AGENDA

Meeting Type:	B
Date:	02-17-1992
SUBJECT	

City of Charlotte, City Clerk's Office

ITEM #2 92-4

(1) LEONARD McPHERSON - FOR - 708 CAROLYN LN., 598-6229
(2) ELLIOTT GLOVER - FOR - 808 CAROLYN LN., 596-1304
(3) ALMA PINKERTON - FOR - 600 CAROLYN LN., 596-3354
(SPOKE FOR ELLEN BLACKWELDER)
(4) MALCOLM BARNHARDT, FOR 8247 SHADY HILLS CR., 596-3659

(5) DANNY WATTS, 2514 KNOLLWOOD RD., 364 6628(W), 366-9516-(H)
AGAINST

(7) FRED BRYANT, 1850 E. 3RD ST., SUITE 216 - 333-1680
AGAINST

(8) BILL FARTHING, 2600 CHARLOTTE PLAZA, 372-9000 - FOR

ITEM #4 - 92-6

(1) STUART CHILDS, ATTORNEY, 1115 E. MOREHEAD, 377-2086

ITEM #11 - 92-13

(1) RUSSELL SCHWARTZ, 2600 ONE FIRST UNION CTR, 301 S COLLEGE
377-2500 - AGAINST

(2) BOB YOUNG, 301 S. McDOWELL ST., #404, 334-9157
AGAINST

(3) STEVE WALLACE, P.O BOX 470407, 546-2143 - AGAINST

(4) CARROLL LITTLE, 5106 DUNES CT., 542-8351 - AGAINST

MAYOR'S SCHEDULE
February 17, 1992

6.00 p.m. - Zoning Meeting

1. Invocation by Rabbi Robert Seigel, Temple Beth El V'Shalom.

2. Announcements

Friday, February 21, 1:00 - 5:00 p.m. City Council Retreat - CMGC Conference Center.

5:00 to 8:00 p.m. Dinner at Omni Hotel.

Saturday, February 22, 8:00 a.m. - 5:00 p.m City Council Retreat - CMGC Conference Center.

3. The following requests to speak to agenda items have been received:

a) Agenda Item No. 1. Hearing to consider designation of the Original Charlotte Coliseum and Ovens Auditorium as historic property.

(1) ALLEN BROOKS, HISTORIC LANDMARKS COMMISSION -

2 ~~(1)~~ Steve Camp, 100 Paul Buck Boulevard - 357-4712 (Will ask for a continuance.)

4 ~~(2)~~ Dave Ritch, 9227 Kings Canyon Drive - 544-2829 - FOR

3 ~~(3)~~ Davis ~~Lyles~~ LILES, 129 West Trade Street - 377-5941 - FOR

b) Agenda Item No. 2. Hearing on Petition No. 92-4

(OVER) ~~(1) Bob Bellbye, 9800 Alexander Glen Drive - 549-4258 - FOR~~

(2) Samuel S. Williams, 2910 Colony Road - 376-0011 - AGAINST

c) Agenda Item No. 7. Hearing on Petition No. 92-9

(1) Pam Pompey, 9009 Softwind Drive, 525-6715 - FOR

d) Agenda Item No. 9. Hearing on Petition No. 92-11

(1) Howard Duvall, 212 South Tryon Street, 333-6643 - AGAINST

(2) Bert Gellman, 330 North Tryon Street, 332-3663 - AGAINST

(3) PAMELA HATLEY, 727 CHELWOOD PL, 525-4954 - FOR

(4) WARD MULLIS, 7514 DWIGHT ST, 537-1928 - AGAINST

(5) BOB YOUNG, 301 S. McDOWELL ST. #404, 334-9157 - AGAINST

CHARLOTTE

Meetings in February '92

THE WEEK OF FEBRUARY 3- 7

3, Monday

12 00 Noon — PLANNING COMMISSION/Work Session - CMGC, 8th Floor Conference Room

3 00 p m — CITY COUNCIL PUBLIC SERVICES COMMITTEE - CMGC, Rooms 270-271

5·00 p.m. — CITY COUNCIL/Workshop - CMGC, Conference Center

4, Tuesday,

8·30 a m — CIVIL SERVICE BOARD/Hearing - CMGC, Room 118

3·30 p.m — BLUE RIBBON CONSOLIDATION COMMITTEE - CMGC, Rooms 270-271

5, Wednesday

4·30 p m — CITIZENS CABLE OVERSIGHT COMMITTEE - CMGC, 7th Floor Conference Room

5·00 p.m. — CITY COUNCIL PERSONNEL AND FINANCE COMMITTEE - CMGC, Rooms 270-271

6·30 p m — YOUTH INVOLVEMENT COUNCIL - CMGC, Conference Center

6, Thursday

8·00 a m — YOUTH INVOLVEMENT COUNCIL/Youth in Criminal Justice System Day - CGMC, Conference Center

3·00 p m — PLANNING COMMISSION/Planning Committee (Tour of North Mecklenburg Area) - CMGC, Lobby

6·00 p m — PLANNING COMMISSION/Planning Committee (Dinner with Representatives of North Mecklenburg Towns - Western Steer Steak House, Cornelius, N C

7 30 p m — PLANNING COMMISSION/Planning Committee - 200 Gilead Rd , Huntersville, N.C.

7, Friday

8·30 a m — CIVIL SERVICE BOARD/Hearing - CMGC, Room 118

THE WEEK OF FEBRUARY 10-14

10, Monday

5·00 p.m — COUNCIL/MANAGER DINNER - CMGC, Conference Center

6:30 p m. — CITIZENS HEARING - CMGC, Meeting Chamber (Televised Live on Cable Channel 32)

7·00 p m. — CITY COUNCIL MEETING - CMGC, Meeting Chamber (Televised Live on Cable Channel 32)

7:00 p m — HISTORIC LANDMARKS COMMISSION - The Law Bldg , 730 E Trade St , Suite 100

11, Tuesday

8·00 a m — AIRPORT ADVISORY COMMITTEE - Charlotte/Douglas International Airport, Main Terminal, Conference Room A

3·00 p m. — HOUSING APPEALS BOARD - CMGC, 5th Floor Conference Room

12, Wednesday

7·30 a.m. — PLANNING COMMISSION/"City Within A City" Committee - CMGC, 8th Floor Conference Room

8·00 a m — CLEAN CITY COMMITTEE - CMGC, Room 270

8 30 a m — CIVIL SERVICE BOARD - CMGC, 7th Floor Conference Room

9·00 a.m. — CIVIL SERVICE BOARD/Hearing - CMGC, Room 118

4 00 p m — HISTORIC DISTRICT COMMISSION - CMGC, 8th Floor Conference Room

13, Thursday

2·00 p m — ADVISORY ENERGY COMMISSION - CMGC, 7th Floor Conference Room

4·00 p m — CHARLOTTE-MECKLENBURG ART COMMISSION/Executive 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 FEBRUARY 17 - 21

17, Monday

5·00 p m. COUNCIL/MANAGER DINNER - CMGC, Meeting Chamber Conference Room

6·00 p.m CITY COUNCIL MEETING/Zoning Hearing - CMGC, Meeting Chamber

18, Tuesday

2·00 p.m HOUSING AUTHORITY - Administrative Offices, 1301 South Boulevard

3 30 p m PLANNING COMMISSION/Executive Committee - CMGC, 8th Floor Conference Room

3·30 p m POLICE CONSOLIDATION STAKEHOLDERS TASK FORCE - CMGC, Rooms 270-271

4·00 p m PLANNING COMMISSION/Planning Committee - CMGC, 8th Floor Conference Room

4·30 p.m COMMUNITY RELATIONS COMMITTEE - CMGC, Conference Center

19, Wednesday

6:30 p.m. YOUTH INVOLVEMENT COUNCIL - CMGC, Conference Center

20, Thursday

2·00 p m CMUD ADVISORY COMMITTEE - Utility Department, 5100 Brookshire Blvd

7·00 p m CHARLOTTE TREE ADVISORY COMMITTEE - CMGC, Room 270

21, Friday

7:30 a.m PLANNING COMMISSION/Planning Liaison Committee - CMGC, 8th Floor Conference Room

1·00 - 5 00 p m CITY COUNCIL RETREAT - CMGC, Conference Center

22, Saturday

8 00 a m.- 5·00 p.m CITY COUNCIL RETREAT - CMGC, Conference Center

THE WEEK OF FEBRUARY 24-28

24, Monday

9·00 a.m AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY - Convention Center, 101 S. College St , VIP-B Conference Room

4:30 p.m. PLANNING COMMISSION/Zoning Committee - CMGC, 8th Floor Conference Room

5·00 p.m COUNCIL/MANAGER DINNER - CMGC, Conference Center

6·30 p m. CITIZENS HEARING - CMGC, Meeting Chamber (Televised Live on Cable Channel 32)

7·00 p m. CITY COUNCIL MEETING - CMGC, Meeting Chamber (Televised Live on Cable Channel 32)

25, Tuesday

1:00 p m CITY ZONING BOARD OF ADJUSTMENT - Hal Marshall Bldg , 700 N Tryon St., Bldg Standards Training Room

4 00 p.m. PLANNING COMMISSION/Planning Committee - CMGC, 8th Floor Conference Room

6·00 p m. STORM WATER TASK FORCE - CMGC, Conference Center

26, Wednesday

7 30 a m PRIVATE INDUSTRY COUNCIL - CMGC, Rooms 270-271

27, Thursday

4·30 p m CHARLOTTE TRANSIT ADVISORY COMMITTEE - CMGC, Room 270

5·00 p m CHARLOTTE-MECKLENBURG ART COMMISSION - CMGC, 8th Floor Conference Room

-30-

These organizations will not meet in February
Firemen's Retirement Board
Insurance & Risk Mgmt. Advisory Board
Parade Permit Committee

CHARLOTTE

Mayor Richard Vinroot | *Mayor Pro Tem Ann Hammond*

Stan Campbell
Daniel G Clodfelter
Patrick McCrory
Nasif Rashad Majeed
Thomas A Mangum
Hoyle H Martin
Cyndee Patterson
Don D Reid
Ella Butler Scarborough
Lynn M Wheeler

Council Agenda

Monday, February 17, 1992

5:00 p.m. - Council-Manager Dinner
NOTE LOCATION - Room 267 CMGC

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

Invocation by Rabbi Robert Seigel, Temple Beth El V'Shalom

ITEM NO.

PUBLIC HEARINGS

1. Hearing to consider designation of the of the Charlotte Coliseum (original) and Ovens Auditorium, (specifically, the entire interior and entire exterior of the original Charlotte Coliseum and the entire exterior of Ovens Auditorium) located at the intersection of Independence Boulevard East and Coliseum Drive in Charlotte, North Carolina, as historic landmark.

Deferred Decision to Continue 3/16/92 mtg.

The Historic Landmarks Commission judges that the property known as the Charlotte Coliseum (original) and Ovens Auditorium does possess special significance in terms of Charlotte-Mecklenburg. The Commission bases its judgment on the following consideration:

1) The construction of the Charlotte Coliseum (original) was completed in 1955 to provide the first single-purpose sports facility in the area.

2. The construction of Ovens Auditorium, also completed in 1955, provided the optimum facility for seating 2,500 people for theatrical productions.

3. The construction of the Charlotte Coliseum (original) and Ovens Auditorium was the culmination of an intense fifteen year promotional effort by civic and political leaders.

4. The Charlotte Coliseum (original), designed by Odell & Associates, was the largest free-span dome in the world at the time it was built.

5. The Charlotte Coliseum (original) was important for its pioneering architectural design.

6. The Charlotte Coliseum (original) and Ovens Auditorium fostered major economic growth for the city at large and Independence Boulevard in particular.

7. The Charlotte Coliseum (original) and Ovens Auditorium housed a large variety of events that entertained and enriched the citizens of the City of Charlotte, Mecklenburg County and the region.

The Mecklenburg County Tax Administrator states that the subject property is exempt from property taxes. (Letter attached)

The Department Review process revealed no conflict between the proposed designation and other City projects except for comments regarding a future right-of-way.

Consider adoption of an ordinance designating the Charlotte Coliseum (original) and Ovens Auditorium, specifically, the entire interior and entire exterior of the original Charlotte Coliseum and the entire exterior of Ovens Auditorium and the entire tract of land upon which they sit as historic landmarks.

Attachment No. 1

2. (92-4) Hearing on Petition No. 92-4 by Shady Hills Community Association, for a change in zoning from Institutional to R-3 for approximately 28 acres located on the southerly side of University City Boulevard (N.C. 49) at Carolyn Lane.

Hammond/Whitley
Close Hrng.
Zman.

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.

Attachment No. 2

3. (92-5) Hearing on Petition No. 92-5 by Realfin, Inc. for a change in zoning from Institutional to O-1(CD) for approximately 16.2 acres located on the east side of U. S. 29 at McCullough Drive.

McCrory/Patterson
Deferred
to 4/20/92

Attachment No. 3

4. (92-6) Hearing on Petition No. 92-6 by Charlotte-Mecklenburg Planning Commission for a change in zoning from R-20MF (Innovative) to R-4 (formerly R-9) for approximately 71 acres on the west side of Nations Ford Road, across from Regency Executive Park Drive, in accordance with the Southwest District Plan adopted by Council in November, 1991.

Patterson/Manguno close Hrng unan.

Attachment No. 4

5. (92-7) Hearing on Petition No. 92-7 by Charlotte-Mecklenburg Planning Commission for a change in zoning from B-2 to a combination of B-1 and R-4 (formerly R-9) for 6.144 acres located on the west side of Nations Ford Road, approximately ½ mile south of Tyvola Road near Glenrock Drive and Echodale Drive, in accordance with the Southwest District Plan, adopted by the City Council in November, 1991.

Scarborough/Patterson close Hrng unan.

Attachment No. 5

6. (92-8) Hearing on Petition No. 92-8 by Charlotte-Mecklenburg Planning Commission for a change in zoning from R-17MF (formerly R-9MF) to R-4 (formerly R-9) for a 28 acre site located on the west side of Nations Ford Road across from Marshall Air Drive, in accordance with the Southwest District Plan, adopted by City Council in November, 1991.

Scarborough/Patterson close Hrng unan.

Attachment No. 6

7. (92-9) Hearing on Petition No. 92-9 by Charlotte-Mecklenburg Planning Commission for a change in zoning from R-17(MF (formerly R-9MF) to R-4 (formerly R-9) for a 75.863 acre site located near Windsong Drive on the south side of Arrowood Road, ¼ mile west of the new Hebron Road Extension, in accordance with the Southwest District Plan adopted by City Council in November, 1991.

Patterson/Scarborough close Hrng unan.

Attachment No. 7

8. (92-10) Hearing on Petition No. 92-10 by Charlotte-Mecklenburg Planning Commission for a change in zoning from R-17MF (formerly R-9MF) to R-4 (formerly R-9) for approximately 6 acres west of Nations Ford Road north of Arrowood Road and south of Huntsmoor Drive, in accordance with the Southwest District Plan, adopted by the City Council in November, 1991.

Scarborough/Patterson close Hrng. unan.

Attachment No. 8

9. (92-11) Hearing on Petition No. 92-11 by Charlotte-Mecklenburg Planning Commission for a change in zoning from O-1 (formerly O-15) to R-17MF (formerly R-9MF) and R-4 (formerly R-9) for a 165 acre site located south of Archdale Drive between I-77 and Old Pineville Road.

Dearborn / Wheeler Hrg near

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.

Attachment No. 9

10. (92-12) Hearing on Petition No. 92-12 by Charlotte-Mecklenburg Planning Commission for a change in zoning from O-2 (formerly O-6) to R-4 (formerly R-9) for approximately 11 acres located on the west side of York Road (N.C. 49) about ¼ mile north of Tyvola Road, in accordance with the Southwest District Plan, adopted by City Council in November, 1991.

Patterson / Wheeler close hrg near

Attachment No. 10

11. (92-13) Hearing on Petition No. 92-13 by Charlotte-Mecklenburg Planning Commission for a change in zoning from O-15(CD), B-D(CD) and R-17MF (formerly R-9MF) to Institutional; B-1(CD) and B-D(CD) to R-12MF (formerly R-15MF) for approximately 78 acres south of Arrowood Road and west of Nations Ford Road.

Martin / close hrg near

PROTESTS SUFFICIENT (2)

Attachment No. 11

DECISIONS

12. (91-15) Decision on remainder of Petition Nos. 91-15 and 91-24 by V. C. Stone for a (91-24) change in zoning from I-1 and R-9MF to I-1(CD) for approximately 36 acres located south of Old Mount Holly Road, east of Melynda Road and west of West Todd Street.

Martin / Reid Defer to 3/16 to get Planning recommendation on original petition near

The Zoning Committee recommends that this petition be approved as modified.

Attachment No. 12

McCrory/Wheeler

13. (91-75) Decision on Petition No. 91-75 by the Charlotte-Mecklenburg Planning Commission for a Text Amendment - Accessory Uses regarding vehicles.

Defer to 3/16

This petition was deferred at the December 17 and January 21 Meetings.

The Zoning Committee recommends that this petition be approved.

Attachment No. 13

14. (91-79) Decision on Petition No. 91-79 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from I-2 to B-2 for a 29.3 acre site located along both sides of North Tryon Street between Sugar Creek Road and Eastway Drive.

#1 Patterson/Wheeler approve Failed 7-5 No Reid, Campbell, McCrory, Clodfelter, Minge

Eleven protest petitions have been filed, and several are sufficient for areas 1, 4, 5 and 6 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 made the following recommendations:

#2 Hammond/Wheeler approve. Failed 5-6 No Reid, Clodfelter, Mangum, McCrory, Campbell, Scarborough

1. Approval of the portion of the petition from Bingham Drive to Eastway Drive east of North Tryon Street.

2. Approval of the portion of the petition on the west side of North Tryon Street.

#3 Hammond/Martin approve - Failed 8-3 YES- Hammond, Martin, Majeed

3. Approval of the portion of the petition on the east side of North Tryon Street south of Dorton Street and along Sugar Creek Road.

#4 Hammond/Scarborough approve Failed 8-4 YES- Scarborough, Hammond, Wheeler, Majeed

4. Approval of the portion of the petition which includes the Lowe's Store.

5. Approval of the portion of the petition which includes the ABC Store, Total X-Perience, Jackson's Used Cars, a house, and the Conoco Gas Station.

#5 Hammond/Martin approve - Failed 9-3 YES- Hammond, Martin, Majeed

6. Denial of the portion of the petition which includes a vacant lot adjacent to the Winfield RV facility.

Attachment No. 14

#6 McCrory/Wheeler approve Denial No - Majeed, Hammond

15. (91-81) Decision on Petition No. 91-81 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from I-2 to B-2 for approximately 36.18 acres located along the east side of North Tryon Street from Old Concord Road to Arrowhead Road.

Excuse Vinroot From #2 Patterson/Mangum Unan.

Seven protest petitions were filed and several are sufficient for areas 2, 3 and 4 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.

#1 McCrory/Wheeler Deny Carried 10-1 No Majeed

The Zoning Committee made the following recommendations:

1. Approval of the portion of the petition which includes the gas station at Old Concord Road and the Famous Mart site.

#2 McCrory/Cloodfelter Deny Unan (11)

2. Denial of the portion of the petition which includes Binswanger Glass.

#3+4 Mangum/Patterson Deny - Carried 11-1 No - Majeed

3. Approval of the portion of the petition which includes the Truck Driving School.

#5 Mangum/Wheeler Deny Carried 10 1 No- Majeed

4. Approval of the portion of the petition between the Truck Driving School and Orr Road with the exception of the Moore Convenience store/warehouses and Tar Heel 4-Wheel Center/Howard Distributors.

5. Approval of the portion of the petition south of Orr Road to WHVN Radio Station with the exception of Van Guard Storage.

Attachment No. 15

16. (92-1) Decision on Petition No. 92-1 by the Mint Museum of Art for a Text Amendment to the City's Zoning Ordinance to provide that museums be permitted as a use under prescribed conditions in residential districts.

McCrory/Wheeler Defer to 3/16 Unan.

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

Attachment No. 16

17. (92-2) Decision on Petition No. 92-2 for a Text Amendment to the City's Zoning Ordinance to permit crematory services as an accessory use to a cemetery in residential districts, subject to prescribed conditions.

Ord. #1 3287 B 40 P. 365

McCrory/Wheeler approve as modified Unan.

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

Attachment No. 17

Ord #2

#3288-2 B 45 P 366

Hammond/Wheeler approve unan.

18. (92-3) Decision on Petition No. 92-3 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from R-1.OMF to UR-2 for approximately 1.3 acres located at the intersection of East Morehead Street and McDowell Street.

The Zoning Committee recommends that this petition be approved.

Attachment No. 18

19. Recommend adoption of a resolution setting public hearings for March 16, 1992, at 6:00 p.m. in the Meeting Chamber, 600 East Fourth Street, on Petition Nos. 91-76, 92-14, and 92-17 for zoning changes.

Patterson/Mangum Defer 91-76 to April unan.

