AGENDA

Meeting Type:	B
Date:	09-21-1992

City of Charlotte, City Clerk's Office

Pam Carnes Lane

MAYOR'S SCHEDULE
September 21, 1992

6:00 p.m. - Zoning Meeting

1. Invocation by Rev. Thomas Ehrich, St. Martin's Episcopal Church

2. ANNOUNCEMENTS

Thursday, ~~August~~ SEPTEMBER 24, 4:00 p.m. City Council Planning Committee - CMGC, Rooms 270.

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

A) Agenda Item No. 1 - Hearing on Petition No. 92-45

Deferred to 10/19

(1) Robert Southern, 5900 Sharon Road - 552-8605 - Against

(2) R. C. Bryson, 5922 Sharon Hills Road - 553-2084 - Against

(3) Scott Henry, 4011 Rhodes Avenue - 373-6182 - Against

(4) BOB YOUNG - FOR

A protest petition has been filed and is not sufficient to invoke the 20% rule.

✓ #2 - 92-46 BOB YOUNG - FOR

B) Agenda Item No. 3 - Hearing on Petition No. 92-47

✓(1) Mike Thrift - 10931 Osprey Drive - 889-7262 - Against

X(2) Mary Pierlott, 8824 Nightingale Lane - 54202364 - Against

X(3) Marsha Elliott, 5427 Crosshill Court - 846-4987 - Against

X(4) Gloria Palmer, 8925 Nightingale Lane - 542-3032 - Against

X(5) Michael S. Erickson, 8008 Park Vista Court, - 542-7065 - Against

✓(6) FRED BRYANT - FOR

(C) Agenda Item No. 7 - Hearing on Petition No. 92-51

(1) Hunter Meachum, 2020 Lombardy Circle, 376-3503 - FOR

(2) BOB YOUNG 301 S McDOWELL AGAINST

Protest Petitions have been filed and are sufficient to invoke the 20% rule requiring a 3/4 majority of the Charlotte City Council for approval of this petition or rezoning.

ITEM ✓#4 - FRED BRYANT - FOR 92-48
92-48

92-52 ITEM #8 - ROBERT W SIMMONS - FOR - 1900 Robins & Bradshaw Clayton

92-53 ITEM #9 - Henry Harkey - FOR 3901 Abingdon

92-54 - ITEM #10 - BAILEY PATRICK - FOR

MARGARET BARNHARDT FOR 5620 Sardis RD

CHARLOTTE

Meetings in September '92

SEPTEMBER 1 - 4

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

2, Wednesday
8 30 a m — CIVIL SERVICE BOARD/Hearing (Closed) - CMGC, Meeting Chamber Conference Room

3, Thursday
11 30 a m — PLANNING COMMISSION/Planning Committee - CMGC, 8th Floor Conference Room
12 00 noon — PLANNING COMMISSION/Work Session - CMGC, 8th Floor Conference Room
2 00 p m — PLANNING COMMISSION/Zoning Committee - CMGC, 8th Floor Conference Room

THE WEEK OF SEPTEMBER 7 - 11

7, Monday
CITY HOLIDAY All City Offices Closed

8, Tuesday
8 00 a m — AIRPORT ADVISORY COMMITTEE - Charlotte-Douglas International Airport, Conference Room A
3 00 p m — HOUSING APPEALS BOARD - CMGC, 5th Floor Conference Room
5 00 p m — CITY COUNCIL WORKSHOP - CMGC, Conference Center

9, Wednesday
8 00 a m — CLEAN CITY COMMITTEE - CMGC, Room 270
8 30 a m — CIVIL SERVICE BOARD - CMGC, 7th Floor Conference Room
9 30 a m — CIVIL SERVICE BOARD/Hearing (Closed) - CMGC, 7th Floor Conference Room
3 00 p m — HISTORIC DISTRICT COMMISSION - CMGC, 8th Floor Conference Room

10, Thursday
4 00 p m — CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee - CMGC, 8th Floor Conference Room

THE WEEK OF SEPTEMBER 14 - 18

14, 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 - Commission Office, Law Building, 730 E Trade St , Suite 100

15, Tuesday
2 00 p m — HOUSING AUTHORITY - Authority Office, 1301 South Boulevard
4 30 p m — COMMUNITY RELATIONS COMMITTEE - CMGC, Meeting Chamber
6 30 p m — YOUTH INVOLVEMENT COUNCIL - CMGC, Meeting Chamber Conference Room

Public Service And Information Department
600 East Fourth Street
Charlotte NC 28202 2861
704/336-2395

(CONTINUED ON BACK)

THE WEEK OF SEPTEMBER 14 - 18 (Continued)

16, Wednesday
7 00 p m — METROPOLITAN PLANNING ORGANIZATION - CMGC, Conference Center

17, Thursday
2 00 p m — CHARLOTTE-MECKLENBURG UTILITY DEPARTMENT ADVISORY COMMITTEE - Utility Department, 5100 Brookshire Blvd , 1st Floor Conference Room

18, Friday
PLANNING COMMISSION/Planning Liaison Committee - CMGC, 8th Floor Conference Room

THE WEEK OF SEPTEMBER 21 - 25

21, 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

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

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

7 00 p m — FOCUS 2010 MEETING - CMGC, Meeting Chamber (Televised Live on Cable Channel 32)

23, Wednesday
7 30 a m — PRIVATE INDUSTRY COUNCIL - CMGC, Room 118

5 00 p m — CITIZENS CABLE OVERSIGHT COMMITTEE - Cablevision of Charlotte, 316 E Morehead St

24, Thursday
4 30 p m — CHARLOTTE TRANSIT ADVISORY COMMITTEE - CMGC, Room 119

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

SEPTEMBER 28 - 30

28, Monday
4 30 p m — PLANNING COMMISSION/Zoning Committee - CMGC, 8th Floor Conference Room

29, Tuesday
1 00 p m — ZONING BOARD OF ADJUSTMENT - Hal Marshall Center, 700 N Tryon St , Building Standards Training Room

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

30, Wednesday
9 00 a m — AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY - 2940 First Union Center, New Convention Center Marketing Office

These organizations will not meet in September:
Div of Insurance & Risk Mgmt
Firefighters Retirement 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, September 21, 1992

5:00 p.m. - Council-Manager Dinner
Meeting Chamber Conference Room
Dinner Presentation - Residential Lighting

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

Invocation by Rev. Thomas Ehrich, St. Martin's Episcopal Church

ITEM NO.

PUBLIC HEARINGS

1. (92-45) Hearing on Petition No. 92-45 by YMCA of Charlotte-Mecklenburg for a change in zoning from R-12MF with a Special Use Permit and R-3 to Institutional (CD) for a 30.2 acre site located on the west side of Quail Hollow Road south of Sharon Road (Harris YMCA)

Mangum/Scarborough Defer 30 days unan.

A protest petition has been filed. & IS NOT SUFFICIENT.

Attachment No. 1

2. (92-46) Hearing on Petition No. 92-46 by Ronald and Reba Henry for a change in zoning from R-17MF to O-1(CD) for a 1.94 acre site located on the southeast corner of the intersection of Oakdale Road and Oak Drive.

McCrory/Wheeler Close Hrng unan

Attachment No. 2

3. (92-47) Hearing on Petition No. 92-47 by Park Ridge Seven Associates for a change in zoning from R-22MF to B-2 for approximately 11.5 acres located along both sides of Park Road, west of the Outer Belt.

Mangum/Hammond Close Hrng unan.

Attachment No. 3

9/21/92

(12)

Ord # 3415-2 BK 41, PG 125

Res BK 30, PG 127

Ord 3415
Res 14

4. (92-48) Hearing on Petition No. 92-48 by Steve and Alma Nemrava for a change in zoning from R-3 to I-1(CD) for a 4.6 acre site located on the southerly side of Tuckaseegee Road at I-85.

Hammond/Martin Close Hrng Unan.

Attachment No. 4

5. (92-49) Hearing on Petition No. 92-49 by President Baking Company for consideration of an I-1(CD) Site Plan Amendment for approximately a 1 acre site bounded by Louise Avenue, Belmont Avenue and Pegram Street.

Mangum/Scarborough Close Hrng. Unan.

Attachment No. 5

6. (92-50) Hearing on Petition No. 92-50 by Clifton and Margaret Flowers, et.al. for a change in zoning from O-1 to R-3 for approximately 1.67 acres located along both sides of Wilora Lake Road north of Albemarle Road.

Mgm. Jen/Wheeler Close H.rng Unan.

Attachment No. 6

170th

7. (92-51) Hearing on Petition No. 92-51 by L. Hunter and Wander P. Meacham for a change in zoning from R-22MF to R-6 for several parcels located off the southwesterly side of East Boulevard extending from Sugar Creek to Cumberland Avenue.

Hammond/McCrory Close Hrng Unan.

Several protest petitions have been filed AND AS A WHOLE ARE SUFFICIENT.

Attachment No. 7

8. (92-52) Hearing on Petition No. 92-52 by Charlotte Inn, HOLIDAY INN Inc. for a change in zoning from I-2 to I-1 for a 6.71 acre site located on the easterly side of Little Rock Road south of I-85.

McCrory/Hammond Close Hrng Unan

Attachment No. 8

9. (92-53) Hearing on Petition No. 92-53 by Alexander Children's Center, Inc. for a change in zoning from R-3 and R-17MF to Institutional (CD) for approximately 58.68 acres located on the west side of Thermal Road South of Rocky Falls Road.

Hammond/Scarborough Close Hrng Unan.

Attachment No. 9

10. (92-54) Hearing on Petition No. 92-54 by B.H.B. of Charlotte, Inc. for a change in zoning from O-2 to B-1(CD) for a .21 acre parcel located on the southwesterly side of East Boulevard between Dilworth Road East and Charlotte Drive.

Hammond/Martin close Hearing Unan.

Attachment No. 10

DECISIONS

11. (92-18) Decision on Petition No. 92-18 by Dilworth Community Association for a Text Amendment to various sections of the City of Charlotte Zoning Ordinance to establish criteria for the location and design of group homes.

Hammond/Whaley Defer Comm. has recommendation until Jan. 1993

The Zoning Committee deferred action on this petition for up to four months at the May 18 meeting.

Attachment No. 11

Dec. #1

12. (92-38) Decision on Petition No. 92-38 by Essie B. Shipp for a change in zoning from R-4 with a Special Use Permit for a Day Care Center to R-8MF(CD).

Sarborough/McCray approve unan.

This petition was deferred at the August 24th meeting for 30 days.

The Zoning Committee recommends that this petition be approved.

Attachment No. 12

Res #1

13. Recommend adoption of a Resolution calling for public hearing for Monday, October 19, 1992, at 6:00 p.m. in the Meeting Chamber, 600 East Fourth Street on Petition Nos. 92-56, 92-57, 92-59, 92-61 through 92-63, 92-65 and 92-66 for zoning changes.

McCray/Hammond App. Unan.

#14 - Hammond/Sawyer Suspend rules to add an item to the agenda to conduct City voting on Ted Paid first after discussion of motions at minutes.

Hammond/Patterson compensation adjust Manager's by 2.5%, and defer 3 months to fiscal year mid-10/1/92. No - Whaley, Paid, Sa.

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

September 9, 1992

Mayor and City Council:

RE: Petitions to be Heard in September, 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 Monday, September 21, 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 (LL)

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. 92-45

Petitioner: YMCA of Charlotte-Mecklenburg

Location: A 30.2 acre site located on the west side of Quail Hollow Road south of Sharon Road (Harris YMCA).

Request: Change from R-12MF with a special use permit and R-3 to Institutional (CD).

BACKGROUND

1. Existing Zoning. The property involved with this request is presently zoned a combination of R-12MF with a special use permit for the existing YMCA and R-3. A tract located across Quail Hollow Road and sites located to the south of the petitioned property along both sides of Quail Hollow Road are zoned multi-family residential. Otherwise, adjoining properties are zoned single family residential.

2. Existing Land Use. The petitioned property is the site of the Harris YMCA facility. Beverly Woods Elementary School and a mixture of single family and multi-family residential uses are located across Quail Hollow Road. To the south is a mixture of single family residential and multi-family residential uses. A condominium complex is located south of the intersection of Sharon Road and Sharon Hills Road. Otherwise, the area is devoted to single family residential uses.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicates existing residential land uses in the area of the subject property. Quail Hollow Country Club is indicated as a large area of open space nearby. No particular strategies are identified for the area of the subject property.

   2. South District Plan (draft). The draft South District Plan recognizes the existing YMCA facility and existing single family and multi-family developments nearby.

4. Site Plan. The site plan which accompanies this petition proposes an expansion of the existing YMCA facility from the existing 65,800 square feet to 132,000 square feet. The plan would permit the building expansion to occur both towards the Sharon Road edge as well as the Quail Hollow Road edge. A pool deck expansion and proposed open air shelters/pavillions/rest rooms are to be located near the tennis courts and playground area. A proposed day camp area is located just off Sharon Hills Road in the southwesterly corner of the site. A future parking expansion area is proposed just off Quail Hollow Road across from Heathstead Place. The plan

indicates the two existing driveway connections to Quail Hollow Road are to be relocated at the time of the building or parking expansions. At the time of the driveway relocations, the former driveways are to be closed and only two permanent driveways to Quail Hollow Road are proposed by the plan. No vehicular connections are proposed to Sharon Road or Sharon Hills Road with the exception of the existing service driveway on Sharon Hills Road which is to be paved to avoid gravel/mud runoff and may be relocated slightly. The plan depicts new landscaping along Sharon Hills Road in the area of the service drive which is required at the time of building expansion in this area. The new landscaping is to be a combination of evergreen and deciduous trees and/or shrubs and may also include an earth berm.

5. School Information. Not applicable.

6. Zoning History (See Attached Map).

Petition No.	Request	Action	Date
1. 65-74	R-15 to R-15MF	Approved	09/28/65
2. 68-11	R-15 to R-15MF	Denied	03/02/70
3. 78-47	R-15 to SUP for YMCA	Approved	12/11/78
4. 82-30	R-15 to R-15MF(CD)	Approved	01/18/83
5. 82-90	R-15 to R-15MF(CD)	Approved	08/15/83
6. SUP85-10	SUP to expand existing YMCA	Approved	11/05/85
7. 86-95	Established zoning in annexed areas	Approved	08/18/86
8. 89-92	R-15 to R-15MF(CD)	Approved	02/19/90

7. Neighborhood. This site lies within the Olde Georgetown/Sharon Hills neighborhood.

REVIEWS

1. Plan Consistency. This petition proposes the expansion of an existing YMCA facility in an area in which publicly adopted plans recognize the institutional nature of the existing use. Therefore, the petition is generally consistent with adopted plans for the area.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The staff met with the petitioner's agent prior to the filing of the application to discuss the proposal and to provide technical assistance on the preparation of the petition. Subsequent to the filing of the application, staff relayed several site plan comments to the

petitioner. Many of those comments have not been addressed by the revised site plan.

2. Departmental Comments. There are a number of outstanding departmental comments.

Comments from CDOT (see attached memo) include the need for installation of a left turn lane on Quail Hollow Road opposite Heathstead Place and dedication of additional right-of-way. Comments from the City Engineering Department noted a history of storm drainage problems in the area and requested that the petitioner provide detention facilities for the entire site to:

1) limit the runoff from the site to that which existed prior to any development during the two and ten year frequency storms,

2) limit the volume of runoff in 12 hours to the volume that existed prior to any development for the two year six hour storm,

3) design and verify the performance of the detention facilities using an analytical "routing" procedure, and

4) design a spillway for detention facilities to convey the 50 year storm.

Engineering also pointed out the tree ordinance requirements that will need to be addressed prior to grading and building permits and noted that the site is currently in noncompliance with tree ordinance requirements made in 1990. Other departmental comments primarily involved the need for clarifying information. For example, the plan indicates shelters are to be located in the proposed day camp area but provides no information on the maximum number of shelters to be allowed. The plan proposes "extensive new landscaping" along a portion of Sharon Hills Road but the specific information would allow for the landscaping to be composed of nothing more than shrubs. Staff also requested additional notes on the plan committing to a maximum height, an increase in the southerly edge buffer from 50 feet to 75 feet, a correction in terminology on the Sharon Hills Road edge from "rear yard" to "setback", and a specification that no detention will be placed in any of the buffers.

ISSUES

1. Land Use. There are no significant land use issues associated with this application. It proposes a rezoning from a combination of residential and special use permit zoned land to an

institutional category in an area in which publicly adopted plans recognize the existing institutional use of the site. Therefore, this petition is consistent with public plans from a land use standpoint and is considered appropriate for approval.

2. Site Plan. There are several outstanding site plan issues that have not been adequately addressed by the petitioner at this point. Those issues include the need for:

- A left turn lane on Quail Hollow Road at Heathstead Place for safety reasons,
- Either dedication of additional right-of-way along Sharon Road and Quail Hollow Road or compliance with transitional setback standards,
- Information regarding storm water runoff measures, and
- Additional information on landscaping, the maximum height of the structures, an upper limit on the number of day camp shelters. The plan would also be enhanced by an increase in the width of the buffer adjoining residential development from 50 feet to 75 feet.

This petition could be considered appropriate for approval with these modifications.

CONCLUSION

This petition could be considered appropriate for approval upon submittal of a revised site plan.

*Subject to further refinement following public hearing.

M E M O R A N D U M

DATE: September 1, 1992

TO: Laura Simmons
Planning Commission

FROM: R. D. Gillis, Assistant Director
Department of Transportation

SUBJECT: Rezoning Petition 92-45: Quail Hollow Road
South of Sharon Road
(Revised 8/24/92)

This site could generate approximately 957 trips per day as currently zoned. The revised site plan indicates no change in proposed land use. Therefore, the trip generation (1,921 trips per day) has remained the same.

