## <u>AGENDA</u>

Meeting Type:	20N/NG		
Date:	15		1994

City of Charlotte, City Clerk's Office



Mayor Pro Tem Patrick McCrory Mayor Richard Vinroot

Charles Baker Stan Campbell Patrick D Cannon

Hoyle H Martin Don D Reid

Mike Jackson Nasıf Rashad Majeed Ella Butler Scarborough Sara Spencer Lynn M Wheeler

Council Agenda

Monday, May 16, 1994

5 00 pm - Council-Manager Dinner Meeting Chamber Conference Room

Engineering - Presentation on Rezoning Request

600 pm - ZONING HEARINGS Meeting Chamber

Invocation by

ITEM NO

#### PUBLIC HEARINGS

(94-23) Hearing on Petition No. 94-23 by Charlotte-Mecklenburg Planning Commission (South District Plan) for a change in zoning for a site located off the westerly side of Carmel Road south of Carmel Forest Drive from R-15MF(CD) to R 3 District Plan) for a change in zoning for a site located off the westerly side of Road south of Carmel Forest Drive from R-15MF(CD) to R 3

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not availed for the sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not availed for the sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not availed for the sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers.

order to rezone the property

This petition was deferred for 30 days at the March 21 meeting and continued for 30 days at the April 18 meeting

Attachment No 1

Hearing on Petition No. 94-38 by Mark H. Silverman for a change in zoning for approximately 3 acres located on the southwest corner of the intersection of West Boulevard and Billy Graham Parkway from R-22MF to I-1

Attachment No 2

(94-39) Hearing on Petition No. 94-39 by Charlotte City Council for a text amendment to the City of Charlotte Zoning Ordinance to permit outdoor seasonal color districts subject to communications. by right

Attachment No 3

approximately 12 33 acres located on the northeasterly corner at the intersection of Albemarle Road and Regal Oaks Drive from O-1 and R-17MF to B-2(CD)

Attachment No 4

(94-41) Hearing on Petition No. 94-41 by H. C. Bissell & John W. Harris Tenants in Common and BHH Property Company No. 111 for a change in zoning for approximately 6.14 acres located on the easterly side of Assembly Street north of Fairview Road and west Jearborout Amo Attachment No 5 of Barclay Downs Road from O i to O-2

Hearing on Petition No. 94-42 by Rev. Anthony L. Jinwright for a change in zoning for approximately 2 605 acres located on the northerly side of Plaza Road west of Milton ' Road from O-2, B-1 and R-4 to O-2(CD)

A protest petition has been filed  $\psi$  15 SUFFICIENT

Attachment No 6

(94-43) Hearing on Petition No. 94-43 by the Metropolitan Group, Inc. for a change in zoning for approximately 24 18 acres located on the easterly side of Carmel Road bounded by Camilla Drive and proposed Colony Road Extension from R-3 to R-8MF(CD)

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

Attachment No

Hearing on Petition No 94-44 by J R Atkinson for a change in zoning for approximately 4 427 acres located on the westerly side of Graham Street north of I-85 from I-2 to I 1

Acarbaran, Attachment No 8

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Hearing on Petition No 94-45 by Rumple Associates for a change in zoning for approximately 112 5 acres located along both sides of Rumple Road in the area of Ridgeview Drive from R-3 to R-4

A protest petition has been filed  $\sqrt{15}$  SuFFICIENT

Attachment No 9

Hearing on Petition No 94-46 by Meca Properties, Inc. for a change in zoning for approximately 12 098 acres located on the southwesterly corner of the intersection of South Boulevard and Tremont Avenue extending to the Southern Railroad right-of-way from I-2 to UMUD

Attachment No 10

Hearing on Petition No 94-47 by Charlotte-Mecklenburg Planning Commission (South District Plan) for a change in zoning for property located on the westerly side of Monroe Road between Covedale Drive and Sardis Road North at Orchard Lake Drive from I-1 and I-1(CD) to R-22MF

A protest petition has been filed 4 15 SUFFICIENT.

Attachment No 11

Hearing on Petition No 94-48 by City of Charlotte for a change in zoning for approximately 3 39 acres bounded by Trade Street, Davidson Street, Fifth Street and Alexander Street from UMUD to UMUD-O

Attachment No 12

## DECISIONS

Decision on Petition No 94-4 by City of Charlotte for a change in zoning for approximately 2 0 acres located on the southeast corner of Capitol Drive and Morris Field Drive from R-5 and R-8 to R-22MF

This petition was deferred at the March, 1994 meeting and referred back to the Zoning Committee for 30 days at the April 18, 1994 meeting to allow time for the petitioner to submit a corrected site plan

The Zoning Committee did not discuss this petition because the corrected site plan has not been received. They will discuss it at their May meeting if the site plan is submitted

Attachment No 13

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12 (94-47)

13 (94-47)