AN ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK THE PROPERTY KNOWN AS THE "CHARLOTTE COLISEUM (ORIGINAL) AND OVENS AUDITORIUM" TO INCLUDE THE FOLLOWING BOTH INTERIOR AND EXTERIOR OF THE CHARLOTTE COLISEUM (ORIGINAL), THE EXTERIOR OF OVENS AUDITORIUM, AND TAX PARCEL NUMBER 159-028-01 UPON WHICH THE CHARLOTTE COLISEUM (ORIGINAL) AND OVENS AUDITORIUM ARE LOCATED THE PROPERTY, OWNED BY THE CITY OF CHARLOTTE, IS LOCATED AT THE SOUTHEASTERN CORNER OF INDEPENDENCE BOULEVARD EAST AND COLISEUM DRIVE, CHARLOTTE, MECKLENBURG COUNTY, N C

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 _____, 1991, on the question of designating a property known as the "Charlotte Coliseum (Original) and Ovens Auditorium" as a historic landmark, and

WHEREAS, two mayors of Charlotte, Herbert Baxter and his successor Victor Shaw, recognized the need for a city coliseum and an auditorium to support the growth of Charlotte as early as 1947, and

WHEREAS, the construction of the "Charlotte Coliseum (Original) and Ovens Auditorium" was the culmination of an intense fifteen year promotional effort by civic and political leaders, and

WHEREAS, the City Council of the City of Charlotte appointed A G Odell, Jr, and Associates to prepare the design of the "Charlotte Coliseum (Original) and Ovens Auditorium" in May, 1950, and

WHEREAS, the construction of the "Charlotte Coliseum (Original) and Ovens Auditorium" was completed in 1955 to provide the first single-purpose sports facility and auditorium in the area, and

WHEREAS, the "Charlotte Coliseum (Original), as designed by Odell & Associates, was the largest free-span dome in the world at the time it was built, and

ORDINANCE -- Charlotte Coliseum (Original) and Ovens Auditorium

WHEREAS, the "Charlotte Coliseum (Original) was important for its pioneering architectural design, and

WHEREAS, "Ovens Auditorium" provided the optimum facility for seating 2,500 people for theatrical productions and

WHEREAS, the modern style of the Charlotte Coliseum (Original) and Ovens Auditorium" was considered a showcase for the unique uses of aluminum in construction during the 1950's, and

WHEREAS, the 'Charlotte Coliseum (Original) and Ovens Auditorium" fostered major economic growth for the city at large and Independence Boulevard in particular, and

WHEREAS, the "Charlotte Coliseum (Original) and Ovens Auditorium" have hosted a large variety of events that entertained and enriched the citizens of the City of Charlotte, Mecklenburg County and the region, and

WHEREAS, the current owner, the City of Charlotte, has faithfully maintained the Charlotte Coliseum (Original) and Ovens Auditorium" 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 "Charlotte Coliseum (Original) and Ovens Auditorium" possesses structures 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 "Charlotte Coliseum (Original) and Ovens Auditorium" possesses special significance in terms of its history, architecture, and/or cultural importance, and

WHEREAS, the property known as the "Charlotte Coliseum (Original) and Ovens Auditorium" is owned by the City of Charlotte,

ORDINANCE -- Charlotte Coliseum (Original) and Ovens Auditorium

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 "Charlotte Coliseum (Original) and Ovens Auditorium" (including the interior and exterior of the Charlotte Coliseum (Original), the entire exterior of Ovens Auditorium, and the tax parcel of land upon which it is located listed under Tax Parcel 159-028-01), 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 the southeastern corner of Independence Boulevard East and Coliseum Drive in Charlotte, Mecklenburg County, North Carolina

2 That said interior of the "Charlotte Coliseum (Original)" is more specifically defined as the historic and structural fabric to include the precast concrete bleachers, the exposed surfaces of structural concrete and steel, the terra cotta block partitions, the shape and placement of the encircling concourse, aisles and exits, the volume of interior space provided by the 332 foot dome, the wooden seats, and other interior features that are part of the original historic fabric of the building

3 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

4 That nothing in this ordinance shall be construed to prevent or delay 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 owners from making any use of this landmark not prohibited by other statutes, ordinances, or regulations

ORDINANCE -- Charlotte Coliseum (Original) and Ovens Auditorium

5 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

6 That the owners and occupants of the landmark known as the"Charlotte Coliseum (Original) and Ovens Auditorium" 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 required by applicable law

7 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 _____ 1991 by the Members of City Council of the City of Charlotte, Mecklenburg County, North Carolina

_____

Clerk to the City Council

Approved as to form

_____

City Attorney

Charlotte Mecklenburg Historic Landmarks Commission

Vote of the Charlotte-Mecklenburg Historic Landmarks Commission taken on 13 August 1990 regarding the designation of the Charlotte Coliseum (original) and Ovens Auditorium

Favor: Allen Brooks
Daniel Desmond
Roddy Dowd, Jr.
Milton Grenfell
James Hammomd
Lecil Henderson
B.J. Hendrix
Trissy Lomax
Shirley Rico

Oppose: None

Abstain: Louis Bledsoe, III

P O BOX 35434 • CHARLOTTE N C 28234 • (704) 376 9115 • FAX (704) 372 4584

Mr Desmond said that Item #7 would be presented before Item #6.

Item #7 - Consideration of the Survey and Research Report on the ORIGINAL CHARLOTTE COLISEUM (located on the southeastern corner of the intersection of Independence Blvd E and Coliseum Drive) Ms Black

Ms Black showed slides to the Commissioners of the interior and exterior of the OLD CHARLOTTE COLISEUM as it appears today.

MR DOWD MOVED THAT THE OLD CHARLOTTE COLISEUM, LOCATED ON THE SOUTHEASTERN CORNER OF THE INTERSECTION OF INDEPENDENCE BLVD E AND COLISEUM DRIVE, CHARLOTTE, N C., (INTERIOR AND EXTERIOR OF THE COLISEUM, EXTERIOR OF OVENS AUDITORIUM, AND THE TAX PARCEL(S) ASSOCIATED WITH THE STRUCTURES - APPROXIMATELY 17.6 ACRES), IN ACCORDANCE WITH THE STANDARD MOTION, BE APPROVED BY THE HISTORIC LANDMARKS COMMISSION FOR SUBMISSION TO THE DIVISION OF ARCHIVES AND HISTORY, AND THAT THE COMMISSION SCHEDULE A JOINT PUBLIC HEARING WITH THE APPROPRIATE GOVERNING BOARD UPON RECEIPT OF A FAVORABLE COMMENT FROM THE NORTH CAROLINA DIVISION OF ARCHIVES AND HISTORY. MR HENDERSON SECONDED THE MOTION WHICH THE COMMISSION APPROVED WITH THE FOLLOWING VOTE FAVOR BROOKS, DESMOND, DOWD, GRENFELL, HAMMOND, HENDERSON, HENDRIX, LOMAX, RICO OPPOSE NONE ABSTAIN BLEDSOE.

Item #6 - Design Review Committee Report Mr Grenfell

THE DESIGN REVIEW COMMITTEE MOVED THAT A REQUEST FROM McCULLOCK ENGLAND ASSOCIATES ARCHITECTS FOR THREE EXCEPTIONS TO CERTIFICATE OF APPROPRIATENESS #20-89 FOR THE W. H BELK HOUSE, 200 HAWTHORNE LANE, BE AUTHORIZED AS FOLLOWS 1) APPROVAL OF FIRST EXCEPTION, FRENCH DOORS - REPLACE ALL THE FIRST FLOOR "FRENCH DOORS" WITH THERMAL, DIVIDED-LIGHT, MILL-WORKED "FRENCH DOORS" TO MATCH THE ORIGINAL DOORS EXACTLY IN DESIGN AND SIZE 2) APPROVAL OF SECOND EXCEPTION, CAST IRON RADIATORS - REPLACE ALL THE CAST IRON RADIATORS IN THEIR ORIGINAL LOCATIONS (EVEN IF DISCONNECTED) AND COVER WITH ORIGINAL WOODEN GRILL COVERS IF CAST IRON RADIATORS CANNOT BE PLACED IN THEIR ORIGINAL LOCATIONS, THEY ARE TO BE STORED WITHIN THE BELK HOUSE FOR THEIR ARCHIVAL VALUE 3) DENIAL OF THIRD EXCEPTION, USE OF "DRYVIT" ON DORMERS - ARCHITECT TO SUBMIT SECTION AND DETAIL DRAWINGS OF DORMER SHOWING MOLDINGS AND FINISH OF "DRYVIT" PROPOSED TO REPLACE SHEET METAL AND MOLDINGS CURRENTLY ON DORMERS. THE COMMISSION UNANIMOUSLY SECONDED THE MOTION

Mr Grenfell left the room at this point.

THE DESIGN REVIEW COMMITTEE MOVED THAT A CERTIFICATE OF APPROPRIATENESS BE ISSUED TO THE VESTRY OF ST. MICHAEL AND ALL ANGELS CHURCH REGARDING THE REASSEMBLY OF THE CHAPEL OF OLD GOOD SAMARITAN HOSPITAL AS FOLLOWS 1) REASSEMBLY OF THE CHAPEL REMOVED FROM THE GOOD SAMARITAN HOSPITAL IN A SPACE WHICH SHALL BE MODIFIED TO RECEIVE IT IN THE EDUCATIONAL BUILDING OF ST MICHAEL AND ALL ANGELS LOCATED AT 4232 HOVIS ROAD 2) WORK TO BE PERFORMED INCLUDING THE MODIFICATION TO THE EXISTING BUILDING AND FINAL FORM OF THE REASSEMBLED CHAPEL SHALL BE ACCORDING TO DRAWINGS AND CONTRACT DOCUMENTS SUBMITTED BY GRENFELL ARCHITECTURE DRAWINGS AND CONTRACT DOCUMENTS WILL BE HELD ON FILE AT THE HISTORIC LANDMARKS COMMISSION OFFICE. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

MECKLENBURG COUNTY

Office of the Tax Administrator

October 5, 1990

Ms Nora M Black
Architectural/Historical Consultant
Charlotte-Mecklenburg
Historic Properties Commission
1225 South Caldwell Street
Box D
Charlotte, North Carolina 28203

RE Parcel Number 159-028-01
Charlotte Coliseum (original) and Ovens Auditorium
East Independence Boulevard and Coliseum Drive
Charlotte, North Carolina

Dear Ms Black

This property is currently exempt, therefore, the amount of taxes deferrable on the above mentioned property would be -0-

Very truly yours,

Bernard White

Bernard White
Assistant Tax Administrator

BW/sn

720 East Fourth Street • P O Box 36819 • Charlotte North Carolina 28236 • (704) 336 2813

HELMS, CANNON, HAMEL & HENDERSON
PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW
SUITE 2300 TWO FIRST UNION CENTER
CHARLOTTE NORTH CAROLINA 28282

H PARKS HELMS
THOMAS R CANNON
WILLIAM F HAMEL
DAVID L HENDERSON
CHRISTIAN R TROY
AMY L MCGRATH*
BRUCE L JAMES

CHARLES J HENDERSON
OF COUNSEL
THOMAS G LANE JR
RETIRED

TELEPHONE (704) 372 4884
TELECOPIER (704) 332 0585

*ADMITTED IN SOUTH CAROLINA AND KENTUCKY

October 1, 1990

Ms. Nora M. Black, Architectural/Historical Consultant
Charlotte-Mecklenburg Historic Landmarks Commission
1225 South Caldwell Street, Box D
Charlotte, North Carolina 28203

Re **CHARLOTTE COLISEUM AND OVENS AUDITORIUM**
East Independence Boulevard at Coliseum Drive, Charlotte, N. C.

Dear Ms. Black

Pursuant to your request of September 14, 1990, we have made a careful examination of the public records of Mecklenburg County for the purpose of ascertaining the proper parties to be notified of a joint public hearing.

For your information, our search reveals that the present owner of the above-described property is **THE CITY OF CHARLOTTE**, in care of Auditorium-Coliseum-Convention Center Authority, 100 Paul Buck Boulevard, Charlotte, N. C. 28228. Mr. Steve Camp is the Managing Director of the Authority and the person to advise you of individuals or entities (if any) who have any leasehold in the subject property. The current members of the Authority are

Mr. William H. Ashendorf
6040 Jester Lane
Charlotte, N. C. 28211

Mr. John C. Fennebresque,
1844 Pinewood Circle
Charlotte, N. C. 28211

Mr. William C. Covington, Jr.
c/o NCNB National Bank
One NCNB Plaza
Charlotte, N. C. 28255

Ms. Geraldine Sumter
P. O. Box 34453
Charlotte, N. C. 28234

Mr. John W. Harris
2700 Richardson Drive
Charlotte, N. C. 28211

Mr. Ned Hardison
c/o Charlotte Pipe & Foundry Co.
P. O. Box 35430
Charlotte, N. C. 28235

Mrs. Virginia W. Bush
5301 McAlpine Farm Road
Charlotte, N. C. 28226

Please find enclosed a statement for services rendered in this connection.

Yours very truly,

H. Parks Helms

HPH esm
Enc.

North Carolina Department of Cultural Resources

James G Martin Governor
Patric Dorsey Secretary

Division of Archives and History
William S Price Jr Director

September 27 1990

Ms. Nora M Black
Charlotte-Mecklenburg Historic Landmarks Commission
1225 S Caldwell Street Box D
Charlotte NC 28203

Re Proposed designation of the Steele Creek Presbyterian Church and Cemetery (Mecklenburg County) and the Charlotte Coliseum and Ovens Auditorium (Charlotte)

Dear Ms Black

Thank you for your letters of September 14 and the Survey and Research Reports for designation of the above-cited properties as local historic landmarks. We have reviewed the information pursuant to GS 160A-400 6 and would like to comment

The National Register nomination for Steele Creek Church and Cemetery does a good job of documenting the significance of the property in terms of its contributions to the religious, social, cultural and architectural history of Mecklenburg County. We feel this property is obviously a fine candidate for local historic landmark status as well. We also believe it is appropriate to recognize the potential the site holds for yielding archaeological information about the first structures there. Therefore, we concur with the proposed designation of the entire 37 575 acres, the interior and exterior of the 1889 sanctuary, the cemetery rock wall and iron gates

The survey and research report for the Charlotte Coliseum and Ovens Auditorium was excellent Clearly, the buildings, and the Coliseum in particular, have played a major role in the cultural, social, and economic life of Charlotte for over 30 years. Additionally, the architectural significance of the Coliseum's design as a pioneering example of modern engineering cannot be overstated. It is truly a fine building, a Charlotte landmark in every sense of the word, and we are so pleased that the commission has seen fit to recommend this for designation We concur with the designation of the interior and

INDEPENDENCE ARENA MANAGEMENT GROUP

2121 East Independence Boulevard
Charlotte, North Carolina 28205

October 9, 1991

Mr. Boyd Cauble
Executive Assistant to the City Manager
City of Charlotte
600 East Fourth Street
Charlotte, North Carolina 28202-2840

Dear Mr. Cauble:

After meeting with representatives of the Charlotte-Mecklenburg Historic Landmarks Commission, Independence Arena Management Group would like to have Independence Arena (formerly the old Charlotte Coliseum) placed on the Charlotte-Mecklenburg Historic Landmarks Commission Register, and we hereby approve this designation. You will have our full cooperation in proceeding forward with this application.

Yours truly,

INDEPENDENCE ARENA MANAGEMENT GROUP

Phillips Parking Service, Partner

By: Tom Phillips, President

Arena Associates, Inc., Partner

By: William G. Allen, Jr., President

md

copy: Ms. Nora Black
Charlotte-Mecklenburg Historic Landmarks Commission

August 7, 1990

Dr Dan L Morrill, Consulting Director
Charlotte-Mecklenburg Historic Landmarks Commission
1225 South Caldwell Street
Box D
Charlotte, NC 28203

Dear Dr. Morrill:

I have received your July 24 letter indicating that the Charlotte-Mecklenburg Historic Landmarks Commission will meet on August 13 and will consider possible designation of all or a portion of the City's old Coliseum on East Independence Boulevard as an historic landmark.

As owner of the old Coliseum property, the City has been asked to state our attitude about the prospect of historic designation This situation is unique in that the City Council will ultimately make the decision about property the City owns Since neither the City staff nor the Council has reviewed this proposal, our position is neutral about possible designation at this time.

It is my understanding that the normal process for historic designation of any building includes a request for comments from various City departments and that proposed designation of the old Coliseum will also follow that process We will submit individual department comments when requested at the appropriate time. Similar to historic designation for other buildings, the City Council will make a decision after considering the Commission's recommendations, City staff comments, as well as any comments made at the joint public hearing.

The City Council is aware of the Commission's August 13 meeting, and we will advise them of the Commission's actions.

If you have any questions, please let me know

Sincerely,

Julie Burch
Assistant City Manager

Charlotte Mecklenburg Historic Landmarks Commission

DEPARTMENT REVIEW PROCESS FOR HISTORIC LANDMARKS DESIGNATION

Charlotte Coliseum (Original) and Ovens Auditorium

FINDINGS

The Department Review Process revealed no conflicts between the historic designation and proposed public plans or projects except for comments regarding a future right-of-way

COMMENT SUMMARY

Building Inspection	-	No response
Community Development	-	No comment
Engineering	-	See attached copy of comment form
Parks and Recreation	-	Agree with the direction of the Commission Hopefully there can be a reuse of these facilities Otherwise, I am afraid that they will be allowed to crumble from neglect
Planning Commission Historic District Commission	-	See attached copy of comment form
Transportation	-	See attached copy of right-of-way requirements
Char-Meck Utility Department	-	No comments

P O BOX 35434 • CHARLOTTE N C 28234 • (704) 376 9115 • FAX (704) 372 4584

HISTORIC LANDMARKS COMMENT FORM

Return to Charlotte-Mecklenburg Historic Landmarks Commission
1225 South Caldwell Street, Box D
Charlotte, North Carolina 28203

Date Mailed 3 October 1990
Response Due Date 22 October 1990

PROPERTY DESCRIPTION

Name Charlotte Coliseum (Original) and Ovens Auditorium

Address Independence Boulevard East, Charlotte, North Carolina

Tax Parcel Number 159-028-01

Physical Description See attached Tax Map and Photograph
Entire parcel being recommended for designation

Location East Charlotte

COMMENTS

Relation to Department Plans and Projects None

Relation to Capital Improvement Program Projects No Capital Projects for the old coliseum or Ovens Auditorium are currently in the program

Relation to Permits Granted or Under Consideration None

Other Comments Street classification systems calls for Independence Blvd to have a future right-of-way of 175' from the centerline The future right-of-way line encroaches into the Coliseum Building and pool in front of Ovens Auditorium.

Submitted By

Name C. D. Readling, City Engineer

Department Engineering

Date 10/30/90

CHARLOTTE COLISEUM (ORIGINAL)
AND
OVENS AUDITORIUM
RIGHT-OF-WAY REQUIREMENTS

According to the Charlotte-Mecklenburg Thoroughfare Plan (1988).

- Independence Freeway is a Class I thoroughfare requiring 350 feet of right-of-way, measured 175 feet from centerline of the roadway.
- Television Lane is a minor thoroughfare requiring 70 feet of right-of-way, measured 35 feet from centerline of the roadway.
- Coliseum Drive is a collector street requiring 60 feet of right-of-way, measured 30 feet from centerline of the roadway.

Right-of-way to meet these requirements should be moved from the historic designation for this property.

This site is in the area of the Independence Freeway/Briar Creek Interchange Project. The North Carolina Department of Transportation should be contacted for additional information.

Charlotte Department of Transportation
22 October 90

HISTORIC LANDMARKS COMMENT FORM

Return to Charlotte-Mecklenburg Historic Landmarks Commission
1225 South Caldwell Street, Box D
Charlotte, North Carolina 28203

Date Mailed 3 October 1990
Response Due Date 22 October 1990

PROPERTY DESCRIPTION

Name Charlotte Coliseum (Original) and Ovens Auditorium

Address Independence Boulevard East, Charlotte, North Carolina

Tax Parcel Number 159-028-01

Physical Description See attached Tax Map and Photograph
Entire parcel being recommended for designation

Location East Charlotte

COMMENTS

Relation to Department Plans and Projects
See attached Old Coliseum Area Special Project Plan

Relation to Capital Improvement Program Projects Briar Creek Road relocation should not adversely impact this site. See attached map

Relation to Permits Granted or Under Consideration NA

Other Comments The parking lot and road right of ways should be excluded from the designation. The Coliseum, Ovens Auditorium, and the original landscaped gardens and lawns only should be included.

Submitted By

Name John R. Rogers, Jr.

Department Charlotte-Mecklenburg Planning Commission/Charlotte Historic District Commission

Date October 12, 1990

Charlotte Mecklenburg Historic Landmarks Commission
10 February 1992

Mr O Wendell White, City Manager
City of Charlotte
CMGC, 600 East Fourth Street
Charlotte, North Carolina 28202

Dear Mr White

As you know, the Historic Landmarks Commission is processing the *Charlotte Coliseum (original) and Ovens Auditorium* for designation as historic landmarks ' The HLC recommends the designation of the entire tax parcel as well as the two buildings The comment form submitted by Charlotte's Department of Transportation suggests that 350 feet of right-of-way, measured 175 feet from the centerline of Independence Freeway, be excluded from designation However, as the comment form from Charlotte's Department of Engineering points out, that right-of-way line would encroach into the Coliseum Building and the pool in front of Ovens Auditorium Since the HLC wishes to offer the protection of designation to the entire building as well as the land and gardens, it is unable to exclude the right-of-way mentioned in the comment forms

The comment form from the Charlotte-Mecklenburg Planning Commission mentions excluding the parking lot from designation The HLC has chosen to include the parking lot to protect sight lines to the building At this time, due to the growth of trees around the Charlotte Coliseum (original), the full impact of the the dome is only visible to citizens as they approach the building from the parking lot The dome defines the character of this building From the western side of the parking lot, the dome is the most significant feature Additionally, *The Secretary of the Interior s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* recommends, 'Retaining the historic relationship between buildings, landscape features, and open space "

I hope this information will allow the City Council to continue the designation process for the Charlotte Coliseum (original) and Ovens Auditorium Should you have any questions, please call our office

Sincerely,

Nora M Black
Architectural/Historical Consultant

c Mr J Andrew Scales, HLC Chairman
Dr Dan L Morrill, HLC Consulting Director
Ms Pamela Syfert, Deputy City Manager

P O BOX 35434 • CHARLOTTE N C 28234 • (704) 376 9115 • FAX (704) 372 4584

Charlotte Mecklenburg Historic Landmarks Commission

February 10, 1992

Mr. O. Wendell White
Office of the City Manager
CMGC
600 E. Fourth St.
Charlotte, N.C. 28202

Dear Mr. White:

The Charlotte-Mecklenburg Historic Landmarks Commission is processing the Old Charlotte Coliseum (now Independence Arena), the exterior of Ovens Auditorium, and the entire tax parcel upon which the two buildings sit, for designation as a historic landmark pursuant to powers and provisions set forth in N.C.G.S. 160A-400. Pursuant thereto, the Commission circulated comment forms to City Departments, asking each to comment on the prospective designation.

