel located on the northwest corner of East Morehead Street and Berkeley Avenue.



ZONING MAP NO(s).: 102 & 111 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE: February 25, 1991

PETITION NO.: 91-12

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from R-9MF to R-15 (Northwest District Plan).

LOCATION: Approximately 22.4 acres located on the northerly side of Pleasant Grove Road extending along both sides of Leolillie Lane to Oakdale Road.

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

VOTE: Yeas: Baucom, McClure, Mead, Motley, O'Brien, and Spencer.

Nays: None.

(Commissioner Thomasson was present when vote was taken.)

REASONS

This petition proposes rezoning from R-9MF to R-15 in accordance with the Northwest District Plan to recognize the predominantly single family residential development pattern. The Zoning Committee viewed the request as appropriate for the area and, therefore, recommends approval of the petition.

STAFF OPINION

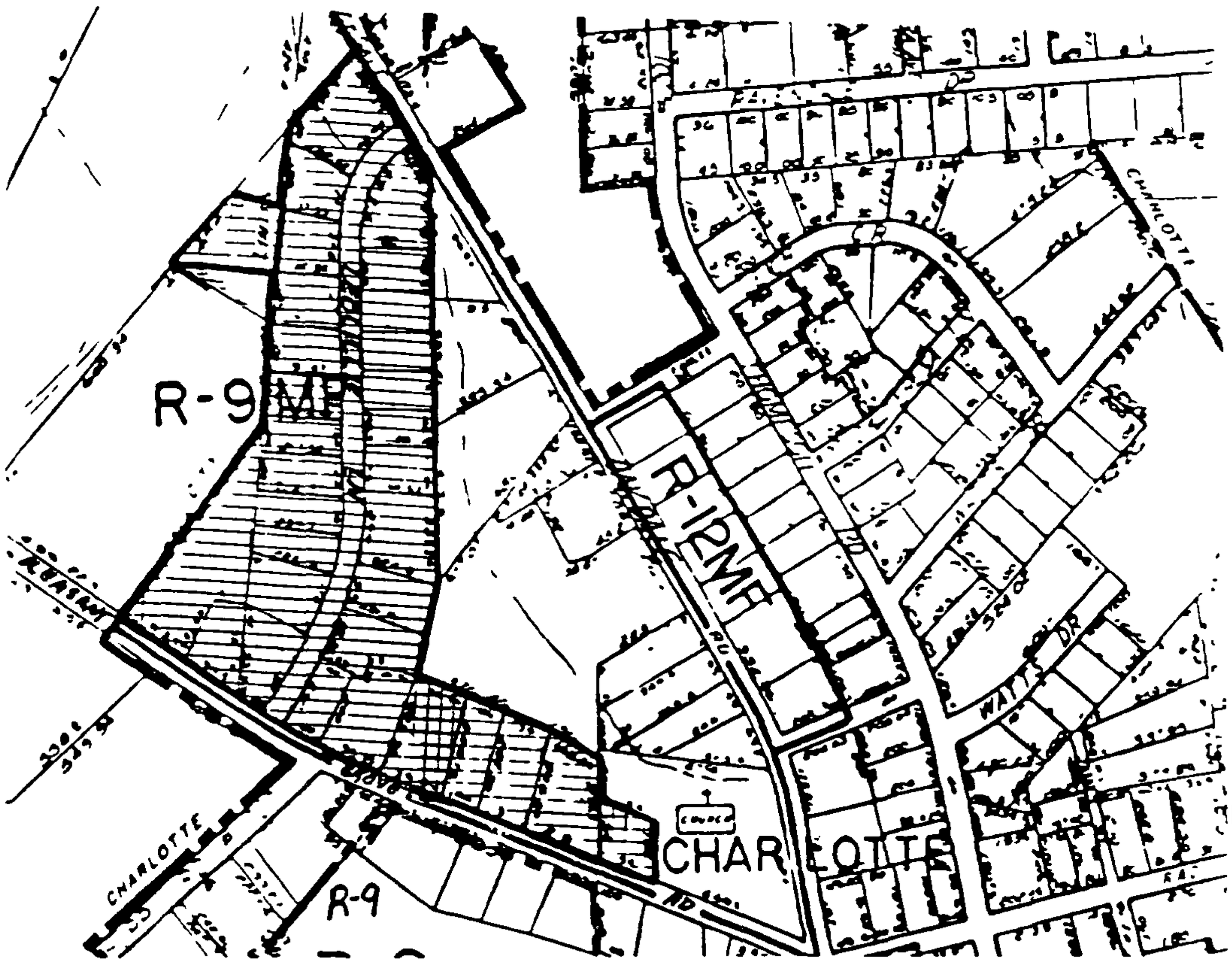
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER: Charlotte-Mecklenburg Planning Commission

