AGENDA

Meeting Type:	Z
Date:	12/21/98

City of Charlotte, City Clerk's Office

CHARLOTTE

Mayor Patrick McCrory *Mayor Pro Tem Lynn Wheeler*

Rod Autrey *Nasif Rashad Majeed*
Charles Baker *Don Reid*
Patrick Cannon *Al Rousso*
Malachi Greene *Tim Sellers*
Mike Jackson *Sara Spencer*

OFFICE COPY

Monday, December 21, 1998

Council Agenda

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

- Proposed Amendments to Floodplain Regulations

6:00 p.m. - ZONING HEARINGS
Meeting Chamber

ITEM NO.

PUBLIC HEARINGS

1. (98-94) Hearing on Petition No. 98-94 by Providence Court LLC for a change in zoning for approximately 7.3 acres located on the west side of Providence Road north of N.C. 51 from R-3 to R-8MF(CD).

   A protest petition has been filed and is sufficient to invoke the 3 /4 rule.

   Attachment No. 1

2. (98-108) Hearing on Petition No. 98-108 by Aston Properties for a change in zoning for approximately 3.9 acres located on the northeast corner of Prosperity Church Road and Mallard Creek Road from R-3 to B-1(CD).

   A protest petition has been filed.

   Attachment No. 2

3. (98-112) Hearing on Petition No. 98-112 by the Charlotte-Mecklenburg Planning Commission to consider a text amendment to the City of Charlotte Zoning Ordinance concerning minimum side and rear yards, maximum height, urban open space, and signs in the Uptown Mixed Use District.

   Attachment No. 3

4. (98-115) Hearing on Petition 98-115 by Cecil N. Roberts for a change in zoning for approximately 44.8 acres located on the southeast corner of Gibbon Road and Horace Mann Road

west of Perkins Road from R-3 to R-4.

Attachment No. 4

5. (98-117) Hearing on Petition 98-117 by John B. Abernethy for a change in zoning for approximately 73.5 acres located on the north side of North Tryon Street opposite the intersection with Eastway Drive from R-9(CD), R-12MF(CD), B-2 and B-2(CD) to R-4(CD), R-12MF(CD) and B-2(CD) Site Plan Amendment.

Attachment No. 5

6. (98-118) Hearing on Petition 98-118 by CODEVCO, LLC for a change in zoning for approximately .32 acres located on the southwest corner of W. Kingston Avenue and Camden Road from B-1 to MUDD.

Attachment No. 6

7. (98-119) Hearing on Petition 98-119 by David Prewette for a change in zoning for approximately 1.06 acres located on the northeast corner of Krefeld Drive and Tarlton Drive from R-4 to O-1(CD).

A protest petition has been filed and is sufficient to invoke the 3 /4 rule.

Attachment No. 7

8. (98-120) Hearing on Petition 98-120 by PS&L, LLC for a change in zoning for approximately 12.5 acres located on the southeast corner of Albemarle Road and Thorn Grove Lane from
R-15MF(CD) to R-12MF(CD).

A protest petition has been filed and is sufficient to invoke the 3 /4 rule.

Attachment No. 8

9. (98-121) Hearing on Petition 98-121 by Dr. John Skiouris for a change in zoning for approximately 5.3 acres located on the south side of Monroe Road west of Fannie Circle from O-6(CD) to O-2(CD).

Attachment No. 9

10. (98-123) Hearing on Petition 98-123 by Jerry and Melinda Moore for a change in zoning for approximately 1.2 acres located on the west side of Little Rock Road south of the intersection with Paw Creek Road from R-4 to R-8MF(CD).

Attachment No. 10

11. (98-124) Hearing on Petition 98-124 by Walker Real Estate Group for a change in zoning for approximately .55 acres located on the east side of Park Drive at the intersection with Clement Avenue from R-43MF and O-2 to MUDD-O.

Attachment No. 11

12. (98-125) Hearing on Petition 98-125 by CK LakePointe Corporate Center, LLC for a change in zoning for approximately 150 acres located on the northeast and southeast corners of the interchange of Billy Graham Parkway and West Tyvola Road from R-22MF, B-1 and
I-1(CD) to I-1(CD) and I-1(CD) Site Plan Amendment.

Attachment No. 12

13. (98-126) Hearing on Petition 98-126 by Kelly Dunbar for a change in zoning for approximately 6.5 acres located on the south side of Mt. Holly-Huntersville Road east of Rozzelles Ferry Road from R-3 to R-12MF(CD).

Attachment No. 13

DECISIONS

14. (98-42) Decision on Petition No. 98-42 by Ms. Pat Pollard, 2112 East 7th Street, LLC for a change in zoning for approximately 0.4 acres located on the south side of East 7th Street between Clarice Avenue and Ridgeway Avenue from R-22MF to NS.

This petition was deferred for 30 days on May 18, 1998, for three months on June 15, 1998, 30 days on September 23, 1998, and 30 days on October 21, 1998.

The protest petition has been withdrawn.