14 (94-47)

15 (94-47)

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(94-5) Decision on Petition No 94-5 by Park Elevator Building Partnership for a change in zoning for approximately 908 acres located on the northwesterly side of South Boulevard north of Arlington Avenue from B-2 to UMUD

This petition was deferred at the March and April, 1994 meetings

The Zoning Committee recommends that this petition be approved

Attachment No 14

15 (94 26) Decision on Petition No 94-26 by CK-Land Development, Inc. for a change in zoning for approximately 22 96 acres located on the southerly side of Albemarle Road east of Olde Savannah Road from R 3 to CC

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

The Zoning Committee deferred action on this petition for 30 days

Attachment No. 15

16 (94-27) Decision on Petition No. 94-27 by Charlotte-Mecklenburg Planning Commission (South  $\frac{1}{4}\frac{3}{4}\frac{1}{5}$  District Plan) for a change in zoning for property located on the east side of South  $\frac{1}{8}\frac{3}{4}\frac{1}{5}$ Boulevard, north and south of Cressida Drive from I-2 to I-1

The Zoning Committee recommends that this petition be approved

Attachment No 16

Decision on Petition No 94-28 by Victory Christian Church, Inc., for a change in zoning for approximately 38 28 acres located on Old Pineville Road north of Arrowood Road from R 4 to Institutional

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

The Zoning Committee recommends that this petition be approved

Attachment No 17

ITEM NO.

Decision on Petition No 94-29 by Sam A Parks, for a change in zoning for approximately 736 acres located on the northeast corner of the intersection between Eldridge Street and West Morehead Street from I-2 to UMUD

Attachment No. 18

(94-30) Decision on Petition No 94-30 by Michael R Smith for a change in zoning for approximately 43 acres located on the northwest corner of Lansdale Drive and Centra Avenue from R-4 to O-1(CD) Avenue trom R-4 to O-1(CD)

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

The Zoning Committee recommends that this petition be approved

Attachment No 19

Decision on petition No 94-31 by St. Andrews Episcopal Church for a change in zoning 1,305. for approximately 3.9 acres located on the north side of Central Avenue, east of Merry Oaks Road from R-22MF and R-4 to R-22MF(CD)

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

The Zoning Committee recommends that this petition be approved

Attachment No 20

Decision on Petition No 94-32 by Queens Properties, Inc. for a change in zoning for  $\lambda$ approximately 13 422 acres located on the southwest corner of the intersection of  $\frac{\pi}{4}$ Fairview Road and Barclay Downs from O-1 to O-3

The Zoning Committee recommends that this petition be approved

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property The Zoning Committee recommends that this petition be approved

22 (94-33) Decision on Petition No 94-33 by National Income Realty Trust for a change in zoning for approximately 20 89 acres located on the northerly side of North Tryon Street west of West Sugar Creek Road from B-2 to I-1

The Zoning Committee deferred action on this petition for 30 days

Attachment No 22

(94-34)1 ACC MANY

Decision on Petition No. 94-34 by Mecklenburg County for a change in zoning for approximately 2 21 acres located between East Fourth Street and East Trade Street west of South McDowell Street from UMUD to UMUD-O

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

The Zoning Committee recommends that this petition be denied

Attachment No 23

24 (94-35) Decision on Petition No 94-35 by Devita Investment, Inc. for a change in zoning for # 3865approximately 2 4 acres located on the northerly side of Tom Hunter Road east of North a use
Tryon Street from B-2 to B-D(CD)

The Zoning Committee recommends that this petition be approved as modified

Decision on Petition No. 94-36 by Velma C. Ratcliffe for a change in zoning for approximately 32 8 acres located on the westerly side of U.S. Highway 29, south of 3866-22 Mallard Creek from CC and B 22000 CD in Table 2000 CD and B 22000 CD in Table 2000 CD Mallard Creek from CC and R-22MF(CD) to B-2(CD) and R-17MF(CD)

The Zoning Committee recommends that this petition be approved as modified

Attachment No 25

Recommend adoption of a resolution calling for public hearings on Monday, June 20, 1994 at 6 00  $^{\circ}$  B  $^{\circ}$ p m in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, for Petition Nos 94-49 through 94-59 for zoning changes

Including the hearing for the Drier Tuneral Horne,

# ADDENDUM

### Agenda Item No. 27: Consideration of waiver of two-year rule

The Planning Commission considered a request for waiver of the two year rule at their May 2 work session. The request involves property owned by Mr. John McDonald and located on Wilson Avenue near Fun City. The Planning Commission recommends approval of the requested waiver of the two-year rule based on a substantial change in conditions in the area as outlined in Section 6.112(2)(d) of the City Zoning Ordinance. In the event that Council waives the two-year rule, the rezoning public hearing could be scheduled for July 18, 1994. A decision on the petition would be rendered on September 19, 1994 if there are no delays.

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