PETITION NO · 91-12 HEARING DATE: February 18, 1991

ZONING CLASSIFICATION, EXISTING: R-9MF REQUESTED: R-15

LOCATION Approximately 22 4 acres on the northerly side of Pleasant Grove Road extending along both sides of Leolillie Lane to Oakdale Road



ZONING MAP NO(s).: 61 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE: February 25, 1991

PETITION NO.: 91-13

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from R-6MF to R-6 and R-12MF (Northwest District Plan).

LOCATION: Approximately 97.67 acres located along both sides of Moores Chapel Road generally extending to the southerly side of Piedmont and Northern Railroad right-of-way.

ACTION: The Zoning Committee recommends the following actions with regard to this petition:

A. Rezone the portion of the petition located along the Piedmont and Northern Railroad right-of-way and along Vance Street from R-6MF to R-6 as requested.

B. Approve balance of petition to R-6 in lieu of R-12MF.

Part A. R-6MF to R-6 along Piedmont and Northern Railroad right-of-way and Vance Street

VOTE: Yeas: Baucom, McClure, Mead, Motley, O'Brien, and Spencer.

Nays: None.

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

Part B. Approve balance of petition to R-6 in lieu of R-12MF

VOTE: Yeas: Baucom, McClure, Mead, Motley, O'Brien, and Spencer.

Nays: None.

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

REASONS

This petition proposes rezoning of properties from R-6MF to R-6 and R-12MF in accordance with the adopted Northwest District Plan. The Northwest District Plan recommends single family residential for the portion of the petition seeking a change from R-6MF to R-6. The properties are on the edge of an established single family neighborhood and access to the R-6MF zoned area is through the single family development. The plan indicates that the R-6MF zoned properties

fronting Moores Chapel Road could develop with multi-family housing. The Zoning Committee took note, however, of the suggestion made by a speaker at the public hearing on this request to consider rezoning the entire area to single family in lieu of multi-family. The Zoning Committee divided the petition into two parts and voted on the two areas separately. Part A, which was requested to be rezoned from R-6MF to R-6 and is located along the railroad right-of-way and along Vance Road, was viewed by Zoning Committee as appropriate for single family development. Therefore, Zoning Committee recommends approval of the petition as requested in that area. Part B, the balance of the petition located along Moores Chapel Road, was also viewed as appropriate for rezoning to single family in view of the existing land uses and the proximity to established single family development. Therefore, Zoning Committee recommends approval of the entire petition to R-6.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO.: 91-13 HEARING DATE: February 18, 1991

