<u>AGENDA</u>

Meeting Type:	20N1NG
Date:	01/21/1997

City of Charlotte, City Clerk's Office



Mayor Patrick McCrory Mayor Pro Tem Al Rousso

Charles Baker

Don Reid

Patnck Cannon

Ella Butler Scarborough

Malachi Greene Mike Jackson

Tim Sellers

Mike Jackson
Sara Spencer
Nasif Rashad Majeed
Lynn Wheeler

Council Agenda

Tuesday, January 21, 1997

5.00 pm - Council-Manager Dinner Meeting Chamber Conference Room

6 00 p.m - ZONING HEARINGS Meeting Chamber

ITEM NO.

PUBLIC HEARINGS

1 (97-3) Hearing on Petition No 97-3 by Thomas J Holden for a change in zoning for approximately 091 acres located on the northeast corner of the intersection of North Davidson Street and East 35th Street from B-1 to NS (Neighborhood Services)

Attachment No 1

Hearing on Petition No 97-4 by The Bissell Companies, Inc. and Atlantic Homestead Village Limited Partnership for a change in zoning for approximately 4.92 acres located on the east side of Sharon Road across from Hazelton Drive and north of Sharon View Road from R-3 and R-15MF(CD) to O-1(CD)

Attachment No 2

Hearing on Petition No 97-5 by Karen A. C. Shaw for a change in zoning for approximately 1.35 acres located on the east side of China Grove Church Road north of the outerbelt from R-17MF to R-17MF(CD) and consideration of an R-17MF(CD) site plan amendment

4. (97-6) Hearing on Petition No 97-6 by Neighborhood Development Department for a change in zoning for approximately 0 36 acres located on the northwest corner of the intersection of East 35th Street and Yadkin Avenue from UR-2(CD) to NS (Neighborhood Services).

Attachment No 4

Hearing on Petition No 97-7 by Charlotte Mecklenburg Planning Commission for consideration of a Text Amendment to the City of Charlotte Zoning Ordinance to allow hotels and motels as a permitted use in the I-2 zoning district.

Attachment No 5

6 (97-8) Hearing on Petition No. 97-8 by City of Charlotte City Attorney for consideration of a Text Amendment to the City of Charlotte Zoning Ordinance to clarify that the role of the Zoning Board of Adjustment is limited to the issuance of variances and interpretation review

Attachment No 6

7. (97-9) Hearing on Petition No 97-9 by City of Charlotte City Attorney for consideration of a Text Amendment to the City of Charlotte Zoning Ordinance related to the cost of providing for transcripts of Zoning Board of Adjustment hearings

Attachment No 7

8 (97-10) Hearing on Petition No 97-10 by Charlotte Mecklenburg Planning Commission for a change in zoning for approximately 3 6 acres located on the north side of Albemarle Road between Faulconbridge Road and Hollirose Drive from R-4(CD) and B-2(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 excused from voting, in order to rezone the property.

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9 (97-21) Hearing on Petition No. 97-21 by Charlotte Mecklenburg Planning Commission for consideration of a zoning text amendment to Chapter 10, Watershed Overlay Districts to make minor corrections as required by the North Carolina Department of Environment, Health and Natural Resources Division of Water Quality

Attachment No 9

10 (SUB-Hearing on Petition No SUB 97-01 by Charlotte Mecklenburg Planning 97-01) Commission for consideration of a subdivision ordinance text amendment dealing with watershed protection areas to make minor corrections as required by the North Carolina Department of Environment, Health and Natural Resources Division of Water Quality.

Attachment No. 10

DECISIONS

11. (96-40) Decision on Petition No 96-40 by Thies Realty and Mortgage Company/Hoffman Associates, Limited Partnership and Ken and Sarah Harris for a change in zoning for approximately 1.6 acres located on the south side of Vernon Drive, east of Providence Road, from R-3 to R-5.

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.

This petition has been deferred since the May 20, 1996 meeting.

The Zoning Committee recommends this petition be denied.

Attachment No 11

12. (96-66) Decision on Petition No 96-66 by Mecklenburg County Attorney for consideration of a text amendment to the City of Charlotte Zoning Ordinance to match the local Solid Waste definitions to current state terminology

This petition was deferred at the October 21, November 18 and December 16 Meetings.

The Zoning Committee voted to recommend deferral of this petition for one month.

13. (96-67) Decision on Petition No 96-67 by Christopher J Branch for a change in zoning for approximately 4 acres located on the east side of Providence Road, south of Sharon Amity Road from R-3 to R-8MF(CD) (R-12MF(CD) originally requested).

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

This petition was deferred for 30 days at the November 18 and December 16 meetings.

