<u>AGENDA</u>

Meeting Type:	20NNG
Date:	03/17/1997

City of Charlotte, City Clerk's Office



Mayor Patrick McCrory Mayor Pro Tem Al Rousso

Charles Baker

Don Reid

Patrick Cannon

Ella Butler Scarborough

Malachi Greene Mike Jackson Tim Sellers
Sara Spencer

Nasif Rashad Majeed

Lynn Wheeler

Council Agenda

Monday, March 17, 1997

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

•Update of Mt Holly Road Special Project Plan Rezoning - Deborah Campbell

6.00 p m - ZONING HEARINGS Meeting Chamber

ITEM NO.

PUBLIC HEARINGS

1 (97-16) Hearing on Petition No 97-16 by Ghazi Properties, Inc. and Collett Properties, Inc. for a change in zoning for approximately 2 254 acres located adjacent to Phillips Place on the southeast corner of Fairview Road and Savings Place from O-1(CD), CC and R-15MF(CD) to O-2(CD).

Attachment No 1

2. (97-23) Hearing on Petition No 97-23 by New Horizon Hospitality, LLC for a change in zoning for approximately 4 79 acres located on the southeast corner of the intersection of East W T Harris Boulevard and US 29 (North Tryon Street) from O-2 to B-1(CD)

Attachment No 2

3. ((97-24) Hearing on Petition No. 97-24 by Thomas and Frances Roberts for a change in zoning for approximately 1.25 acres located on the west side of North Sardis View Lane just north of the intersection with Sardis Road from R-3 to R-4

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4 (97-25) Hearing on Petition No 97-25 by Seaboard Realty, Inc. for a change in zoning for approximately 5.5 acres located on the northern corner of East W. T. Harris Boulevard and US 29 (North Tryon Street) from B-1SCD to CC.

Attachment No. 4

5. (97-26) Hearing on Petition No. 97-26 by Dr. Stephanie Ballentine for a change in zoning for approximately 0.36 acres located north of the intersection of Matheson Avenue and Virginia Avenue south of The Plaza from O-6(CD) to O-1(CD).

Attachment No. 5

6. (97-27) Hearing on Petition No. 97-27 by Crosland Development Corporation for a change in zoning for approximately 4 48 acres located on the southwest corner of W T Harris Boulevard and Idlewild Road from R-4 to B-1(CD).

Attachment No. 6

7. (97-28) Hearing on Petition No 97-28 by Hillco, LTD, Britthaven, Inc. for a change in zoning for approximately 1 47 acres located in the University Place area on the east side of Glenwater Drive from B-1S(CD) and CC to O-1(CD)

Attachment No. 7

Hearing on Petition No. 97-30 by Housing Authority of the City of Charlotte for a change in zoning for approximately 1.562 acres located on the southern side of East Eighth Street between North Myers Street and North Alexander Street from UR-2 to R-12MF(CD)

DECISIONS

9 (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, December 16, January 21 and February 17 meetings.

The Zoning Committee recommends approval of this text amendment

Attachment No 9

10. (96-89) Decision on Petition No 96-89 by Charlotte- Mecklenburg Planning Commission (Mt Holly Road Special Project Plan) for a change in zoning for approximately 42 4 acres located along the northerly side of Mount Holly Road extending from Mount Holly-Huntersville Road to Stoney Ridge Road from R-17MF to R-3.

This petition was deferred for 60 days at the December 16, 1996 meeting and for 30 days at the February 17, 1997 meeting

The Zoning Committee recommends approval of this Mount Holly Road Special Project Plan rezoning

Attachment No 10

Decision on Petition No 96-90 by Charlotte-Mecklenburg Planning Commission (Mt. Holly Road Special Project Plan) for a change in zoning for approximately 49 acres bounded by Mount Holly Road and CSX Railroad right-of-way extending from east of Lee Street to Lee Drive from R-22MF to R-5

This petition was deferred for 60 days at the December 16, 1996 meeting and for 30 days at the February 17, 1997 meeting

The Zoning Committee recommends approval of this Mount Holly Road Special Project Plan rezoning.

