AGENDA

| Meeting Type: | 20N1NG |
|---------------|------------|
| Date: | 10/22/1997 |
| | |

City of Charlotte, City Clerk's Office



Mayor Patrick McCrory Mayor Pro Tem Al Rousso

Charles Baker

Don Reid

Patnick Cannon

Ella Butler Scarborough

Malachi Greene Mike Jackson Tim Sellers
Sara Spencer

Mike Jackson
Sara Spencer
Nasif Rashad Majeed
Lynn Wheeler

Council Agenda

Wednesday, October 22, 1997

5 00 pm - Council Manager Dinner Meeting Chamber Conference Room

6 00 p m - ZONING HEARINGS Meeting Chamber

Invocation by

ITEM NO.

PUBLIC HEARINGS

1 (97-60) Hearing on Petition No 97-60 by George H Buck, Jr for a change in zoning for approximately 8 168 acres located north of Randolph Road between Briar Creek and Zeb Vance Road from R-5 to O-2(CD)

This hearing was deferred for 60 days on July 21 and 30 days on September 15

Attachment No 1

2 (97-67) Hearing on Petition No 97-67 by Dayton Hudson Corporation for a change in zoning for approximately 26 4 acres on the south side of University City Boulevard (NC 49), between Chancellor Park Drive and Carolyn Lane from CC to CC Site Plan Amendment

This hearing was deferred for 30 days on September 15

ITEM NO.

Hearing on Petition No 97-72 by Hal Abernethy for a change in zoning for approximately 13 2 acres on the west side of East Craighead Road, south of North Tryon Street from I-1 and I-2(CD) to I-2

This hearing was deferred for 30 days on September 15

Attachment No 3

4 (97-73) Hearing on Petition No 97-73 by Sharon Towers, Inc. for a change in zoning for approximately 22 6 acres on the west side of Sharon Road, south of the Sharon View Road intersection from R-3 S U P to INST(CD)

The petitioner has requested deferral until the December meeting

Attachment No 4

Hearing on Petition No 97-76 by The Prado LLC for a change in zoning for approximately 10 3 acres on the eastern side of North Tryon Street (US 29) at the intersection with McCullough Drive from O-1(CD) to B-1(CD) and consideration of an O-1(CD) site plan amendments

This hearing was deferred to the October meeting on September 15

Attachment No 5

Hearing on Petition No 97-77 by Spring's Investment Limited Partnership for a change in zoning for approximately 48 5 acres on the west side of Providence Road and north side of Pineville-Matthews Road (NC Highway 51) from R-3 and R-15MF(CD) to O-1(CD), R-8MF(CD) and R-17MF(CD)

Attachment No 6

7 (97-78) Hearing on Petition No 97-78 by Sunrise Assisted Living for a change in zoning for approximately 12 1 acres on the west side of Providence Road, between East Barden Road and Old Farm Road from R-3 to INST(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

8 (97-79) Hearing on Petition No 97-79 by Mecklenburg Bar Foundation for a change in zoning for approximately 0.7 acres on the south side of Luther Street, west of the Queens Road intersection from R-12MF to O-2(CD)

Attachment No 8

9 (97-81) Hearing on Petition No 97-81 by First Citizen's Bank & Trust for a change in zoning for approximately 1 7 acres on the northeast corner of Albemarle Road and Lake Forest Road from R-3 to O-1(CD)

Attachment No 9

Hearing on Petition No 97-82 by F T Williams Company, Inc. for a change in zoning for approximately 12 acres on the west side of Statesville Avenue north of LaSalle Street and extending to I-77 from I-1 to I-2(CD)

Attachment No 10

11 (97-83) Hearing on Petition No 97-83 by The Hanover Company for a change in zoning for approximately 18 5 acres on the westerly corner of Mallard Creek Road and Baucom Road from R-3 to R-17MF(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 11

12 (97-85) Hearing on Petition No 97-85 by Hammett Construction Company for a change in zoning for approximately six acres southwest of Brookshire Boulevard at the end of Impala Lane, near Old Plank Road 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 12

13 (97-86) Hearing on Petition No 97-86 by Majid Gharibi and Nicholas Karres for a change in zoning for approximately 1 3 acres on the easterly corner of Independence Boulevard and Elizabeth Avenue from B-2 and O-2 to NS

14 (97-87) Hearing on Petition No 97-87 by Hendrick Automotive Group for a change in zoning for approximately 8 1 acres southwest of Independence Boulevard near W T Harris Boulevard for consideration of a B-2(CD) site plan amendment

Attachment No 14

Hearing on Petition No 97-88 by George, Nicole and Demetre Castanas for a change in zoning for approximately one acre on the westerly corner of East Boulevard and Scott Avenue from B-1 to NS

Attachment No 15

Hearing on Petition No 97-92 by Altmann Development Corporation for a change in zoning for approximately 52 1 acres on the north side of Mallard Creek Road, just east of Prosperity Church Road from R-3, R-12MF(CD) and R-17MF(CD) to R-17MF(CD), R-17MF(CD) S P A, R-6 and R-3