The Zoning Committee recommends this petition be approved with the following modification.

 Architectural renderings are a binding part of the site plan. Those renderings indicate the building exterior to be virtually all brick.

Attachment No 13

Decision on Petition No. 96-69 by Christopher J. Branch for a change in zoning for approximately 1 acre (4.5 acres originally proposed) on the west side of Park Road north of Sunset Drive from Institutional (CD) to R-8MF(CD) (R-17MF(CD) originally requested.

Protest petitions have been filed and are 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.

This petition was deferred for 30 days at the October 21, November 18 and December 16 meetings

The Zoning Committee voted to recommend denial of this petition.

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15. (96-70) Decision on Petition No. 96-70 by NIAVAM Development, Inc. for a change in zoning for approximately 7.2 acres on the north side of the future Ballantyne Commons Parkway, east of Rea Road, from R-3 to R-12MF(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.

This petition was deferred for 30 days at the October 21, November 18 and December 16 meetings.

The Zoning Committee voted to recommend approval with the following modifications:

- A "leftover" median cut will be added.
- The architectural renderings submitted by petitioner are to be considered part of the site plan
- Petitioner agrees to remove the existing fence bordering the single family residential area.

Attachment No. 15

16. (96-75) Decision on Petition No. 96-75 by Sam Johnson for a change in zoning for approximately 0.61 acres located on the east side of South Boulevard north of Hill Road from R-22MF to B-2(CD).

This petition was deferred for 30 days at the November 18 and December 16 meetings.

The Zoning Committee voted to recommend denial of this petition

Attachment No. 16

17. (96-77) Decision on Petition No. 96-77 by Westwind of Southpark, LLC for a change in zoning for approximately 5.8 acres located on the north side of Fairview Road, west of Wintercrest Drive, from R-3 to R-12MF(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.

This petition was deferred at the November 18 and December 16 meetings.

The Zoning Committee recommends this petition be approved, with the following modifications

- The rezoning is modified to an R-8MF(CD) for the Bed and Breakfast portion of the petition
- The additional masonry/wood wall would be allowed in the buffer but would not reduce the width of the required buffer.

Attachment No 17

18. (96-79) Decision on Petition No. 96-79 by Park Selwyn, LLC for a change in zoning for approximately 1.5 acres on the south side of Woodlawn Road, west of Selwyn Avenue from R-5 to R-17MF(CD)

This petition was deferred for 30 days at the November 18 and December 16 meetings

The Zoning Committee recommends this petition be approved with the following modifications.

- The fence at the rear will be extended around the east property line to the setback line from Pinehurst Place.
- The dumpster will be relocated to the extent possible to minimize impacts on the adjacent single family home.
- Garages will not be allowed and carports will be of building materials compatible with the main building. Carports will not be placed along Woodlawn Road

Attachment No 18

19. (96-95) Decision on Petition No 96-95 by William L Wallace, Jr and Margaret A Wallace for a change in zoning for approximately 1 6 acres located on the northeast corner of North Tryon Street and Lambeth Drive from I-2 to B-2

The Zoning Committee recommends this petition be approved

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20. (96-96) Decision on Petition No. 96-96 by Miller H. Newton for a change in zoning for approximately 0.5 acres on the southerly corner of the intersection of South Boulevard and East Park Avenue from B-1 to NS

The Zoning Committee recommends this petition be approved.

Attachment No. 20

21. (96-97) Decision on Petition No. 96-97 by Faison Arrowood Property, Inc. for a change in zoning for approximately 36 acres on the northeast corner of the intersection of Arrowood Road and I-77 from BD(CD) to B-2(CD).

The Zoning Committee recommends this petition be deferred for one month.

Attachment No. 21

22. (96-98) Decision on Petition No 96-98 by J. S. Group, LLC for a change in zoning for approximately 1.5 acres on the southeast corner of the intersection of East W. T. Harris Boulevard and Pence Road from B-1 to B-1(CD) and consideration of a B-1(CD) Site Plan Amendment

The Zoning Committee recommends this petition be approved with the following modifications:

- A vehicular connection will be provided to the adjacent commercial tract.
- No more than two uses will ever be permitted in the building (at the same time).
- Limitations on the types of uses allowed.

Attachment No. 22

23. (96-101) Decision on Petition No. 96-101 by Charlotte-Mecklenburg Planning Commission (Oakhurst Land Use and Zoning Plan) for a change in zoning for approximately 96 acres north of Monroe Road, east of Wendover Road and south of Independence Boulevard from R-17MF to R-8MF and R-5.