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Decision on Petition No. 96-91 by Charlotte-Mecklenburg Planning Commission (Mt Holly Road Special Project Plan) for a change in zoning for approximately 161.7 acres bounded by Tom Sadler Road and Mount Holly Road, east of Cathey Road from R-17MF to R-4.

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 60 days at the December 16, 1996 meeting and for 30 days at the February 17, 1997 meeting

The Zoning Committee recommends approval of this petition with the following modification

- 18.13 acres modified to R-12MF
- 15.8 acres modified to R-6

Attachment No 12

13. (96-92) Decision on Petition No. 96-92 by Charlotte-Mecklenburg Planning Commission (Mt. Holly Road Special Project Plan) for a change in zoning for approximately 190 acres north of Mount Holly Road and west of Valleydale Road from R-17MF to I-1, R-4 and R-8.

This petition was deferred for 60 days at the December 16, 1996 meeting and 30 days at the February 17, 1997 meeting.

The Zoning Committee recommends approval of this petition with the following modifications

- deletion of the I-1 upzoning from the petition.
- modifying tax parcel #031-012-30 to R-6 instead of R-4.

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14 (96-93) Decision of Petition No. 96-93 by Charlotte-Mecklenburg Planning Commission (Mt Holly Road Special Project Plan) for a change in zoning for approximately 29 8 acres located east of Valleydale Road along the Duke Power right-of-way from I-2 to R-4

This petition was deferred for 60 days at the December 16, 1996 meeting and for 30 days at the February 17, 1997 meeting.

The Zoning Committee recommends approval of this petition with the following modification:

• The area of the petition south of the proposed northwest circumferential road should be deleted from the petition and retained with I-2 (heavy industrial) zoning

Attachment No. 14

15. (96-94) Decision on Petition No 96-94 by Charlotte-Mecklenburg Planning Commission (Mt Holly Road Special Project Plan) for a change in zoning for approximately 30 6 acres located southwest of the intersection of Belhaven Boulevard and Brookshire Boulevard from I-2, I-1 and R-4 to R-MH

This petition was deferred for 60 days at the December 16, 1996 meeting and for 30 days at the February 17, 1997 meeting

The Zoning Committee recommends approval of the revised petition

Attachment No 15

Decision on Petition No 97-4 by The Bissell Companies, Inc. and Atlantic Homestead Village Limited Partnership for a change in zoning for approximately 4 9 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)

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 February 17 meeting.

The Zoning Committee recommends this petition be deferred indefinitely.

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17. (97-7) Decision 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 heavy industrial (I-2) zoning category.

This petition was deferred for 30 days at the February 17, 1997 meeting

The Zoning Committee recommends deferral of this petition for an additional 30 days

Attachment No 17

18 (97-11) Decision on Petition No. 97-11 by Sign Art, Inc., Zeke Foard for a Text Amendment to the City of Charlotte Zoning Ordinance to allow signs within roof parapets to extend six feet above the roof line of a building under prescribed conditions

This petition was referred to the Planning Committee of the Planning Commission for a recommendation. The Planning Committee will not meet to discuss this petition until March 18, 1997 A recommendation will be forth coming for the April Zoning Meeting

Attachment No. 18

19. (97-13) Decision on Petition No 97-13 by Copsis Enterprises for a change in zoning for approximately 1 1 acres located on the southeast corner of the intersection of Albemarle Road and Dwightware Boulevard from O-1 and B-1 to B-2(CD).

The Zoning Committee recommends this petition be denied

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20. (97-14) Decision on Petition No. 97-14 by H C Bissell for a change in zoning for approximately 10.32 acres located on the west side of Runnymede Lane between Sagamore Road and Michael Baker Place from R-3 to Institutional (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 this petition be approved, with the following modifications:

- Dedication of the Briar Creek Greenway to be shown on the plan.
- Dedication of a greenway access easement to Runnymede Lane be shown on the site plan
- Maximum allowed square footage be clarified as 70,000 square feet

Attachment No. 20

21. (97-15) Decision on Petition No. 97-15 by Feld Development Corporation for a change in zoning for approximately 22 acres bounded by I-77 to the east, Nations Ford Road to the west and Tyvola Road to the south from B-1S(CD) to CC

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

- Incorporation of the restrictions contained in the letter of February 24 from Sandra Turnbull.
- A 100 foot setback will be required along the entire Nations Ford Road frontage for any building over two stories in height

Attachment No 21

22. (97-18) Decision on Petition No. 97-18 by Southeastern Freight Lines, Inc. for a change in zoning for approximately 19.5 acres located south of the existing Southeastern Freight Lines site, west of Sugar Creek Road, east of Graham Street and south of I-85 from R-4 and R-9(CD) to I-2(CD) and R-4(CD)

The Zoning Committee recommends this petition be approved.