Attached hereto are the comments received from the Charlotte Department of Transportation, the Charlotte Department of Engineering, and the Charlotte-Mecklenburg Planning Commission. The first two agencies request that a 175' right-of-way be excluded from the proposed historic landmark, so that future "improvements" to Independence Freeway can be made. The Planning Commission suggests that the parking lots should also be excluded.

The Historic Landmarks Commission has reviewed this matter and has affirmed its desire to move ahead with bringing its initial recommendation before City Council, which, of course, can amend the recommendation as it sees fit. Excluding the 175' right-of-way would allow road improvements to encroach upon the Old Coliseum itself. The inclusion of the parking lots, which have always been a historic element of the property, would allow the Commission to preserve sight lines to and from the building.

Please be advised that the Historic Landmarks Commission does not feel that it can satisfy the suggestions which have been forthcoming from the three agencies identified above.

Sincerely,

Dr. Dan L. Morrill
Consulting Director

encls:

cc: J. Andrew Scales, HLC Chairman

P O BOX 35434 • CHARLOTTE N C 28234 • (704) 376 9115 • FAX (704) 372 4584

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

January 28, 1992

Mayor and City Council:

RE: Petitions to be Heard in February, 1992

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 February 17, 1992 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. 92-4

Petitioner: Shady Hills Community Association

Location: Approximately 28 acres located on the southerly side of University City Boulevard (N.C. 49) at Carolyn Lane.

Request: Change from Institutional to R-3.

BACKGROUND

1. Existing Zoning. The property involved with this request is zoned Institutional. Properties to the south and to the north across University City Boulevard are zoned R-3 (R-12). Properties located to the east of the petitioned site are zoned O-15(CD) and B-1SCD.

2. Existing Land Use. The petitioned property is presently undeveloped. Properties to the south are developed with single family homes. A mobile home park is located south of University City Boulevard to the west of the petitioned property. The developing Chancellor Park office park is located to the west of the site along Harris Boulevard. Across University City Boulevard properties are developed with scattered single family homes.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicates developing residential land uses in the area of the subject property. A community commercial center is indicated at Harris Boulevard and University City Boulevard and UNCC is recognized as a major institutional use in the area. The 2005 strategies for the area include expansion of water lines.

   2. Northeast District Plan. The Northeast District Plan envisions multi-family land uses in the area of the subject property and proposes an elementary school nearby.

4. Site Plan. There is no site plan which accompanies this application inasmuch as it is a third party non-owner petition and seeks a conventional single family classification.

5. School Information. The School Board staff indicates that this petition has no negative impact on the school system.

6. Zoning History (See Attached Map).

Petition No.	Request	Action	Date
1. 70-5	R-3, R-17MF, & B-2 to Institutional	Approved	05/18/70
2. 72-89(c)	R-3 to O-2	Denied	12/04/72
3. 89-9(c)	Inst. to O-15(CD)	Approved	05/15/89
4. 91-58	O-15(CD) to B-1SCD, & O-15(CD) Site Plan Amendment	Approved	11/25/91
5. SUP91-3(c)	Inst. to Inst. w/SUP for a fraternal organization	Denied	12/02/91

7. Neighborhood. This site lies within the Newell community.

REVIEWS

1. Plan Consistency. This petition requests the rezoning of properties from an Institutional classification to a single family classification. Inasmuch as the Northeast District Plan envisions the area as developing with multi-family residential development in the future, neither the existing zoning classification nor the proposed zoning classification are entirely consistent with the long term land use vision.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The staff met with the agent for the petitioner prior to the filing of the petition in order to provide technical assistance.

   2. Departmental Comments. Due to the conventional nature of the application, departmental comments were few and very minor.

ISSUES

1. Land Use. This petition proposes rezoning from the Institutional classification to a single family residential district in an area in which public plans envision multi-family development in the long term. Neither the existing zoning classification nor the proposed zoning classification are entirely consistent with the ultimate vision of multi-family development on the petitioned site. There are, however, advantages to the proposed single family residential classification over the existing Institutional zoning in that the single family classification would offer more protection to the existing single family homes nearby. In addition, the establishment of a single family classification will not necessarily prohibit future multi-family development in this

particular area but it will require that the proposed multi-family development is evaluated through a rezoning petition.

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

CONCLUSION

Neither the proposed zoning classification nor the existing zoning classification is entirely consistent with the district plan in effect for this portion of the community. However, the proposed single family classification does offer some advantages to the nearby neighborhood above that provided by the existing Institutional category. From that standpoint, the petition could be considered appropriate for approval.

*Subject to further refinement following public hearing.

C DANIEL WATTS
REAL ESTATE

February 4, 1992

Charlotte Mecklenburg Planning Commission
600 East Fourth Street
Charlotte,North Carolina 28202-2853

Attention: Mr. Walter Fields

Re: Rezoning Petition No. 92-4, a third party petition of
Shady Hills Community Association to
Down zone from Institutional to R-3

Dear Walter:

As a very interested party to the above referenced third party down zoning request I would like to take issue with your Pre-Hearing Staff Analysis. I will take each issue chronologically as your report does.

Under Background No. 2, you failed to state that on the west (this should be east in the analysis and here too) of the subject tract in the amended Chancellor Park Office Park there is developing an 80,000 square feet Lowes Retail Store in a 100,000 square feet shopping center recently approved and up zoned to B1-SCD as of November 15, 1991 by the City Council.

Under item No. 3 in Background, you failed to give the full picture of the North East District Plan. The plan itself as adopted on July 9, 1990 by the County Commission specifically deleted this tract from the recommended down zoning by the Z & P staff at that time. The adopted plan makes no reference to this being a corrected rezoning.

After this plan was adopted and within the last 60 days I specifically, face to face asked Carol Morris of the Z & P Staff why the map was not changed to conform to the adopted plan? She told me "we do not change the map. It is simply a plan and maps are not changed." Walter, your call here for multi-family references the map only and not the adopted plan as you have repeatedly stated through out this analysis.

Under the Review heading item No. 1 you again reference the North East District Plan. Our above stated comments are appropriate for this item also.

Continued

2514 KNOLLWOOD ROAD, CHARLOTTE, NORTH CAROLINA, 28211, 704/364-6628

COMMERCIAL LISTING EXCHANGE
CLE
CHARLOTTE BOARD OF REALTORS

Under Issues, Item no. 1 again you consistantly refer to the ultimate vision on this site. The ultimate vision is that of the zoning and planning staff only and not the owners of the tract most of whom have owned their property in excess of 20 years and have envisioned an upscale office park development similar to that in the South Park area. Such an upscale development would be advantageous in concentrating additional employment at an intersection of heavy travel between the two major arteries of University City Boulevard and W. T. Harris Boulevard.

Protection for the adjoining residential neighborhood on Carolyn Lane is accomodated by the natural topography, ie creeks and gullys between the two areas plus the buffer areas required under the new zoning ordinance.

Under your conclusion Walter you again reference the district plan in effect erroneously. You are <u>not</u> referencing the adopted plan on this property; you are referencing the <u>map only</u> which was never changed. In my opinion this is not appropriate.

Sincerely,

C. Daniel Watts

C. Daniel Watts

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 76-7
Date Filed December 6, 19
Received By [illegible]
OFFICE USE ONLY

Staff Review Meeting
Thurs. Jan 2
10:30 a.m.

Ownership Information

Property Owner(s) See attached list

Owner's Address See attached list

Date Property Acquired See attached list

Tax Parcel Number See attached list

Location of Property (address or description) University City Boulevard Lots No. 9,10,11,12,13,14,15,16,17 20,21,22,23,24,25,26,27,28,29,30,31,32,33,34,35,36,37,38,39 loca in the Shady Hills Sub-division as shown in Map Book 7, page 363

Description of Property

Size (Sq. Ft.-Acres) 28 acres

Street Frontage (ft.) 650 Carolyn Lane
1867 University Cit
~~3329 Shady Hills Ci~~

Current Land Use vacant

Zoning Request

Existing Zoning Institutional

Requested Zoning R-3

Purpose of Zoning Change To rezone property in the Shady Hills Sub-divisioin be consistent with the general plan of development for the sub-division. and to be consistent with all other zoning and uses of property within the sub-division.

William P. Farthing, Jr
Name of Agent

2600 Charlotte Plaza
Agent's Address

Charlotte, N.C. 28244

Telephone Number (704) 372-9000

Shady Hills Community A
Name of Petitioner(s)

708 Carolyn Lane
Address of Petitioner(s)

Charlotte, N.C. 28213

Telephone Number (704) 598-62

N. Lonard McPherson
Signature

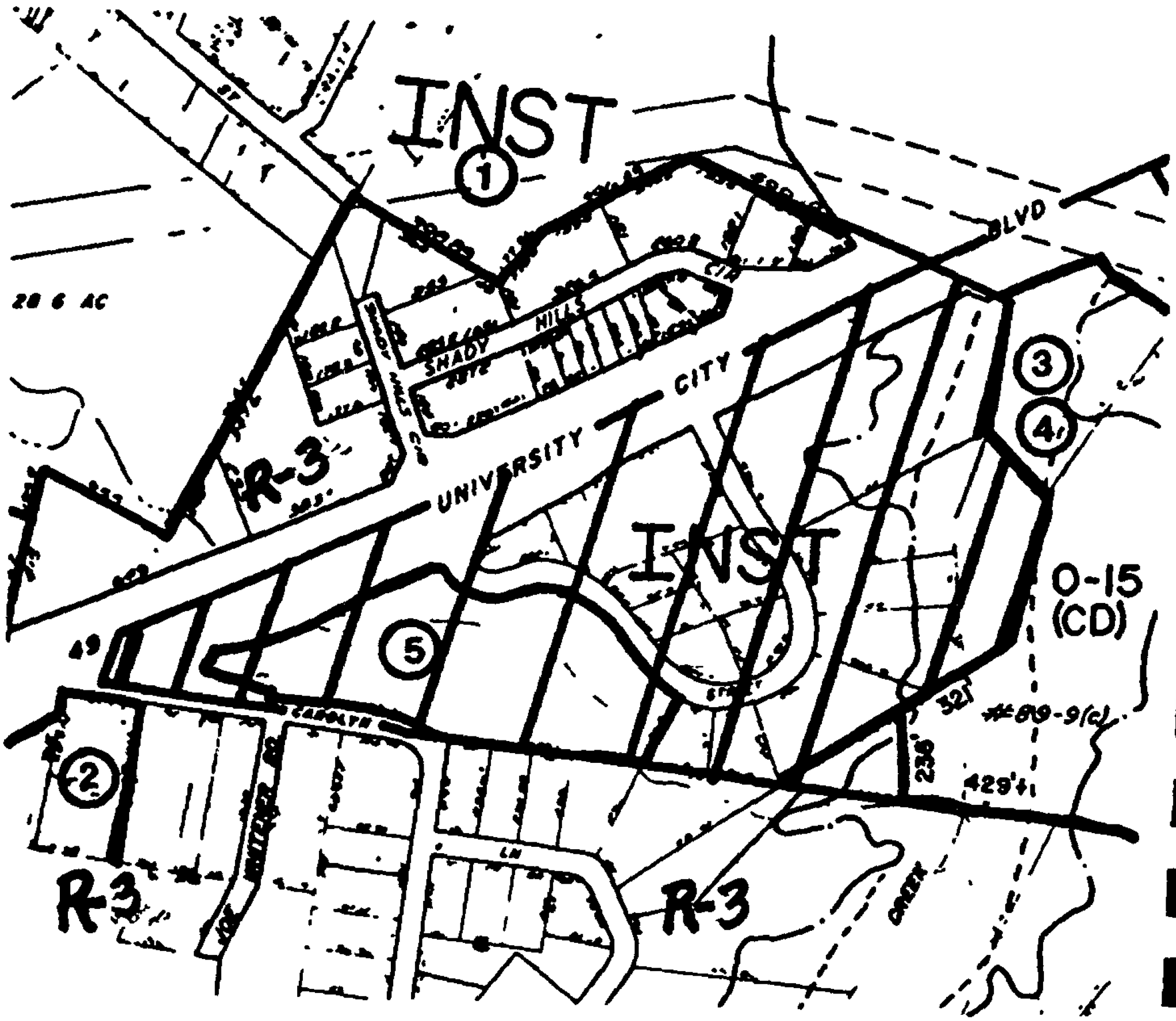
Signature of Property Owner
If Other Than Petitioner

PETITIONER: Shady Hills Community Association

PETITION NO.: 92-4 HEARING DATE: February 17, 1992

ZONING CLASSIFICATION, EXISTING: Institutional REQUESTED: R-3

LOCATION: Approximately 28 acres located on the southerly side of University City Boulevard (N.C. 49) at Carolyn Lane.



ZONING MAP NO(s).: 71 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 92-5

Petitioner: Realfin, Inc.

Location: Approximately 16.2 acres located on the east side of U.S. 29 at McCullough Drive.

Request: Change from Institutional to O-1(CD).

BACKGROUND

1. Existing Zoning. The property involved with this request is presently zoned Institutional as is much of the property to the south and east. Property located immediately to the north is zoned O-15(CD) as a result of a 1989 rezoning petition. Further to the north is a site zoned I-2(CD) and additional properties zoned Institutional. To the south along U.S. 29, properties are zoned a combination of Institutional, O-2 (O-9), and B-2.

2. Existing Land Use. The property involved with this request is presently undeveloped. Properties to the south are occupied by single family residences, a motel, and a church. To the north of the petitioned property is the Homewood Suites Hotel. Properties across U.S. 29 are developing with office uses while properties to the north along U.S. 29 are developed with a mixture of business, office, and institutional uses.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicates employment type land uses in the area of the subject property and recognizes University Place as a major mixed use center and UNCC as a major institutional use. The 2005 strategies include extension of water lines in the area and improvements to Harris Boulevard which have now been completed.

   2. UNCC District Plan (adopted October, 1984). The UNCC District Plan envisions development associated with UNCC in the area of the subject property including office and multi-family uses.

   3. Hampton Park Special Project Plan (approved September, 1987). The Hampton Park Special Project Plan recognizes that Hampton Park is a predominantly black, low-income community consisting of approximately 113 acres with approximately 46 residences. The special project plan contains a series of recommendations aimed at improving the quality of life for the residents by improving housing conditions, improving the condition of existing roads and providing water and sewer to the community where economically feasible. The plan does not, however, provide a specific land use recommendation with respect to the petitioned property.

4. Northeast District Plan (adopted June, 1990). The Northeast District Plan recommends the petitioned site be developed with office or multi-family uses and recognizes University Place as the focus for retail activities in the area. Just recently Council directed staff to follow through on a series of Northeast District Plan-based rezonings in the area of the subject property. Those upcoming rezonings include requests for changes from Institutional to single family residential for the Hampton Park neighborhood and a multi-family residential/office combination for the petitioned site. The purpose of these rezonings is to provide for the preservation of the Hampton Park neighborhood by rezoning to single family and to allow limited office uses with residential development adjacent to Hampton Park on the subject property. (The plan-based rezoning involving the petitioned site will not be initiated if the petition which is currently pending is approved.

4. Site Plan. The site plan which accompanies this application proposes the development of a 247,500 square foot office park with all uses allowed in the O-1 zoning district. The plan indicates access to the property will be provided through one full-movement driveway connection to Highway 29 via a proposed median cut and provides buffers of 75 feet in width with landscaping in accordance with the zoning ordinance adjacent to residential properties in the Hampton Park neighborhood. The plan indicates a maximum building height of 40 feet (4 stories) and a maximum floor area ratio of .41. Notes on the plan indicate that screening requirements will be met, the tree ordinance requirements will be met or exceeded, and that storm water detention is anticipated to occur as surface storage in parking lots or on-site storage ponds.

5. School Information. Not applicable.

6. Zoning History (See Attached Map).

Petition No.	Request	Action	Date
1. 74-38(c)	Inst. to B-2	Approved	01/06/75
2. 77-16(c)	Inst. to I-2(CD)	Approved	06/06/77
3. 88-17(c)	RE-1 to O-15(CD), B-1(CD), & B-D(CD)	Approved	07/20/88
4. 88-18(c)	RE-1 to O-15(CD)	Approved	07/20/88
5. 88-32(c)	RE-1 to O-15(CD)	Approved	09/19/88
6. 89-12(c)	Inst. to O-15(CD)	Approved	05/15/89
7. 89-43(c)	Inst. to B-1SCD	Denied	12/18/89

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

REVIEWS

1. Plan Consistency. This petition proposes rezoning of properties from the Institutional category to a conditional office district to allow the development of a large office park. The UNCC District Plan indicates that the site should be used for uses to support UNCC with office and multi-family uses as consistent with that objective. The 2005 Plan indicates that this property fits within an employment type category and the Northeast District Plan indicates office and multi-family residential uses as appropriate. Therefore, the office classification could be considered consistent from a land use standpoint with publicly adopted plans in effect as far back as 1984. It should be noted, however, that the proposal at hand involves purely office uses while recent Council discussions have involved a multi-family/ office combination.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The petitioner originally discussed a potential commercial rezoning request which staff strongly discouraged. Subsequently, the petitioner submitted a request for an office classification and staff relayed a number of site plan comments to the petitioner. Staff has not discussed the potential for incorporation of a multi-family component into the development with the petitioner.

   2. Departmental Comments. CDOT indicates that the proposed development could generate approximately 4,150 trips per day. (The existing trips have not been calculated due to the existing Institutional zoning and the wide variety of possible land uses.) CDOT indicates the previously requested traffic impact study has not been received. The traffic study must address the need for the proposed median opening and the related left turn lane on North Tryon Street. If the median opening is approved by CDOT and NCDOT it must be designed to the appropriate standards (a minimum of 150 feet of storage in both directions unless more is required as identified in the traffic impact study on North Tryon Street with 20 : 1 bay tapers and 45 : 1 through lane tapers). If approved by CDOT and NCDOT, the developer/petitioner would be responsible for the engineering design and construction of the median opening and left turn lanes. The revised site plan does not adequately reflect the existing signalized intersection of McCullough Drive and North Tryon Street. The plan must be revised to clearly show the existing median opening, turn lanes, associated tapers, and laneage for this intersection. Other outstanding site plan issues include the need for a maximum square footage for the proposed outparcel and removal of parking and buildings from the proposed 40 foot landscaped

buffer along the frontage of Highway 29. All of these items must be resolved by the petitioner prior to the ultimate decision on this petition.

ISSUES

1. Land Use. This petition seeks rezoning from the Institutional category to a conditional office classification to accommodate a large office park in an area in which publicly adopted plans envision office or multi-family type land uses. The immediately adjoining tract located to the north was similarly rezoned in 1989 under the County's jurisdiction and is now the site of the Homewood Suites Hotel. Therefore, the petition at hand is considered consistent with publicly adopted plans and policies for this portion of the community. However, the ultimate analysis of this petition should consider whether a multi-family development or a combination multi-family/office development in this location might be preferable to a pure office park in terms of providing the best possible relationship to the Hampton Park neighborhood in terms of scale and density of development.

2. Site Plan. The site plan which accompanies this petition proposes a 247,500 square foot office park development and allows all uses permitted in the O-1 zoning district. The plan provides 75 foot landscaped buffers adjoining the Hampton Park neighborhood and a 40 foot landscaped buffer along Highway 29. There are several outstanding site plan issues which must be remedied by the petitioner prior to the ultimate decision on this request. Those issues include the need for removal of parking and building from the proposed 40 foot landscaped buffer along Highway 29, a maximum square footage on the proposed bank outparcel, and submission of a traffic impact study to CDOT and adequate resolution of any issues identified by the study. From a site plan standpoint, the petition is not considered appropriate for approval until those issues are resolved.

CONCLUSION

This petition requests rezoning to an office category in an area in which publicly adopted plans envision multi-family or office development. Therefore, while this petition is consistent with publicly adopted plans from a land use standpoint, a multi-family development or combination office/multi-family development may provide some advantages over a pure office park development in terms of compatibility of scales and intensity of development to the Hampton Park neighborhood.

*Subject to further refinement following public hearing.