Due to the proximity of an elementary school and the significant increase in vehicular trips, the Charlotte Department of Transportation (CDOT) has determined that for safety reasons a left-turn lane is necessary to serve the traffic using the site. Should the YMCA site expand as proposed with the relocation of some parking and expansion of the parking area adjacent to the existing soccer fields, the southern driveway will need to reconfigured. It can either remain at its present location and be re-built to physically only allow right-turns in and out or be aligned opposite Heathstead Place and include a left-turn lane designed in compliance with CDOT standards.

The engineering design and construction of the left-turn lane is the responsibility of the developer/owner. CDOT will only approve the proposed private driveway connections provided that a left-turn lane is constructed on Quail Hollow Road at a main entrance opposite Heathstead Place. We recommend that the rezoning plan reflect the design of this required left-turn lane prior to submittal/ approval of the private driveway connections. The left-turn lane must be designed with a minimum 150 feet of storage, a 20:1 bay taper and 45:1 through lane tapers.

The proposed driveway opposite Heathstead Place must be a Type III driveway and designed so that designated movement lanes align directly with the appropriate lanes on Heathstead Place. The main driveway is also proposed to be relocated to the south and will not be in the widened section of Quail Hollow Road which currently provides a left-turn lane to the facility.

Quail Hollow Road is a major thoroughfare requiring a minimum of 100 feet of right-of-way. Sharon Road is a minor thoroughfare requiring a minimum of 70 feet of right-of-way.

Additional right-of-way is required at the intersection of a major thoroughfare and a minor thoroughfare. Therefore, the developer/petitioner must dedicate right-of-way measuring 55 feet from the centerline of Quail Hollow Road for a distance of 545 feet starting from the centerline of Sharon Road, then tapering at a rate of 45:1 back to meet the minimum right-of-way requirement, measuring 50 feet from the centerline of the roadway. Right-of-way must also be dedicated on Sharon Road measuring 45 feet from the centerline of the roadway for 355 feet starting from the centerline of Quail Hollow Road, then tapering at a rate of 20:1 back to meet the minimum right-of-way requirement measuring 35 feet from the centerline of the roadway.

Adequate sight distance triangles must be reserved at the proposed entrances. Two 35'x35'and two 10'x70' sight triangles are required for the proposed relocated Type III entrance to meet sight distance requirements. All other driveways require two 10' x 70' sight triangles. All proposed trees, berms, walls, fences and/or identification signs should not interfere with sight distance at the entrances. Such items should be identified on the site plan.

The proposed relocated driveway connections to Quail Hollow Road and Sharon Hills Road require a driveway permit to be submitted to the Charlotte Department of Transportation (CDOT) for review and approval. The exact driveway locations and type/width of the driveways will be determined by CDOT during the driveway permit process. The location of the driveways shown on the site plan are subject to change in order to align with driveways on the opposite side of the street and comply with City Driveway Regulations and the City Tree Ordinance.

If we can be of further assistance, please advise.

RDG/REG:hll

cc: W. B. Finger
S. L. Putnam
R. E. Goddard
R. S. Williams
R. E. Wilson
Robert G. Young
YMCA of Charlotte/Mecklenburg
Rezoning File

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Staff Review Meeting - Tues 8/4 @ 10:00 a.m.

Petition No 92-45
Date Filed July 6, 1992
Received By MCM

OFFICE USE ONLY

Ownership Information

Property Owner: YMCA of Charlotte/Mecklenburg; James J. Harris Estate

Owner's Address: 400 E. Morehead St. Charlotte, N.C. 28202; P.O. Box 220427 Charlotte, N.C. 28222

Date Property Acquired

Tax Parcel Number 209-191-55, 209-191-34

Location of Property (address or description) 5900 Quail Hollow Rd

Description of Property

Size (Sq Ft -Acres) 30.2± acres

Street Frontage (ft) 610' Sharon Rd, 1515' Quail Hollow Rd, 1679' Sharon Hills Rd

Current Land Use Harris Family YMCA

Zoning Request

Existing Zoning R-12 MF with S.U.P. and R-3

Requested Zoning Termination of SUP and Institutional (CD)

Purpose of Zoning Change to permit the orderly expansion of the Harris YMCA, which is currently restricted by the existing special use permit/site plan

Name of Agent: Robert G. Young, 301 S. McDowell St, Ste 404, Charlotte, N.C. 28204

Agent's Address

Telephone Number 334-9157

Name of Petitioner(s): YMCA of Charlotte/Mecklenburg, 400 E. Morehead St, Charlotte, N.C. 28202

Address of Petitioner(s)

Telephone Number 552-9622

DISTRICT Vice President Harris Branch Director

Signature: Andy C Carlson

Signature of Property Owner if Other Than Petitioner

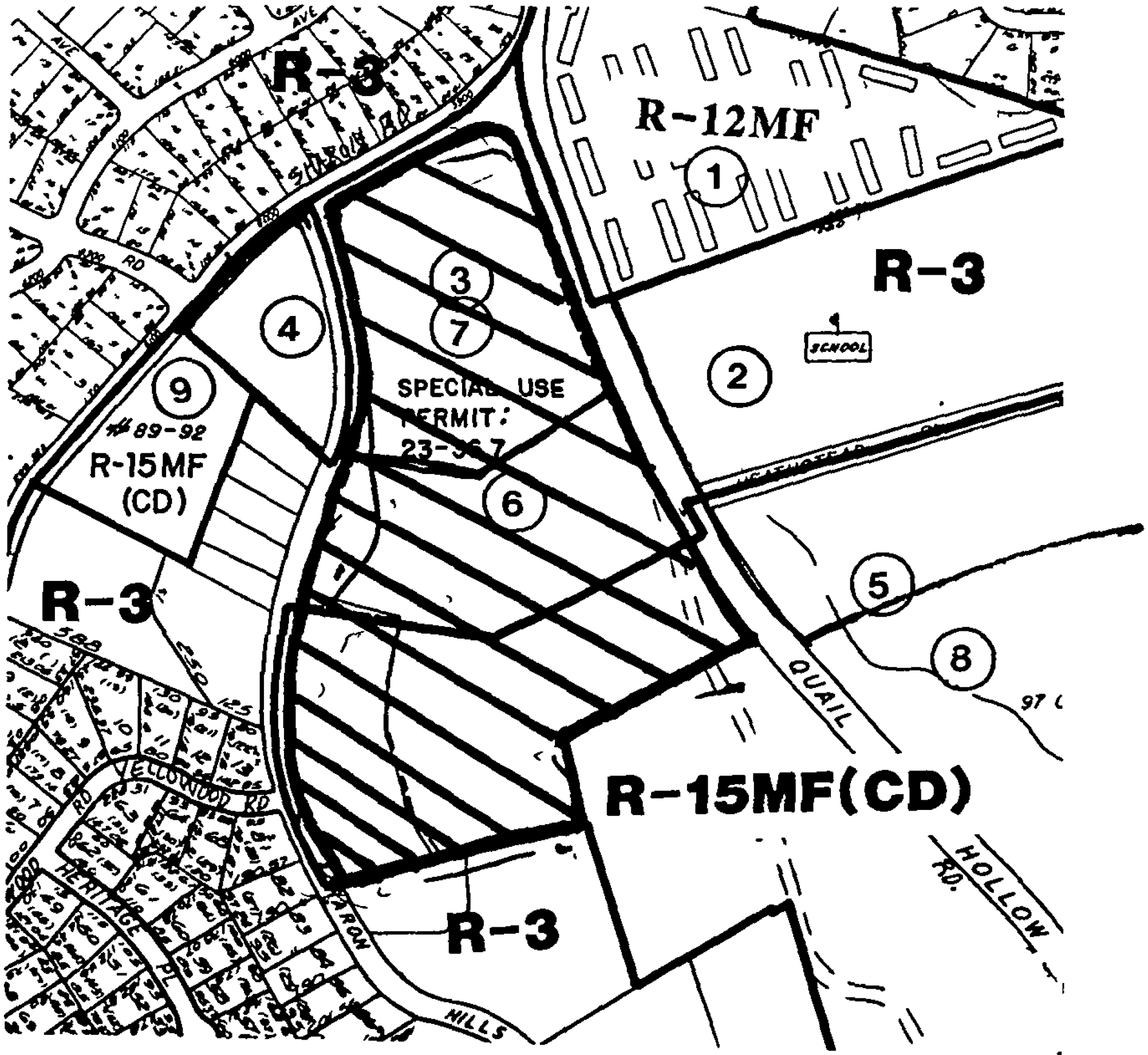
PETITIONER: YMCA of Charlotte-Mecklenburg

PETITION NO.: 92-45 HEARING DATE: September 21, 1992

ZONING CLASSIFICATION, EXISTING: R-12MF with SUP and R-3

ZONING CLASSIFICATION, REQUESTED: Termination of SUP and Institutional(CD)

LOCATION: A 30.2 acre site located on the west side of Quail Hollow Road south of Sharon Road (Harris YMCA).



ZONING MAP NO(s).: 147 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

September 9, 1992

Mayor and City Council:

RE: Petitions to be Heard in September, 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 Monday, September 21, 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 (LL)

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. 92-46

Petitioner: Ronald and Reba Henry

Location: A 1.94 acre site located on the southeast corner of the intersection of Oakdale Road and Oak Drive.

Request: Change from R-17MF to O-1(CD).

BACKGROUND

1. Existing Zoning. The petitioned property is zoned R-17MF. The northeasterly and southwesterly corners of the intersection of Oakdale Road and Oak Drive are zoned B-1. Otherwise, the area is zoned R-3.

2. Existing Land Use. The petitioned property is the site of an existing single family residence. The properties located on the east side of Oakdale Road between Oak Drive and Radio Road are developed with office and commercial uses. The southwesterly corner of the intersection of Oakdale Road and Cora Avenue/Oak Drive is developed with an office an a commercial use. The northwesterly corner of Oak Drive and Oakdale Road is occupied by Oakdale Elementary School. Otherwise, the area is developed with single family residential homes and churches.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicates the area as one of existing residential development and recognizes a community commercial center nearby. Strategies for the area include the northwest circumferential to connect Lakeview Road and Little Rock Road.

   2. Northwest District Plan. The area of the subject property is designated by the Northwest District Plan as one of single family development at densities of less than four dwelling units per acre. The plan recognizes the proposed northwest circumferential nearby.

   3. Transportation Improvement Program. The Transportation Improvement Program includes the northwest circumferential to provide for the construction of a multi-lane roadway between I-77 North and the Freedom Drive/Little Rock Road area.

4. Site Plan. The site plan which accompanies this petition proposes rezoning from residential to conditional office to allow the development of a financial institution of 3,200 square feet. Access to the site is to be provided by one driveway connection to Oakdale Road and one driveway connection to Oak Drive. Buffers are provided adjoining residential zoning in excess of that required by

the zoning ordinance. The plan indicates that the identification sign for the bank is to be located generally at the intersection of Oak Drive and Oakdale Road but predominantly oriented to Oakdale Road. The plan indicates compliance with all other minimum ordinance standards including the tree ordinance.

5. School Information. Not applicable.

6. Zoning History (See Attached Map). There is no previous history associated with this petition.

7. Neighborhood. This petition lies within the Oakdale neighborhood.

REVIEWS

1. Plan Consistency. This request seeks a rezoning from a multi-family residential category to a conditional office category. Plans for the area recognize it as one of existing residential land uses. The adopted Northwest District Plan specifically designated the area as one of single family residential development. Therefore, the existing zoning as well as the proposed zoning are not entirely consistent with plans for the area.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The staff met with the petitioner prior to the filing of the application. Staff also relayed several site plan comments to the petitioner subsequent to the filing. The staff comments have been adequately addressed by the revised site plan.

   2. Departmental Comments. The departmental comments have been adequately addressed by the submittal of a revised site plan and comments from CDOT are attached.

ISSUES

1. Land Use. This petition proposes rezoning from a multi-family residential category to an office category in an area that publicly adopted plans recognize as one of low density single family residential development. Neither the existing zoning nor the proposed zoning specifically conforms to the low density single family envisioned by the Northwest District Plan. However, the proposed office use could be advantageous to the existing zoning. The proposed office use could blend in with the historical Oakdale downtown setting and offer a more compatible scale of development than the existing zoning would allow. Therefore, the proposed office zoning could be considered appropriate for approval.

2. Site Plan. The site plan which accompanies this petition proposes development of a drive-through bank. The plan commits to buffers in excess of that required by the zoning ordinance, limits access to one driveway connection each to Oakdale Road and Oak Drive, and orients the signage generally towards Oakdale Road rather than Oak Drive. The petition is considered appropriate for approval from a site plan standpoint.

CONCLUSION

Although this petition is not entirely consistent with adopted plans for the area, the requested office use could be viewed as consistent with the historical Oakdale downtown.

*Subject to further refinement following public hearing.

M E M O R A N D U M

DATE: August 28, 1992

TO: Laura Simmons
Planning Commission

FROM: R. D. Gillis, Assistant Director
Department of Transportation

SUBJECT: Rezoning Petition 92-46: Southside of Oak Drive at Oakdale Road (Revised 8/20/92)

This site could generate approximately 224-288 trips per day as currently zoned. The revised site plan indicates no change in proposed land use. Therefore, the trip generation (849 trips per day) will remain the same.

Oakdale Road is a minor thoroughfare requiring a minimum of 70 feet of right-of-way. The developer/petitioner has agreed under Conditional Note #3 to dedicate right-of-way to meet this requirement, measuring 35 feet from the centerline of the roadway.

Adequate sight distance triangles must be reserved at the proposed entrances. Two 10'x70' sight triangles are required for the entrances to meet sight distance requirements. All proposed trees, berms, walls, fences and/or identification signs should not interfere with sight distance at the entrances. Such items should be identified on the site plan.

The driveway connections to Oak Drive and Oakdale Road require a driveway permit to be submitted to the Charlotte Department of Transportation (CDOT) and the North Carolina Department of Transportation for review and approval. The exact driveway locations and type/width of the driveways will be determined by CDOT during the driveway permit process. The location of the driveways shown on the site plan are subject to change in order to align with driveways on the opposite side of the street and comply with City Driveway Regulations and the City Tree Ordinance.

To facilitate building permit/driveway permit review, the site plan must be revised to provide the following:

- Dimension proposed driveways at the property line.
- Show driveways as standard drop curb ramp Type II drives (without radii).

- Indicate existing adjacent and opposing driveway locations and widths.
- Dimension the proposed parking modules.
- A complete parking summary indicating number of spaces required and provided.
- Provide a minimum of 120 feet of stacking for each drive-thru lane.

If we can be of further assistance, please advise.

RDG/REG:hll

cc: W. B. Finger
S. L. Putnam
R. E. Goddard
R. S. Williams
R. E. Wilson
Robert G. Young
Ronald & Reba Henry
Rezoning File

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. 92-46
Date Filed July 6, 1992
Received By DCM

OFFICE USE ONLY

Ownership Information

Property Owner: Ronald and Reba Henry

Owner's Address: 6025 Pleasant Grove Rd Charlotte, N.C. 28216

Date Property Acquired: 4/88

Tax Parcel Number: 037-014-01

Location of Property (address or description)

southeasterly intersection of Oakdale Road and Oak Drive

Description of Property

Size (Sq Ft -Acres): 1.94 ±

Street Frontage (ft): 417' Oakdale Rd, 363' Oak Drive

Current Land Use:

Zoning Request

Existing Zoning: R-17MF

Requested Zoning: O-1(CD)

Purpose of Zoning Change: to permit the construction of a branch bank

Robert G. Young
Name of Agent

301 S. McDowell St, Ste 404 Char, N.C. 28204
Agent's Address

334-9157
Telephone Number

Ronald and Reba Henry
Name of Petitioner(s)

6025 Pleasant Grove Rd
Charlotte, N.C. 28216
Address of Petitioner(s)

Telephone Number

X
Signature

Signature of Property Owner
if Other Than Petitioner

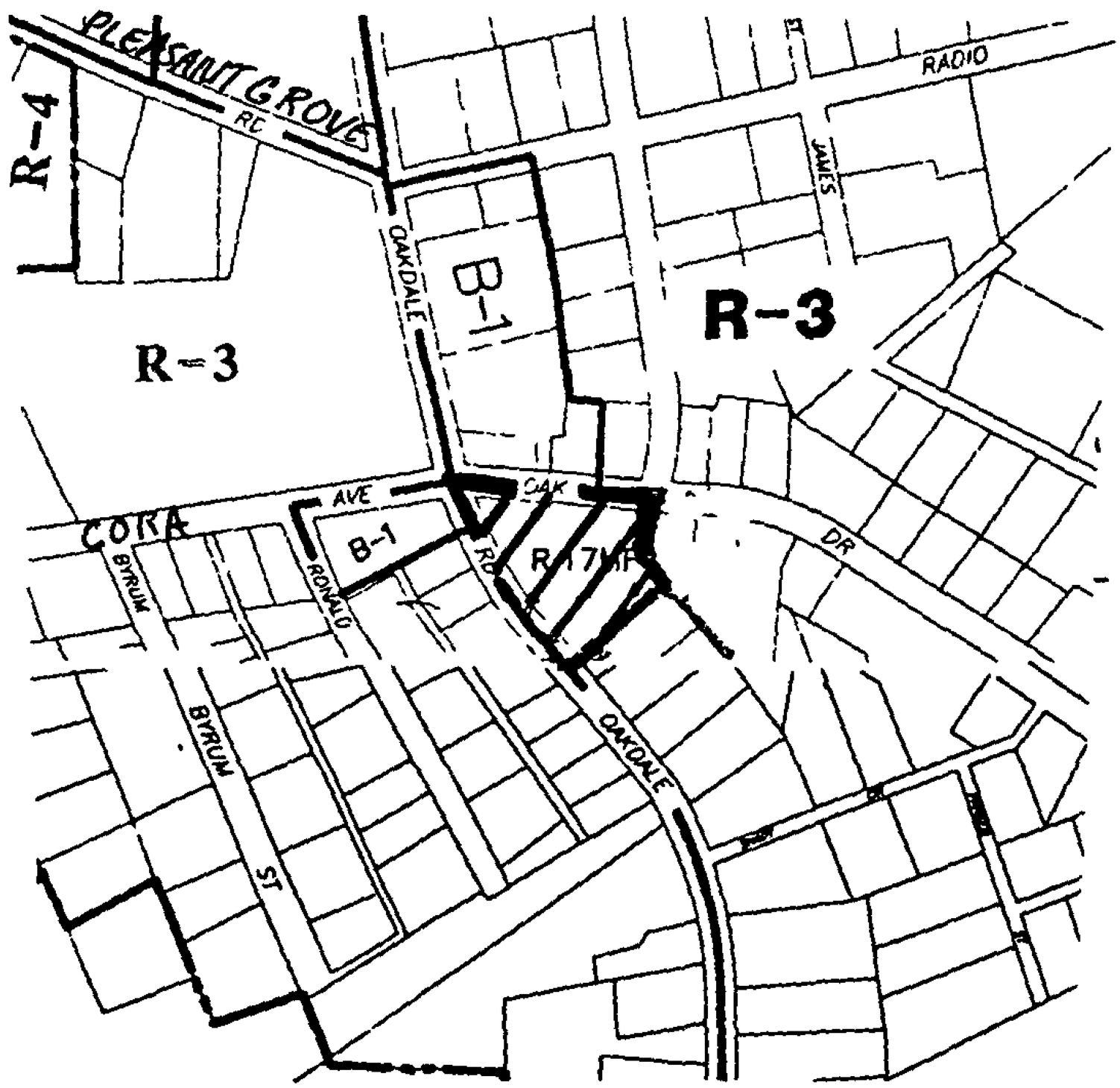
PETITIONER: Ronald and Reba Henry

PETITION NO.: 92-46 HEARING DATE: September 21, 1992

ZONING CLASSIFICATION, EXISTING: R-17MF

ZONING CLASSIFICATION, REQUESTED: O-1(CD)

LOCATION: Approximately 1.94 acres located on the south side of Oak Drive at Oakdale Road.