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23 (97-19) Decision on Petition No. 97-19 by Studio Plus Properties, Inc. for consideration of an O-1(CD) Site Plan Amendment for approximately 3.8 located on the northeast corner of the intersection of North Tryon Street (US 29) and McCullough Drive.

The Zoning Committee recommends this petition be deferred for 30 days

Attachment No. 23

24. (97-20) Decision on Petition No. 97-20 by Browder Harris Company for a change in zoning for approximately .65 acres on the northerly corner of South Boulevard and Kingston Avenue from B-1 to NS.

The Zoning Committee recommends this petition be approved

Attachment No 24

25. (97-22) Decision on Petition No 97-22 by Browder Harris Company for a change in zoning for approximately 2.14 acres located on the southerly side of South Tryon Street at the intersection of South College Street and East Bland Street from I-2 to NS.

The Zoning Committee recommends this petition be approved

Attachment No. 25

26. Resolution calling for public hearing hearings on Monday, April 21, 1997, at 6:00 p.m. in the Meeting Chamber of the Charlotte-Mecklenburg Government Center for Petition Nos. 97-01, 97-29, and 97-31 through 97-37 for zoning changes.

ANNOUNCEMENTS

On April 14, 1997 City Council will make nominations to fill vacant positions on the following boards

1. <u>AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY</u>

Two three year appointments beginning May, 1997. Geraldine Sumpter is not eligible to be reappointed; Mohammad Jenatian is eligible to be reappointed

2. CERTIFIED DEVELOPMENT CORPORATION

Six three year appointments beginning May, 1997

Two positions will represent business organizations. Arissa El-Amin and Jay Potter are eligible to be reappointed

Three appointments will represent community organizations. Linda Butler and Christoper Timmers are not eligible to be reappointed; William Gwaltney is eligible

One position will represent a private lending institution. Ellie McIntire is eligible to be reappointed

3 CLEAN CITY COMMITTEE

Seven three year appointments beginning July, 1997 Marty Campbell, Patricia Carter, Harold Grier, Anna Hood and Ann Kimbro are all eligible to be reappointed Pamela Arthur and Dawn DeArman have resigned.

4. <u>CMUD ADVISORY</u>

One three year appointment beginning July, 1997 to represent a neighborhood leader. Matthew Holland is not eligible to be reappointed.

One three year appointment begining July, 1997 to represent a small town Robert Collins is eligible to be reappointed

5 HISTORIC DISTRICTS COMMITTEE

One three year appointment beginning July, 1997. Roger Dahnert is eligible to be reappointed

6 HISTORIC LANDMARKS COMMITTEE

Two three year appointments beginning July, 1997. Barry Miller and Milton Silver are eligible to be reappointed

7. HOUSING APPEALS BOARD

One appointment beginning immediately to fill an unexpired term ending December 31,1998. Clarke Baldwin has resigned.

8 NEIGHBORHOOD MATCHING GRANTS COMMITTEE

One two year appointment beginning April, 1997 to represent a neighborhood organization leader. Troy Watson is not eligible to be reappointed.

One two year appointment beginning April, 1997 to represent a non profit organization. Robert Johnson is not eligible to be reappointed.

One appointment beginning May 16, 1997 and full two year term to represent a neighborhood organization leader. Bill Sturges will resign May 15, 1997.

9. PAROLE ACCOUNTABILITY COMMITTEE

Two three year appointments beginning June, 1997. Kimberly Baker and D. R. Stone are eligible to be reappointed.

10. PLANNING COMMISSION

One three year appointment beginning July, 1997. Mary Hopper is eligible to be reappointed

Applications may be obtained by calling the Office of the City Clerk at 336-2247.

All applications must be returned by 5 00 p.m. on Monday, April 7.