Development Data

Parcel Location:	8724 & 8816 North Tryon Street Block 47 Parcel 331 Crab Orchard Township Mecklenburg County, NC
Site Area:	16.199 Acres
Existing Zoning:	Institutional
Proposed Zoning:	O-1 (CD)
Proposed Uses:	Office Park (All uses allowed in O-1 Zoning)
Total Building Area:	247,500 Sq. Ft. (excluding bank site)
Parking:	Meet or exceed the Minimum Required by the City of Charlotte Zoning Ordinance

General Notes:

1. Maximum building height is 4 stories (40').
2. Boundary information dated 10/23/91 by E.S.P. Associates - Joseph Bruno, Jr. NCRLS #3315. Topographic information from City of Charlotte Topo Map.
3. Screening shall meet or exceed ordinance requirements.
4. Accessory structures normally associated with office development will be permitted outside of building limits in accordance with applicable ordinance standards.
5. This site plan is intended to show only general development character. Minor adjustments in building and parking lot size and arrangement will be permitted to accommodate final architectural designs and to adjust to site features. Building footprints shall be contained within "Building Area" boundaries.
6. Requirements of the tree ordinance will be met or exceeded.
7. Site construction will meet all requirements of the subdivision ordinance.
8. Stormwater detention requirements will be met. It is anticipated that it will occur as surface storage in parking lots or on-site storage ponds.
9. Fire hydrants will be required on site.
10. Maximum FAR is .41.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 92-5
Date Filed December 9, 1991
Received By MCM
OFFICE USE ONLY

Ownership Information

Property Owner THE ESTATE of ADA Caroline Pendleton

Owner's Address 2051 EDGEWATER DR 28210

Date Property Acquired

Tax Parcel Number 049-331-03

Location of Property (address or description) 8724 AND 8816 NO. TRYON

Description of Property

Size (Sq. Ft.-Acres) 16.2 AC Street Frontage (ft.) 835 LF

Current Land Use FARM LAND

Zoning Request

Existing Zoning INSTITUTIONAL Requested Zoning office

Purpose of Zoning Change the development of a planned office park

Name of Agent
JAMIE BRYANT, WOMBLE CARLYLE
Agent's Address
3300 1st Union Center Char. NC. 28202
Telephone Number ~~704 335-7~~ 6P
704 331-4905

Name of Petitioner(s)
REALTEN Inc
Address of Petitioner(s)
625 FRANKLIN RD
ATLANTA GA 3032
Telephone Number
404-237-6430

Ron P Ing

Signature
Troy E. Pendleton

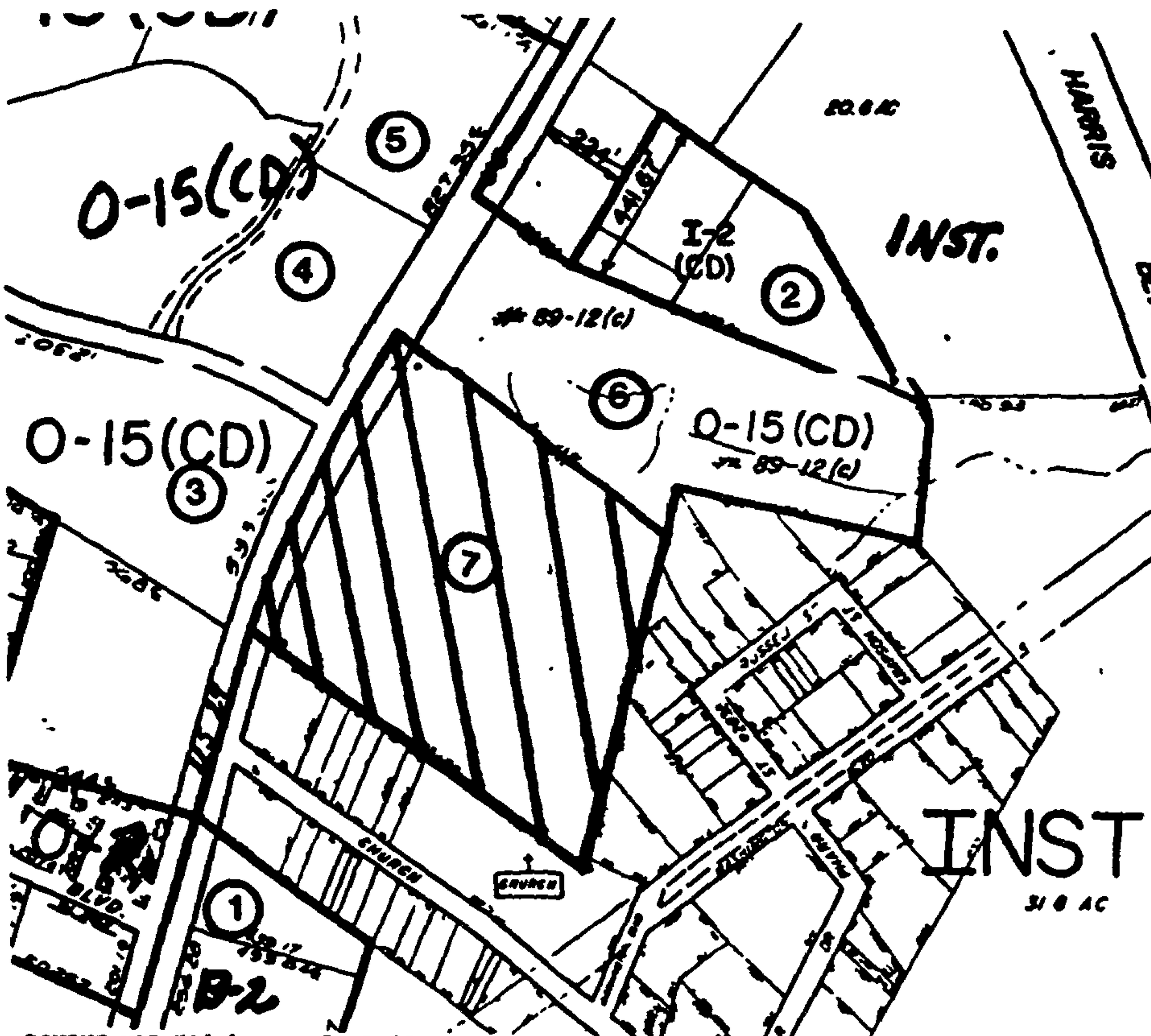
Signature of Property Owner
If Other Than Petitioner

PETITIONER: Realfin, Inc.

PETITION NO.: 92-5 HEARING DATE: February 17, 1992

ZONING CLASSIFICATION, EXISTING: Institutional REQUESTED: O-1

LOCATION: Approximately 16.2 acres located on the east side of U.S. 29 at McCullough Drive.



ZONING MAP NO(s).: 71 & 58 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 92-6
(Southwest District City No. 1)

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: On the west side of Nations ford Road, across from Regency Executive Park Drive.

Request: Change from R-20MF (Innovative) to R-4 (formerly R-9) in accordance with the Southwest District Plan adopted by City Council in November, 1991.

BACKGROUND & JUSTIFICATION

Zoning History

R-20MF zoning was approved for this site in 1972, with a site plan amendment approved in 1984.

Existing Land Use

This property is vacant.

Surrounding Land Use

Surrounding land use is predominantly vacant land, with a single family neighborhood to the southeast and offices to the east across Nations Ford Road.

Proposed Land Use/Zoning

Since adjacent lands are in single family zoning and a portion of that is built up as single family homes, the Southwest District Plan proposes traditional single family uses at R-4 densities for this site.

Nonconformities Resulting From This Rezoning

None.

Consequences of Not Rezoning This Property

The approved R-20MF plan is for low density apartments on this site. This could adversely affect efforts to encourage further single family development in this area of the City. Concern has also been expressed over the impact of a multi-family project on the area's circulation system.

*Subject to further refinement following public hearing.

W/92

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 92-6

Date Filed December 9, 1991

Received By MCM

OFFICE USE ONLY

Ownership Information

Property Owner: See Attached List

Owner's Address:

Date Property Acquired:

Tax Parcel Number:

Location of Property (address or description)

Nations Ford Road across from Regency Executive Park Drive.

Description of Property

Size (Sq. Ft.-Acres): 71 acres ±

Street Frontage (ft.):

Current Land Use: Vacant

Zoning Request

Existing Zoning: R-20MF

Requested Zoning: R-4

Purpose of Zoning Change: To bring the zoning into complicance with the Southwest District Plan.

Name of Agent:

Agent's Address:

Telephone Number:

Name of Petitioner(s): Charlotte-Mecklenburg Planning Commission

Address of Petitioner(s): 600 E. 4th Street, Char., NC

Telephone Number: 336-2205

Signature:

Signature of Property Owner if Other Than Petitioner:

Southwest District City Petition #1

PETITIONER: Charlotte-Mecklenburg Planning Commission

PETITION NO.: 92-6 HEARING DATE: February 17, 1992

ZONING CLASSIFICATION, EXISTING: R-20MF

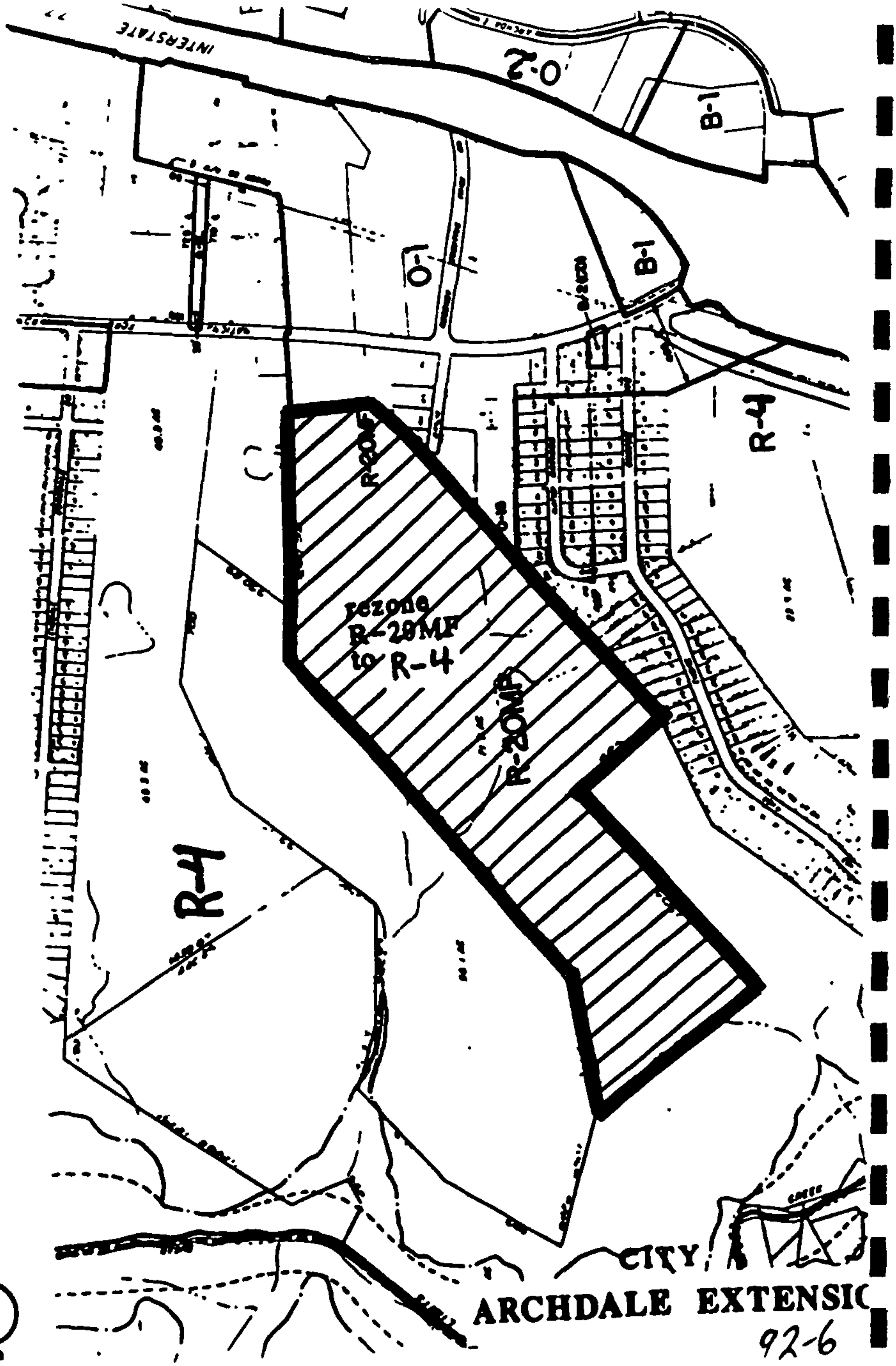
ZONING CLASSIFICATION, REQUESTED: R-4 (formerly R-9)

LOCATION: Approximately 71 acres located west of Nations Ford Road at Regency Executive Park Drive.

SEE ATTACHED MAP

ZONING MAP NO(s).: 134 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


INTERSTATE
O-2
B-1
O-1
B-1
R-4
R-4
rezone
R-20MF
to R-4
R-20MF
R-4
CITY
ARCHDALE EXTENSIO
92-6

92-6

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 92-7
(Southwest District City No. 2)

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: On the west side of Nations Ford Road, approximately 1/2 mile south of Tyvola Road near Glenrock Drive and Echodale Drive.

Request: Change from B-2 to a combination of B-1 and R-4 (formerly R-9) in accordance with the Southwest District Plan, adopted by the City Council in November, 1991.

BACKGROUND & JUSTIFICATION

Zoning History

This property was rezoned from R-9 to B-2 in 1965. A staff initiated petition from B-2 to R-12MF was denied in 1985.

Existing Land Use

This site includes a church, vacant land, a couple of small commercial uses, and a vacant service station.

Surrounding Land Use

Adjacent uses are either vacant land or single family homes, all in R-4 zoning.

Proposed Land Use/Zoning

The Southwest District Plan proposes that existing commercial uses be made B-1 to prevent intensification and vacant sites and the church be R-4 to prevent other nonresidential uses from developing on the site. The B-1 designation would still permit commercial uses that support the immediate neighborhood.

Nonconformities Resulting From This Rezoning

None.

Consequences of Not Rezoning This Property

Failure to rezone these properties leaves the door open for more intensive commercial uses such as commercial kennels, mobile homes sales and repair, laboratories, pest control services, and equipment rental services. These uses may be an intrusion on an otherwise predominantly single family area.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 92-7

Date Filed December 9, 1991

Received By MCM

OFFICE USE ONLY

Ownership Information

Property Owner See Attached List

Owner's Address

Date Property Acquired

Tax Parcel Number

Location of Property (address or description) Nations Ford Road at Echodale Drive and Glenrock Drive

Description of Property

Size (Sq. Ft.-Acres) 6.144[a] acres Street Frontage (ft.)

Current Land Use Business and Vacant

Zoning Request

Existing Zoning B-2 Requested Zoning B-1 and R-4

Purpose of Zoning Change To bring the zoning into compliance with the Southwest District Plan.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission

Name of Petitioner(s)

600 E. 4th Street, Char., NC

Address of Petitioner(s)

336-2205

Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

Southwest District City Petition #2

PETITIONER: Charlotte-Mecklenburg Planning Commission

PETITION NO.: 92-7 HEARING DATE: February 17, 1992

ZONING CLASSIFICATION, EXISTING: B-2

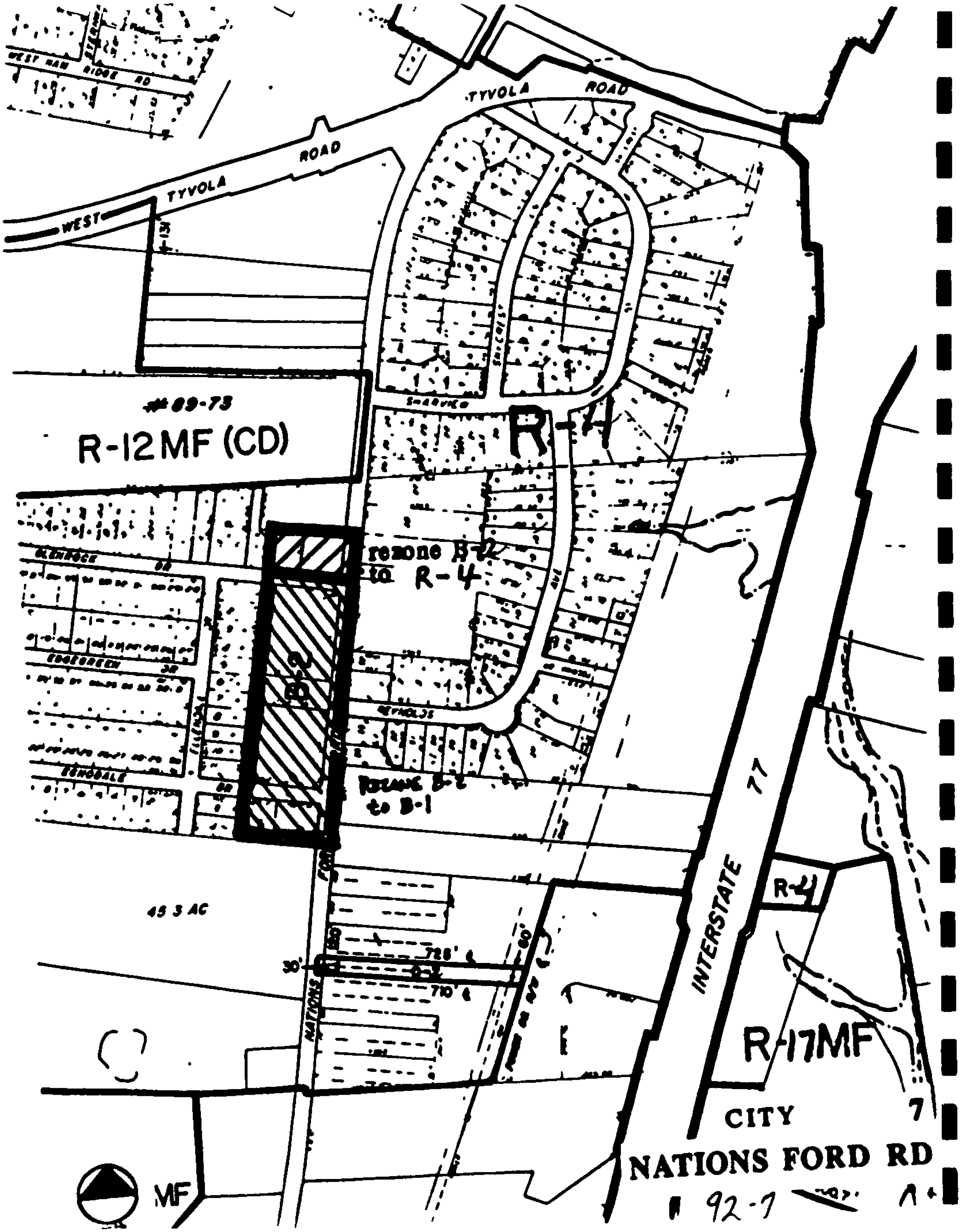
ZONING CLASSIFICATION, REQUESTED: B-1 & R-4 (formerly R-9)

LOCATION: Approximately 6.14 acres located on the west side of Nations Ford Road at Echodale and Glenrock Drive.

SEE ATTACHED MAP

ZONING MAP NO(s).: 134 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


WEST HAM RIDGE RD
TYVOLA ROAD
WEST TYVOLA ROAD
#89-73
R-12MF (CD)
R-4
remove B-2 to R-4
B-2
remove B-2 to B-1
45.3 AC
NATIONS FORD
INTERSTATE 77
R-4
R-17MF
CITY
NATIONS FORD RD
MF
92-7

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 92-8
(Southwest District City No. 3)

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: A 28 acre site on the west side of Nations Ford Road across from Marshall Air Drive.

Request: Change from R-17MF (formerly R-9MF) to R-4 (formerly R-9) in accordance with the Southwest District Plan, adopted by City Council in November, 1991.

BACKGROUND & JUSTIFICATION

Zoning History

This property has been in its current zoning since zoning was originally assigned. A Charlotte-Mecklenburg Planning petition from R-9MF to R-9 was denied in 1989.

Existing Land Use

These properties contain single family residences, a church, and one lot used for utility purposes. Also, one duplex and a group home are within the rezoning.

Surrounding Land Use

Surrounding uses are predominantly single family homes with one multi-family project adjacent. Vacant land and a religious/educational facility are across Nations Ford Road to the east.

Proposed Land Use/Zoning

The Southwest District Plan proposes to recognize existing single family uses on part of this site and to prevent additional multi-family uses on vacant land in a predominantly single family area.

Nonconformities Resulting From This Rezoning

One duplex would become nonconforming and the group home could potentially become nonconforming.

Consequences of Not Rezoning This Property

Allowing multi-family zoning to remain here would permit additional apartments or nonresidential uses.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 92-8

Date Filed December 9, 1991

Received By MCM

OFFICE USE ONLY

Ownership Information

Property Owner See Attached List

Owner's Address

Date Property Acquired

Tax Parcel Number

Location of Property (address or description) Nations Ford Road across from Marshall Air Dr.

Description of Property

Size (Sq. Ft.-Acres) 28.301 acres Street Frontage (ft.)

Current Land Use Single Family Homes and Vacant Land

Zoning Request

Existing Zoning R-12MF Requested Zoning R-4

Purpose of Zoning Change To bring the zoning into compliance with the Southwest District Plan.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission

Name of Petitioner(s)

600 E. 4th Street, Char., NC

Address of Petitioner(s)

336-2205

Telephone Number

Signature

Signature of Property Owner
If Other Than Petitioner

Southwest District
City Petition #3

PETITIONER: Charlotte-Mecklenburg Planning Commission

PETITION NO.: 92-8 HEARING DATE: February 17, 1992

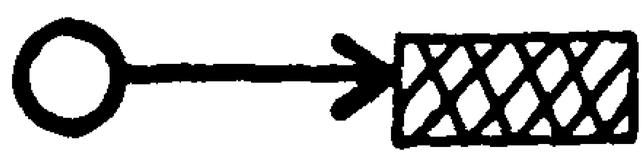
ZONING CLASSIFICATION, EXISTING: R-17MF (formerly R-9MF)

ZONING CLASSIFICATION, REQUESTED: R-4 (formerly R-9)

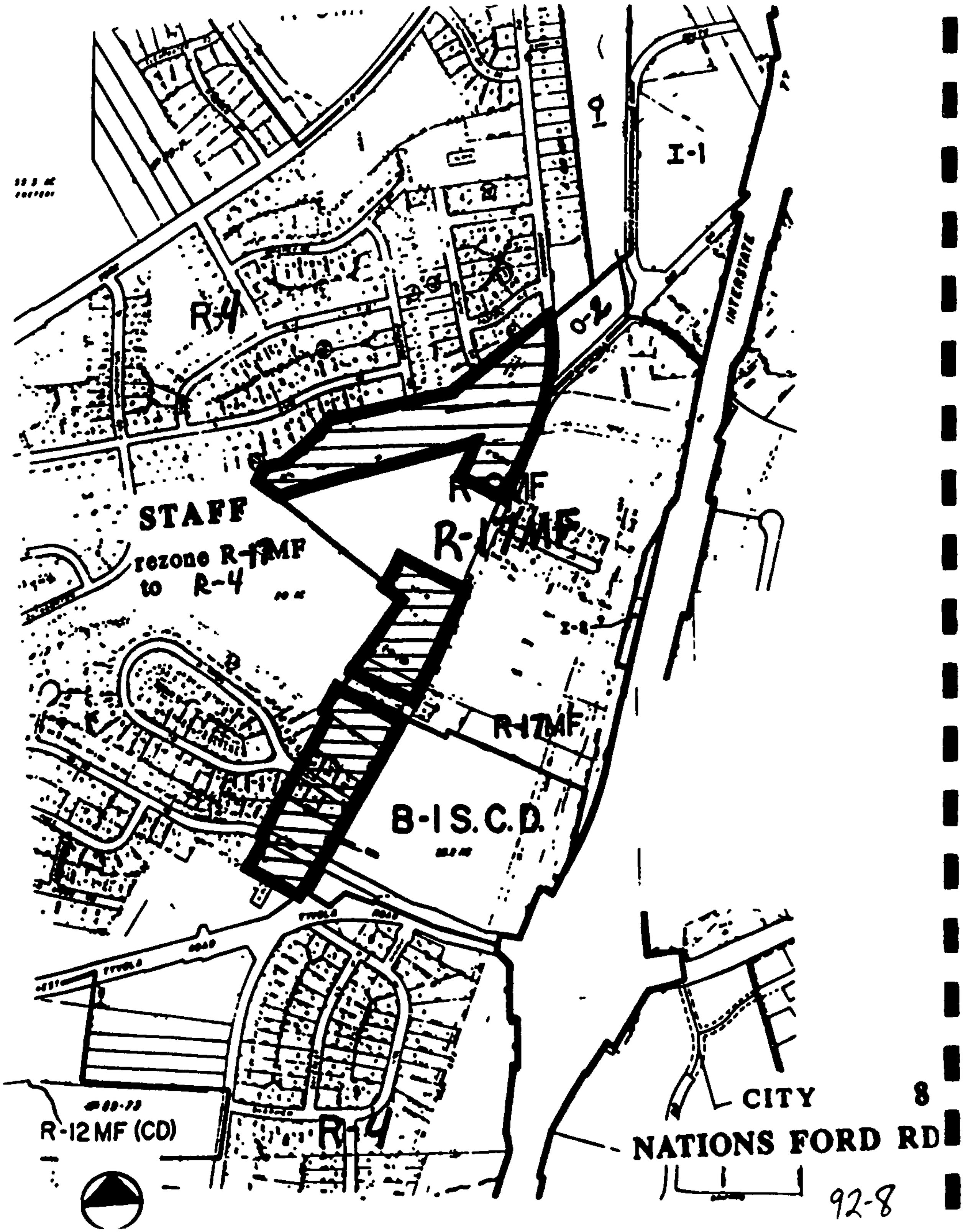
LOCATION: Approximately 28.3 acres located along the westerly side of Nations Ford Road between Yorkmont and West Tyvola Road.