ZONING MAP NO(s).: 61, 68 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

September 9, 1992

Mayor and City Council:

RE: Petitions to be Heard in September, 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 Monday, September 21, 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 (LS)

Walter G. Fields, III
Land Development Manager

WGF:mlj

Attachments

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

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 92-47

Petitioner: Park Ridge Seven Associates

Location: Approximately 11.5 acres located along both sides of Park Road west of the Outer Belt.

Request: Change from R-22MF to B-2.

BACKGROUND

1. Existing Zoning. The subject property is zoned R-22MF as are nearby properties located across the Outer Belt to the east. A large tract located to the south is zoned I-2. Properties to the west lie within the zoning jurisdiction of the Town of Pineville.

2. Existing Land Use. The petitioned property is presently undeveloped. Properties located to the east of the proposed Outer Belt are developed with single family residential homes and duplexes.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicates existing residential land uses in the area of the subject property. Carmel Commons Shopping Center is recognized as a major mixed use center. The 2005 strategies for the area include the extension of Park Road, the southern portion of the Outer Belt, and extension of the greenway system along McAlpine and McMullen Creeks.

   2. South District Plan. The pending South District Plan recognizes commercial uses in the area of the subject property.

4. Site Plan. There is no site plan which accompanies this petition due to its conventional, rather than conditional, nature.

5. School Information. Not applicable.

6. Zoning History (See Attached Map).

Petition No.	Request	Action	Date
1. 70-7(c)	R-15 to R-15MF	Approved	10/05/70
2. 70-19(c)	R-12 and R-15 to R-PUD	Approved	09/08/70

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

REVIEWS

1. Plan Consistency. This petition seeks a rezoning from a residential category to a commercial category. While the 2005 Plan recognizes the area as one of existing residential development, the more specific pending South District Plan recognizes the potential for commercial development at the interchange of the Outer Belt and Park Road in this specific area.

2. Technical Consistency.

    1. Pre-Hearing Staff Input. The staff met with the petitioner prior to the filing of the petition.

    2. Departmental Comments. There were no significant departmental comments on this petition due to its conventional nature. Comments from CDOT are attached.

ISSUES

1. Land Use. There are no land use issues associated with this application. It proposes rezoning from a residential category to a commercial category in an area in which the pending district plan recognizes such potential. Therefore, this petition is considered appropriate for approval.

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

CONCLUSION

This petition is considered appropriate for approval.

*Subject to further refinement following public hearing.

M E M O R A N D U M

DATE: July 28, 1992

TO: Laura Simmons
Planning Commission

R.E. Goddard FOR

FROM: R. D. Gillis, Assistant Director
Department of Transportation

SUBJECT: Rezoning Petition 92-47: Park Road West of the Outer Belt

This site could generate approximately 1,771-2,277 trips per day as currently zoned. Under the proposed B-2 zoning we estimate the site will generate more than 2,500 trips per day. This will have a significant impact on the surrounding thoroughfare system.

Therefore, we request that a Traffic Impact Study (TIS) be submitted by the developer to analyze the effect that site generated traffic will have on the thoroughfare system in the vicinity.

The preparer of the TIS must contact Scott Putnam (336-7085) of the Charlotte Department of Transportation (CDOT) prior to beginning the TIS to determine the study requirements.

Park Road Extension is a minor thoroughfare requiring a minimum of 70 feet of right-of-way. The developer/petitioner must dedicate right-of-way to meet this requirement, measuring 35 feet from the centerline of the roadway.

The proposed Charlotte Outer Loop is classified as a freeway requiring a minimum of 350 feet of right-of-way. The developer/petitioner must dedicate right-of-way to meet this requirement, measuring 175 feet from the proposed centerline of the Outer Loop.

Additional comments will be made by CDOT after our review of the TIS and a specific site plan.

If we can be of further assistance, please advise.

RDG/REG:hll
cc: W. B. Finger
S. L. Putnam
R. E. Goddard
R. S. Williams
R. E. Wilson
Fred E. Bryant
Park Ridge Seven Associates
Rezoning File

FRED E. BRYANT, PLANNER

Suite 216, Providence Center
1850 East Third Street
Charlotte, North Carolina 28204
(704) 333-1680 • FAX (704) 376-5715

STATEMENT OF SUPPORT FOR REZONING PETITION 92-47

PETITIONER: PARK RIDGE SEVEN ASSOCIATES

LOCATION: ALONG BOTH SIDES OF PARK ROAD WEST OF THE OUTERBELT AND BETWEEN THE OUTERBELT AND US 521

REQUEST: CHANGE FROM R-22MF TO B-2

This property consists of two triangular-shaped parcels on each side of Park Road immediately west of the proposed Outerbelt. While the total acreage is reflected as 11.5 acres, only about 7.5 acres of this is usable area. Because of a 200-foot wide sanitary sewer right-of-way and 70 feet of right-of-way for Park Road, the usable area consists of a small 1.726 acre triangle along the south side of Park Road and 5.82 acres on the north side. The overall configuration of the property is triangular in shape with the 350-foot Outerbelt right-of-way on one side, I-2 zoned property on the second side which is owned and used by the City of Charlotte for the McAlpine Sewage Treatment Plant and on the third side by property which is zoned for business purposes by the Town of Pineville under the same ownership as the Carolina Place Mall.

Under these conditions, it is easily recognized that the property is not suitable for the multi-family use for which it is now zoned. Although 22 units per acre of housing could be placed on this property, the surrounding conditions would dictate a type of housing which is not in keeping with either the existing residential use on the other side of the Outerbelt nor with the type of development which is occurring around Carolina Place Mall. The existing land use conditions surrounding this property would contribute to an unsatisfactory environment for the occupants of any housing project on the subject site. It should be particularly noted that the McAlpine Creek industrially zoned land on one side of the property creates a significant adverse relationship for any residential use proposed for this property.

The closest existing or potential residential use to this land would be across the 350 feet of land constituting the Outerbelt for which a construction contract has already been let and will be activated very shortly. Due to the shape of the property in question, it is likely that a rezoning of the land will result in some type of combination of the property under adjoining ownership for the most effective development of the entire area. Additionally, it should be noted that any access to the property will be removed some distance from the Outerbelt right-of-way due to the reconstruction of Park Road to raise it above the existing grade level in order for a bridge to go over the Outerbelt roadway. This further restricts any significant design relationship between the use of this property and its impact on existing housing in the area.

Finally, you will note that the Prehearing Staff Analysis prepared by the Planning Commission recommends approval of this property for rezoning to the B-2 classification since the pending South District Plan reflects commercial development west of the Outerbelt in this vicinity. Careful examination of the configuration of this property in relation to adjoining parcels indicates its only reasonable use to be for the requested business classification.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 92-47

Date Filed June 1, 1992

Received By MCM

OFFICE USE ONLY

Ownership Information

Property Owner Park Ridge Seven Associates

Owner's Address P. O. Box ~~2207~~ 472207, Charlotte, NC 28247

Date Property Acquired June 19, 1985

Tax Parcel Number 221-134-01; 221-133-02

Location of Property (address or description)

Both sides of Park Road, west of proposed Outerbelt

Description of Property

Size (Sq Ft.-Acres) 11.50 acres

Street Frontage (ft.) 677.92' on Park Road

Current Land Use Vacant

Zoning Request

Existing Zoning R-22MF

Requested Zoning B-2

Purpose of Zoning Change To permit commercial development of property bounded by the proposed Outerbelt, a sewer treatment plant (I-2) and a regional shopping center (Pineville B-4)

Fred E. Bryant, Planner

Name of Agent

1850 E. Third St., Charlotte, NC 28204

Agent's Address

333-1680

Telephone Number

Park Ridge Seven Associates

Name of Petitioner(s)

P. O. Box ~~2207~~ 472207, Charlotte, NC 2

Address of Petitioner(s)

542-6550

Telephone Number

Caroline R. Irvin, Partner
Park Ridge Seven Associ

Signature

Signature of Property Owner
if Other Than Petitioner

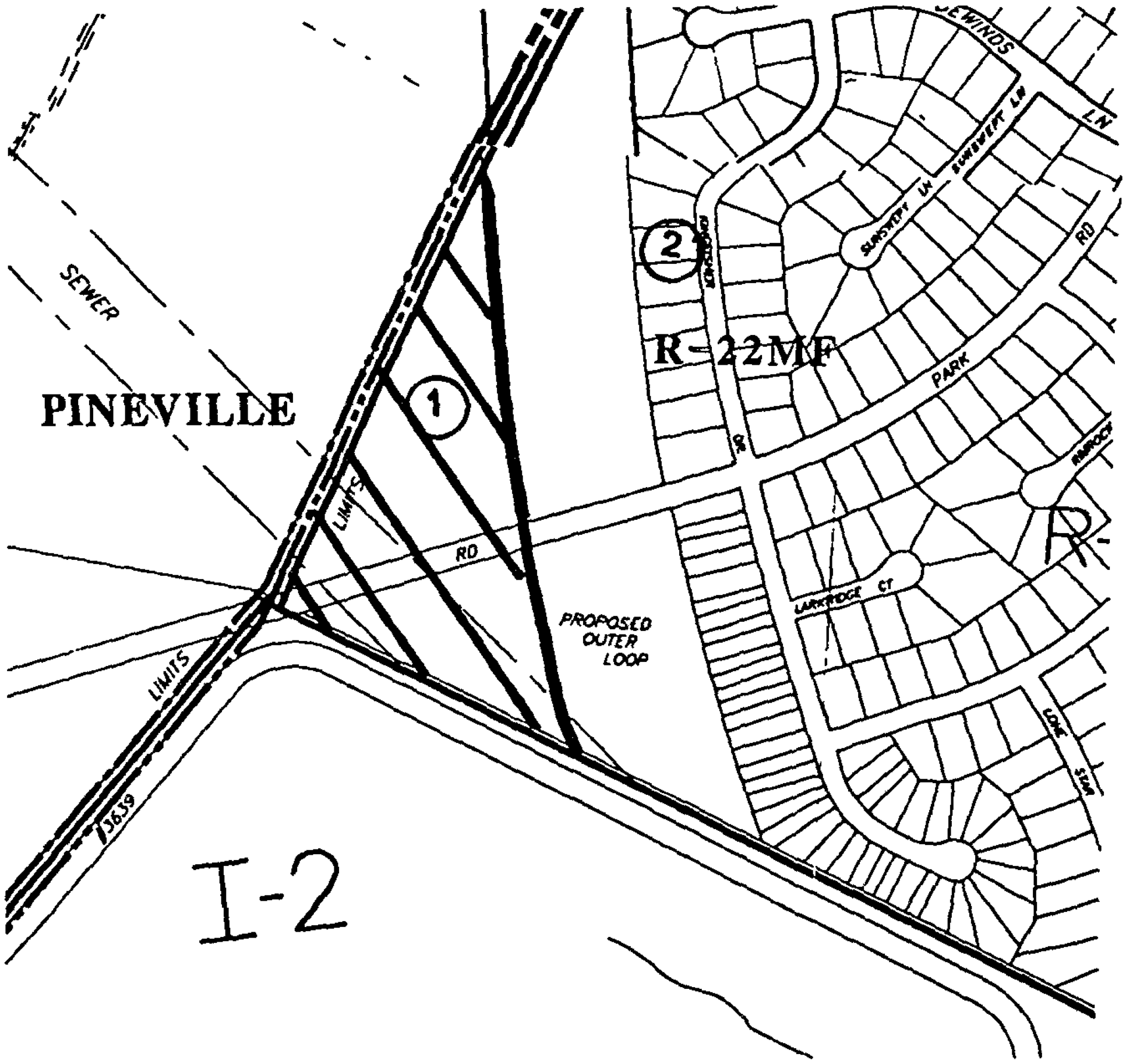
PETITIONER: Park Ridge Seven Associates

PETITION NO.: 92-47 HEARING DATE: September 21, 1992

ZONING CLASSIFICATION, EXISTING: R-22MF

ZONING CLASSIFICATION, REQUESTED: B-2

LOCATION: Approximately 11.50 acres located along both sides of Park Road west of the Outer Belt.



ZONING MAP NO(s).: 168, 175 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

September 9, 1992

Mayor and City Council:

RE: Petitions to be Heard in September, 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 Monday, September 21, 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 (LF)

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. 92-48

Petitioner: Steve & Alma Nemrava

Location: A 4.6 acre site located on the southerly side of Tuckaseegee Road at I-85.

Request: Change from R-3 to I-1(CD).

BACKGROUND

1. Existing Zoning. The petitioned property is zoned R-3 as are all surrounding properties in the area.

2. Existing Land Use. The petitioned property is occupied by a nonconforming commercial facility. West Mecklenburg Senior High School is located on Tuckaseegee Road to the northeast of the petitioned site. Otherwise, the area is developed with single family residential uses.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicates existing residential land uses in the area of the subject property. The 2005 strategies include the northwest portion of the Outer Belt.

   2. Northwest District Plan. The petitioned property lies within the boundaries of the Northwest District Plan. However, because the property lies within the 65 Ldn airport noise contour, land use recommendations for the area are found within the Southwest District Plan. The Southwest District Plan recommends acquisition of the property for open space within airport noise contours. The County is not proposing any bonds of this type until the 1993 to 1994 Fiscal Year.

   3. Thoroughfare Plan. The Thoroughfare Plan provides for the Outer Belt to the west of the subject property.

4. Site Plan. The site plan which accompanies this petition proposes rezoning to conditional industrial to allow an additional 24,000 square feet of development in addition to the existing 4,500 square feet for a total of 28,500 square feet. The plan allows all uses permitted in the I-1 zoning district except the following:

   •Commercial Outdoor Amusement
   •Automobile Sales
   •Automobile Service Stations
   •Boat and Ship Sales & Repair
   •Building Materials Sales
   •Bus and Train Terminals
   •Car Washes

•Fence and Fence Materials
•Manufacture Housing Repair
•Drive-in Restaurants
•Tire Recapping and Retreading

Access to the property is provided by two driveway connections to Tuckaseegee Road. The plan proposes a 65 foot wide buffer adjoining residential on the southeasterly project edge and indicates compliance with the tree ordinance abutting I-85 and Tuckaseegee Road.

5. School Information. Not applicable.

6. Zoning History (See Attached Map).

Petition No.	Request	Action	Date
1. 84-10	R-12 to B-D(CD)	Approved	07/16/84

7. Neighborhood. This property lies within the area defined as the Forest Pawtuckett neighborhood.

REVIEWS

1. Plan Consistency. This request seeks a rezoning from a single family residential category to a conditional light industrial category. The 2005 Plan recognizes the area as one of existing residential development. The Northwest District Plan recommends the property be acquired for park purposes. Therefore, the proposed industrial category is not consistent with plans for the area.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The staff met with the petitioner's agent prior to the filing of the application and indicated the petition would not conform to publicly adopted plans for the area. Staff also relayed site plan comments to the petitioner subsequent to the filing.

   2. Departmental Comments. Comments from CDOT (see attached) include the need for offsets of the driveways so they do not align with public streets and a correction on a note regarding right-of-way dedication to reflect that the right-of-way dedication along Tuckaseegee Road is to be 35 feet from the centerline. Otherwise, the revised site plan generally addressed departmental comments.