The Zoning Committee voted to recommend approval of this petition.

Attachment No. 14

15. (98-89) Decision on Petition No. 98-89 by 719, LLC (Maura Leahy-Tucker) for a change in zoning for approximately 7.3 acres located on the southeast corner of Sardis Road and Boyce Road from R-3 to R-8MF(CD).

A protest petition has been filed and is sufficient to invoke the 3 /4 rule.

Zoning Committee voted to recommend approval of this petition.

Attachment No. 15

16. (98-90) Decision on Petition 98-90 by Diamond Oak Development, Inc. for a change in zoning for approximately 18.4 acres located on the east side of Kilborne Drive and north of Downing Street from R-4 to R-5(CD).

The petition was deferred for 30 days on November 16, 1998/

A protest petition has been filed and is sufficient to invoke the 3 /4 rule.

Zoning Committee voted to recommend approval of this petition, with the following modifications:

The petitioner will dedicate a 50-foot drainage easement along the length of the northern property boundary.

The proposed 20-foot buffer along the southern property line and eastern property line is revised to undisturbed common open space. The remainder of the common open space shall likewise be undisturbed except for required drainage improvements and passive recreation features.

Attachment No. 16

17. (98-91) Decision on Petition No. 98-91 by The Hanover Company for a change in zoning for approximately 22 acres located on the northwest corner of East W. T. Harris Boulevard and Old Concord Road from R-3 to R-17MF(CD).

The petition was deferred for 30 days on November 16, 1998.

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

Attachment No. 17

18. (98-95) Decision on Petition No. 98-95 by Bruce Keith Design, Inc. for a change in zoning for approximately 1.3 acres located on the west side of Park Road and north of Quail Hill Road from R-3 and R-8(CD).

The petition was deferred for 30 days on November 16, 1998.

A protest petition has been filed and is sufficient to invoke the 3/4 rule.

Zoning Committee voted to recommend denial of this petition.

Attachment No. 18

19. (98-97) Decision on Petition No. 98-97 by Childress Klein Properties Inc. for a change in zoning for approximately 2.8 acres located on the northwest corner of South Boulevard and East Park Avenue from B-1 to MUDD(CD).

The petition was deferred for 30 days on November 16, 1998.

Zoning Committee voted to recommend approval of this petition, with the following modifications:

A note will be added to the site plan committing the petitioner to foundation modifications (acceptable to the City Arborist) designed to minimize the possibility of damage to the large street tree on South Boulevard.

The requested district is modified to MUDD(CD)
Site plan technical issues such as indicating open space and deleting the "private yard" notation will be corrected

Attachment No. 19

20. (98-100) Decision on Petition No. 98-100 by Flautt, Inc. for a change in zoning for approximately 11.6 acres located on the east side of U. S. 29 and south of Mallard Creek Church Road from B-1 and INST to O-1(CD) and B-1(CD).

The Zoning Committee voted to recommend approval of this petition, with the following modifications:
The building envelope line will be redrawn to exclude the area of the site to be dedicated to County Parks and Recreation as greenway

The option to reduce the required buffer with a berm is deleted

Attachment No. 20

21. (98-102) Decision on Petition No. 98-102 by James G. Gerrard, Thomas M. Gerrard and Mary Anne G. Pittmon for a change in zoning for approximately 1.18 acres located on the northeast corner of Johnson Street and Seaboard Street from I-1 to I-2.

Zoning Committee voted to recommend approval of this petition.

Attachment No. 21

22. (98-106) Decision on Petition No. 98-106 by Kent G. Winslow, City of Charlotte and Charlotte Housing Authority for a change in zoning for approximately 4 acres located on the

east side of North Davidson Street between E. Fifth Street and East Sixth Street from UR-2 to MUDD.

Zoning Committee voted to recommend approval of this petition.

Attachment No. 22

23. (98-107) Decision on Petition No. 98-107 by Sharon Towers (The Presbyterian Home at Charlotte, Inc.) for a change in zoning for approximately .055 acres located on the west side of Sharon Road at the intersection with Sharon View Road from R-3 to INST(CD).

Zoning Committee voted to recommend approval of this petition.

Attachment No. 23

24. (98-109) Decision on Petition No. 98-109 by Sedgewood Heights, LLC for a change in zoning for approximately 10 acres located on the westerly corner of South Wendover Road and Randolph Road from R-3 to MX-1.

A protest petition has been filed.

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

Attachment No. 24

Set Public Hearing on Proposed Amendments to Floodplain Regulations

Action: Set a public hearing on January 11, 1999 concerning proposed amendments to the Floodplain Regulations for the Mallard Creek Watershed.

Resolution calling for public hearings on Wednesday, January 20, 1999 at 6:00 P.M. in the Meeting Chamber of the Charlotte-Mecklenburg Government Center for Petitions Nos. 98-122, 99-01, 99-02, 99-03, 99-04, 99-05, 99-06, 99-07, 99-08, 99-09, 99-11, 99-12, and 99-13.