SEE ATTACHED MAP

ZONING MAP NO(s).: 126 & 134 SCALE 1" = 400'



PROPERTY PROPOSED FOR CHANGE


I-1
R-4
O-2
INTERSTATE
R-17MF
STAFF
rezone R-17MF
to R-4
R-17MF
R-17MF
B-1S.C.D.
R-4
R-12MF (CD)
CITY
NATIONS FORD RD

92-8

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 92-9
(Southwest District City No. 4)

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Near Windsong Drive on the south side of Arrowood Road, 1/4 mile west of the new Hebron Road Extension.

Request: Change from R-17MF (formerly R-9MF) to R-4 (formerly R-9) in accordance with the Southwest District Plan adopted by City Council in November, 1991.

BACKGROUND & JUSTIFICATION

Zoning History

This area has had its current classification since it was originally zoned.

Existing Land Use

The area is developed with single family homes.

Surrounding Land Use

There is a business park to the west, single family development to the north and southwest, and a quarry to the southeast. The vacant land to the east is the subject of another district plan rezoning to Institutional.

Proposed Land Use/Zoning

The Southwest District Plan proposes to recognize that this site is built out with single family homes by rezoning it to R-4. This will preserve the single family character of the neighborhood.

Nonconformities Resulting From This Rezoning

None.

Consequences of Not Rezoning This Property

If this rezoning is not adopted it would leave the door open for uses permitted in a multi-family district, such as apartments, day care centers, or group homes for over six people. These uses may not be compatible with the interior of a single family neighborhood.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 92-9

Date Filed December 9, 1991

Received By MCM

OFFICE USE ONLY

Ownership Information

Property Owner See Attached List

Owner's Address

Date Property Acquired

Tax Parcel Number

Location of Property (address or description) Nations Ford Road - Ramblewood Area

Description of Property

Size (Sq. Ft.-Acres) 75.863 acres Street Frontage (ft.)

Current Land Use Single Family Homes

Zoning Request

Existing Zoning R-17MF Requested Zoning R-4

Purpose of Zoning Change To bring the zoning into compliance with the Southwest District Plan.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission

Name of Petitioner(s)

600 E. 4th Street, Char., NC

Address of Petitioner(s)

336-2205

Telephone Number

Signature

Signature of Property Owner If Other Than Petitioner

Southwest District City Petition #4

PETITIONER: Charlotte-Mecklenburg Planning Commission

PETITION NO.: 92-9 HEARING DATE: February 17, 1992

ZONING CLASSIFICATION, EXISTING: R-17MF (formerly R-9MF)

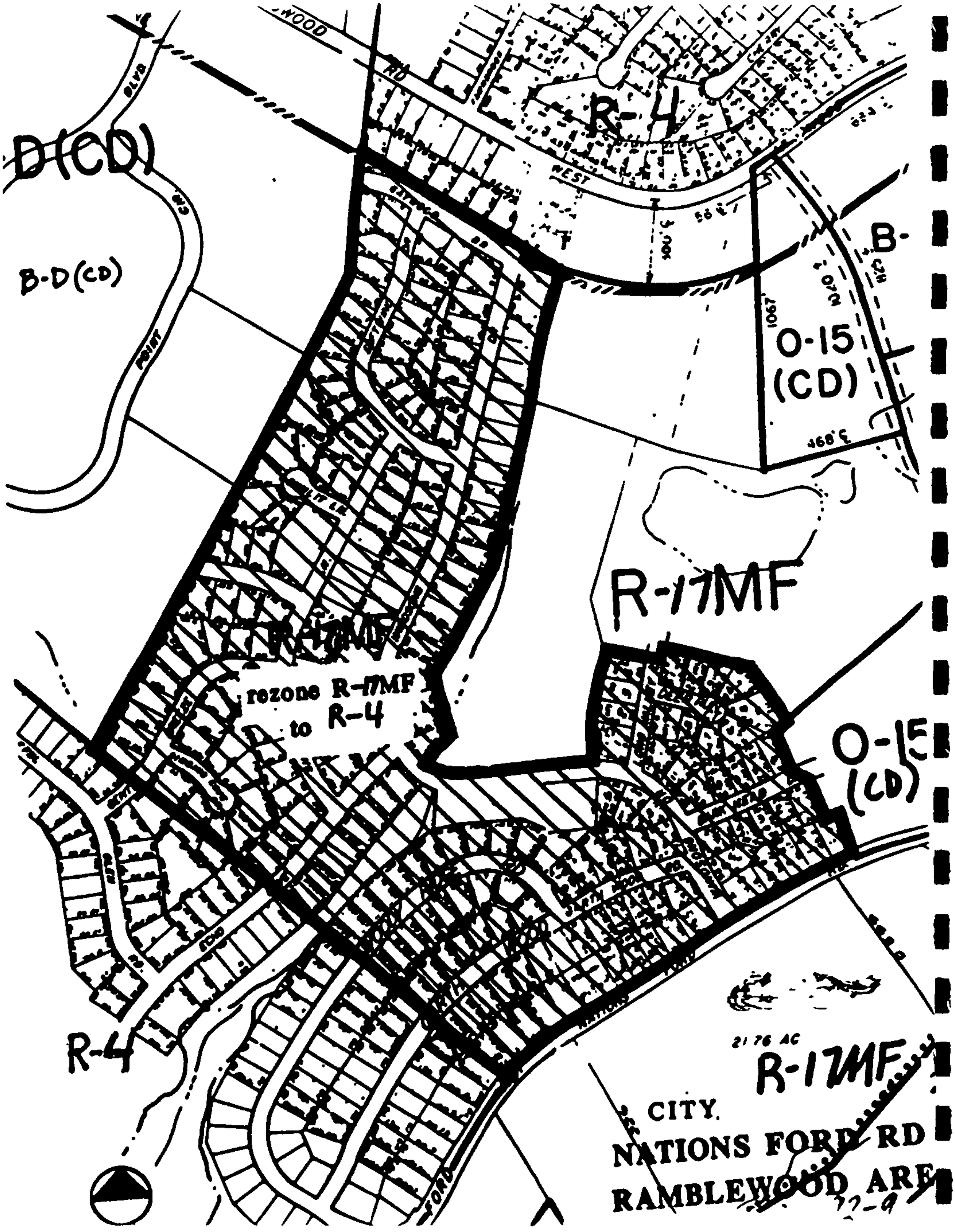
ZONING CLASSIFICATION, REQUESTED: R-4 (formerly R-9)

LOCATION: Approximately 75.86 acres located off Nations Ford Road, south of Arrowood Road in the Ramblewood area.

SEE ATTACHED MAP

ZONING MAP NO(s).: 148 & 149 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


WOOD
RD
R-4
WEST
B-D(CD)
B-D(CD)
B-
O-15
(CD)
R-17MF
rezone R-17MF
to R-4
O-15
(CD)
R-4
21 76 AC
R-17MF
CITY.
NATIONS FORD RD
RAMBLEWOOD ARE

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 92-10
(Southwest District City No. 5)

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Approximately 6 acres west of Nations Ford Road north of Arrowood Road and south of Huntsmoor Drive.

Request: Change from R-17MF (formerly R-9MF) to R-4 (formerly R-9) in accordance with the Southwest District Plan, adopted by the City Council in November, 1991.

BACKGROUND & JUSTIFICATION

Zoning History

This property has had its current zoning since zoning was originally adopted.

Existing Land Use

Single family homes are the existing land use on this site.

Surrounding Land Use

Single family homes are located north and west of the site with multi-family to the east and a shopping center to the south.

Proposed Land Use/Zoning

This proposal would recognize that the site has already been built out with single family homes and would bring the zoning into conformance with the existing land use. This would help preserve the character of a single family neighborhood.

Nonconformities Resulting From This Rezoning

None.

Consequences of Not Rezoning This Parcel

Failure to rezone this area would leave the door open for multi-family development in the midst of a single family area if enough vacant land ever became available.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 92-10
Date Filed December 9, 1991
Received By JMM
OFFICE USE ONLY

Ownership Information

Property Owner: see attached list

Owner's Address: see attached list

Date Property Acquired:

Tax Parcel Number: see attached list

Location Of Property (address or description): west of Nations Ford Road, north of Arrowood Road, and south of Huntsmoor Drive

Description Of Property

Size (Sq. Ft.-Acres): approximately 6 acres

Street Frontage (ft.):

Current Land Use: This area has been developed with single family homes.

Zoning Request

Existing Zoning: R-17MF

Requested Zoning: R-4

Purpose of Zoning Change: to carry out the recommendations of the Southwest District Plan, approved in November, 1991

Name Of Agent:

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

Agent's Address:

Address of Petitioner(s):

Telephone Number:

Telephone Number:

Signature:

Signature of Property Owner if Other Than Petitioner:

Southwest District
City Petition # 5

PETITIONER: Charlotte-Mecklenburg Planning Commission

PETITION NO.: 92-10 HEARING DATE: February 17, 1992

ZONING CLASSIFICATION, EXISTING: R-17MF (formerly R-9MF)

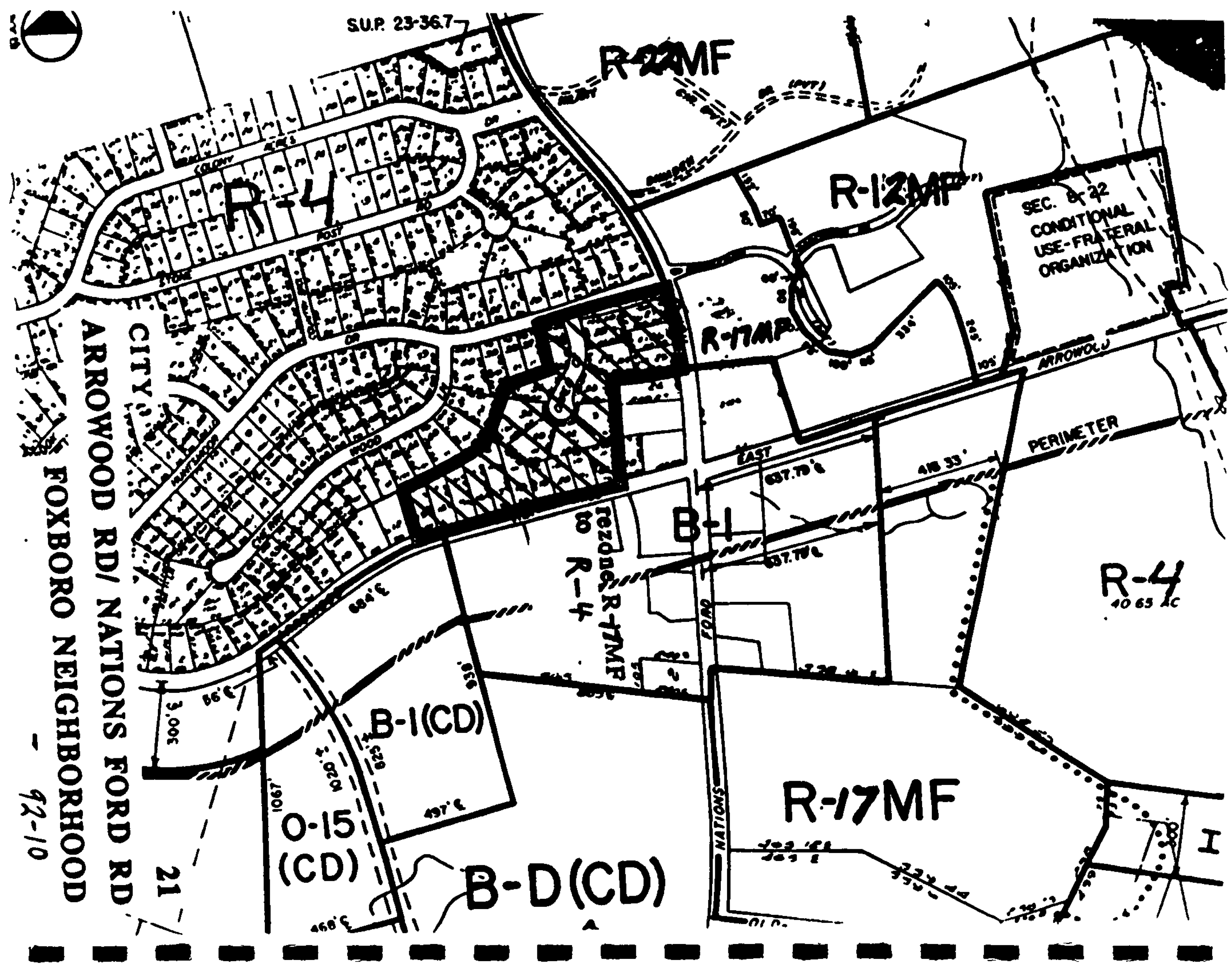
ZONING CLASSIFICATION, REQUESTED: R-4 (formerly R-9)

LOCATION: Approximately 6.0 acres located west of Nations Ford Road, north of Arrowood Road, and south of Huntsmoore Drive.

SEE ATTACHED MAP

ZONING MAP NO(s).: 146 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


S.U.P. 23-36.7
R-22MF
R-12MF
R-4
SEC. 8 & 22
CONDITIONAL
USE-FRATERAL
ORGANIZATION
R-17MF
ARROWOOD
PERIMETER
EAST
B-1
rezoned R-17MF to R-4
FORD
R-4
40.65 AC
B-1(CD)
O-15
(CD)
B-D(CD)
NATIONS
R-17MF
I
CITY OF
ARROWOOD RD/ NATIONS FORD RD
FOXBORO NEIGHBORHOOD
21
92-10

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 92-11
(Southwest District City No. 6)

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: A 165 acre site south of Archdale Drive between I-77 and Old Pineville Road.

Request: Change from O-1 (formerly O-15) to R-17MF (formerly R-9MF) and R-4 (formerly R-9).

BACKGROUND & JUSTIFICATION

ZONING HISTORY

This property has had its current zoning since it was originally zoned.

Existing Land Use

Land proposed for R-17MF is multi-family or vacant. Land proposed for R-4 is vacant.

Surrounding Land Use

Office, commercial, and vacant land uses are located to the west, with a park and single family uses to the north. Commercial uses are to the east with vacant and single family uses to the south.

Proposed Land Use/Zoning

The area west of Kings Branch is all proposed for R-17MF. East of Kings Branch, those areas already developed with multi-family are proposed for R-17MF but the vacant areas are proposed for R-4, single family residential. R-17MF is proposed because an R-12MF designation (which was the plan's original recommendation) would make the existing multi-family developments nonconforming.

Nonconformities Resulting From This Petition

None.

Consequences of Not Rezoning This Property

If this property is not rezoned, the resulting allowed development would be excessive for the area. Over 100 acres of office development would be incompatible with the residential nature of the area and would overload local road systems. In addition, the remaining vacant office-zoned land is in the interior of residential neighborhoods and has only local streets for access. The Planning and Public Works Committee focused on this area and specifically called for single family zoning.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 92-11

Date Filed December 9, 1991

Received By TMCM

OFFICE USE ONLY

Ownership Information

Property Owner See attached list

Owner's Address See attached list

Date Property Acquired

Tax Parcel Number See attached list

Location of Property (address or description) South of Archdale Drive between I-77 and Old Pineville Road

Description of Property

Size (Sq. Ft.-Acres) approximately 165 Street Frontage (ft.)

Current Land Use Vacant and multi-family residential

Zoning Request

Existing Zoning O-1 Requested Zoning R-4

Purpose of Zoning Change To carry out the recommendations of the Southwest District Plan, adopted in November, 1991.

Name of Agent

Agent's Address

Telephone Number

Name of Petitioner(s) Charlotte-Mecklenburg Planning Commission

Address of Petitioner(s) 600 E. Fourth ST.

Telephone Number

Signature

Signature of Property Owner If Other Than Petitioner

Southwest DISTRICT
CITY PET. #6

PETITIONER: Charlotte-Mecklenburg Planning Commission

PETITION NO.: 92-11 HEARING DATE: February 17, 1992

ZONING CLASSIFICATION, EXISTING: O-1 (formerly O-15)

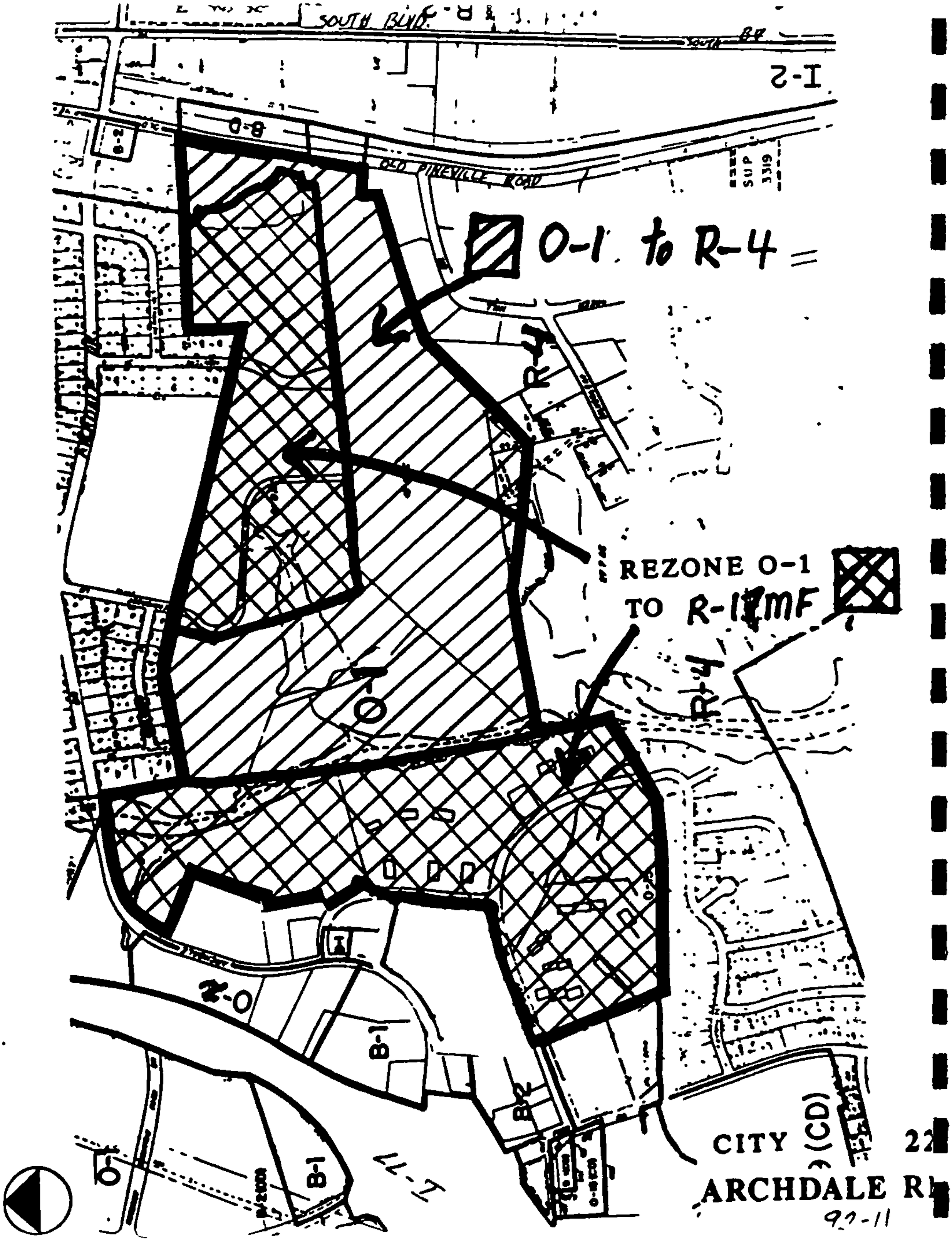
ZONING CLASS., REQUESTED: R-17MF (formerly R-9MF) & R-4 (formerly R-9)

LOCATION: Approximately 165 acres located south of Archdale Drive between I-77 and Old Pineville Road.