ISSUES

1. Land Use. This petition proposes the introduction of an industrial zoning category in an area designated by the district plan as most appropriately used for public park purposes. The area is one of single family residential development, churches, and a public school. The introduction of the proposed industrial category is clearly out of conformance with the established land use in the area. The site's proximity to I-85 and the airport does not necessarily dictate a nonresidential land use future. The petition is not considered appropriate for approval from a land use standpoint.

2. Site Plan. The site plan which accompanies this petition is technically correct with the exception of outstanding transportation issues. The site plan could be considered appropriate for approval with those corrections.

CONCLUSION

This petition is not considered appropriate for approval from a land use standpoint. The outstanding site plan issues need to be adequately addressed prior to the ultimate decision on this petition.

*Subject to further refinement following public hearing.

M E M O R A N D U M

DATE: September 1, 1992

TO: Laura Simmons
Planning Commission

FROM: R. D. Gillis, Assistant Director
Department of Transportation

SUBJECT: Rezoning Petition 92-48: South Side of Tuckaseegee Road at I-85 (Revised 8/24/92)

This site could generate approximately 132-144 trips per day as currently zoned. The revised site plan indicates a reduction in total building square footage from 30,500 to 28,500. Therefore, the proposed trip generation has decreased from 213 trips per day to 199 trips per day.

Tuckaseegee is a minor thoroughfare requiring a minimum of 70 feet of right-of-way. The developer/petitioner must dedicate right-of-way to meet this requirement, measuring 35 feet from the centerline of the roadway. The petitioner has agreed to the dedication of five additional feet in General Note 6. This should be revised to indicate a right-of-way dedication measuring 35 feet from centerline of Tuckaseegee Road.

I-85 is a freeway requiring a minimum of 350 feet of right-of-way. The developer/petitioner must dedicate right-of-way to meet this requirement, measuring 175 feet from the centerline of the freeway.

Adequate sight distance triangles must be reserved at the proposed entrances. Two 10'x70' sight triangles are required for the entrances to meet sight distance requirements. All proposed trees, berms, walls, fences and/or identification signs should not interfere with sight distance at the entrances. Such items should be identified on the site plan.

The proposed driveway connections to Tuckaseegee Road require a driveway permit to be submitted to the Charlotte Department of Transportation (CDOT) and the North Carolina Department of Transportation for review and approval. The exact driveway locations and type/width of the driveways will be determined by CDOT during the driveway permit process. The location of the driveways shown on the site plan are subject to change in order to align with driveways on the opposite side of the

street and comply with City Driveway Regulations and the City Tree Ordinance.

Driveways should be shown as Type II drives (without radii) and shifted to the east so they do not align with public streets.

If we can be of further assistance, please advise.

RDG/REG:hll

cc: W. B. Finger
S. L. Putnam
R. E. Goddard
R. S. Williams
R. E. Wilson
Fred E. Bryant
Steve Z. & Alma S. Nemrava
Rezoning File

FRED E. BRYANT, PLANNER

Suite 216, Providence Center
1850 East Third Street
Charlotte, North Carolina 28204
(704) 333-1680 • FAX (704) 376-5715

STATEMENT OF SUPPORT FOR REZONING PETITION 92-48

PETITIONER: STEVE AND ALMA NEMRAVA

LOCATION: A 4.6 ACRE SITE LOCATED ON THE SOUTHERLY SIDE OF TUCKASEEGEE ROAD AT INTERSTATE 85

REQUEST: CHANGE FROM R-3 TO I-1(CD)

The Petitioner has borne the burden of having this property in a totally unusable state for many years. Not only is the property located within the 70 LDN Airport Noise Contour, but it is immediately related to I-85. The combination of those two factors renders the property totally unusable for any residential purposes. It should be pointed out that even if the property were to be developed in some fashion for housing purposes, the Airport Authority would be faced with meeting its obligations to housing in this noise contour. This would include buying an easement for each house equal to 16% of the value which the house would have in a non-noise impact neighborhood, pay for noise reduction measures such as storm windows, insulation and central air-conditioning and conceivably be forced to buy the houses if the developer was unsuccessful in selling them for a period of time. This is not a reasonable expectation for the use of this property and would result in an unnecessary and unrealistic impact not only to the property owner, but to the City of Charlotte and other surrounding lands in the vicinity.

Except for some minor technical issues concerning the site plan which can easily be corrected, the sole objection to this change as expressed by the Prehearing Staff Analysis relates to the fact that this land as part of a total of 36 acres is shown in the Southwest District Plan as open space or park land. The Petitioners respectfully indicate their willingness to have the land purchased for this purpose at a reasonable price, but believe it is totally unreasonable to expect them to maintain the property in an unusable state for an unknown period of time while someone decides whether or not there will be money for that purpose. It is believed this constitutes an unfair and unreasonable taking of the property value and requests this be corrected by rezoning the property so that it can have a reasonable use expectation.

Other similarly affected property in the area including land to the south between I-85 and Wilkinson Boulevard, as well as property immediately to the west across Tuckaseegee, has been recognized in the Southwest District Plan as suitable for industrial development purposes. Again, the Petitioners believe they have been unfairly treated in the plan designation and because they are similarly affected by the same noise conditions which resulted in the industrial designations of those properties, they should receive equal consideration.

The site plan which has been prepared would basically limit the use of the property to an office/business park type of activity with only a total of 28,500 square feet proposed for the 4.6 acres. This is an extremely low density use and given the relationship of adjoining conditions will be entirely suitable for the site. The Petitioners propose to keep a portion of their land which is located on the eastern edge of the requested rezoning areas as residential and maintain their residence in a house having historic significance. Obviously, they would not wish to make use of adjoining land in such a way as to be a detriment to their continued use and value of the residential property. The analysis by the Department of Transportation indicates that development of the property shown on the site plan would generate only slightly more than 50 trips per day above the level created by the existing zoning if it were developed for residential purposes. They further conclude this will have no impact on the thoroughfare system.

While all of the above stated circumstances indicate that the proper zoning and use of this property is for the purposes outlined, we expect by the time of the public hearing to have prepared additional documentation outlining the circumstances which went into the preparation of the Southwest District Plan and its subsequent consideration which further indicates this property has not been treated in the same manner as other lands similarly affected in the immediate area. It is urged that you not only view this request in its written form, but that you visit the site either by yourself or allow us to take you to the site to view firsthand the circumstances which affect the use of this property. It is believed you will agree that unless the local government is prepared to immediately move to purchase the property for open space purposes, the owners should to be allowed a reasonable use of the property in accordance with the requested rezoning.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 92-48

Date Filed July 6, 1992

Received By [illegible]

OFFICE USE ONLY

Ownership Information

Property Owner Steve Z. & Alma Suttle Nemrava (Life Estate)

Owner's Address P. O. Box 668067, Charlotte, NC 28266

Date Property Acquired June 25, 1987

Tax Parcel Number Portion of 055-358-29

Location of Property (address or description) South side of Tuckaseegee Road at I-85 (North Side)

Description of Property

Size (Sq Ft.-Acres) 4.17 acres Street Frontage (ft) 901.26' on Tuckaseegee Road

Current Land Use Vacant except for one storage and distribution building.

Zoning Request

Existing Zoning R-3 Requested Zoning I-1(CD)

Purpose of Zoning Change To allow reasonable development of the property considering its location in the Airport Noise Zone and adjacent to I-85.

Fred E. Bryant, Planner
Name of Agent

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

333-1680
Telephone Number

Steve Z. & Alma S. Nemrava
Name of Petitioner(s)

P. O. Box 668067, Charlotte, NC 2
Address of Petitioner(s)

393-5056
Telephone Number

Alma S. Nemrava
Signature

Signature of Property Owner
if Other Than Petitioner

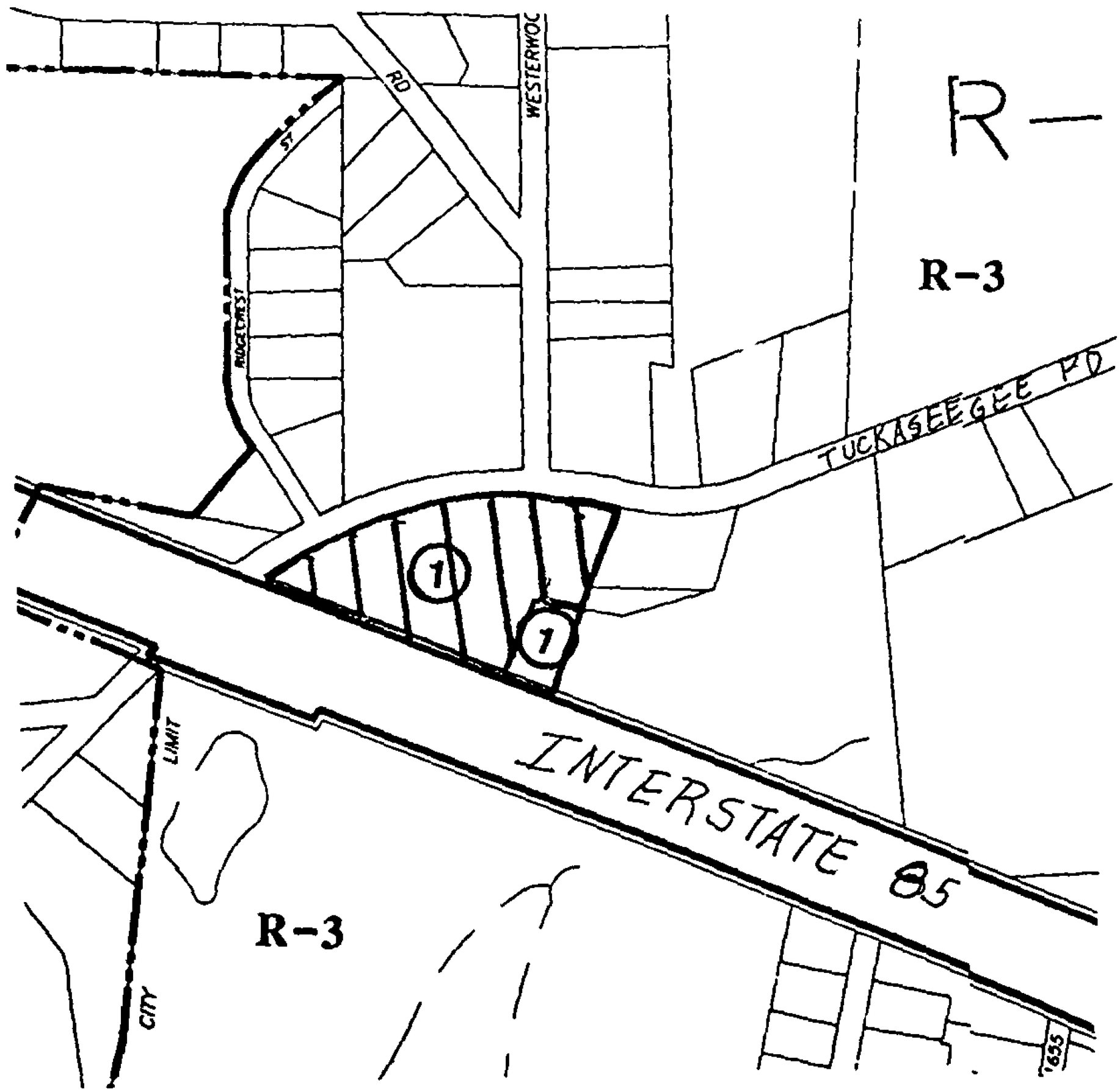
PETITIONER: Steve and Alma Nemrava

PETITION NO.: 92-48 HEARING DATE: September 21, 1992

ZONING CLASSIFICATION, EXISTING: R-3

ZONING CLASSIFICATION, REQUESTED: I-1(CD)

LOCATION: A 4.17 acre site located on the south side of Tuckaseegee Road at I-85.



ZONING MAP NO(s).: 85 SCALE 1" = 400'

PR CHA

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

September 9, 1992

Mayor and City Council:

RE: Petitions to be Heard in September, 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 Monday, September 21, 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 (LS)

Walter G. Fields, III
Land Development Manager

WGF:mlj

Attachments

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

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 92-49

Petitioner: President Baking Company

Location: An approximately 1 acre site bounded by Louise Avenue, Belmont Avenue, and Pegram Street.

Request: Consideration of an I-1(CD) site plan amendment.

BACKGROUND

1. Existing Zoning. The subject property is zoned I-1(CD) as a result of a 1986 rezoning petition. Adjoining properties to the south along Seaboard Railroad and Otts Street are zoned I-2. A site just across Pegram Street from the petitioned property is zoned B-1 as is a site located at the intersection of Allen Street and Belmont Street. Several sites in the general vicinity are zoned for multi-family residential purposes. Otherwise, the area is predominantly zoned R-5.

2. Existing Land Use. The petitioned property is the site of President Baking Company. Other industrial uses are located to the south extending towards and beyond Hawthorne Lane and Otts Street. Several churches are located throughout the nearby area. Hawthorne Junior High School and Piedmont Middle School are located on Hawthorne Lane and East Tenth Street respectively. Scattered commercial and industrial uses are also present in the nearby vicinity. Otherwise the area is composed of single family, duplex, and multi-family residential structures.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan recognizes the area of the subject property as one of existing employment uses. Residential uses are indicated elsewhere. The 2005 strategies for the area include a potential light rail station/corridor, improvement of Independence Boulevard and the designation of the Midtown Development Enterprise Area nearby.

   2. Central District Plan. The Central District Plan recognizes the existing industrial use of the subject property.

   3. Belmont Special Project Plan (adopted September, 1987). The Belmont Special Project Plan recognizes the Jack's Cookie Company site (now President Baking Company) and the City's Maintenance Operation on Otts Street as the major industrial uses in this section of the Belmont neighborhood. Recommendations contained within the Belmont Special Project Plan are:

- improve the appearance and minimize the impact of the City's property on Otts Street by providing screening of the existing facility,
- design of any new construction in scale with adjoining land uses,
- prohibiting outdoor storage on the sites,
- development of Seigle Avenue as a gateway into the Belmont community by developing a streetscape plan for Seigle Avenue, and
- maintaining the current industrial zoning classifications.

The plan also indicates that the B-2 zoning classifications that existed at that time were to be maintained but conditional I-1 zoning could be favorably considered for those B-2 properties. Those rezonings were to emphasize good edge relationships between residential and nonresidential uses. Fences, walls and/or landscaping were recommended to achieve good edge relationships.

4. Site Plan. The site plan which accompanies this petition proposes an amendment to the previously approved I-1(CD) plan to allow the existing truck parking area to remain in an area that is designated as a 24 foot wide landscaped buffer along Belmont Avenue. The proposed plan provides for wood siding over the existing chain link fence to enclose the entire site and installation of a climbing rose vine against the fence. The plan also proposes to delete the driveway connection to Pegram Street by removing an existing gate at the driveway.

5. School Information. Not applicable.

6. Zoning History (See Attached Map).

	Petition No.	Request	Action	Date
1.	64-33	R-6MF to I-2	Approved	06/08/64
2.	64-42	R-6MF to I-1	Approved	08/10/64
3.	75-48	R-6MF to R-6	Approved	01/05/76
4.	86-19	I-1 & R-6MF to I-1(CD)	Approved	07/21/86
5.	88-74	B-1 to R-6	Approved	10/17/88
6.	88-76	R-6MF to R-12MF	Approved	10/17/88
7.	88-73	R-6MF to R-6	Approved	10/17/88

7. Neighborhood. This property lies within the area defined as the Belmont neighborhood.

REVIEWS

1. Plan Consistency. This petition seeks an amendment to a previously approved conditional zoning plan in an area that is

recognized as one of industrial development. Therefore, the petition is consistent with land use plans for the area.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The staff met with the petitioner's agent prior to the filing of the application to provide technical assistance on filing requirements. Subsequent to the filing, staff relayed site plan comments to the petitioner.

   2. Departmental Comments. Department comments included the need for clarification of the exact request and requested installation of sidewalk along Louise Avenue, Belmont Avenue, and Pegram Street. The Engineering staff also noted the site does not conform to all of the tree ordinance requirements. Comments from CDOT are attached.

ISSUES

1. Land Use. This petition raises no land use issues. It proposes an amendment to a previously approved industrial zoning category in an area recognized by adopted plans as devoted to industrial/employment land use. Therefore, the petition is considered appropriate for approval from a land use standpoint.

2. Site Plan. The site plan which accompanies this petition is designed to correct a violation of the buffer provisions of the previously approved I-1(CD) site plan. The approved plan stipulates a 24 foot wide buffer composed of a combination of trees and evergreens plantings along Belmont Avenue and Pegram Street. The proposed plan would legalize the existing truck parking area that encroaches within the Belmont Avenue buffer. The proposed site plan indicates a 10 foot buffer on Belmont Avenue and provides for a new wood fence to be applied to the face of the existing chain link fence and installation of a climbing vine to grow flat against the fence. An existing gate at a driveway connection to Pegram Street is also to be removed.

CONCLUSION

The effect of this petition will be to grant a conforming status to the existing site plan infractions on the petitioned property.

*Subject to further refinement following public hearing.

M E M O R A N D U M

DATE: September 1, 1992

TO: Laura Simmons
Planning Commission

FROM: R. D. Gillis, Assistant Director
Department of Transportation

SUBJECT: Rezoning Petition 92-49: Area Bounded by Louise Avenue, Belmont Avenue, & Pegram Street (Revised 8/24/92)

This site could generate approximately 369 trips per day as currently zoned. The revised site plan indicates no change in proposed land use. Therefore, the trip generation (369 trips per day) has remained the same.