Attachment No 16

Hearing on Petition No 97-93 by Charlotte-Mecklenburg Planning Commission for a change in zoning to Amend Chapter 12, Section 12 519 (Outdoor Seasonal Sales) to permanently incorporate this section into the Zoning Ordinance (This section was originally adopted with a three year sunset provision)

Attachment No 17

18 (97-94) Hearing on Petition No 97-94 by Hezekiah Alexander Foundation, Inc. for a change in zoning for approximately 7 5 acres on the south side of Shamrock Drive between Glenville Avenue and Foxford Place from R-17MF and INST(CD) to INST

Attachment No 18

19 (97-102) Hearing on Petition No 97-102 by Friendship Missionary Baptist Church for a change in zoning for approximately 10 8 acres on the east side of Beatties Ford Road at Fairdale Drive from R-4 and O-2 to O-1(CD)

Attachment No 19

DECISIONS

21 (97-12) Decision on Petition No 97-12 by Wireless Communications Coalition for consideration of a text amendment to make a series of changes to the development standards for telecommunications towers

Mayor McCrory and Councilmember Scarborough were excused from voting at the April 22 meeting and the hearing was held and closed

The petition was deferred until September on July 21 and for 30 days on September 15

The Planning Committee recommends that this petition be approved, as modified

- . encourage the placement of new towers in and adjoining Non-residential zoning
- . require co-location for towers above 150 feet in height, and
- . provide some degree of protection to nearby property owners upon the placement of new towers in or adjoining residential zoning

Attachment No. 21

22 (97-39) Decision on Petition No 97-39 by Self Help Credit Union for a change in zoning for approximately 0.792 acres located on the east side of Little Rock Road, north of the intersection with Tuckaseegee Road from R-3 to R8MF(CD)

This petition was deferred for 30 days on May 19, 60 days on July 21, and another 30 days on September 15

Protest petitions have been filed and one 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 deferred for another 30 days

Attachment No 22

23 (97-51) Decision on Petition No 97-51 by Beacon Development Company for a change in zoning for approximately 22 3 acres located on the southwest corner of W T Harris Boulevard and Old Statesville Road (NC 115) from B-2, B-2(CD), I-1 and I-1(CD) to I-1(CD)

This hearing was deferred 60 days on July 21, 1997

The Zoning Committee voted to recommend approval of this petition

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24 (97-55) Decision on Petition No 97-55 by The Cathedral at Charlotte, Inc. for a change in zoning for approximately 1 3 acres located on the western corner of North College Street and the College Street/Tryon Street Connector from I-2 to UMUD

This petition was deferred 30 days on September 15

The Zoning Committee recommends that this petition be approved

Attachment No 24

Decision on Petition No 97-68 by Carolina's Auto Supply House for a change in zoning for approximately 0 84 acres on the south side of Tipton Drive, at the Beasley Road intersection near Statesville Avenue from R-22MF to I-1

The Zoning Committee recommends that this petition be approved

Attachment No 25

Decision on Petition No 97-69 by Cambridge Properties, Inc. for a change in zoning for approximately two acres on the northern corner of Monroe Road and Eastway Drive from B-2, O-2 and R-17MF to B-1(CD)

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

Signage on Lots 2 and 3 will be limited to ground mounted signs not more than seven feet high with a maximum of 50 square feet each

Attachment No 26

27 (97-70) Decision on Petition No 97-70 by Morehead Street Inn, LLC for a change in zoning for approximately 0 88 acres on the western corner of East Morehead Street and Berkeley Avenue from B-1(CD) to B-2(CD)

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

A note will be added to the plan that in the event that off-site parking leases are terminated and required parking cannot be met, then appropriate uses on the site would cease in order to bring required parking into compliance

28 (97-71) Decision on Petition No 97-71 by Central Church of God for a change in zoning for approximately 24 4 acres on the western corner of Sardis Road and Randolph Road from R-3 to INST(CD)

Protest petitions have been filed and one 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 deferred for one month

Attachment No 28

29 (97-74) Decision on Petition No 97-74 by Roosevelt L Davis for a change in zoning for approximately 3 2 acres on the west side of W T Harris Boulevard, approximately 1/4 of a mile south of the Idlewild Road intersection from R-17MF(CD) to R-12MF

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 deferred for one month

Attachment No 29

Decision on Petition No 97-75 by ARC, L P - Charlotte, LLC for a change in zoning for approximately 1.5 acres on the west side of Old Providence Road, approximately 1,000 feet south of the Providence Road intersection from O-15(CD) to INST(CD)

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

Trees shown as remaining will be barricaded for protection during construction

Attachment No 30

Decision on Petition No 97-84 by Childress Klein Properties for a change in zoning for approximately 1 8 acres located between South Tryon Street and South College Street south of East Second Street from UMUD to UMUD-O

The Zoning Committee recommends that this petition be approved subject to satisfactory resolution of the details associated with the dedication of additional right-of-way on East Second Street