SEE ATTACHED MAP

ZONING MAP NO(s).: 134 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


SOUTH BLVD.
I-2
O-8
OLD PINEVILLE ROAD
SUP 3319
O-1 to R-4
REZONE O-1
TO R-1 MF
R-4
O
B-1
B-1
B-1
B-2
CITY (CD)
ARCHDALE RD
92-11

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 92-12
(Southwest District City No. 7)

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Approximately 11 acres on the west side of York Road (N.C. 49) about 1/4 mile north of Tyvola Road.

Request: Change from O-2 (formerly O-6) to R-4 (formerly R-9) in accordance with the Southwest District Plan, adopted by City Council in November, 1991).

BACKGROUND & JUSTIFICATION

Zoning History

This property has been zoned for office use since originally zoned.

Existing Land Use

This site contains a parking lot for the Renaissance Park tennis facility and vacant land.

Surrounding Land Use

Renaissance Park is on the west and north, a cemetery is on the east, and single family homes and vacant land are to the south.

Proposed Land Use/Zoning

The Southwest District Plan proposes that this City property be rezoned to R-4 to be consistent with adjacent areas of Renaissance Park.

Nonconformities Resulting From This Rezoning

None.

Consequences of Not Rezoning This Property

Since this property is under City control, it is unlikely that an office use would be constructed here. But the existing zoning would allow offices and other permitted uses in the O-2 district to be constructed on this property.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 92-12
Date Filed December 9, 1991
Received By MCN
OFFICE USE ONLY

Ownership Information

Property Owner City of Charlotte

Owner's Address 600 E. 4th St.

Date Property Acquired

Tax Parcel Number see attached list

Location Of Property (address or description) on the west side of York Road (NC 49) approximately ¼ mile north of Tyvola Road

Description Of Property

Size (Sq Ft.-Acres) approximately 11 acres Street Frontage (ft.)

Current Land Use this property is part of Renaissance Park

Zoning Request

Existing Zoning O-2 Requested Zoning R-4

Purpose of Zoning Change to carry out the recommendations of the Southwest District Plan, approved in November, 1991

Name Of Agent

Agent's Address

Telephone Number

Name of Petitioner(s) Charlotte-Mecklenburg Plng Comm

Address of Petitioner(s)

Telephone Number

Signature

Signature of Property Owner if Other Than Petitioner

SOUTHWEST DISTRICT
CITY PET. # 7

PETITIONER: Charlotte-Mecklenburg Planning Commission

PETITION NO.: 92-12 HEARING DATE: February 17, 1992

ZONING CLASSIFICATION, EXISTING: O-2 (formerly O-6)

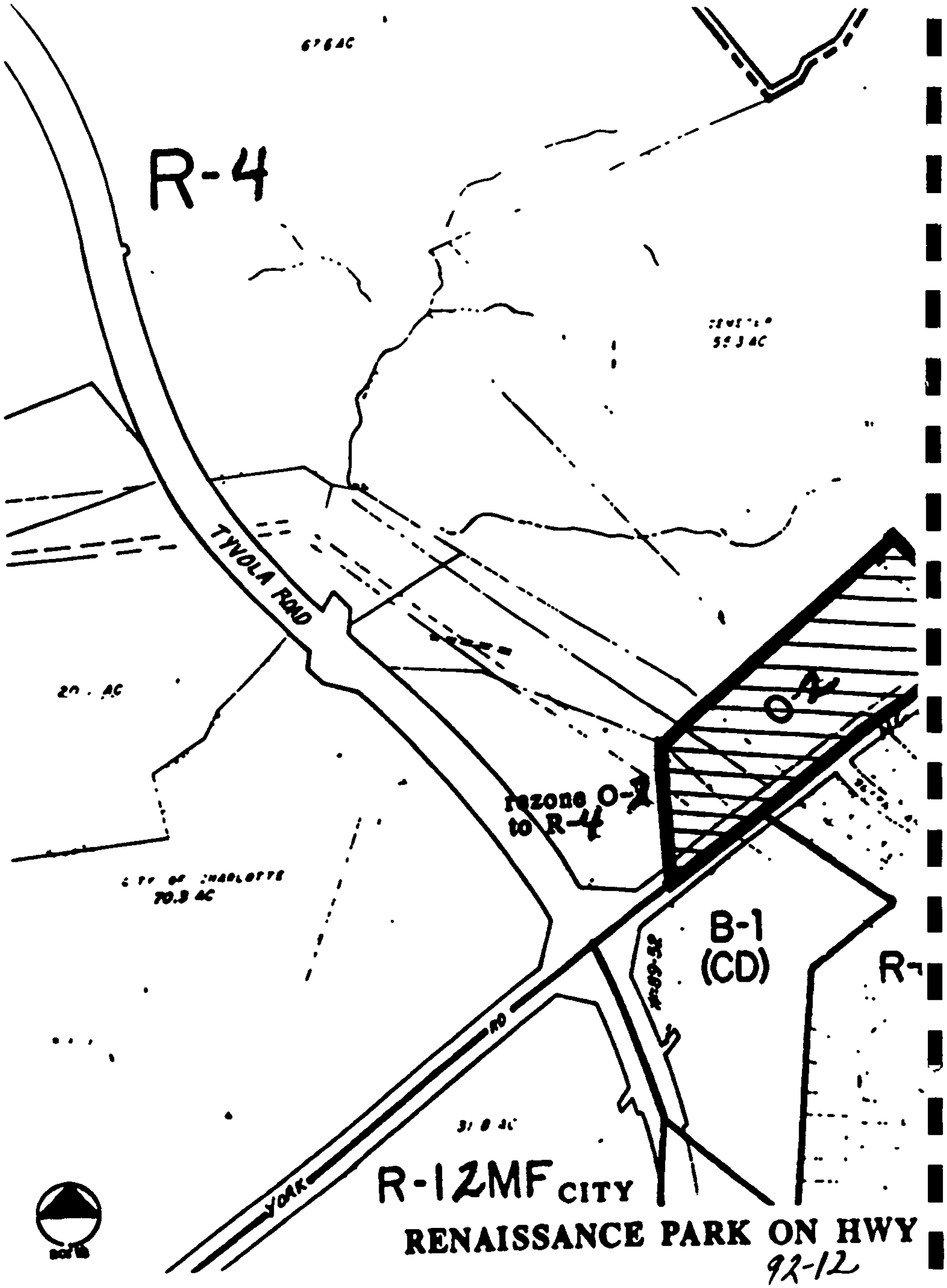
ZONING CLASSIFICATION, REQUESTED: R-4 (formerly R-9)

LOCATION: Approximately 11.0 acres located on the westerly side of York Road (N.C. 49), north of Tyvola Road.

SEE ATTACHED MAP

ZONING MAP NO(s).: 127 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


R-4
TYVOLA ROAD
rezone O-1
to R-4
B-1
(CD)
R-12MF CITY
YORK RD
RENAISSANCE PARK ON HWY
92-12

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 92-13
(Southwest District City No. 8)

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Approximately 78 acres south of Arrowood Road and west of Nations Ford Road.

Request: Change from O-15(CD), B-D(CD), & R-17MF (formerly R-9MF) to Institutional and B-1(CD) & B-D(CD) to R-12MF (formerly R-15MF)

BACKGROUND & JUSTIFICATION

Zoning History

A portion of the R-17MF and O-15(CD) was proposed for I-1(CD) and was denied in 1990. The existing conditional district zoning was approved in 1988. The property had previously been zoned R-9 and R-9MF.

Existing Land Use

Vacant.

Surrounding Land Uses

Vacant land and single family homes are found to the west, with single family to the north. A shopping center is at the northeast corner of the site. To the east is a mixture of commercial, multi-family, and single family. To the south is a quarry and single family homes with other vacant land.

Proposed Land Use/Zoning

The Southwest District Plan, approved by City Council in November, 1991, proposes that most of this unbuilt conditional plan be rezoned to Institutional. Central Piedmont Community College intends to place a satellite campus on this site. That use would be more compatible with the surrounding single family neighborhoods. The B-1(CD) area is proposed for multi-family use because the existing B-1 zoning at the corner of Nations Ford Road/Arrowood Road is more than sufficient to accommodate the neighborhood center proposed by the district plan. The site is well-suited to multi-family which would promote a mix of uses at this center. The same is true of the B-D(CD) site.

Nonconformities Resulting From This Rezoning

None.

Consequences of Not Rezoning This Property

Since CPCC has purchased that property and has identified funding for the satellite campus, failure to rezone this property would force the college to undertake the rezoning. Allowing additional commercial development would overload the circulation system in this area.

*Subject to further refinement following public hearing.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 92-13
Date Filed December 9, 1991
Received By [illegible]
OFFICE USE ONLY

Ownership Information

Property Owner: see attached list

Owner's Address: see attached list

Date Property Acquired:

Tax Parcel Number: see attached list

Location Of Property (address or description): south of Arrowood Road and west of Nations Ford Road

Description Of Property

Size (Sq Ft.-Acres): approximately 78 acres Street Frontage (ft.):

Current Land Use: vacant

Zoning Request

Existing Zoning: O-15(CD), B-D(CD) & R-9MF/B-1(CD)&B-D(CD) Requested Zoning: INST/~~[illegible]~~ R-12MF

Purpose of Zoning Change: to carry out the recommendations of the Southwest District Plan, approved in November, 1991

Name Of Agent:

Agent's Address:

Telephone Number:

Name of Petitioner(s): Charlotte-Mecklenburg Plng. Comm.

Address of Petitioner(s): 600 E. 4th St.

Telephone Number:

Signature:

Signature of Property Owner If Other Than Petitioner:

Southwest District
City Pet. #8

PETITIONER: Charlotte-Mecklenburg Planning Commission

PETITION NO.: 92-13 HEARING DATE: February 17, 1992

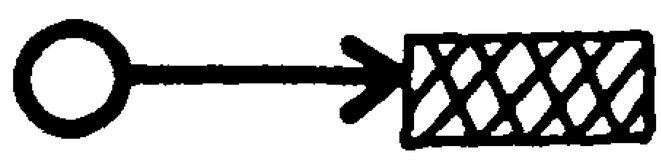
ZONING CLASS., EXISTING: B-D(CD), B-1(CD), O-15(CD), R-17MF (formerly R-9MF)

ZONING CLASSIFICATION, REQUESTED: Institutional & R-12MF (formerly R-15MF)

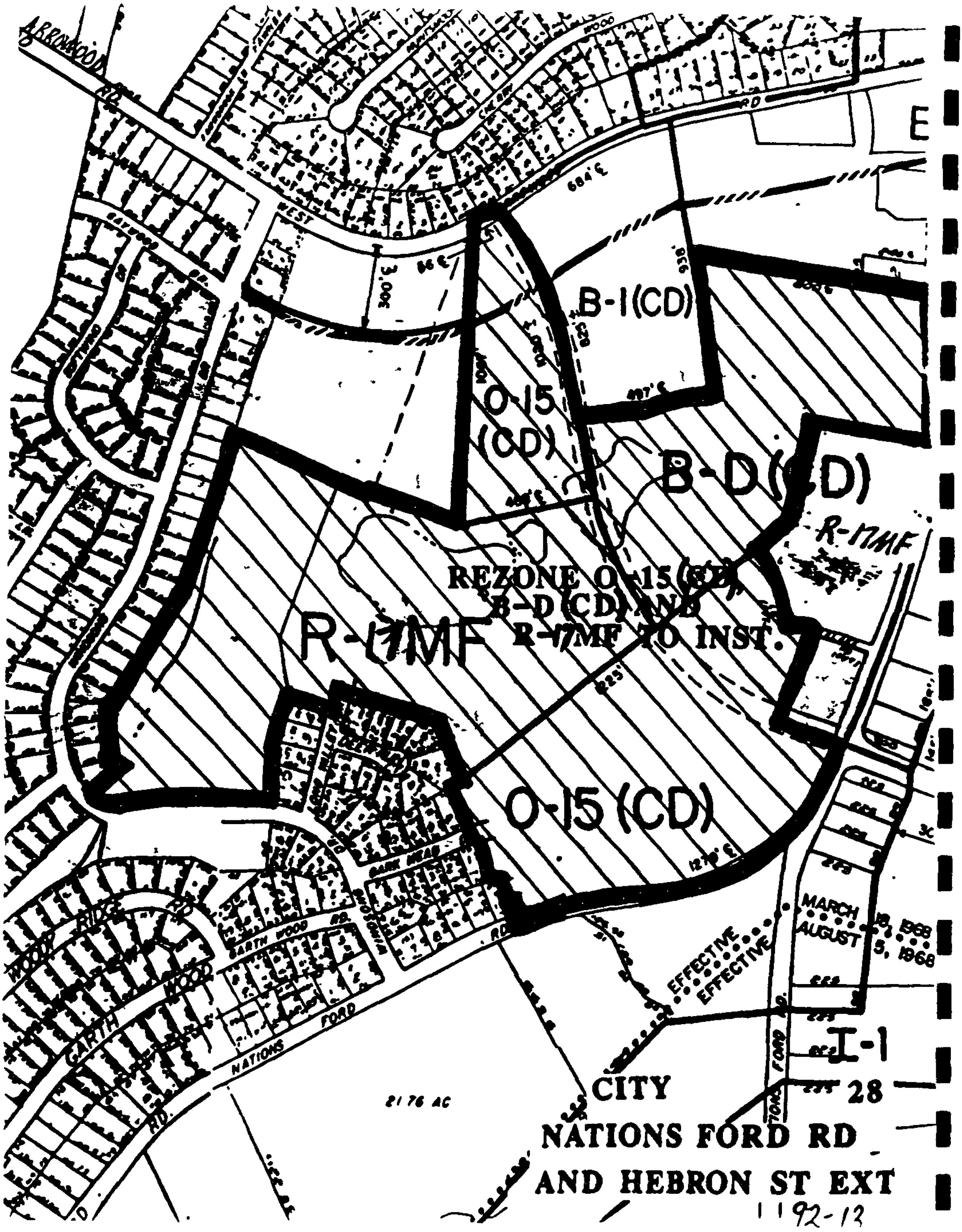
LOCATION: Approximately 78 acres located west of Nations Ford Road, south of Arrowood Road West.

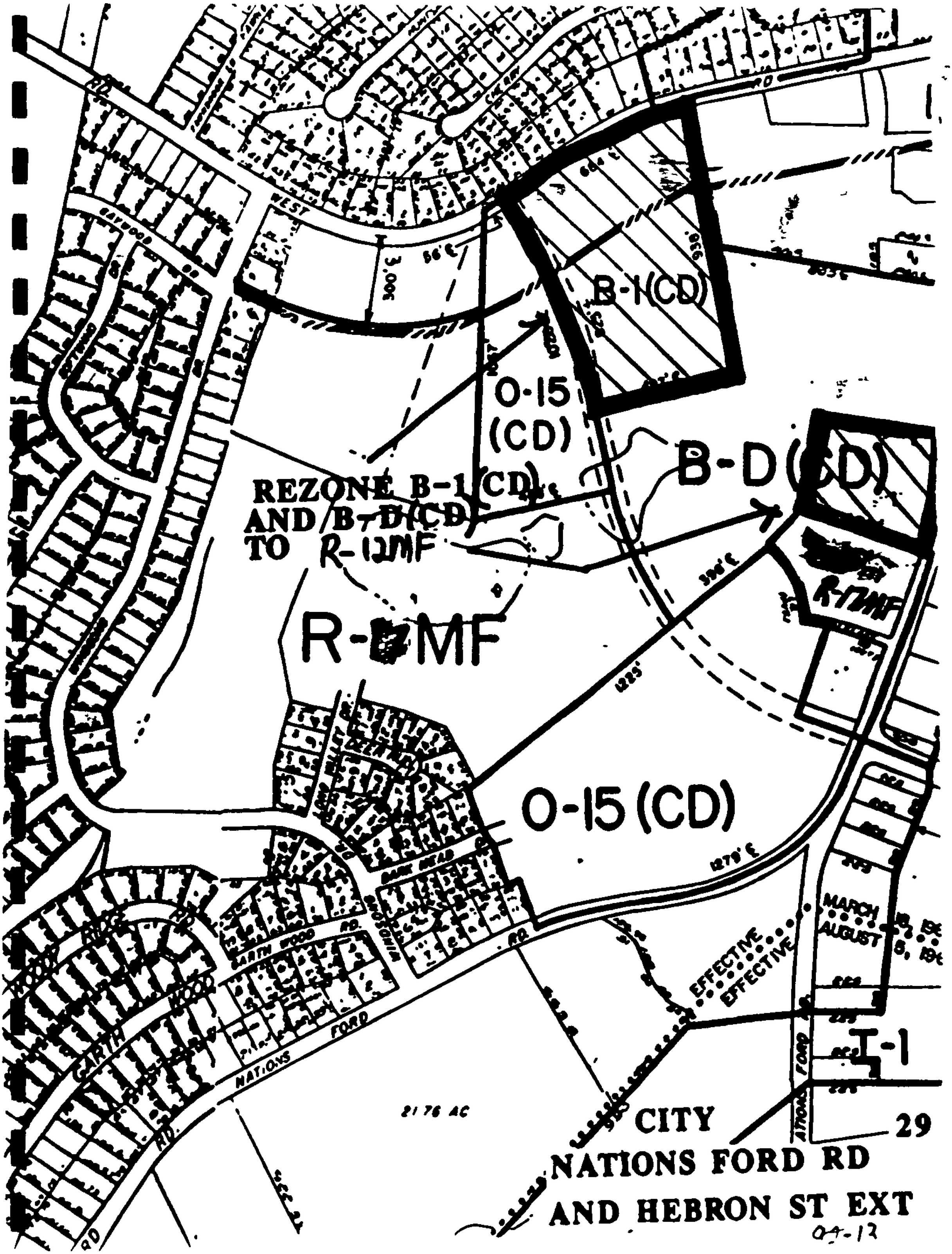
SEE ATTACHED MAP

ZONING MAP NO(s).: 148 SCALE 1" = 400'



PROPERTY PROPOSED FOR CHANGE


ARROWOOD RD
WEST
B-1(CD)
O-15 (CD)
B-D(CD)
R-17MF
REZONE O-15(CD)
B-D(CD) AND
R-17MF TO INST.
R-17MF
O-15 (CD)
MARCH 18, 1968
AUGUST 5, 1968
EFFECTIVE
EFFECTIVE
I-1
28
CITY
NATIONS FORD RD
AND HEBRON ST EXT
1192-13


B-1(CD)
O-15 (CD)
B-D(CD)
REZONE B-1(CD) AND B-D(CD) TO R-12MF
R-12MF
R-MF
O-15 (CD)
EFFECTIVE
EFFECTIVE
MARCH
AUGUST
I-1
NATIONS FORD
EARTH WOOD RD.
21.76 AC
CITY
NATIONS FORD RD
AND HEBRON ST EXT
29
04-12

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

January 30, 1992

Mayor Richard Vinroot
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 January 27, 1992.

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, February 10, 1992. This will then permit these matters to be placed on your agenda for consideration on Monday, February 17, 1992.

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

Respectfully submitted,

Anne J. McClure

Anne J. McClure
Charlotte-Mecklenburg Planning Commission
Zoning Committee Chairperson

AJM:mlj

Attachments

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

DATE: January 27, 1992

PETITION NO(S).: 91-15 & 91-24

PETITIONER(S): V. C. Stone

REQUEST: Change from I-1 and R-9MF to I-1(CD).

LOCATION: Approximately 36 acres located south of Old Mt. Holly Road, east of Melynda Road and west of West Todd Street.

NOTE: Petition Nos. 91-15 and 91-24 were originally heard by Council in early 1991 and subsequently approved in part in November, 1991. The decision on the balance of the petitions was deferred to allow consideration of an I-1(CD) district.

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

VOTE: Yeas: Baker, Byrne, Lassiter, McClure, and Tabor.

Nays: Spencer.

REASONS

This petition seeks rezoning from a combination of R-9MF and I-1 to I-1(CD) in order to present to Council an alternative to the original petition to rezone the subject property to R-9 and R-6. While the Northwest District Plan recommends the property be rezoned from industrial to residential, it also recognizes that a future rezoning to I-1(CD) should be given consideration for properties east of Melynda Road near Central Transport. In addition, the proposed reservation of a potential truck route through the petitioned site (if implemented by the City) is in conformance with the goal of the Northwest District Plan to provide for separation of residential and industrial traffic on Melynda Road.

Subsequent to the public hearing on this petition, the petitioner agreed to extend the potential truck route right-of-way reservation time period from two years to four years. Based upon this modification, the majority of Zoning Committee viewed the petition as appropriate for approval.

MINORITY OPINION

The minority opinion expressed serious concern that the proposed I-1(CD) request does not achieve the goal of the Northwest District Plan to preserve and enhance the character of Todd Park. It was noted that small neighborhoods, such as Todd Park, are extremely fragile and future residential use of the petitioned site is critical to the neighborhood's future. Implementation of the original petition for residential was viewed as the more appropriate way to support Todd Park.

STAFF OPINION

Staff views the proposed I-1(CD) petition as offering a potential compromise that establishes buffers adjacent to residential property and provides a potential truck route to end truck traffic on Melynda Road. Staff notes, however, that publicly adopted plans for the area envision further residential development in proximity to Todd Park.