Adequate sight distance triangles have been shown to be reserved at the existing entrance and at the adjacent public street intersections. Two 10'x70' sight triangles are required for the entrance to meet sight distance requirements and two 35' x 35' sight triangles are required at the street intersections. All proposed trees, berms, walls, fences and/or identification signs should not interfere with sight distance at the entrances. Such items should be identified on the site plan.

If we can be of further assistance, please advise.

RDG/REG:hll

cc: W. B. Finger
S. L. Putnam
R. E. Goddard
R. S. Williams
R. E. Wilson
John Bivens, AIA
President Baking Company
Rezoning File

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 92-44
Date Filed July 6, 1992
Received By MCM

OFFICE USE ONLY

Ownership Information

Property Owner: President Baking Company

Owner's Address: 933 Louise Avenue P.O. Box 9000 Charlotte, N.C. 28299

Date Property Acquired: 1986

Tax Parcel Number: 081-152-01

Location of Property (address or description): 933 Louise Avenue Charlotte, N.C.
Site Plan Amendment for that portion of property between Louise Avenue and Pegram S and from the Northeast face of the existing warehouse over to Belmont Avenue.

Description of Property

Size (Sq Ft.-Acres): 1.054

Street Frontage (ft.): 154' (approx.) both Louise Ave and Pegram Streets (two Fronts

Current Land Use: Storage / Warehouse

Zoning Request

Existing Zoning: I-1 CD

Requested Zoning: I-1 CD Site Plan Amendment

Purpose of Zoning Change: Amendment for a Non-Conforming Site Plan Use (Infraction of 1986 Approved Zoning Site Plan)

of Agent: John Bivens AIA (Whelchel Bivens Architects)

s Address: 725 Providence Road Charlotte, NC 28207

phone Number: (704)372-1325

Name of Petitioner(s): President Baking Company

Address of Petitioner(s): 933 Louise Avenue P.O. Box 9(

Telephone Number: Charlotte, N.C. 28299

(704) 334-7611

Signature: Belinda B.H. Kr

Signature of Property Owner if Other Than Petitioner: Belinda Kr (Quality Contr President Bak

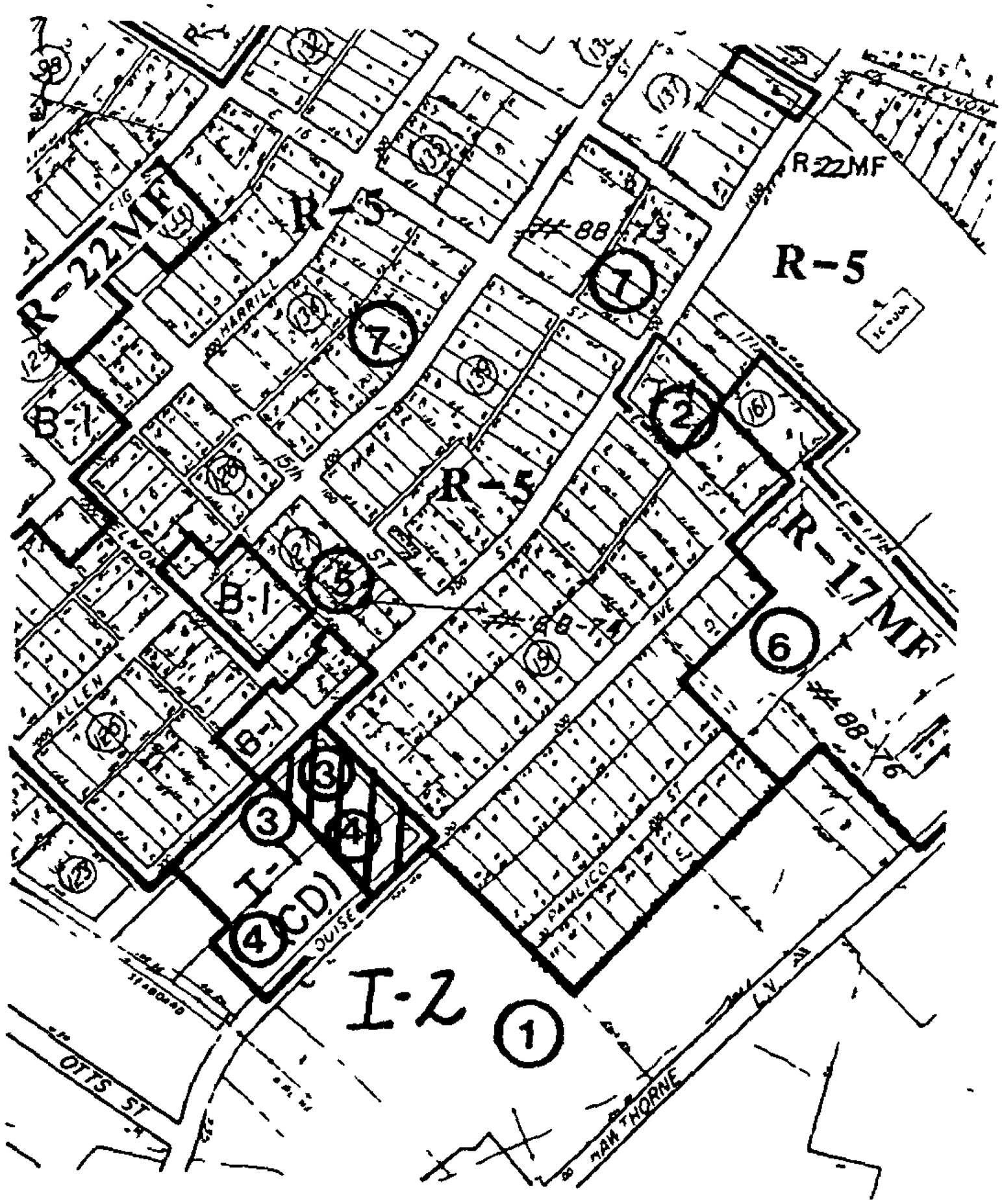
PETITIONER: President Baking Company

PETITION NO.: 92-49 HEARING DATE: September 21, 1992

ZONING CLASSIFICATION, EXISTING: I-1(CD)

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

LOCATION: Approximately 1.054 acres bounded on three sides by Louise Avenue, Belmont Avenue and Pegram Street.



ZONING MAP NO(s).: 101 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

September 9, 1992

Mayor and City Council:

RE: Petitions to be Heard in September, 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 Monday, September 21, 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 (LS)

Walter G. Fields, III
Land Development Manager

WGF:mlj

Attachments

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

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 92-50

Petitioner: Clifton and Margaret Flowers et. al.

Location: Approximately 1.67 acres located along both sides of Wilora Lake Road north of Albemarle Road.

Request: Change from O-1 to R-3.

BACKGROUND

1. Existing Zoning. The petitioned property is zoned O-1 as are abutting properties on Wilora Lake Road. Properties further to the north are zoned a combination of R-3 and O-15(CD). The Eastland Mall tract located to the west is zoned B-1SCD. Properties fronting along Albemarle Road are zoned a combination of B-2 and O-1.

2. Existing Land Use. The petitioned property is developed with single family residential homes. Nearby properties located along Wilora Lake Road are also developed for single family residential purposes. Further to the north along Wilora Lake Road are several vacant tracts, other single family residential development and Wilora Lake Lodge. Eastland Mall is located to the west. Properties fronting along Albemarle Road are developed with a combination of office, retail, and institutional uses.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan recognizes the Albemarle Road and Central Avenue corridors as areas of existing employment development, designates Eastland Mall as a major mixed use center and recognizes the existing residential development on surrounding properties.

   2. East District Plan. The East District Plan recognizes the existing office zoning of the subject property.

4. Site Plan. There is no site plan which accompanies this petition due to its conventional, rather than conditional, nature.

5. School Information. Not applicable.

6. Zoning History (See Attached Map).

Petition No.	Request	Action	Date
1. 70-32	R-9 to O-6	Approved	03/23/70
2. 71-77	B-1, O-6, & R-9MF to B-2 & O-15	Approved	10/27/71
3. 72-40(c)	B-2 & O-9 to B-1, R-9MF & B-1SCD	Approved	07/24/72
4. 73-12(c)	R-9 to R-12MF	Approved	04/02/73
5. 77-21(c)	O-15 to B-2	Approved	06/06/77

6.	SUP82-1	R-9 with SUP for a nursing home	Approved	06/11/82
7.	83-68	R-9 to 0-15(CD)	Approved	09/17/84
8.	84-19	R-12 to 0-15(CD)	Approved	09/17/84
9.	84-20	R-12 to R-15MF(CD)	Approved	09/17/84
10.	85-38	B-1SCD Site Plan Amendment	Approved	09/16/85

7. Neighborhood. This petition lies within the area defined as the Eastland neighborhood.

REVIEWS

1. Plan Consistency. This request seeks a rezoning from an office category to a single family residential category. Plans for the area recognize the subject property and residentially zoned properties to the north and east as suitable for office, research, or commercial expansion.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The staff provided technical assistance to the petitioner prior to the filing of the application and subsequent to its filing.

   2. Departmental Comments. There were no significant departmental comments on this petition due to its conventional nature. Comments from CDOT are attached.

ISSUES

1. Land Use. There are no land use issues associated with this petition. It proposes a rezoning from an office category to a single family residential category. Over the long term, properties in this area will most likely be devoted to nonresidential purposes. However, the requested residential category is consistent with the land use in the area and will provide a short term tax valuation benefit to the property owners. Therefore, this petition is considered appropriate for approval.

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

CONCLUSION

This application is considered appropriate for approval.

*Subject to further refinement following public hearing.

September 7, 1992
Petition - 9250

Dear Council Member,

We are in a very unfortunate situation, we are paying taxes on (O15) office property and getting no benifit from it through no fault of our own. Our property has never been used for anything but (R-12) residential. We have all lived here for over thirty years and don't plan to move, none of our lots would be large enough for an office, because of parking restrictions. We have been through every channel, trying to get help, the Tax office, Board of Equalization and Review, Property Tax Commission of Raleigh, NC The Board of Equalization and Review recommended that we get our property zoned back to (R-12). We have been back to the tax office to check how much less our tax would be. We want to pay a fair amount of tax and the amount we are now paying is totally unfair. It has put a hardship on all of us.

Thank you,

Clifton W. Flowers
Margaret Flowers
6323 Wilora Lake Rd
Charlotte, N.C. 28212

James A. Hill Sr.
Betty Hill
6328 Wilora Lake Rd.
Charlotte N.C. 28212

Roger Hill
Lynette C Hill
6319 Wilora Lk Rd
Charlotte, NC 28212

M E M O R A N D U M

DATE: July 24, 1992

TO: Laura Simmons
Planning Commission

FROM: R. D. Gillis, Assistant Director
Department of Transportation

SUBJECT: Rezoning Petition 92-50: Wilora Lake Road North of Albemarle Road

This site could generate approximately 22-24 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 33-36 trips per day. This will not have a significant impact on the surrounding thoroughfare system.

We have no other comments on this petition.

If we can be of further assistance, please advise.

RDG/REG:hll

cc: W. B. Finger
S. L. Putnam
R. E. Goddard
R. S. Williams
R. E. Wilson
Clifton & Margaret Flowers
James A. & Betty Hill
Rezoning File

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 92-50
Date Filed July 6, 1992
Received By MCM
OFFICE USE ONLY

Ownership Information

Property Owner Clifton & Margaret Flowers, James A. & Betty Hill

Owner's Address 6323 Wilora Lk Rd, 6320 Wilora Lk. Rd.

Date Property Acquired 6/13/60 — 7-61

Tax Parcel Number 103-111-07 — 103-041-05

Location of Property (address or description)

6300 Block of Wilora Lk Rd, Albemarle Rd side, Lot #5 & Lot #7.

Description of Property

Size (Sq Ft -Acres) .650 ac. (Flowers) / .404 ac. (Hill) Total 1.054 Street Frontage (ft) 100 ft, 50 ft

Current Land Use Residential, has always been used for residential, has never been used for office or business

Zoning Request

Existing Zoning O15 (C-1) Requested Zoning R12 (R-3,

Purpose of Zoning Change Our Valuation on our property is intirly to high, we have lived here over thirty years, and plan to continue to do so. We are paying tax on office zon and getting no benfit from it.

r Agent

s Address

phone Number

Clifton & Margaret Flow
James A. & Betty Hill
Name of Petitioner(s)

6323 & 6320 Wilora Lk. R
Address of Petitioner(s)

537-0713 - 537-4792
Telephone Number

Clifton & Margaret Flow
Signature

James A. & Betty H
Signature of Property Owner
if Other Than Petitioner

Acreage

.650
.404
1.054 1.05

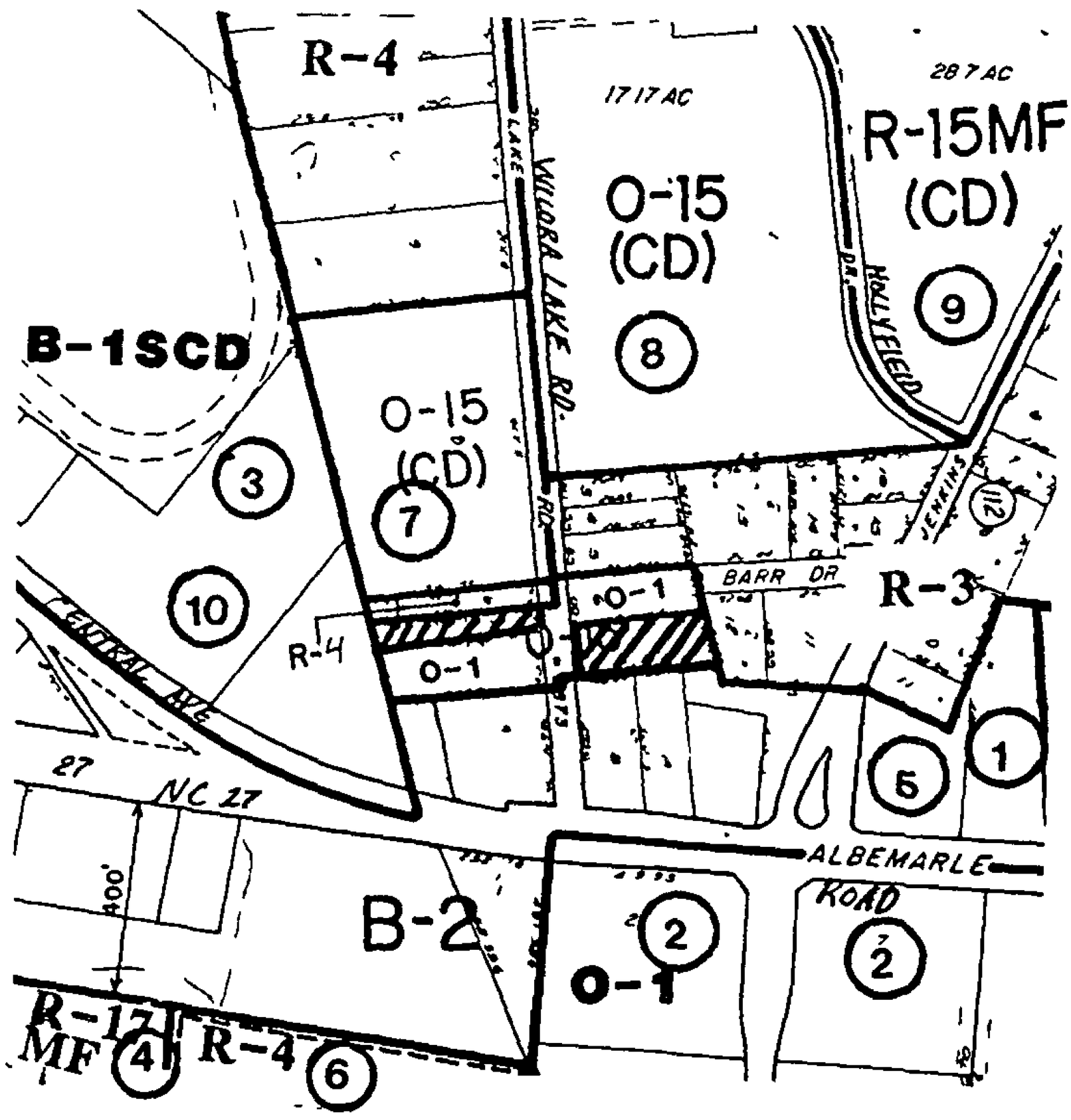
PETITIONER: Clifton & Margaret Flowers, et al.

PETITION NO.: 92-50 HEARING DATE: September 21, 1992

ZONING CLASSIFICATION, EXISTING: O-1

ZONING CLASSIFICATION, REQUESTED: R-3

LOCATION: Two parcels located along both sides of Wilora Lake Road north of Albemarle Road.



ZONING MAP NO(s).: 113 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

September 9, 1992

Mayor and City Council:

RE: Petitions to be Heard in September, 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 Monday, September 21, 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 (LL)

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. 92-51

Petitioner: L. Hunter and Wanda P. Meacham

Location: Several parcels located off the southwesterly side of East Boulevard extending from Sugar Creek to Cumberland Avenue.

Request: Change from R-22MF to R-6.

BACKGROUND

1. Existing Zoning. The subject property is zoned R-22MF. Abutting properties along the East Boulevard corridor are zoned a combination of B-1 and O-2. Properties to the south and west are zoned a combination of R-3 and R-5.

2. Existing Land Use. The petitioned property is developed with single family residential homes and duplexes. (The duplexes would be rendered legal, nonconforming uses should this petition be approved). Two of the properties included within the petition are presently undeveloped. Properties located along East Boulevard are devoted to commercial and office uses. Otherwise, the area is devoted to single family residential homes and Freedom Park.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicates existing residential land uses in the area of the subject property. Existing employment uses are indicated along East Boulevard and the intersection of Kenilworth and Scott Avenues and East Boulevard is recognized as a community commercial center. The plan recognizes Freedom Park as a major open space in the area.

