<u>AGENDA</u>

Meeting Type:	20N1NG
Date.	09/15//997

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

Nasıf Rashad Majeed

Lynn Wheeler

Council Agenda

Monday, September 15, 1997

5 00 p m Council-Manager Dinner Meeting Chamber Conference Room

6 00 p m - ZONING HEARINGS Meeting Chamber

ITEM NO.

PUBLIC HEARINGS

Hearing 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

Attachment No 1

Hearing on Petition No 97-52 by Cambridge Properties, Inc. for a change in zoning for approximately 3 6 acres located on the northeast corner of Little Rock Road and Tuckaseegee Road from R-3 to B-1(CD)

The petition has been withdrawn by the Petitioner

Attachment No 2

3 (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 60 days on July 21, 1997

ITEM NO.

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

Attachment No 4

Hearing 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

Attachment No 5

6 (97-69) Hearing 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)

Attachment No 6

Hearing 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)

Attachment No 7

Hearing 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

Attachment No 8

9 (97-72) Hearing on Petition No 97-72 by Hal Abernethy for a change in zoning for approximately 10 1 acres on the west side of East Craighead Road and on the north side of Butterfield Street from I-1 and I-2(CD) to I-2

The petitioner has requested a thirty day deferral

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Hearing 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 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

Attachment No 10

Hearing on Petition No 97-75 by ARC, LP - 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)

Attachment No 11

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 O-1(CD) site plan amendment and B-1(CD)

Attachment No 12

Hearing 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 U-MUD to U-MUD-O

ITEM NO. Page 4

DECISIONS

14 (97-4) 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 and deferred for 6 months at the March 17 meeting

Due to the confusion regarding the length of the deferral, this petition comes before the Council without a recommendation from the Zoning Committee An additional one month deferral appears to be in order

Attachment No 14

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 was excused from voting at the April 22 meeting and the hearing was held and closed.

The petition was deferred until September on July 21.

The Planning Committee recommends that this petition be denied.

ITEM NO.

Decision on Petition No 97-39 by Elaine Worthey 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 R8-MF(CD)

This petition was deferred for 30 days at the May 19th meeting and deferred for 60 days at the July 21 meeting

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 voted 3-2 for approval of this petition. Under the rules of procedure four affirmative votes are required for a recommendation. This vote resulted in the petition being deferred until the September 22, 1997 Zoning Committee work session.

Attachment No 16

Decision on Petition No 97-47 by Carroll Shore for a change in zoning for approximately 8 acres on the west side of W T Harris Boulevard, north of Laura Drive from R-4 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 July 21 meeting for 60 days

The Zoning Committee recommends that this petition be deferred to the September 22, 1997 work session

Attachment No 17

Decision on Petition No 97-53 by Camden Square Associates, LLC for a change in zoning for approximately one acre located on the western corner of West Boulevard and Camden Road and on the southern corner of West Worthington Avenue at Hawkins Street from B-1 and I-2 to UMUD

The Zoning Committee recommends that this petition be approved

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19 (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

The Zoning Committee recommends that this petition be deferred

Attachment No 19

20 (97-56) Decision on Petition No 97-56 by Autobell Car Wash, Inc. for a change in zoning for approximately 0.65 acres located on the east side of Dwightware Boulevard south of Albemarie Road from R-3, B-1 and O-1 to O-1(CD)

The Zoning Committee recommends that this petition be approved

Attachment No 20

21 (97-58) Decision on Petition No 97-58 by Kenneth R Harris for a change in zoning for approximately 0.76 acres located on the north side of West Boulevard west of Fordham Road from R-4 to R-8MF(CD)

The Zoning Committee recommends that this petition be approved

Attachment No 21

22 (97-59) Decision on Petition No 97-59 by JDH & Associates for a change in zoning for approximately 0 67 acres located on the northern corner of Hawthorne Lane and East Seventh Street from B-2 to NS

The Zoning Committee recommends that this petition be approved

Attachment No 22

23 (97-61) Decision on Petition No 97-61 by Evans Construction for a change in zoning for approximately 8 3 acres located on the north side of NC 51 east of Elm Lane West from R-15PUD to R-8(CD)

The Zoning Committee recommends that this petition be approved

Attachment No 23

Decision on Petition No 97-62 by Educational Facilities Group Inc, for a change in zoning for approximately 44 9 acres on the north side of University City Boulevard (NC 49) east of Marlynn Drive from R-4 to R-12MF(CD)

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The Zoning Committee recommends this petition be approved contingent upon CDOT reviewing the traffic impact study and the petitioner resolving all transportation issues

Attachment No 24

Decision on Petition No 97-65A through 97-65I by City of Charlotte for a change in zoning for approximately 14,192 acres located in Beverly Crest, Davis Lake, Highland Creek, Six Mile Creek East, Six Mile Creek West, Steele Creek East and Steele Creek West neighborhoods to establish zoning jurisdiction of the City of Charlotte

The Zoning Committee recommends that this petition be approved

Attachment No 25

Decision on Petition No 97-66 by David R Krug for a change in zoning for approximately 0 45 acres located on the south side of Caswell Road west of East Seventh Street for consideration of an NS (Neighborhood Services) Site Plan Amendment

The Zoning Committee recommends that this petition be approved

Attachment No 26

27 Resolution calling for public hearings on Wednesday, October 22,1997 at 6 00 p m in the Meeting Chamber of the Charlotte-Mecklenburg Government Center for Petition Nos 97-73, 97-77 through 97-79, 97-81 through 97-83, 97-85 through 97-88 and 97-92 through 97-94

ANNOUNCEMENTS

On October 13, 1997, City Council will make nominations to fill vacant positions on the following boards:

1 <u>AIRPORT ADVISORY COMMITTEE</u>

Two recommendations by the Carolinas Partnership for a one year term beginning November, 1997 Stephen Gedney and Michael Stacy are both eligible and would like to be reappointed

2 CLEAN CITY COMMITTEE

One position beginning immediately to fill an unexpired term ending June 30, 1998. Stephen Hayes has resigned

CMUD ADVISORY COMMITTEE

One position beginning immediately to fill an unexpired term ending June 30, 2000 Must represent a small town. Richard Marshall has moved out of state

4. HOUSING APPEALS BOARD

One three year position beginning January, 1998 to represent a City Within a City tenant. Alberta Williams does not wish to be reappointed.

5 HOUSING AUTHORITY

Two three year appointments beginning December 18, 1997. Roy Matthews is eligible and would like to be reappointed, Velva Woollen is not eligible for reappointment.

6 TREE ADVISORY COMMISSION

Two positions beginning December 14, 1997 for three years. Kipling Wilson would like to be reappointed, Barry Flynn does not wish to be reappointed.

7. WASTE MANAGEMENT ADVISORY BOARD

One recommendation to the County Commission for a position beginning immediately and expiring September 30, 2000. Must be a member of a Chamber of Commerce. Jim McMullan does not wish to be reappointed.

Applications are available from the Office of the City Clerk, 600 East 4th Street, 336-7493, or you may fax it to yourself via the City's Fast Fax Service. Dial 336-8600, and immediately enter 3300 to access the Fast Fax system. The document number is 3320. All applications must be received by October 6, 1997 at 5:00 p.m.