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

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24. (96-102) Decision on Petition No 96-102 by Charlotte-Mecklenburg Planning Commission (Oakhurst Land Use and Zoning Plan) for a change in zoning for approximately 12 acres generally bounded by North Sharon Amity Road, Monroe Road, Lanier Avenue and Buena Vista Avenue from R-17MF to R-6 and R-4

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

Attachment No. 24

25 (96-103) Decision on Petition No 96-103 by Charlotte-Mecklenburg Planning Commission (Oakhurst Land Use and Zoning Plan) for a change in zoning for approximately 15 acres located west of North Sharon Amity Road extended from Kelly Street to Purvey Road from R-17MF to R-8MF and R-5.

The Zoning Committee deferred action on this petition for 30 days

Attachment No. 25

26 (96-104) Decision on Petition No. 96-104 by Akram and Lubna Karam for a change in zoning for approximately 6.2 acres on the west side of James Road approximately 0.6 miles south of the intersection of Plaza Road Extension and James Road from R-3 to MH-O (Manufactured Home Overlay)

The Zoning Committee recommends that this petition be approved

Attachment No. 26

27. Resolution calling for public hearings on Monday, February 17, 1997 at 6.00 p m. in the Meeting Chamber of the Charlotte-Mecklenburg Government Center for Petition Nos 97-11 through 97-16, 97-18 through 97-20 and 97-22 for zoning changes

ITEM NO.

POLICY

28. Ownership and Management of Neighborhood Centers

Action:

Approve the following recommendations of the City Within A City (CWAC) Committee concerning neighborhood centers:

- A That the City continue ownership & management of the centers,
- B. That the City create a Neighborhood Centers Advisory Council with community/stakeholder representation to provide public input into City decisions concerning centers;
- C. That staff explore cost sharing opportunities with center tenants, and
- D. That staff analyze the costs and benefits of longer hours and facility upgrades and include any recommendations as part of the budget.

Staff Resource:

Stanley Watkins and Debbie Antshel

Focus Area

City Within a City and Restructuring Government

Policy:

The City Within A City Strategic Plan stresses the goal of being responsive to neighborhood needs, coordinating service delivery and expanding community use of public facilities. The Restructuring Government Focus Area calls for reviewing the management of City assets and addressing community problems through partnerships that result in cost savings and/or improvements in service delivery.

Explanation of Request:

- On April 8, 1996, City Council approved a public process to review the use and management of the City's neighborhood centers.
- The review has been completed and results were presented to the CWAC Committee on December 12, 1996.

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The review process included a staff analysis to determine use and types of services currently offered at the centers as well as operating expenses. This information is summarized in the attachment. In addition, staff held informal meetings with non-profit and for-profit agencies to discuss outsourcing center management.

- The review also included extensive community involvement regarding options for ownership and management of the centers and improvements needed for enhanced service delivery. More than 250 stakeholders were reached through conducting surveys and facilitating focus group discussions. Reports summarizing the process and findings for the Belmont and Greenville Centers were distributed to Council in November 1996. An executive summary is attached.
- The findings and recommendations as presented to and approved by the CWAC Committee on December 12 are
 - Finding. The community has a high degree of satisfaction with the centers' capacity to meet community needs. Stakeholders believe that a private or non-profit agency would eventually charge excessive fees and/or make the centers less user friendly/community focused. Recommendation: That the City continue to own and manage the centers
 - Finding. That center stakeholders desire continued involvement in decisions pertaining to neighborhood centers. Recommendation: That the City create a Neighborhood Centers Advisory Council to allow public involvement in centers decisions. This advisory group would consist of 12 members appointed by the City Manager.

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Finding: Center stakeholders perceive a need for expanded services and hours of operation. Significant repairs are needed at all four centers (as confirmed by a 1995 Engineering and Property Management assessment) and facility upgrades are desired by stakeholders. Recommendation. That staff analyze the costs and benefits of longer hours and facility upgrades and include any recommendations as part of the FY98/99 budget request.

- Finding: That center operating costs are increasing, and that while some center tenants may be able to help offset City costs for maintenance and security, others may not. Recommendation: That staff explore cost sharing opportunities with center tenants.
- The CWAC Committee approved the recommendations by a vote of 2 to 1. One Council member questioned the extent to which non-City center management alternatives were explored. Attached is an issue paper staff used for internal review. The strong public sentiment is to not change the availability or user costs of the facilities.
- In July 1996, the Privatization/Competition Advisory Committee discussed the Neighborhood Development's Competition Plan, which included the goal of evaluating the option of outsourcing facility management of the Greenville and Belmont Centers.
- Another option Council could take is to direct staff to solicit proposals for Center management.

Attachment 27
Center Operations
Assessment Executive Summary
Issue Paper - Facility Management Options
Operating Information