   2. Central District Plan (draft). The draft Central District Plan recommends single family zoning for the subject property.

   3. Greenway Master Plan. The Greenway Master Plan recommends extension of the greenway system along Sugar Creek.

   4. Parks Master Plan. The Parks Master Plan recognizes Freedom Park as a district park.

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

5. School Information. Not applicable.

6. Zoning History (See Attached Map).

Petition No.	Request	Action	Date
1. 75-30	0-6 to B-1	Approved	11/17/75
2. 78-10	0-6 to B-1(CD)	Approved	04/03/78
3. 80-44	R-6MF to 0-6	Denied	06/15/81
4. 83-81	B-1(CD) to 0-6	Approved	02/20/84
5. MSUP85-14	SUP for Institutional Use in a Residential District	Approved	12/18/85
6. 87-53	R-6 to R-6MF(CD)	Denied	07/20/87

7. Neighborhood. This site lies within the area defined as the Dilworth neighborhood.

REVIEWS

1. Plan Consistency. This petition proposes rezoning of properties from a multi-family residential category to a single family residential category in an area in which publicly adopted plans recognize the existing single family development. Therefore, the petition is consistent with pending and adopted plans for the area.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The staff met with the petitioner's agent prior to the filing of the application to discuss the proposal and to provide technical assistance on the preparation of the petition.

   2. Departmental Comments. There were no significant departmental comments due to the conventional nature of the petition. CDOT comments are attached.

ISSUES

1. Land Use. This petition proposes rezoning from a multi-family residential category to a single residential family category in an area in which publicly adopted plans recognize the existing single family development. The pending Central District Plan proposes rezoning of the subject property to a single family category in order to better align the zoning to the land use of the area. Therefore, this petition is consistent with public plans from a land use standpoint and is considered appropriate for approval.

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

CONCLUSION

This petition is considered appropriate for approval.

*Subject to further refinement following public hearing.

M E M O R A N D U M

DATE: July 24, 1992

TO: Laura Simmons
Planning Commission

FROM: R. D. Gillis, Assistant Director
Department of Transportation

SUBJECT: Rezoning Petition 92-51: Southwest Side of East Boulevard from Sugar Creek to Cumberland Avenue

This site could generate approximately 2,366-3,042 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 1,012,-1,104 trips per day. This will not have a significant impact on the surrounding thoroughfare system.

We have no other comments on this petition.

If we can be of further assistance, please advise.

RDG/REG:hll

cc: W. B. Finger
S. L. Putnam
R. E. Goddard
R. S. Williams
R. E. Wilson
L. Hunter Meacham, Jr.
Rezoning File

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No. _____

Date Filed July 6, 1992

Received By MCM

OFFICE USE ONLY

Ownership Information

Property Owner For ownership information, see Exhibit A attached hereto.

Owner's Address _____

Date Property Acquired _____

Tax Parcel Number _____

Location of Property (address or description) See attached tax map

Description of Property

Size (Sq. Ft.-Acres) See attached tax map Street Frontage (ft.) _____

Current Land Use Residential

Zoning Request

Existing Zoning R-22 MF Requested Zoning R-6

Purpose of Zoning Change To preserve the single family residential character of our neighborhood

L. Hunter Meacham, Jr.
Name of Agent

2020 Lombardy Cir., Charlotte, NC 28203
Agent's Address

333-8968 (H); 376-3503 (W)
Telephone Number

L. Hunter Meacham, Jr and Wanda P. Meacham
Name of Petitioner(s)

2020 Lombardy Cir., Char
Address of Petitioner(s)

333-8968
Telephone Number

L. Hunter Meacham

Wanda P. Meacham

Signature

Signature of Property Owner
If Other Than Petitioner

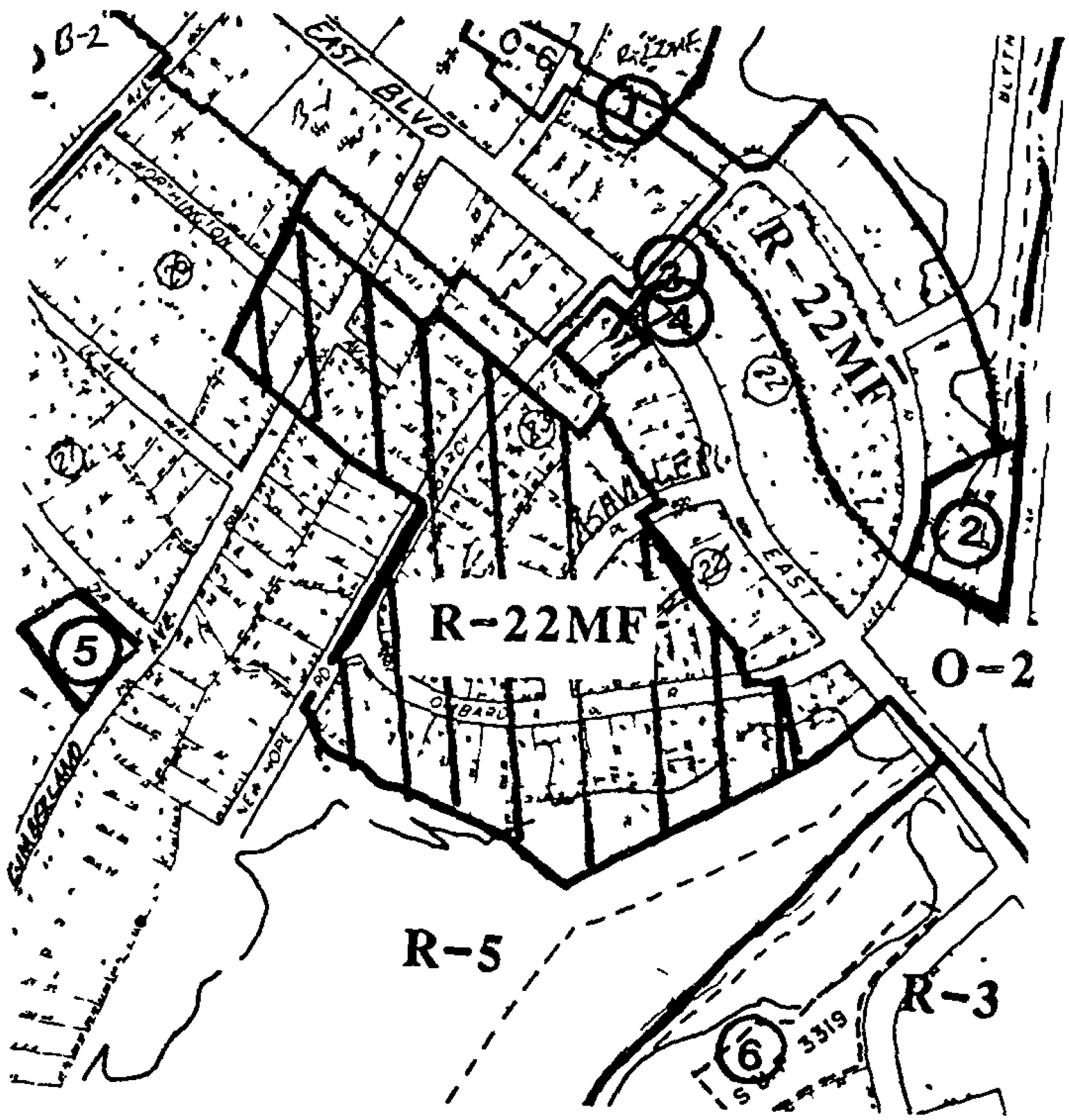
PETITIONER: L. Hunter Meacham, Jr. and Wanda P. Meacham

PETITION NO.: 92-51 HEARING DATE: September 21, 1992

ZONING CLASSIFICATION, EXISTING: R-22MF

ZONING CLASSIFICATION, REQUESTED: R-6

LOCATION: Several parcels located off the southwesterly side of East Boulevard extending from Sugar Creek to Cumberland Avenue.



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

PROPERTY PROPOSED FOR CHANGE

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

September 9, 1992

Mayor and City Council:

RE: Petitions to be Heard in September, 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 Monday, September 21, 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 (LS)

Walter G. Fields, III
Land Development Manager

WGF:mlj

Attachments

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

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 92-52

Petitioner: Charlotte Inn, Inc.

Location: A 6.71 acre site located on the easterly side of Little Rock Road south of I-85.

Request: Change from I-2 to I-1.

BACKGROUND

1. Existing Zoning. The subject property is presently zoned I-2 as are surrounding properties on the southerly side of I-85. Properties to the north of I-85 are zoned B-2.

2. Existing Land Use. The subject property is the site of a Holiday Inn. Surrounding properties at the interchange of I-85 and Little Rock Road are developed with a combination of commercial and industrial uses.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicates existing employment land uses in the area and recognizes the airport nearby. Strategies for the area include improvements to Little Rock Road and I-85 and a light rail station and corridor nearby.

   2. Southwest District Plan. The Southwest District Plan recognizes office and industrial uses in the area of the subject property and the extension of Little Rock Road.

   3. Transportation Improvement Program. The Transportation Improvement Program provides for the northwest circumferential to connect I-77 and the Freedom Drive/Little Rock Road area. The I-85 widening from Gaston County to U.S. 29 to eight lanes is scheduled for completion by FY95.

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

5. School Information. Not applicable.

6. Zoning History (See Attached Map).

Petition No.	Request	Action	Date
1. 65-23	R-12 to B-2	Approved	03/01/65
2. 81-77	R-12 to B-2	Approved	02/22/82
3. 82-29	B-2 to I-1(CD)	Denied	07/19/82

7. Neighborhood. This petition falls within the previously defined Airport area.

REVIEWS

1. Plan Consistency. This petition proposes rezoning from the general industrial category to the light industrial category in an area in which publicly adopted plans envision continued employment and industrial type development. Therefore, the petition is consistent with publicly adopted plans for the area.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The staff provided technical assistance to the petitioner upon the filing of the application.

   2. Departmental Comments. There were few significant departmental comments inasmuch as this petition is a conventional application. Comments from CDOT are attached.

ISSUES

1. Land Use. This petition proposes rezoning from I-2 to I-1 for the purpose of retaining a conforming zoning status on the existing hotel. (The new zoning ordinance does not permit hotels in the I-2 zoning district). This petition raises no issues from the land use standpoint and is considered appropriate for approval.

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

CONCLUSION

This petition is considered appropriate for approval.

*Subject to further refinement following public hearing.

M E M O R A N D U M

DATE: July 24, 1992

TO: Laura Simmons
Planning Commission

FROM: R. D. Gillis, Assistant Director
Department of Transportation

SUBJECT: Rezoning Petition 92-52: Little Rock Road
South of I-85

This site could generate approximately 2,871 trips per day as currently zoned. Under the proposed zoning the site would generate approximately the same number of trips per day. This will not have a significant impact on the surrounding thoroughfare system.

The I-85/Little Rock Road interchange reflects the maximum cross-section for this portion of the Airport Entrance Road. The petitioner was granted a variance of transitional setback related to the entrance road.

If we can be of further assistance, please advise.

RDG/REG:hll

cc: W. B. Finger
S. L. Putnam
R. E. Goddard
R. S. Williams
R. E. Wilson
Robert W. Simmons
Charlotte Inn, Inc.
Rezoning File

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 92-52
Date Filed July 6, 1992
Received By [illegible]

OFFICE USE ONLY

Ownership Information

Property Owner: Charlotte Inn, Inc.

Owner's Address: 348 Southport Cir., Suite 103, Virginia Beach, VA 23452

Date Property Acquired: 061-291-07: Deed 7/14/87, recorded 7/15/87, DB 5547/P815
061-291-08; Deed 4/29/82, recorded 6/2/82, DB 4541/P711
061-291-02: Deed 10/26/70, recorded 10/28/70, DB 3234/P83

Tax Parcel Number: 061-291-07 and 061-291-08 and 061-291-02

Location of Property (address or description) 2707 Little Rock Road, Charlotte, N.C.

*area and frontage as per tax map

Description of Property

Size (Sq. Ft.-Acres): 061-291-07: 6.246 acres*
061-291-08: 0.449 acres*
061-291-02: 0.012 acres*

Street Frontage (ft.): Total both parcels: 1685.31*

Current Land Use: Hotel (Holiday Inn Airport). Hotel use in operation continuously since 1970.

Zoning Request

Existing Zoning: I-2

Requested Zoning: I-1

Purpose of Zoning Change: Prior zoning ordinance allowed hotel use as of right in I-2 zon Current zoning ordinance allows hotel use as of right in I-1 zone only, rendering current use legal, non-conforming. Rezoning will render current use conforming.

Robert W. Simmons
ROBINSON, BRADSHAW & HINSON, P.A.
Name of Agent 1900 Independence Center
101 N. Tryon Street, Charlotte, NC 28246
Agent's Address
(704) 377-8353
Telephone Number

CHARLOTTE INN, INC.
Name of Petitioner(s) 348 Southport
Suite 103, Virginia Beach, V
Address of Petitioner(s)
(804) 499-9959
Telephone Number

CHARLOTTE INN, INC.
By: [signature]
Signature
Lance A. Lavenstein, Preside
Signature of Property Owner
if Other Than Petitioner

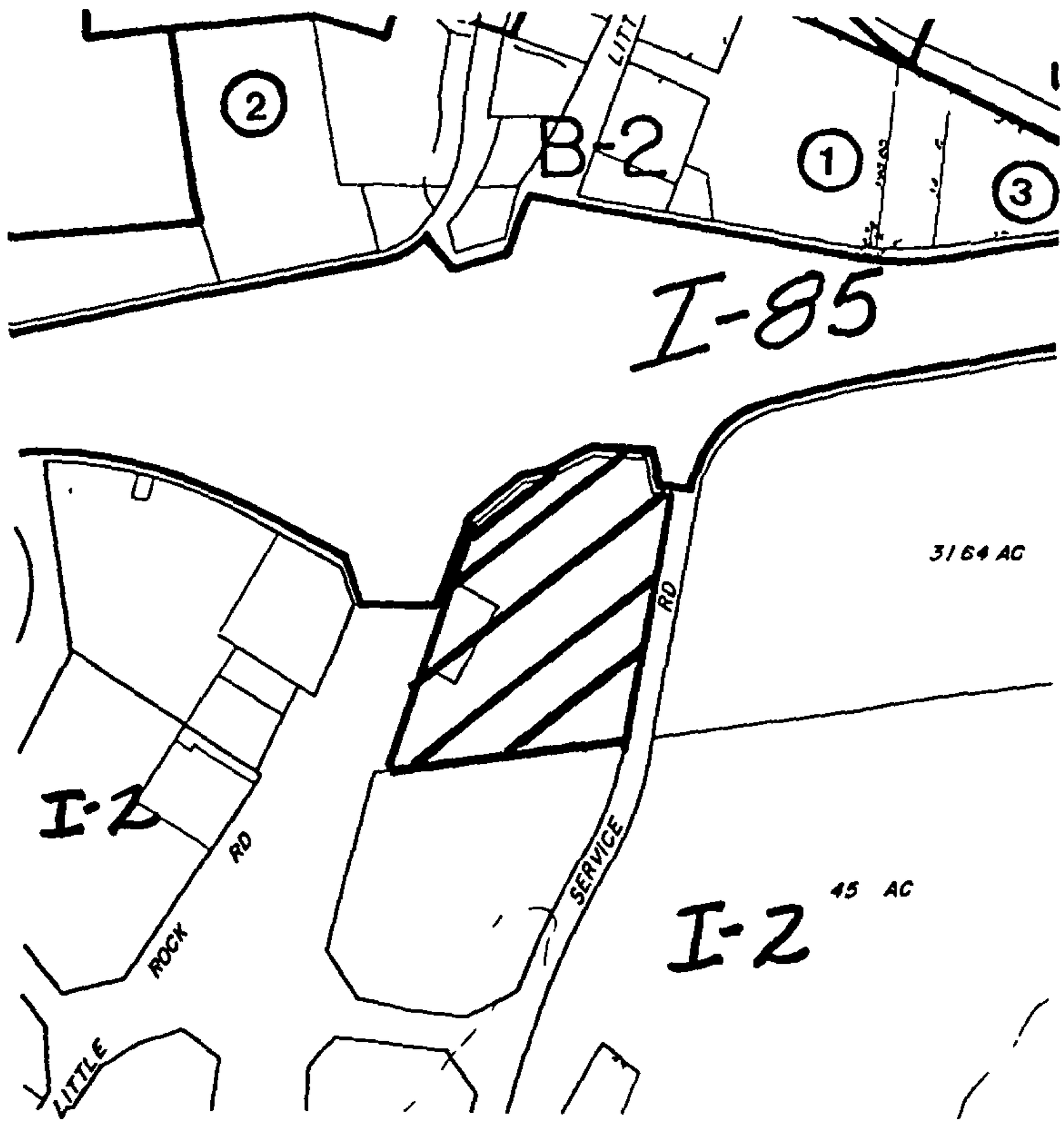
PETITIONER: Charlotte Inn, Inc.

PETITION NO.: 92-52 HEARING DATE: September 21, 1992

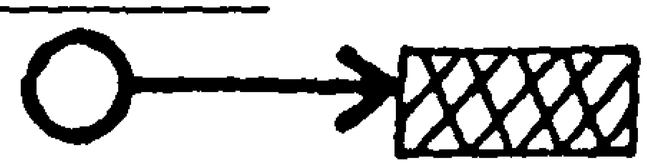
ZONING CLASSIFICATION, EXISTING: I-2

ZONING CLASSIFICATION, REQUESTED: I-1

LOCATION: Approximately 6.71 acres located on the east side of Little Rock Road south of I-85.