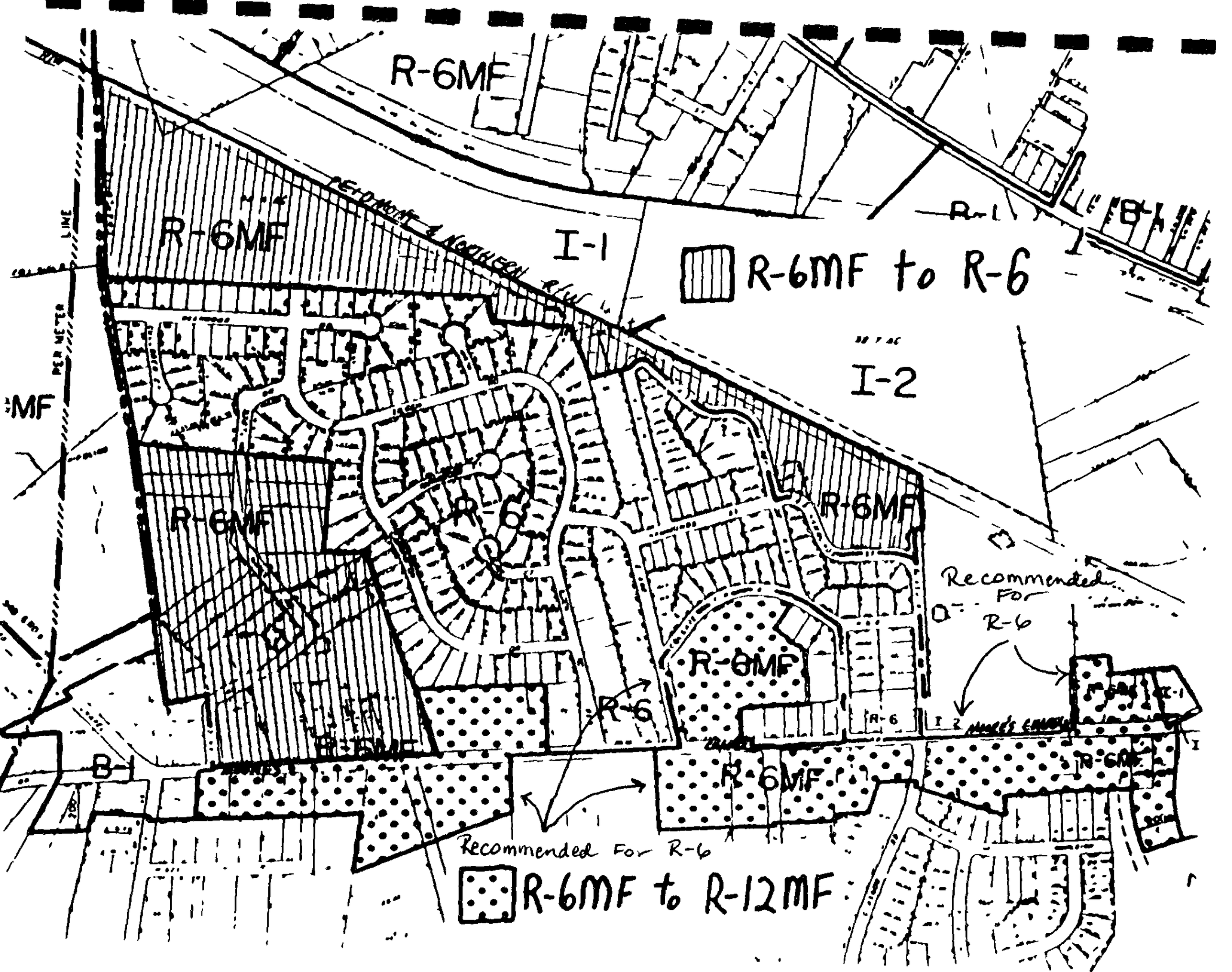
ZONING CLASSIFICATION, EXISTING. R-6MF REQUESTED· R-6 & R-12MF

LOCATION Approximately 97.67 acres located along both sides of Moores Chapel Road generally extending to the southerly side of Piedmont and Northern Railroad right-of-way

SEE ATTACHED MAP

ZONING MAP NO(s).: 66 & 82 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


R-6MF
R-6MF
I-1
R-6MF to R-6
I-2
R-6MF
R-6MF
R-6
R-6MF
Recommended For R-6
R-6MF
R-6
R-6MF
R-6MF
Recommended For R-6
R-6MF to R-12MF

DATE:	February 25, 1991
PETITION NO.:	91-14
PETITIONER(S):	Charlotte-Mecklenburg Planning Commission
REQUEST:	Change from R-9MF to R-15 (Northwest District Plan).
LOCATION:	A 42.25 acre site located on the southwest corner of Rozzelles Ferry Road and Toddville Road.
ACTION:	The Zoning Committee recommends that this petition be approved.
VOTE: Yeas:	Baucom, McClure, Mead, Motley, O'Brien, and Spencer.
Nays:	None.
	(Commissioner Thomasson was not present when vote was taken.)

REASONS

This petition seeks rezoning from R-9MF to R-15 in accordance with the Northwest District Plan to recognize the existing predominately single family residential development pattern. The Zoning Committee viewed the petition as appropriate for the area and, therefore, recommends its approval.