PETITIONER: Charlotte-Mecklenburg Planning Commission & V. C. Stone

PETITION NO.: 91-15 & 91-24 HEARING DATE: January 21, 1992

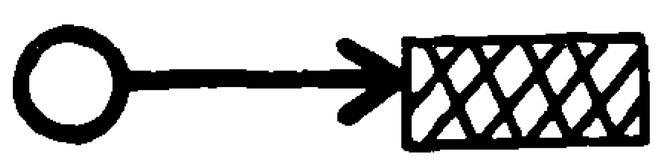
ZONING CLASSIFICATION, EXISTING: I-1 & R-9MF REQUESTED: I-1(CD)

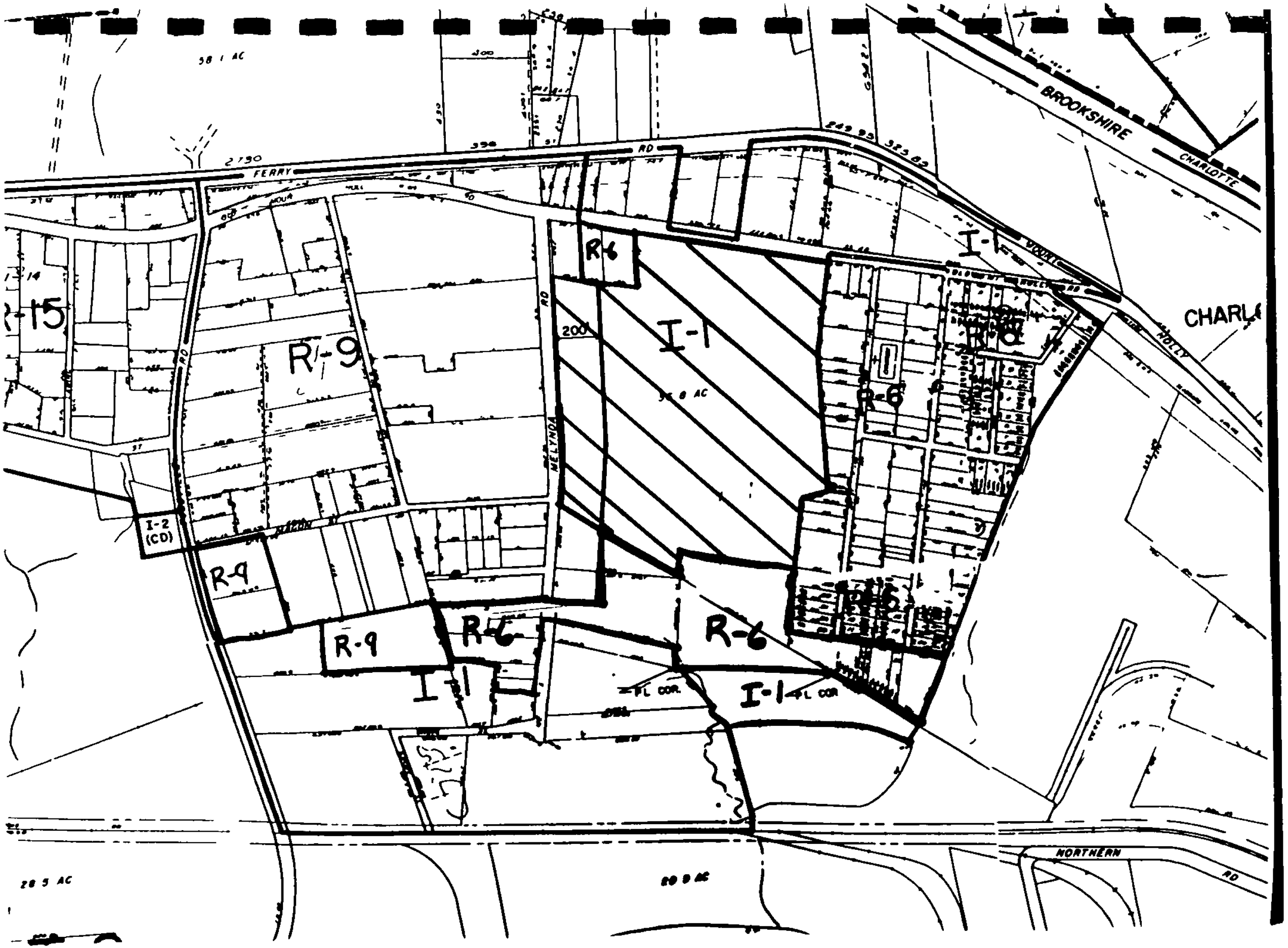
LOCATION: Approximately 36 acres located at the southeasterly intersection of Old Mt. Holly Road and Melynda Road.

SEE ATTACHED MAP

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

PROPERTY PROPOSED FOR CHANGE




FERRY
RD
BROOKSHIRE
CHARLOTTE
HOLLY
MELYNDA
RD
NORTHERN
RD
R-15
R-9
R-6
I-1
I-2
(CD)
R-9
R-9
R-6
R-6
I-1
I-1
FL COR
FL COR
200
2790
58.1 AC
28.5 AC
20.9 AC

DATE	January 27, 1992
PETITION NO.:	91-75
PETITIONER(S):	Charlotte-Mecklenburg Planning Commission
REQUEST:	Text amendment to restrict the number and location of unlicensed motor vehicles and the display for sale or trade of motor vehicles in residentially zoned districts.
ACTION.	The Zoning Committee recommends that this petition be approved.
VOTE: Yeas:	Baker, Byrne, Lassiter, McClure, Spencer, and Tabor.
Nays:	None.

REASONS

The location of numerous unlicensed motor vehicles on residentially zoned property became an issue out of the public hearings on the new zoning ordinance. The Building Standards Department confirmed instances where individuals had parked numerous unlicensed motor vehicles outside on residentially zoned property.

Consequently, the Planning Commission's Planning Committee addressed this issue and has proposed a text amendment after conferring with various governmental departments and private citizens. The amendment proposes to limit the number of unlicensed motor vehicles parked outside in residentially zoned districts to no more than two, provided the occupant of the premises is the title owner. It also proposes to restrict the location of such vehicles to be out of the public street right-of-way and required setback.

This amendment also proposes to limit the number of motor vehicles that may be displayed for sale or trade on residentially zoned property to no more than three within a 1-year time period. It further restricts the number of such vehicles to no more than two at any one time and for no vehicle to be displayed longer than three months within a given year. Such vehicles for sale or trade would be permitted to be displayed anywhere on the residential property, but not within a public street right-of-way.

At the public hearing on this request an alternative proposal was submitted for Council's consideration. The alternative proposal is generally more restrictive in that it limits the number of outdoor, unlicensed vehicles to one, (rather than two) limits the number of vehicles displayed for sale or trade in any calendar year to two, (rather than three) with no more than one vehicle for sale at any given time (rather than two). This alternative proposal is attached.

Zoning Committee discussed the proposed alternative amendment but ultimately viewed it as overly restrictive and unenforceable. Therefore, Zoning Committee recommends approval of the text amendment as originally submitted.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

ZONING ORDINANCE TEXT AMENDMENT APPLICATION

CITY OF CHARLOTTE

Petition No 91-75

Date Filed October 14, 1991

Received By MCM

OFFICE USE ONLY

Section No 9.204 & 9.304 Accessory Uses (Add a new No. 16 & a new No respectively)

(Title)

Purpose of Change This proposed amendment would add two provisions to address the number of unlicensed motor vehicles permitted outside on any residential zoned premises, and the number of motor vehicles that may be displayed for sale or trade on any residentially zoned premises. This amendment is proposed in order to address problems, which have been identified by the City Attorney's Office and the Building Standards Department and which were brought up at the public hearing on the new zoning ordinance.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission

Name of Petitioner(s)

600 E. Fourth Street, Charlotte, NC 28202-

Address of Petitioner(s)

(704) 336-2205

Telephone Number

Signature

Revised November 1, 1991

ORDINANCE NO. _____

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 City of Charlotte is hereby amended as follows:

1. Amend Sections 9.204 and 9.304 by adding a new No. 16 and a new No. 15, respectively, to read as follows:

"The following provisions shall apply to unlicensed motor vehicles and the display for sale or trade of motor vehicles in residentially zoned districts:

(a) No more than two (2) motor vehicles that do not have a current, valid license plate and are not fully enclosed in a permanent structure shall be permitted outside on any premises provided such vehicles are registered to the occupant of the premises as the record title owner of the vehicles. These vehicles are not permitted to be located within any required setback contained in these regulations or any street right-of-way.

(b) No more than three (3) motor vehicles may be displayed for sale or trade on the premises within a one (1) year period provided no more than two (2) such motor vehicles may be displayed for sale or trade on the premises at any one time and provided no motor vehicle may be displayed for sale or trade for a period longer than three (3) months within a one (1) year period. A motor vehicle, licensed or unlicensed, displayed for sale or trade on the premises may be located in the setback, but not within the street right-of-way.

(c) All vehicles must comply with City Code, Chapter 10, Article III, "Removal and disposition of abandoned vehicles, hazardous vehicles and junked motor vehicles".

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 _____.

_____
City Clerk

DATE: January 27, 1992

PETITION NO.: 91-79

PETITIONER(S): Charlotte-Mecklenburg Planning Commission (North Tryon Corridor Study)

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

LOCATION: A 29.3 acre site located along both sides of North Tryon Street between Sugar Creek Road and Eastway Drive.

NOTE: The Zoning Committee took action on this petition in six separate votes. Those separate actions are outlined below but the Committee's overall action was to recommend approval of the petition with the exception of the vacant property adjacent to the Winfield RV and Trailer facility (See Attached Map).

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

1. Approval of the portion of the petition from Bingham Drive to Eastway Drive east of North Tryon Street.

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

Nays: None.

2. Approval of the portion of the petition on the west side of North Tryon Street.

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

Nays: None.

3. Approval of the portion of the petition on the east side of North Tryon Street south of Dorton Street and along Sugar Creek Road.

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

Nays: None.

4. Approval of the portion of the petition which includes the Lowe's store.

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

Nays: Byrne and McClure.

5. Approval of the portion of the petition which includes the ABC store, Total X-Perience, Jackson's Used Cars, a house, and the Conoco gas station.

VOTE: Yeas: Baucom, Byrne, McClure, Motley, and Spencer.

Nays: O'Brien.

6. Denial of portion of the petition which includes a vacant lot adjacent to the Winfield RV facility.

VOTE: Yeas: Baucom, Byrne, McClure, and Motley.

Nays: O'Brien and Spencer.

REASONS

This petition proposes rezoning from I-2 to B-2 for properties located along the North Tryon Street Corridor between Sugar Creek Road and Eastway Drive as part of the implementation of the North Tryon Corridor Study approved in July, 1987. The purpose of this rezoning is to prevent any further development of heavy industrial uses in the North Tryon Gateway Corridor and to promote the corridor as a retail/commercial gateway while not creating any nonconforming uses. Previously, the Zoning Committee deferred action on this petition to allow time for Planning staff to do additional research related to issues which arose at the public hearing regarding nonconforming uses. The findings of the additional research revealed that a rezoning of the Lowe's store to the B-2 district will render it nonconforming due to provisions contained in the new zoning ordinance which allow the sale of building materials in the B-2 district but disallow sales to contractors and any outdoor storage. Staff intends to pursue a request for a text amendment to the ordinance to revise those standards. Based upon this potential text amendment, Zoning Committee included Lowe's in their recommendation for approval of the rezoning. The one area the majority of Zoning Committee viewed as inappropriate for rezoning to B-2 is the vacant tract adjacent to the Winfield RV facility which has been targeted for future expansion for Winfield's. The minority opinion viewed the property as appropriate for rezoning to B-2 inasmuch as the site is presently vacant and rezoning is consistent with the objectives of the North Tryon Corridor Plan.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee for actions 1 through 5. The Zoning Committee's action with respect to the proposed Winfield expansion tract is viewed as inconsistent with the North Tryon Corridor Study. The intent of the plan is to not rezone any properties to B-2 which would be rendered nonconforming. All new development along the North Tryon Corridor should be consistent with the retail nature of the B-2 district rather than further perpetuate the uses associated with the general industrial district.

PETITIONER: Charlotte-Mecklenburg Planning Commission

PETITION NO.: 91-79 HEARING DATE: December 17, 1991

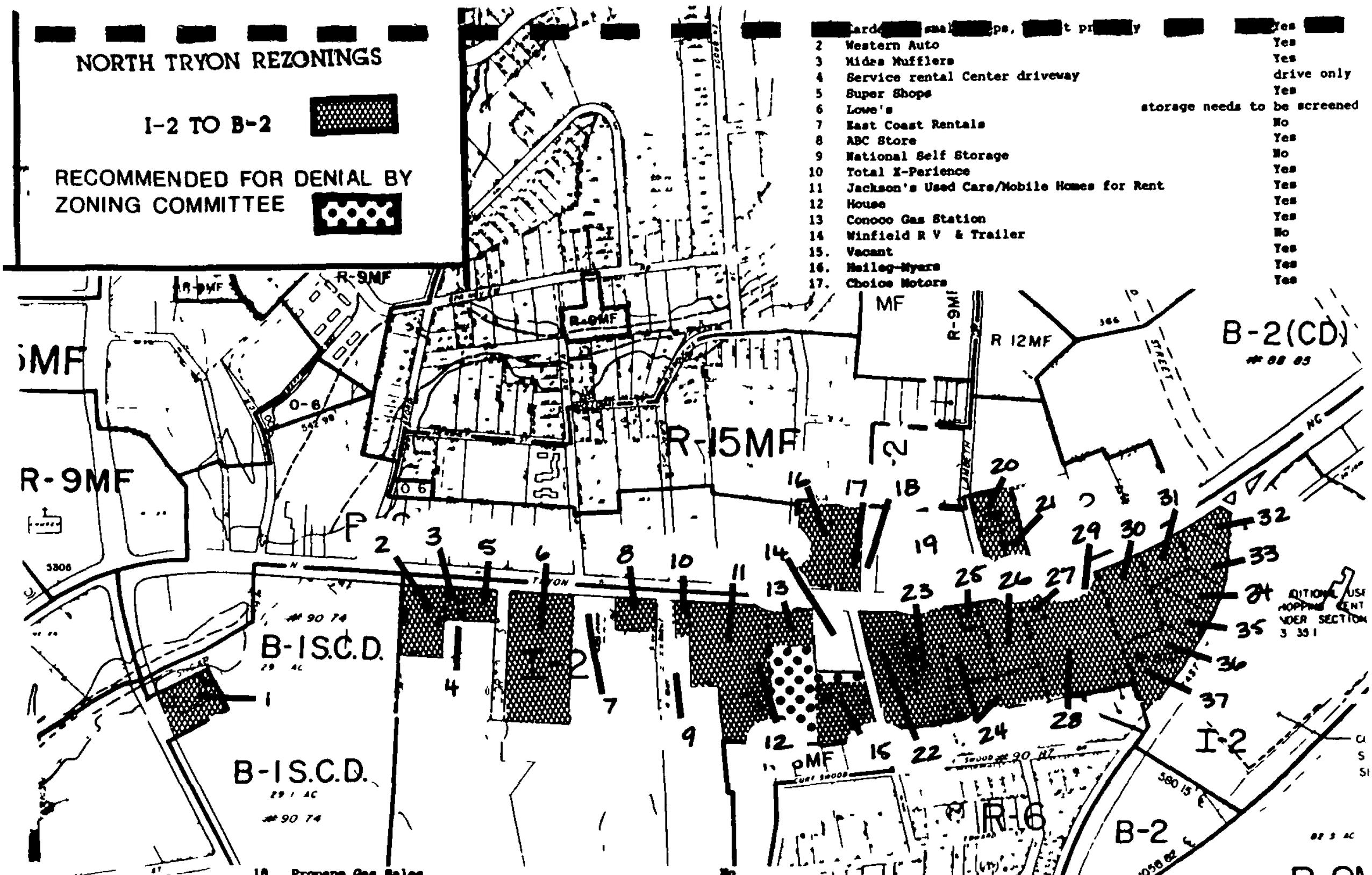
ZONING CLASSIFICATION, EXISTING: I-2 REQUESTED: B-2

LOCATION: Approximately 29.286 acres generally located along both sides of North Tryon Street between Sugar Creek Road and Eastway Drive.

SEE ATTACHED MAP

ZONING MAP NO(s).: 77, 78, 89, 90 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE



[redacted]	[redacted]	[redacted]
2	Western Auto	Yes
3	Midas Mufflers	Yes
4	Service rental Center driveway	drive only
5	Super Shops	Yes
6	Lowe's	storage needs to be screened
7	East Coast Rentals	No
8	ABC Store	Yes
9	National Self Storage	No
10	Total X-Perience	Yes
11	Jackson's Used Cars/Mobile Homes for Rent	Yes
12	House	Yes
13	Conoco Gas Station	Yes
14	Winfield R V & Trailer	No
15.	Vacant	Yes
16.	Mailes-Myers	Yes
17.	Choice Motors	Yes
18	Propane Gas Sales	No
19	East Coast Trailer & Equipment	No
20.	Small warehouse/Equipment	No
21	Vacant	Yes
22	Teamsters Union	Yes
23	Vacant	Yes
24	Body Shop/Furniture Upholstery	Yes
25	Convenience Store	Yes
26	Chinese Restaurant	Yes
27	Office Supply	Yes
28	Carlos Italian Restaurant	Yes
29.	Auto Zone	Yes
30	Beefy's	Yes
31	House/Billboard	Yes
32	Meineke Mufflers	Yes
33	Tryon House Restaurant	Yes
34	Vacant Building	Yes
35	Chinese Restaurant	Yes
36	Jiffy Lube	Yes
37	Sonny's BBQ	Yes

DATE: January 27, 1992

PETITION NO.: 91-81

PETITIONER(S): Charlotte-Mecklenburg Planning Commission (North Tryon Corridor Study)

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

LOCATION: Approximately 36.18 acres located along the east side of North Tryon Street from Old Concord Road to Arrowhead Road.

NOTE: The Zoning Committee took action on this petition in five separate votes which are outlined below. The Zoning Committee's overall action, however, was to recommend approval of the petition with the exception of Binswanger Glass, the Moore convenience store/warehousing site, the Tar Heel 4-Wheel Center/Howard Distributors, and Van Guard Storage (See Attached Map).

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

1. Approval of the portion of the petition which includes the gas station at Old Concord Road and the Famous Mart site.

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

Nays: None.

2. Denial of the portion of the petition which includes Binswanger Glass.

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

Nays: None.

3. Approval of the portion of the petition which includes the Truck Driving School.

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

Nays: None.

4. Approval of the portion of the petition between the Truck Driving School and Orr Road with the exception of the Moore convenience store/warehouses and Tar Heel 4-Wheel Center/Howard Distributors.

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

Nays: None.

5. Approval of the portion of the petition south of Orr Road to WHVN radio station with the exception of Van Guard Storage.

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

Nays: None.

REASONS

This petition proposes rezoning from I-2 to B-2 for properties located along the east side of North Tryon Street from Old Concord Road to Arrowhead Road as part of the implementation of the North Tryon Corridor Study approved in July, 1987. The properties included within the petition are primarily developed for commercial purposes but are zoned I-2. The North Tryon Corridor Plan recommends rezoning from industrial to commercial in order to promote North Tryon as a commercial, rather than industrial, gateway while not rendering any properties nonconforming. The Zoning Committee previously deferred action on the majority of the petition to allow further and more intensive review with respect to nonconforming uses. This additional research revealed that several properties were erroneously included in the petition while in fact they would be rendered nonconforming under B-2. Those properties include:

- the warehouses located behind the Moore's convenience store
- Tar Heel 4-Wheel Drive/Howard Distributors
- Van Guard Storage

Therefore, Zoning Committee recommends denial of the petition with respect to these sites. With respect to Binswanger Glass, Zoning Committee also recommended denial of the requested B-2 due to this site's proximity to North Hill's Business Park.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee with respect to actions 1, 3, 4, and 5. The Binswanger Glass facility would not be rendered nonconforming by the B-2 category and there is no compelling reason to retain the general industrial zoning in this area.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 91-81

Date Filed October 14, 1991

Received By MCM

OFFICE USE ONLY

Ownership Information

Property Owner See Attached Information

Owner's Address See Attached Information

Date Property Acquired N/A

Tax Parcel Number See Attached Information

Location of Property (address or description) Along North Tryon Street from Old Concord to Arrowhead Road.

Description of Property

Size (Sq. Ft.-Acres) 36.18± Acres Street Frontage (ft.)