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



PROPERTY PROPOSED FOR CHANGE

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

September 9, 1992

Mayor and City Council:

RE: Petitions to be Heard in September, 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 Monday, September 21, 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 (LF)

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. 92-53

Petitioner: Alexander Children's Center

Location: Approximately 58.68 acres located on the west side of Thermal Road south of Rocky Falls Road.

Request: Change from R-3 and R-17MF to Institutional (CD).

BACKGROUND

1. Existing Zoning. The property involved with this request is zoned a combination of R-3 and R-17MF. Properties located to the east of Thermal Road and to the south of the petitioned property along both sides of Pineburr Road are zoned R-17MF. Otherwise abutting properties are zoned R-3.

2. Existing Land Use. The petitioned property is the site of the Alexander Children's Center. Multi-family developments are located in the vicinity along Pineburr Road and Thermal Road. Otherwise, the area is devoted to single family residential development.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicates existing residential land uses in the area of the subject property. The plan recognizes the potential for a light rail station and corridor in the area, improvements to Monroe Road, expansion of water and sewer lines, and extension of the greenway system along McAlpine Creek.

   2. South District Plan (draft). The draft South District Plan recognizes the existing institutional use of the subject property and the existing multi-family zoning on a portion of the subject property. The plan also recognizes McAlpine Creek Greenway and Park.

   3. Greenway Master Plan. The Greenway Master Plan recognizes the McAlpine Creek Greenway.

   4. Parks Master Plan. The Parks Master Plan recognizes McAlpine Park and McAlpine Greenway.

4. Site Plan. The site plan which accompanies this petition would permit an expansion of the existing children's center in accordance with floor area ratios associated with the Institutional zoning category. The plan indicates a proposed adult care home and four long term care homes for children in the area of the subject property immediately to the west of Thermal Road. In the area of the property presently devoted to the children's center, this petition proposes new development composed of a residential

cottage, a day care center, and a retreat center. The plan far exceeds ordinance minimums on buffering adjoining residential zoning and development and provides for large undisturbed buffers on the northwest and south project edges. The petition proposes a 40 foot setback devoted to landscaping along Thermal Road and extensive tree preservation along the creek that runs parallel to Thermal Road through the petitioned property. Access to the site is unchanged and is served by two existing driveways off of Thermal Road.

5. School Information. Not applicable.

6. Zoning History (See Attached Map).

Petition No.	Request	Action	Date
1. 68-98	R-12 to R-20MF	Denied	12/22/68
2. 72-69(c)	R-12, R-12MF & I-1 to I-1 & R-12MF	Approved	10/02/72
3. 73-60(c)	R-12 to R-12MF	Approved	11/05/73
4. 88-91	R-12MF to R-12	Denied	12/19/88

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

REVIEWS

1. Plan Consistency. This petition proposes the expansion of a children's center in an area in which pending public plans recognize the institutional nature of the existing use. Therefore, the petition is generally consistent with adopted plans for the area.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The staff met with the petitioner's agent prior to the filing of the application to provide technical assistance.

   2. Departmental Comments. There were very few departmental comments on this petition. Comments from CDOT are attached.

ISSUES

1. Land Use. There are no significant land use issues associated with this application. It proposes a rezoning from a combination of single family and multi-family residential in an area in which pending plans for the area recognize the existing institutional use of the site. Therefore, this petition is consistent with

public plans from a land use standpoint and is considered appropriate for approval.

2. Site Plan. The site plan associated with this petition would permit an expansion of the existing children's center while also maintaining substantial areas of undisturbed buffers. Access to the site would remain via the existing driveways to Thermal Road. There are no issues associated with this petition from a site plan standpoint. Therefore, this petition is considered appropriate for approval.

CONCLUSION

This petition is considered appropriate for approval.

*Subject to further refinement following public hearing.

M E M O R A N D U M

DATE: July 24, 1992

TO: Laura Simmons
Planning Commission

FROM: R. D. Gillis, Assistant Director
Department of Transportation

SUBJECT: Rezoning Petition 92-53: Thermal Road Between Pineburr Road and Rocky Falls Road

This site could generate approximately 2,765 - 3,240 trips per day as currently zoned. Proposed trips have not been calculated due to the wide variety of land uses allowed under institutional zoning. This will not have a significant impact on the surrounding thouroughfare system.

We have no other comments on this petition.

If we can be of further assistance, please advise.

RDG/REG:hll

cc: W. B. Finger
S. L. Putnam
R. E. Goddard
R. S. Williams
R. E. Wilson
Alexander Childrens Center, Inc.
Rezoning File

REVISED

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 92-53

Date Filed August 3, 1992

Received By DKM

OFFICE USE ONLY

Ownership Information

Property Owner Wachovia Bank of North Carolina, N.A., as Trustee for Alexander Children's Center, Inc.

Owner's Address c/o Trust Real Estate Department, Post Office Box 3099 Winston-Salem, North Carolina 27150 ATTN: Mr. Kenneth Blackburn

Date Property Acquired October 4, 1927

Tax Parcel Number 189-251-01

Location of Property (address or description) West side of Thermal Road between Pineburr Road and Rocky Falls Road (6220 Thermal Road)

Description of Property

Size (Sq Ft.-Acres) 46.00 Acres Street Frontage (ft) 1,649.47' on Thermal Road

Current Land Use Residential child treatment facility and child development day care program.

Zoning Request

Existing Zoning R-3 and R-17 MF Requested Zoning Institutional (CD)

Purpose of Zoning Change To permit the carrying out of a long range master plan for future development of this community service facility

Name of Agent

Agent's Address

Telephone Number

Alexander Children's Center, Inc.
Name of Petitioner(s)

6220 Thermal Road, Charlotte, NC 282
Address of Petitioner(s)

(704) 366-8712
Telephone Number

Glenn B. Robinson
Executive Director
Signature

SEE ATTACHED
Signature of Property Owner if Other Than Petitioner

REVISED

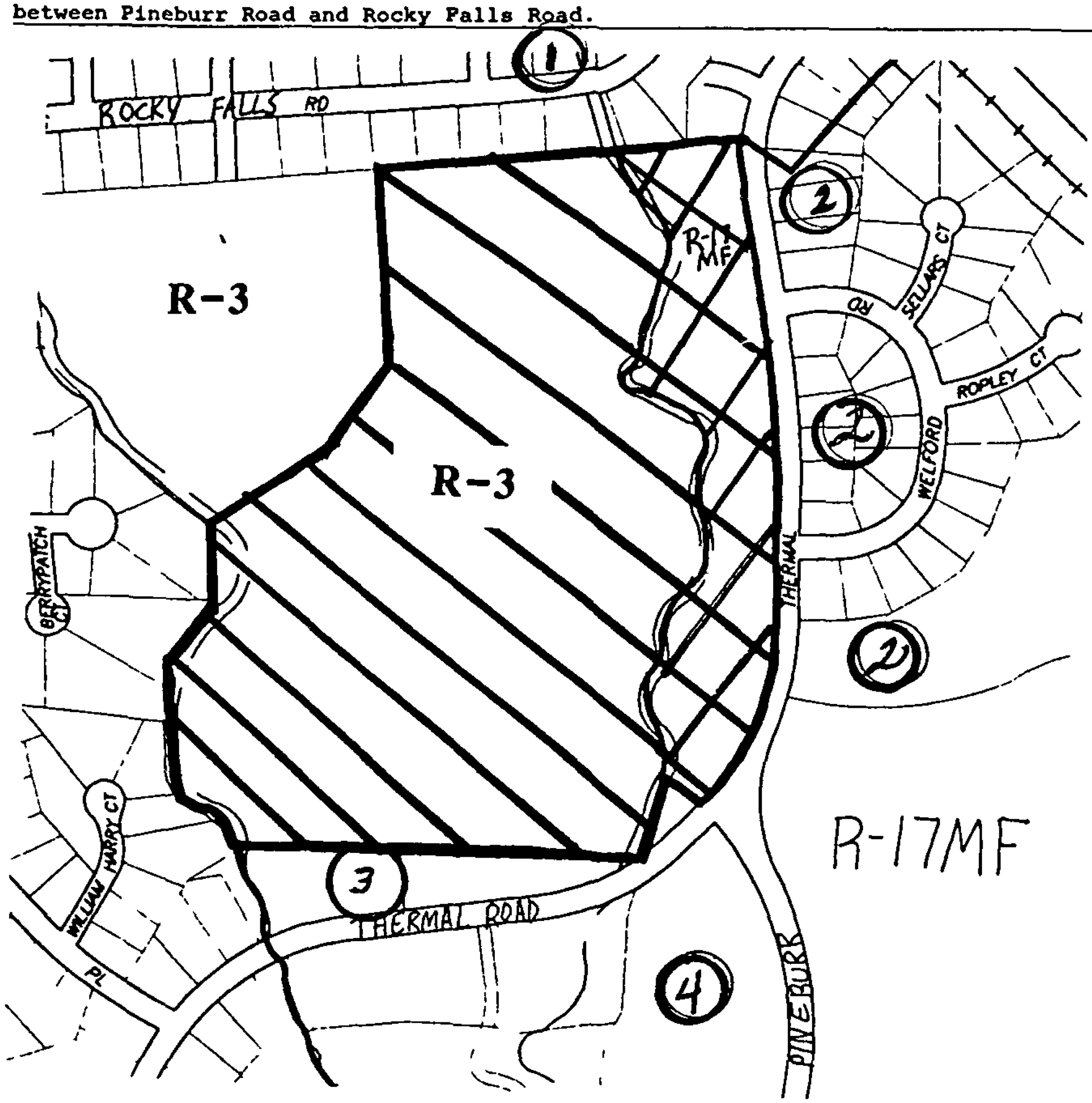
PETITIONER: Alexander Children's Center

PETITION NO.: 92-53 HEARING DATE: September 21, 1992

ZONING CLASSIFICATION, EXISTING: R-3 and R-17MF

ZONING CLASSIFICATION, REQUESTED: Institutional(CD)

LOCATION: Approximately 46.00 acres located on the west side of Thermal Road between Pineburr Road and Rocky Falls Road.



ZONING MAP NO(s).: 137 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

September 9, 1992

Mayor and City Council:

RE: Petitions to be Heard in September, 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 Monday, September 21, 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 (LS)

Walter G. Fields, III
Land Development Manager

WGF:mlj

Attachments

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

PRE-HEARING STAFF ANALYSIS*

Rezoning Petition No. 92-54

Petitioner: B.H.B of Charlotte, Inc.

Location: A .21 acre parcel located on the southwesterly side of East Boulevard between Dilworth Road East and Charlotte Drive.

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

BACKGROUND

1. Existing Zoning. The subject property is zoned O-2 as are other nearby properties southwest of East Boulevard and to the northwest of Charlotte Drive. The northeasterly side of East Boulevard is zoned a combination of O-2 and B-1.

2. Existing Land Use. The subject property is presently used as an office. Abutting properties on the southwesterly side of East Boulevard between Dilworth Road East and Charlotte Drive are used for a combination of residential, office, and institutional uses. The southwest corner of the intersection of Charlotte Drive and East Boulevard is used for commercial purposes. Across East Boulevard is Kenilworth Commons Shopping Center plus office and residential uses. Elsewhere, the East Boulevard corridor is composed of a combination of office, residential, and commercial uses.

3. Public Plans and Policies.

   1. 2005 Plan. The 2005 Plan indicates existing employment uses along East Boulevard. The plan recognizes the intersection of East Boulevard, Kenilworth Avenue, and Scott Avenue as a community commercial center. There are no specific strategies identified for the area.

   2. Central District Plan. The Central District Plan recognizes the office zoning and use of the subject property and recognizes the intersection of East Boulevard, Scott Avenue, and Kenilworth Avenue as a commercial focal point for the area.

4. Site Plan. The site plan which accompanies this petition proposes conversion of the existing structure for retail sales purposes. The plan would also allow any use allowed in the current O-2 zoning classification. Access to the site is provided by the existing driveway connection to East Boulevard. The plan proposes preservation of the existing structure, additional landscaping along East Boulevard and surface parking to the rear of the existing structure. The plan indicates a series of variances has been filed with the Board of Adjustment to waive zoning requirements regarding the setback, buffers adjoining residential, location of parking and a side yard. The plan indicates the

existing square footage of the structure is 3,100 square feet but stipulates that no more than 2,250 square feet will be used for retail purposes at any one time. Exterior features are not to be modified in any manner which would detract from the residential appearance of the structure. The plan also provides for the potential removal of the existing structure but states that if the structure is replaced with another structure the new structure must be residential in appearance, compatible with adjoining properties, and utilize stucco or stucco-like materials or brick and siding materials and have a pitched roof. Any new structure is not to exceed two stories in height. The site plan also recognizes that the petitioned property lies within the Dilworth Historic District and any improvements made to the exterior of the structure must satisfy the regulations of the historic district.

5. School Information. Not applicable.

6. Zoning History (See Attached Map).

Petition No.	Request	Action	Date
1. 64-15	R-6MF to B-1 & R-6MFH	Approved	03/23/65
2. 66-66	R-6MF with cond. parking to B-1	Approved	08/08/66
3. 68-66	B-1 & R-6MF to O-6	Approved	09/23/68
4. 77-6	O-6 to B-1(CD)	Approved	03/21/77
5. 82-63	R-6 to R-9MF(CD)	Approved	10/18/82
6. 82-73	O-6 to B-2(CD)	Approved	04/18/83

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

REVIEWS

1. Plan Consistency. This petition proposes rezoning from an office category to a commercial category to accommodate conversion of the existing structure for retail sales purposes. The 2005 Plan recognizes the East Boulevard corridor as one composed of existing employment land uses. However, the pending Central District Plan recognizes the existing office zoning of the area of the subject property and does not envision the potential for intensification of the zoning to commercial categories. Therefore, the request is not consistent with pending plans for the area.

2. Technical Consistency.

   1. Pre-Hearing Staff Input. The staff met with the petitioner prior to the filing of the application. Staff noted commercial zoning is inconsistent with the established zoning pattern in this section of East Boulevard. Subsequent to the filing of the petition, staff relayed several site plan comments to the petitioner.

2. Departmental Comments. Comments from the reviewing agencies included the need for Historic District Commission approval. That approval has now been obtained. Other comments included the need for several variances from the Zoning Board of Adjustment and the petitioner has submitted the necessary application for those variances. Comments from CDOT are attached.

ISSUES

1. Land Use. This request raises a land use issue. It seeks a change from an office category to a commercial category to allow conversion of the existing office for use for retail sales. The pending Central District Plan recognizes the area of the subject property for office purposes but does not foresee the introduction of commercial into this area. Approval of this petition would set a precedent for additional changes to commercial in an area of East Boulevard that is presently devoted to fairly low-intensity office and institutional uses. The one commercially zoned parcel in this area on the southerly side of East Boulevard west of Charlotte Drive is the result of a 1977 rezoning petition. The specific site plan which accompanied the petition designated half the floor area to be used as an office for an architectural firm and the other half to be used solely as a studio shop to display miniature art collections. The plan did not envision any alterations whatsoever to the property, driveways, landscaping, or structure on the interior or exterior. The Planning Commission at the time recommended approval of the petition due to the very narrow constraints on the use of the property and the specific use was viewed as appropriate. The recommendation from the 1977 case states that the Planning Commission "feels the proposal consists of a very low volume type of use and is in keeping with existing structures and neighborhood. However, it wants to point out the feeling that if this particular use should be ceased in the future the Commission would not look favorably on a significantly different use. The Commission would also like to emphasize that by this recommendation it is not encouraging business use of the property further along East Boulevard." The petition at hand represents an extension of the commercial pattern specifically discouraged during this 1977 discussion. For these reasons, this petition is not considered appropriate for approval from a land use standpoint.

2. Site Plan. The site plan which accompanies this application proposes reuse of the existing structure for the sale of goods and services at the retail level in addition to any use allowed in the O-2 zoning category. The plan relies on the approval of a series of variances for the required setback, buffers, location of parking and minimum side yard. Assuming that the Board of Adjustment grants these variances, the site plan will be technically sufficient.

CONCLUSION

This petition raises a land use issue by proposing to introduce commercial zoning in an area of East Boulevard that is not considered appropriate for further commercial development.

*Subject to further refinement following public hearing.

M E M O R A N D U M

DATE: September 1, 1992

TO: Laura Simmons
Planning Commission

FROM: R. D. Gillis, Assistant Director
Department of Transportation

SUBJECT: Rezoning Petition 92-54: East Boulevard Between Dilworth Road East and Charlotte Drive (Revised 8/24/92)

This site could generate approximately 102 trips per day as currently zoned. The revised site plan indicates no change in proposed land use. Therefore, the trip generation (126 trips per day) has remained the same.

East Boulevard is a major thoroughfare requiring a minimum of 100 feet of right-of-way. The developer/petitioner has indicated on the plan the dedication of right-of-way to meet this requirement, measuring 50 feet from the centerline of the roadway.

The existing 16-foot wide driveway does not meet the minimum width requirement of 26 feet with a minimum side property clearance of 3 feet (historic districts). The driveway must be rebuilt to conform to the City Driveway Regulations.

The consultant needs to verify that the existing 10-foot alleyway has been officially abandoned or revise the site plan appropriately.

Adequate sight distance triangles must be reserved at the rebuilt entrance. Two 10'x70' sight triangles are required for the entrance to meet sight distance requirements. All proposed trees, berms, walls, fences and/or identification signs should not interfere with sight distance at the entrance. Such items should be identified on the site plan.