STAFF OPINION

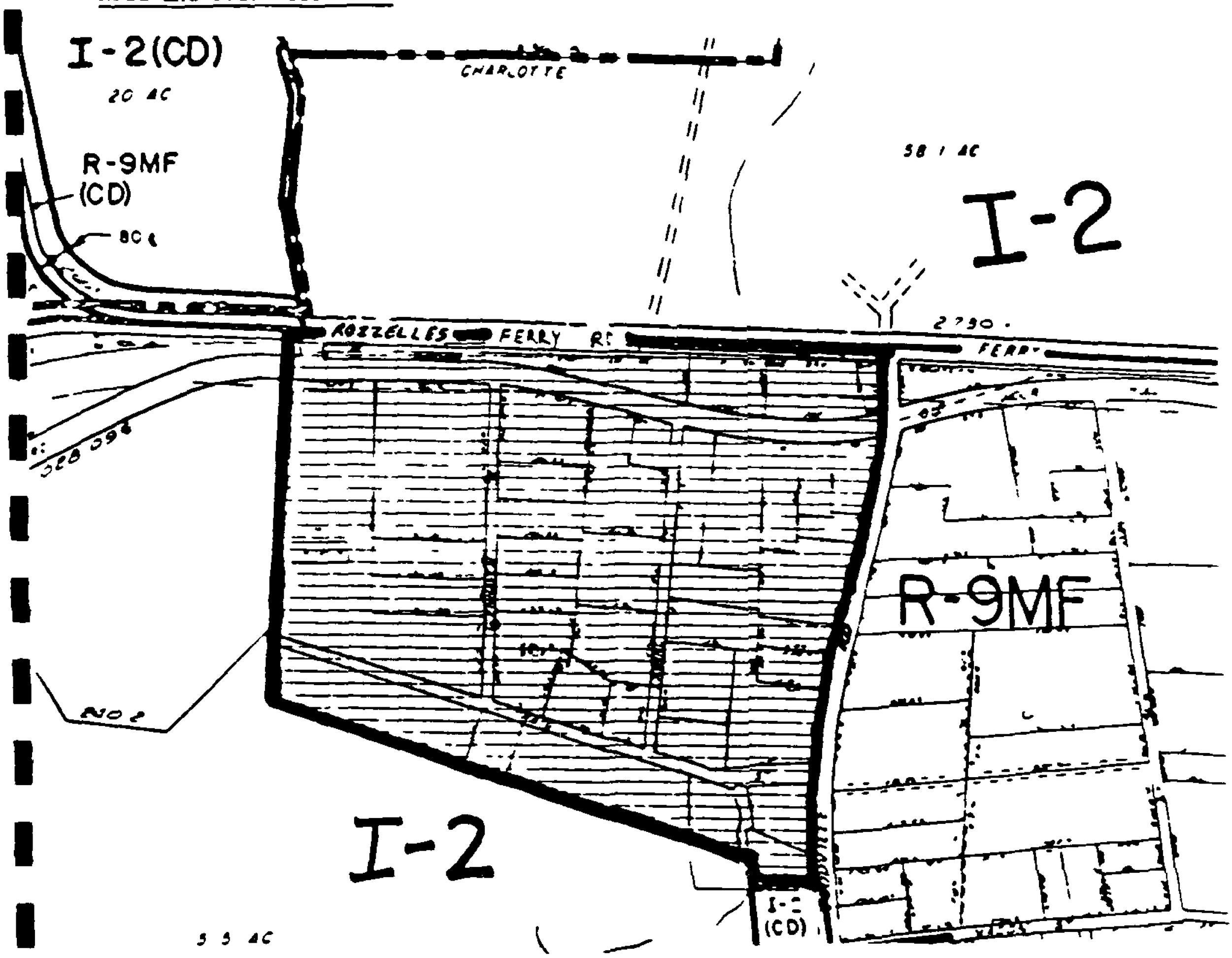
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER. Charlotte-Mecklenburg Planning Commission

PETITION NO.: 91-14 HEARING DATE: February 18, 1991

ZONING CLASSIFICATION, EXISTING. R-9MF REQUESTED. R-15

LOCATION Approximately 42.25 acres located on the southwest corner of Rozzelles Ferry Road and Toddville Road



ZONING MAP NO(s).: 67 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

DATE: February 25, 1991

PETITION NO.: 91-15

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from I-1 and R-9MF to R-9 (Northwest District Plan).

LOCATION: A 69.5 acre site located on the east side of Toddville Road south of Old Mt. Holly Road extending to Melynda Road.

ACTION: The Zoning Committee deferred action on this petition for 60 days.

VOTE: Yeas: Baucom, McClure, Mead, Motley, O'Brien, Spencer, and Thomasson.

Nays: None.

REASONS

This petition seeks rezoning from a combination of multi-family residential and light industrial to single family residential in accordance with the Northwest District Plan. The district plan recommends that the existing single family area east of Toddville Road and south of Mt. Holly Road remain single family in the future to preserve the existing neighborhood and to provide additional housing opportunities in the area. A large vacant tract of land east of Melynda Road which is included in a separate rezoning petition and which will be heard by City Council in April is also recommended for a single family residential future. One of the property owners affected by the subject petition as well as the upcoming petition has requested a deferral of Petition No. 91-15 so that both petitions can be considered together and so that the various land planning issues presented in both petitions can be comprehensively addressed. That property owner has also noted that both petitions are impacted by the proposed Capital Improvements Project request for a proposed road to provide industrial traffic a means of access directly to Toddville Road. Therefore, the Zoning Committee deferred action for 60 days.