Current Land Use Various retail uses, several vacant parcels, and a truck driving sch

Zoning Request

Existing Zoning I-2 Requested Zoning B-2

Purpose of Zoning Change To bring these properties into conformance with the North Try Corridor study approved by City Council in May of 1987.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Plann

Name of Petitioner(s)
600 East 4th Street

Address of Petitioner(s)
336-2205

Telephone Number

Signature

Signature of Property Owner
(Other Than Petitioner)

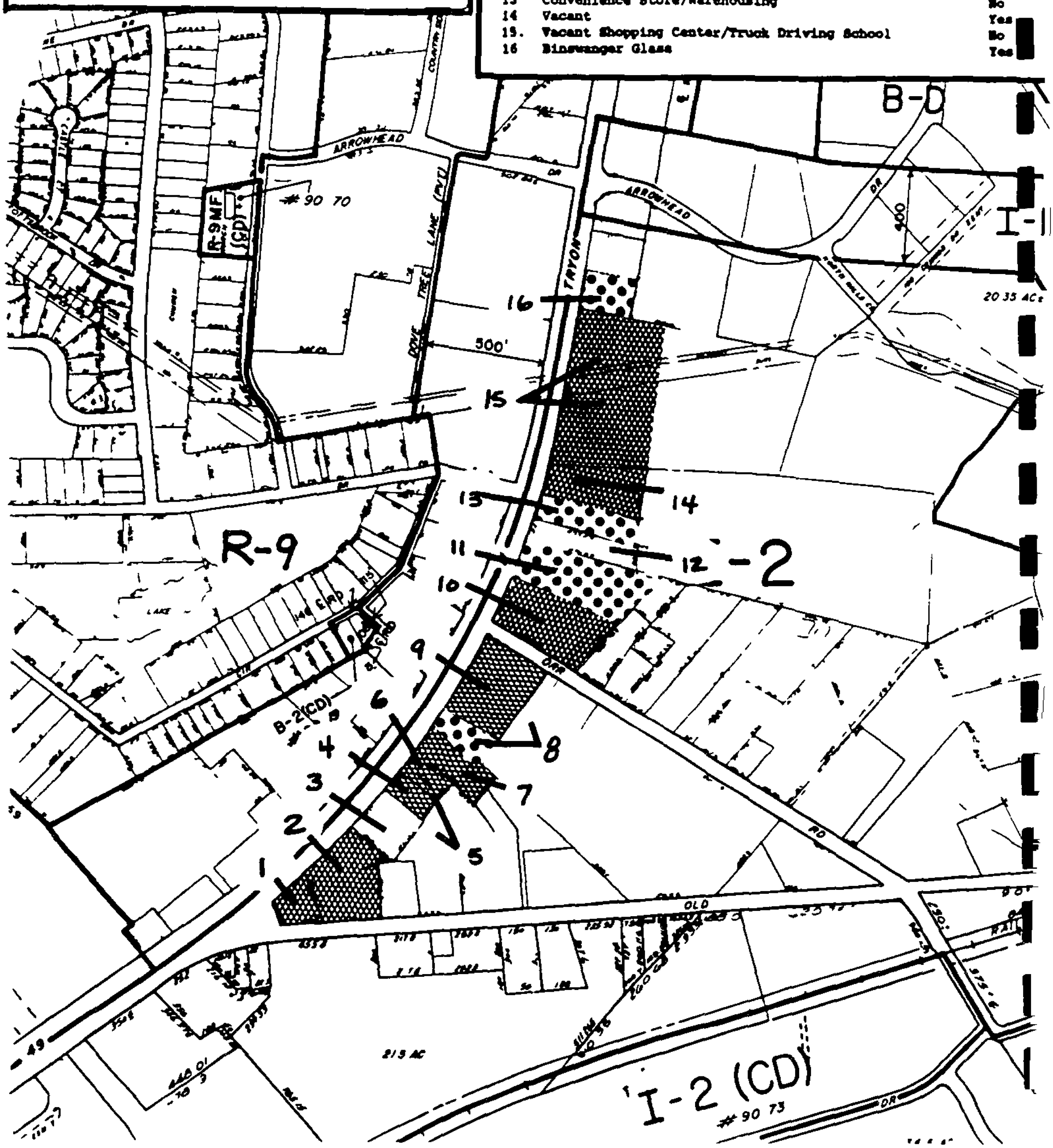
North Tryon #8

NORTH TRYON REZONINGS

I-2 TO B-2

RECOMMENDED FOR DENIAL BY ZONING COMMITTEE

	Use	Conforming I
1	Gas Station	Yes
2	Famous Mart 2nd Time Around Vintage Boutique	Yes
3	Killian Oil	No
4	WHVW Radio Station	Yes
5	Ben Craig Center driveway	Yes
6	Engine Service Products	Yes
7	Hardware Store	Yes
8	Van Guard Self Storage	No
9	Mobile Home Sales	Yes
10	University Lanes Bowling	Yes
11.	Tar Heel 4-Wheel Center, Howard Distributors	No
12	ACME Fencing	No
13	Convenience Store/Warehousing	No
14	Vacant	Yes
15.	Vacant Shopping Center/Truck Driving School	No
16	Binswanger Glass	Yes



DATE: January 27, 1992

PETITION NO.: 92-1

PETITIONER(S): Mint Museum of Art

REQUEST: Text amendment to the City's Zoning Ordinance to provide that museums be permitted as a use under prescribed conditions in residential districts.

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

VOTE: *Yeas: Baker, Byrne, Lassiter, and Tabor.*

Nays: McClure and Spencer.

REASONS

A new comprehensive zoning ordinance was adopted by City Council September 23, 1991, to become effective January 1, 1992. The preceding ordinance permitted museums in residential districts under prescribed conditions which only required greater distances from any lot line to a building than those for residences.

The new ordinance requires various institutional type uses to be in the specific Institutional district separate from residential districts. The requested text amendment proposes to permit museums in residential districts subject to certain performance standards including a maximum floor area ratio of .5 and a minimum lot area of 15,000 square feet. The Zoning Committee expressed concern that the proposed amendment could allow a potentially negative attraction in the midst of an established neighborhood. In order to discourage incorporation of such a potentially negative attraction within a developed residential setting, Zoning Committee asked the petitioner to consider a revision to the amendment to increase the minimum lot area to five acres. The petitioner agreed to this revision and Zoning Committee recommended approval of the petition, as modified.

MINORITY OPINION

The minority opinion viewed the specific Mint Museum issue which has arisen due to philosophical changes contained in the new ordinance as more appropriately dealt with in a way other than through a text amendment. It was noted that this is an issue which warrants a deferral for additional discussion and a potential compromise solution.

STAFF OPINION

The staff disagrees with the recommendation of the Zoning Committee. This petition is due to the interests of one particular museum but will extend to all such uses in all neighborhoods. It is more appropriate to provide for this type of use through the public hearing (rezoning) process where the circumstances unique to each site may be properly evaluated.

ZONING ORDINANCE TEXT AMENDMENT APPLICATION

CITY OF CHARLOTTE

Petition No 92-1
Date Filed November 8, 1991
Received By MCM
OFFICE USE ONLY

Section No 2.201 (Definitions); 9.203 (Uses permitted under prescribed condition 9.204 (Permitted accessory uses and structures); Chapter 12, Part 5 (Special Requirements for Certain Uses) (Title)

Purpose of Change

To amend the new Zoning Ordinance to provide that museums remain as a use permitted under prescribed conditions in a residential district as provided in the current Zoning Ordinance.
TEXT OF AMENDMENT ATTACHED.

A. Zachary Smith III
Name of Agent
See below
Agent's Address
331-7474
Telephone Number

Kennedy Covington Lobdell & Hickman
3300 NCNB Plaza
Charlotte, NC 28280

Mint Museum of Art
Name of Petitioner(s)
2730 Randolph Road, Charlotte, N
Address of Petitioner(s)
337-2000
Telephone Number
Marc D. Oken
Signature Marc D. Oken
President Elect

Dated: October 29, 1991

Petition No. 92-1
Petitioner: Mint Museum of Art

ORDINANCE NO._____

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:

Section 2.201. **DEFINITIONS.** (page 2-24) is amended to add the following definition:

(M13) Museum.

A museum or gallery operated primarily for the display, rather than the sale of works of art.

Section 9.203. **Uses permitted under prescribed conditions.** (page 9-22) is amended to add the following:

(23) Museums, subject to regulations of Section 12.517.

Section 9.204. **Permitted accessory uses and structures.** (page 9-23) is amended to add the following:

(15) Parking lots, storage facilities, exhibit preparation facilities and similar uses as accessories to museums located on the same or contiguous lot and subject to the regulations of Section 12.517.

Chapter 12, Part 5: Special Requirements for Certain Uses (page 12-65) is amended to add a new Section 12.517 as follows:

Section 12.517. **Museums in residential districts.**

Museums, along with their accessory uses, are permitted in residential districts and must meet the standards of this Section and all other requirements of these regulations:

(1) Maximum floor area ratio is .50.

(2) Minimum lot area is 5 acres.

(3) Minimum lot width is 80 feet.

(4) Minimum setback is 40 feet.

(5) Minimum side yard is 30 feet.

(6) Minimum rear yard is 30 feet.

(7) Maximum height is 40 feet.

(8) Minimum open space is 60%.

(9) Off-street parking is 1 space per 250 square feet.

(10) The principal building and accessory uses must be on a contiguous site.

(11) Offices associated with the activities or business of the museum will occupy no more than 25 percent of the total floor area of buildings on the lot.

(12) All buildings and off-street parking and service areas will be separated by a Class C buffer which abut property located in a residential district or abutting residential use.

(13) The use will be located on a lot that fronts a collector, minor thoroughfare or major thoroughfare.

(14) Primary vehicular access to the use will not be provided by way of a residential local (Class VI) street.

(15) Office and non-office accessory uses which are permitted in residential districts under these provisions shall meet the following requirements in addition to any other applicable requirements of this ordinance:

(a) No merchandise or merchandise display window shall be visible from outside the building;

(b) All parking shall be screened in accordance with Section 12.303; and

(c) Accessory uses must not violate the yards, separation or buffer requirements which apply to the principal structure(s).

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

DATE. January 27, 1992

PETITION NO.: 92-2

PETITIONER(S). Sharon Memorial Park and Mausoleum, Inc.

REQUEST: Text amendment to the City's Zoning Ordinance to permit crematory services as an accessory use to a cemetery in residential districts, subject to prescribed conditions.

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

VOTE: Yeas: Baker, Byrne, Lassiter, McClure, and Tabor.

Nays: Spencer.

REASONS

Cemeteries are permitted in all residential districts subject to prescribed conditions. The Zoning Administrator has interpreted that since crematories are specifically listed in other zoning districts, they are not permitted as accessory uses to a cemetery in residential districts.

This proposed text amendment would specifically state that a crematory would be permitted as an accessory use within a cemetery of 100 acres or more in residential districts subject to the following prescribed conditions:

a) All applicable local, State, and federal laws and regulations shall be complied with.

b) The crematory shall be enclosed within a building meeting Building and Fire Code requirements.

c) The placement of the facility within the property in any residential district shall be 100 feet or more from any exterior property line.

Zoning Committee viewed the proposed amendment, as modified by the petitioner to address the minor syntax errors noted at the public hearing, as appropriate for approval.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

ZONING ORDINANCE TEXT AMENDMENT APPLICATION

CITY OF CHARLOTTE

Petition No 92-2

Date Filed November 8, 1991

Received By [illegible]

OFFICE USE ONLY

Section No. 12.508 Cemeteries, public and private

(Title)

Purpose of Change

To permit the service of cremation to be offered as an accessory use of land which has as its principal use a cemetery - under prescribed conditions. Recent State Of North Carolina legislative enactment (Effective Date January 1, 1991) of the Crematory Act (Article 13 C of GS 90-210.40) provides for licensing, inspection, and regulat of crematory operators under A Board and N.C. Authority. The legislation provides that "A crematory may be constructed on or adjacent to any cemetary,".....(§ 90-210.43 (b))

This service can be offered using modern efficient appliances which are designed and operate to avoid any negative impact on the community, neighborhood, or environment.

S. Neal Broome, P. E.

Name of Agent

Broome Assoc. Engineers & Surveyors, P.A.

Agent's Address

1361 East Morehead St. Charlotte, 28204

Telephone Number

704 375 6148

Sharon Memorial Park & Mausoleu

Name of Petitioner(s)

P. O. Box 220346 Charlotte , NC

Address of Petitioner(s)

704 537 5011

Telephone Number

[illegible]

Signature

ORDINANCE NO._____ 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 12.508 by
   Adding sub paragraph (3) to read as follows:

   (3) Crematory services may be provided for human corpses as an accessory use within cemetery use property of 100 acres or more in residential districts subject to the following prescribed conditions:

   a) All applicable local, State, and federal laws and regulations shall be complied with.

   b) The cremator shall be enclosed within a building meeting Building and Fire Code requirements.

   c) The placement of crematory facilities within the property in any residential district shall be 100 ft. or more from any exterior property line.

_____
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

DATE: January 27, 1992

PETITION NO.: 92-3

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change form R-1.0MF to UR-2.

LOCATION: Approximately 1.3 acres located at the intersection of East Morehead Street and McDowell Street.

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

VOTE: Yeas: Baker, Byrne, Lassiter, McClure, Spencer, and Tabor.

Nays: None.

REASONS

The R-1.0MF zoning category has been deleted from the new City Zoning Ordinance, effective January 1, 1992. The conversion chart contained in the new zoning ordinance recognizes that the petitioned property zoned R-1.0MF would require rezoning to a district within the new zoning ordinance. The petitioned site is the one property in the City with R-1.0MF zoning. The property is currently developed with the Addison Apartments and was previously used for elderly housing. The closest zoning category in terms of permitted uses, densities, floor area ratio, etc. contained within the new zoning ordinance is the UR-2 category. This category would allow single family attached and multi-family dwelling units and limited nonresidential uses as part of a residential structure.

The UR-2 zoning category is the most comparable district available under the new ordinance for the subject property in terms of permitted uses, density, and floor area ratio. Therefore, Zoning Committee recommends approval of this petition.

STAFF OPINION

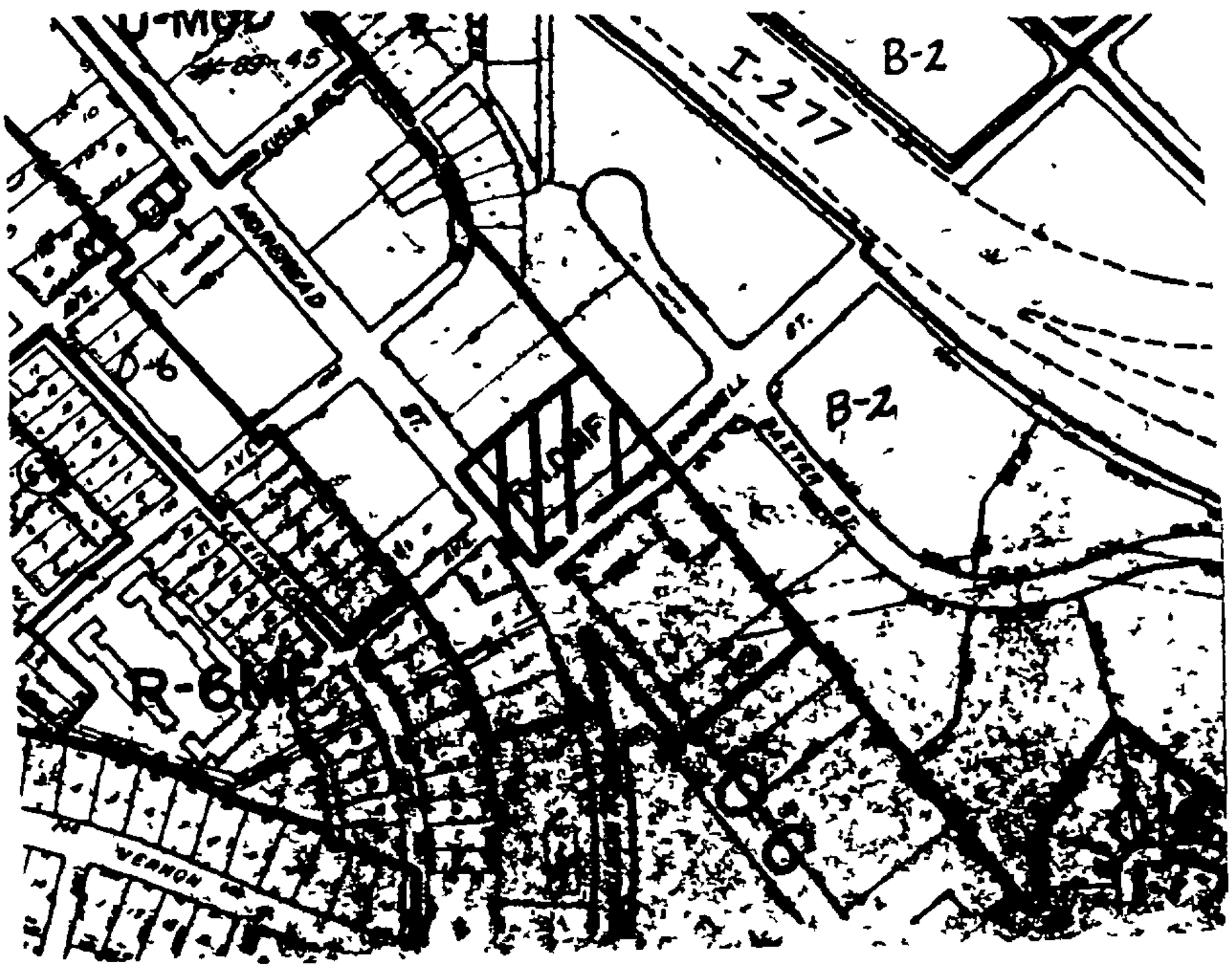
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER: Charlotte-Mecklenburg Planning Commission

PETITION NO.: 92-3 HEARING DATE: January 21, 1992

ZONING CLASSIFICATION, EXISTING: R-1.0MF REQUESTED: UR-2

LOCATION: Approximately 1.3 acres located at the intersection of Morehead Street and McDowell Street.



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

PROPERTY PROPOSED FOR CHANGE

ZONING MEETING 2/17/92

MAYOR ✓
CAMPBELL ✓
CLODFELTER ✓
HAMMOND ✓
McCRORY ✓
MAJEED ✓
MANGUM ✓
MARTIN ✓
PATTERSON ✓
REID ✓
SCARBOROUGH ✓
WHEELER ✓

6:05

Vinroot
Invocation
Vinroot Defer #1, #3, 13, 16 Print,
Hammond
Vinroot
Underhill
Martin
White
Vinroot
Underhill

Vincent
Patterson
McCrory
Underhill
Vincent
Underhill
Vincent
#3 McCrory / Patterson defer #3 to 4/20/92

#13 McCrory / Wheeler Cont 3/16
#16 McCrory / Wheeler defer to 3/16

Vincent
#1
Allen Brooks - FOR
Clodfelter
MC Crory
Underhill
McCrory
Underhill
Martin
Underhill
Reid
Underhill
Reid

2-24
4:30
ZONING COMM.
8TH FL.

Hammond
Mangum
Vinroot
White
McCrory
White
Vinroot
Davis Liles - For
Patterson
Hammond
Vinroot
Dave Ritch - For
Clodfelter / Patterson - Continue to
3/16/92 - Unan:

Vinroot
#2 92-4
Fields
Vinroot
Ann McClure
Vinroot
Leonard McPherson - For
Elliott Glover - For
Alma Pinkerton for Ellen Blackwelder
Malcolm Barnhardt
Vinroot

Malcolm Barnhardt
Vincent
Danny Watts - AGAINST
Sam Williams - AGAINST
Clodfelter
Will
Watts
Clodfelter
Watts
Fred Bryant - AGAINST
Clodfelter
Bryant
Clodfelter
Bryant
Clodfelter
Watts
Bryant
Clodfelter
Bryant
Clodfelter
McCleere
Patterson
Watts
Patterson
Watts

McCrory
Fields
McCrory -
Fields
McCrory
Fields
Patterson
Fields
Patterson
Fields
Patterson
Hammond
Fields
Hammond
Martin
Fields.

Mangum
Bill Farthing
Vincoot
McCrory
Vincoot
Hammond / Wheeler Close King-Iman.

Ann McClure -

#4 92-6
Dave Howard
Vinroot
Scarborough
Howard
Vinroot - 5, 6, 7, 8, 10 no speakers
Scarborough
Vinroot
~~Scarborough / Martin~~
#4 Fields Raymond Underhill
Stuart Childs
Scarborough
Childs
Scarborough
Childs
Patterson
Fields
Vinroot
Patterson / Mangum - Mran.
Scarborough
Fields - Yes.
#5 Vinroot - 92-7
Scarborough / Patterson Clse Hrng.

#6 - 92-8
Vinroot
Scarborough / Patterson Close Hang

#7 - 92-9
Patterson / Scarborough Clse Hang.

#8 - 92-10
Scarborough / Patterson Clse Hang

#9 92-11
Fields
Vinroot
Manzum
Pamela Hatley - For.
Scarborough
Vinroot
Hammond
Millie Milstead
Ken Ashe - For
Patterson
Ken Ashe
Ward Mullis
Scarborough

Ward Mullis
Patterson
Mullis
Bert Gellman
Scarborough
Gellman
Scarborough
Gellman
Scarborough
Gellman
Scarborough
Gellman
Howard Duvall
Patterson
Fields
Duvall
Patterson
Duvall
Patterson
Fields
Patterson
Scarborough
Patterson
Howard (Dave)
McCrory

McCrory
Howard
Bob Young - Represents Portrait Homes
Patterson
Vinroot
Andy Levine LEVINE
Sear / Wheeler - Close
McCrory

#10 92-12
Vinroot
Patterson / Wheeler Close

#11- Vinroot 92-13
Fields
Vin
Patterson
Fields
Patterson
Underhill
Vinroot
Russell Schwartz
Clodfelter
Schwartz

Clodfelter
Schwartz
Bob Young
Clodfelter
Young
Clodfelter
Fields
Scarborough / Martin Close
Patterson

Recess 8:10
Reconvene 8:20

~~#12~~
Vinroot
Patterson - Queens Table Artwork
Vinroot 12:00 3/24 final decision
on
MC
Vin

#12
Patterson / Campbell App. as modified

Martin -

Hammond
Martin
Clodfelter
Mangum
Martin
Patterson
Subst. Deny - Martin / Hammond
McCrory
Vinroot
Fields - Original petition was R-9MF & I-1 to R-9
McCrory
Sara Spencer
McCrory / Hammond
Subst. Martin / Amend - to approve original zoning ~~as~~ petition going to R-9MF + I-1 to R-9
Ann McClure
Patterson
McClure
Fields
McClure
Clodfelter
Martin
Vinroot - Let Planning tell us before we act.
Patterson - withdrew her original motion
Martin / Reid defer to consider orig. Petition
Clod
Unan.

McCrory
#14 Vinroot
Underhill
Vinroot
Underhill

Patterson/Wheeler approve as recommended
Patterson margin change
#1 - No Reid vote to Denial
Campbell, McCrory
Clodfelter, Mangum

FAILED 5-6
#2 Hammond/Wheeler - approve
No - Reid, Clodfelter, Mangum
McCrory, Campbell, Scarborough

YES
#3 Hammond/Martin Hammond,
Martin, Majeed

#4 Hammond/Scarborough - app
for Scarborough, Hammond, Wheeler
Majeed

#5 Hammond/Martin - app.
YES Ham, Martin, Majeed

#6
McCrory / Wheeler deny
No Majed, Hammond

#15
Ellen Winroot -
Patterson / Margum Tuan

Campbell - on #1-5 on 15 - which includes Hardware store?
Fields #5
Clodfelter voting against all rezonings
Patterson
McCrory
Margum
Martin
McCrory / Wheeler deny #1
No - Majed
McCrory / Clodfelter deny #2
Tuan.
#3 Margum / Patterson deny
No - Majed

Mangum / Wheeler
Deny #5 -
No - Majeed

Hammond
McCrory
Clodfelter
Majeed
Mangum

#17 McCrory / Wheeler app
as modified
Unan.

18 Hammond / Wheeler App

Unan.

#19 - 91-76 defer to April
Patterson / Mangum approve rest
Unan.

Mangum / Scarborough
Adjourn 8:55