The rebuilt driveway connection to East Boulevard requires a driveway permit to be submitted to the Charlotte Department of Transportation (CDOT) for review and approval.

If we can be of further assistance, please advise.

RDG/REG:hll

cc: W. B. Finger
S. L. Putnam
R. E. Goddard
R. S. Williams
R. E. Wilson
Bailey Patrick, Jr.
B. H. B. of Charlotte, Inc.
Rezoning File

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 92-54
Date Filed July 6, 1992
Received By [illegible]
OFFICE USE ONLY

Ownership Information

Property Owner Lynn Martin Anderson

Owner's Address 619 Burton Lane
Denver, NC 28037

Date Property Acquired June 15, 1983

Tax Parcel Number 121-113-14

Location Of Property (address or description) 1222 East Boulevard
Charlotte, NC 28203

Description Of Property

Size (Sq Ft -Acres) 3,100 square feet Street Frontage (ft) 59.86 feet

Current Land Use Office

Zoning Request

Existing Zoning O-2 Requested Zoning B-1(CD)

Purpose of Zoning Change To accommodate use of the property as a gift shop

Name Of Agent
Bailey Patrick, Jr.
Agent's Address
P. O. Box 35566
Charlotte, NC 28235
Telephone Number
(704) 372-1120

Name of Petitioner(s)
B.H.B. of Charlotte, Inc.
d/b/a "Belle's"
Address of Petitioner(s)
3335 Gresham Place
Charlotte, NC 28211
Telephone Number
(704) 375-9243
B.H.B. of Charlotte, Inc.
By: [illegible]
Signature President

Lynn Martin Anderson
Signature of Property Owner if Other Than Petitioner
Lynn Martin Anderson

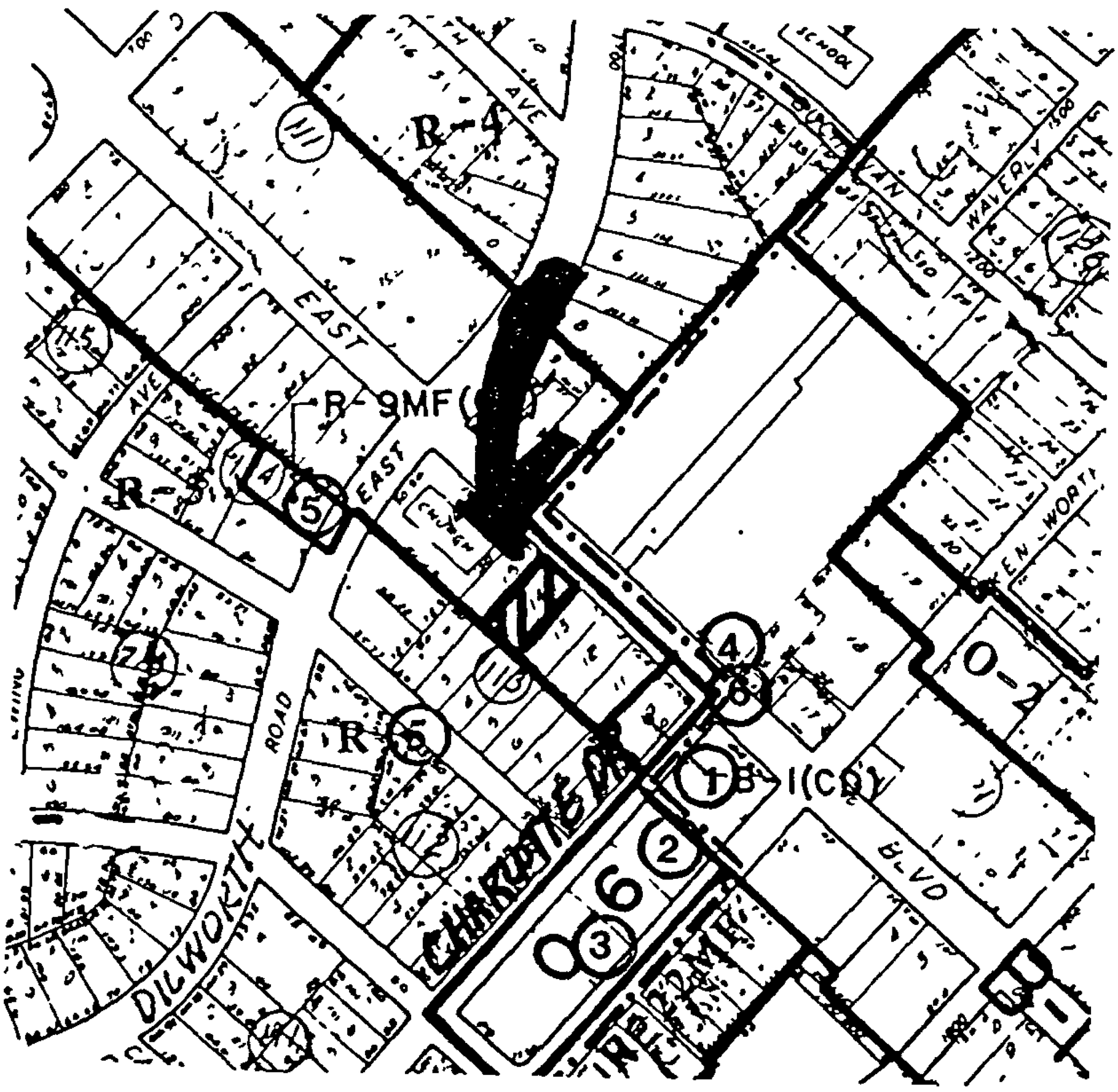
PETITIONER: B.H.B. of Charlotte, Inc.

PETITION NO.: 92-54 HEARING DATE: September 21, 1992

ZONING CLASSIFICATION, EXISTING: O-2

ZONING CLASSIFICATION, REQUESTED: B-1(CD)

LOCATION: Approximately 31,000 square foot parcel located on the southwesterly side of East Boulevard between Dilworth Road East and Charlotte Drive.



ZONING MAP NO(s).: 111 SCALE 1" = ~~200'~~ Not to Scale

PROPERTY PROPOSED FOR CHANGE

DATE: April 27, 1992

PETITION NO.: 92-18

PETITIONER(S): Dilworth Community Development Association

REQUEST: Consideration of a text amendment to various sections of the City of Charlotte Zoning Ordinance to establish criteria for the location and design of group homes.

ACTION: The Zoning Committee deferred action on this petition for up to four months.

VOTE: Yeas: Fenning, Lassiter, McClure, Spencer, and Tabor.

Nays: None.

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

REASONS

Recently there has been a considerable amount of community concern in relation to the location and criteria of group homes. These issues have been partially addressed through a recent County Zoning Ordinance text amendment with still further refinement under consideration. The Zoning Committee deferred action on this petition to allow for the further evaluation of these issues through a subcommittee of the Zoning Committee. The subcommittee will discuss the group home issues for a period of up to four months in conjunction with representatives of the Mental Health community and other interested parties.

DATE: July 27, 1992

PETITION NO.: 92-38

PETITIONER(S): Essie B. Shipp

REQUEST: Change from R-4 with a special use permit for a day care center to R-8MF(CD).

LOCATION: A .575 acre site located on the west side of Nations Ford Road north of Colony Acres Drive.

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

VOTE: Yeas: Baker, Fenning, James, McClure, Tabor, and Whelchel.

Nays: None.

(Commissioner Byrne absent)

REASONS

This petition proposes a rezoning to a conditional multi-family category in order to accommodate an expansion of the existing day care center. The Zoning Committee discussed the issue which arose at the public hearing on this request regarding the neighborhood's concern about the introduction of a multi-family zoning category on the westerly side of Nations Ford Road. While Zoning Committee understood and acknowledged the neighborhood's concern, it was also noted that the sole uses permitted by the site plan are an expansion of the existing day care center or a single family residence if the day care closes. The Zoning Committee viewed the conditional zoning plan as adequate and substantial protection for the neighborhood and, therefore, recommends its approval.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

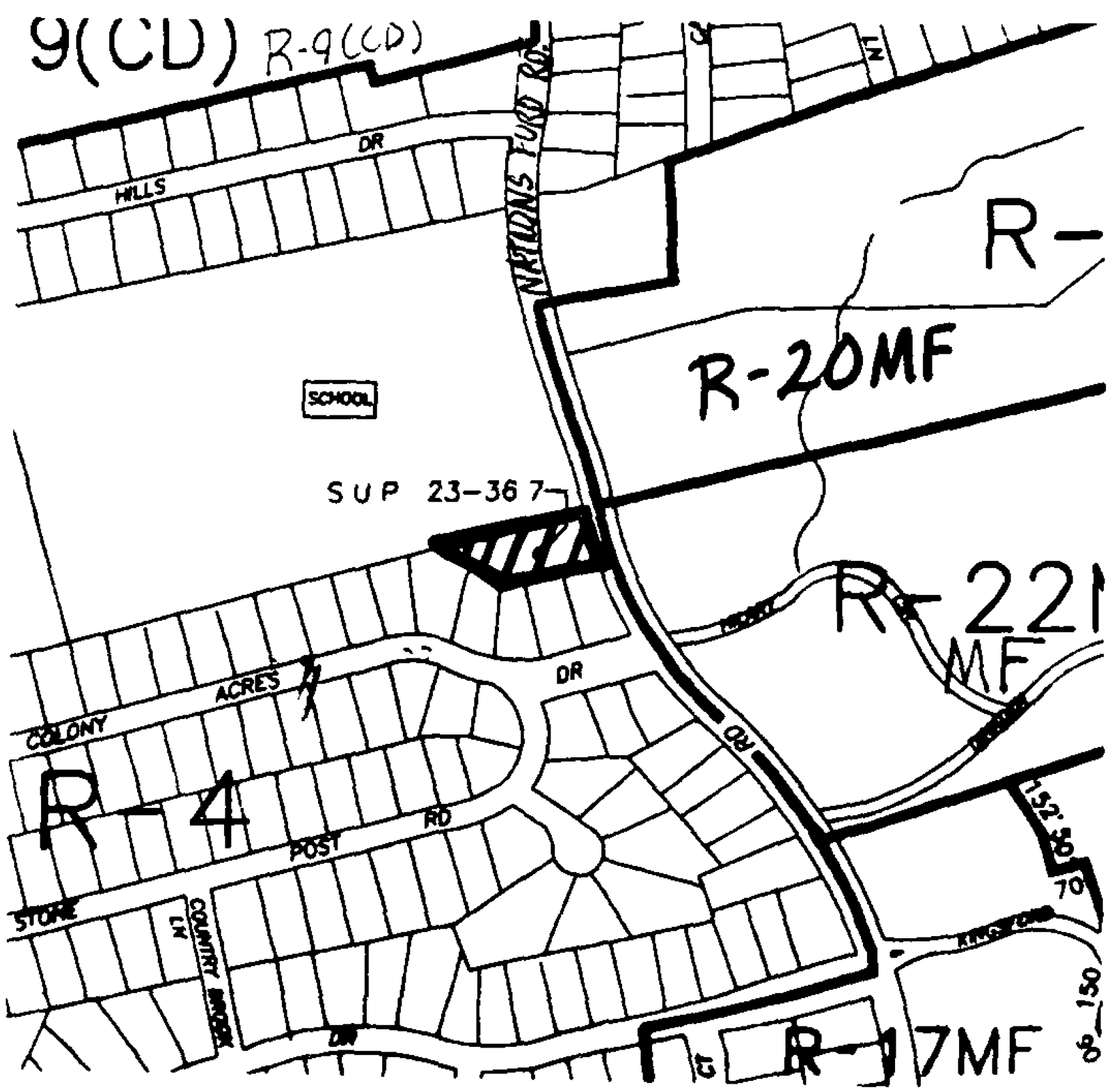
PETITIONER: Essie B. Shipp

PETITION NO.: 92-38 HEARING DATE: July 20, 1992

ZONING CLASSIFICATION, EXISTING: R-4 with SUP for a day care center

ZONING CLASSIFICATION, REQUESTED: R-8MF(CD) and termination of SUP

LOCATION: Approximately .575 acres located on the west side of Nations Ford Road, north of Colony Acres Drive.



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

PROPERTY PROPOSED FOR CHANGE

[redacted] Presentation 9-21-92

		ZONING COMM.
Mayor Virrat	✓	Ann McClure ✓
Campbell	✓	Jack Byrne ✓
Clodfelter		Gloria Fenning ✓
Hammond	✓	Ken Baker ✓
McCoy	✓	Vincent James
Majeed	✓	John Tabor ✓
Morgum	✓	Don Wheeler ✓
Martin	✓	
Patterson	✓	
Reid	✓	
Scarborough	✓	
Wheeler	✓	

5 30

Walter Fields - Residential Lighting

Mayor

Hammond

Majeed

Fields -

Mayor

Hammond

Fields

Scarborough

[redacted]

Fields
Mayer
Patterson
Morgan
Mayer
McCrory
Freeze
Underhill
Freeze
Scarborough
Majeed

5:45 p.m.

Zoning Meeting 9-21-92

Mayor Vinroot	✓	Ann McClure
Campbell	✓	
Clodfelter	absent	
Hammond	✓	
McCray	✓	
Majeed	✓	
Morgan	✓	
Martin	✓	
Patterson	✓	
Reid	✓	
Scarborough	✓	
Wheeler	✓	

6:05

Invocation - Rev. Thomas Ehrich

Vinroot -

McClure

Vin

#1 Morgan - 92-45 - Requests Deferral

Morgan / Scarborough - Defer

Vinroot - Morgan

Martin - Morgan

Reid - Subst - Continue to next meeting

Morgan - Reid withdrew subst - VOTE - Unan.

#1 92-18 Vernon / Wheeler defer until have a recommendation from.

Vinroot

#2 92-46

Fields

Vinroot

Bob Young

McCrory / Wheeler

Cha. Fling - Tuan.

#3 Vinroot 92-47

Fields

Vinroot

Fred Bryant - Request B-1 instead of B-2

Mangum - Clarify slope of bridge

Bryant - Bridge will go over outer belt

Vinroot

Mike Thrift - Pleasantly surprised - Endorse B-1

Tenderhill

Vinroot

Mangum: With small parcel - last interest to allow it -

Thrift - G.

Vinroot -
Bryant
Mangum / Hammond Clse Hrng.
unan.

Vinroot
#4 - 92-48
Fields
Martin
Fields
Hammond - Please point out area
Fields may be used for
Vinroot park or open space
Martin
Fields
Fred Bryant
Martin
Bryant
Mangum
Martin
Mangum
Fields -
Bryant
Hammond / Martin Clse Hrng
Vinroot unan.
#5 9249

Mangum / Scarborough Clse Hrng.
Majeed
Fields
Vinroot
McCrory
Fields
McCrory
Hammond - Zoning Comm look
at new buffer provision.
VOTE - Unan

#6 - 92-50
Vinroot
Mangum / Wheeler Clse. Hrng.
Unan.

#7 - 92-51
Vinroot
Fields
Mangum
Fields
Wheeler
Mangum
Wheeler
Vinroot
Mangum

Hunter Meachum - 60 single family
homes - slides
Unrosh
Bob Young
Hammond
Young
Hammond - Life of bldg. permit
Young 1 year
Wheeler - How long has he had
a bldg. permit
Young - Dec 1991 -
Conditional permit - 1 year.
Wheeler
Young:
Wheeler only access is lot on Lombardy
where houses torn down.
Young Yes
Wheeler - is flood plain
Young -
Wheeler
Martin
Young
Gloria Jenning
Young -
Gilles
Martin

Fields
Martin
Fields
Reid
Fields
Young
Fields
Hammond
Fields - Evidence of activity, permit remains active.
Hammond
Fields
Hammond
Underhill
Hammond
Fields
Mangum
Young
Mangum
Young
Mangum
Young
Scarborough - Legislative Agenda.
Hunter Meacham
Reid

Meachum
Reid
Meachum
Reid
Meachum
Wheeler
Reid
Vincent
Hammond / McCrary - Close King.
Tuner.

#8 92-52
Fields
Vincent
Bob Simmons
Meagum
McCrary / Hammond Close King.
Tuner

#9 - #92-53. Vincent
Henry Harkey - For
Hammond / Scarborough - Close King
Tuner.

#10 - 92-54

Vinsrot
McCrory
Fields
Bailey Patrick
Margaret Barnhardt
Vinsrot
McClure
Fenning
Barnhardt
Fenning
Patrick
Fenning
Patrick
Hammond / Martin Clse
Texas

#12 - 92-38 - Vinsrot

Scarborough / McCrory - Approve
Scarborough - Support approval, out of Daycare vacates, should rezone back to R-4.
Underhill -
Vinsrot
Scarborough
Vinsrot
McLeod
Underhill

Scarborough

VOTE - Unan.

#13 McCrory / Hammond - App.
Unan.

#14 - Hammond / Scarborough - Add item to agenda to conclude Mngr's Evaluation by officially voting on his compensation.
Suspend rules
City Mgr.
No - Reid
Winroot
VOTE AGAIN - Unan.

Hammond / Patterson
adjust 2.5% to annual compensation Defer 3 mos. after beginning of Fiscal Year - 10/1/92
Scarborough -
Hammond
Scarborough - cycle should start when
Mangum - Council says it should start.
Majeed

VOTE - No - Wheeler Reid
Scarborough

Vinroot

Reid

Reid /

Underhill - that has been done

Reid

Underhill

Scarborough - 10/12 agenda - official org. of city of Charlotte.

Storm Water

Daryl Williams - declined

Mangum - What direction Council wants

White - was concerned about that.

General open discussion on that with him + his staff - On compensation

Hammond

Martin -

White

Mangum / Hammond - adjourn

Time 7:50