

Mayor Patrick McCrory

Rod Autrey
Patrick D. Cannon
Nancy G. Carter
Mike Castano
Malcolm Graham

Mayor Pro Tem Susan Burgess

Don Lochman
James Mitchell, Jr.
Sara Spencer
Lynn Wheeler
Joe White

CITY COUNCIL ZONING AGENDA

Tuesday, January 18, 2000

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

- Waiver of two year resubmittal rule for
Petition 2000-17 Unique Southern Estates
(Attachment No. 1)

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

DECISIONS

2. **Petition No. 99-80** (decision) by Drexel, LLC for a change in zoning for approximately 1.17 acres located on the west side of Park Road, north of Woodlawn Road, across from Park Road Shopping Center from R-4, R-43MF and O-2 to MUDD(CD).

A protest petition has been filed and is sufficient to invoke the $\frac{3}{4}$ voting rule.

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

Attachment No. 2

3. **Petition No. 99-86** (decision) by European REI, Corp. for a change in zoning for approximately 6.1 acres located on the west side of Elm Lane between Elmstone Drive and Ballantyne Commons Parkway from R-3 to R-8MF(CD).

A protest petition has been filed and is sufficient to invoke the $\frac{3}{4}$ voting rule.

Zoning Committee voted to recommend approval of this petition.

Attachment No. 3

4. **Petition No. 99-97** (decision) by Robert T. Drakeford for a change in zoning for approximately 7 acres located on the southwest corner of Clanton Road and West Boulevard from R-5, R-17MF and R-22MF to NS.

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

- The design details of this project must be submitted to the Planning Staff for approval. In addition, the outparcels will use similar materials and building designs as the main center. If the Staff does not approve the detailed design, the design would be referred to the Zoning Committee.

Attachment No. 4

5. **Petition No. 99-113** (decision) by Michael O'Brien for a change in zoning for approximately 0.44 acres located north of Fourth Street on the east side of Summit Avenue and west of Interstate 77 from O-2 and B-2 to UR-2.

Zoning Committee voted to recommend approval of this petition.

Attachment No. 5

6. **Petition No. 99-123** (decision) by Jenifer Rush Gelorme for a change in zoning for approximately 21 acres located on the east side of Perkins Road, south of Gibbon Road from R-3 to INST(CD). \

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

- The uses proposed for the 40,000 square feet of building area have been specified and include a welcome center, stables and indoor riding ring, equipment storage and greenhouses.
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Attachment No. 6

7. **Petition No. 99-125** (decision) by PEN, LLP, Charles Mclaughlin for a change in zoning for approximately 2 acres located on the north side of Providence Road West, east of Lancaster Highway from R-3 to O-1(CD).

Zoning Committee voted to recommend denial of this petition.

Attachment No. 7

8. **Petition No. 99-126** (decision) by Grendel, LLC for a change in zoning for approximately 6.3 acres located on the northeast corner of Stokes Avenue and Park South Drive from R-3 to R-12MF(CD).

A protest petition has been filed and is sufficient to invoke the $\frac{3}{4}$ voting rule.

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

Attachment No. 8

9. **Petition No. 99-127** (decision) by Neighborhood Development Department for a change in zoning for approximately .351 acres located on the northeast corner of Kentucky Avenue Centre Street from R-5 to NS.

Zoning Committee voted to recommend approval of this petition.

Attachment No. 9

10. **Petition No. 99-130** (decision) by East End Development, LLC for a change in zoning for approximately 1.4 acres located on the northeast corner of North Torrence Street and Elizabeth Avenue from O-2 and B-2 to MUDD(CD).

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

- A note will be added to the site plan that outstanding transportation issues will be resolved to the satisfaction of CDOT.

Attachment No. 10

11. **Petition No. 99-132** (decision) by LandCraft Properties for a change in zoning for approximately 5.68 acres located west of York Road, north of West Arrowood Road and southeast of Fallow Lane and Axis Court from R-12MF(CD) and B-2(CD) to R-6.

Zoning Committee voted to recommend approval of this petition.

Attachment No. 11

12. **Petition No. 99-134** (decision) by Charlotte-Mecklenburg Planning Commission to consider a text

amendment to make various technical amendments to the City of Charlotte Zoning Ordinance.

Zoning Committee voted to recommend approval of this petition.

Attachment No. 12

13. **Petition No. 99-136** (decision) by Charlotte-Mecklenburg Planning Commission to consider a text Amendment to Chapter 11 of the City of Charlotte Zoning Ordinance to establish the RE-3 Research District in the City Zoning regulations as a conditional district.

Zoning Committee voted to recommend approval of this petition.

Attachment No. 13

14. **Petition No. 99-138** (decision) by Charlotte-Mecklenburg Planning Commission to consider a text amendment to the City of Charlotte Zoning Ordinance to incorporate the Mountain Island Lake Watershed Overlay District regulations.

Zoning Committee voted to recommend approval of this petition.

Attachment No. 14

PUBLIC HEARINGS

15. **Petition No. 98-113** (hearing) by Charlotte-Mecklenburg Planning Commission to consider a text amendment to the City of Charlotte Zoning Ordinance to permit a reduction in the required minimum setback in the CC (commercial center) district, based on prescribed conditions.

Attachment No. 15.

16. **Petition No. 99-82** (hearing) by Fairfield Residential, LLC for a change in zoning for approximately 3.36 acres located on the east side of South Tryon Street, south of East Carson Boulevard from I-2 to MUDD-O.

Attachment No. 16

17. **Petition No. 99-89** (hearing) by Dr. Edward C. Roberts for a change in zoning for approximately 8.3 acres located on the northeast corner of Kilborne Drive and Elgin Lane, north of Central Avenue from RI to R-12MF(CD) and INST(CD).

A protest petition has been filed and is sufficient to invoke the $\frac{3}{4}$ voting rule.

Attachment No. 17

18. **Petition No. 99-105** (hearing) by Victor Ibekwere for a change in zoning for approximately 0.5 acres located on the east side of East 36th Street and south of Spencer Avenue from R-5 to R-8MF(CD). ***Planning Commission Staff recommends a 60-day deferral on this case in order to allow the petitioner additional time to revise the proposed site plan. The petitioner has agreed to a 30-day deferral only.***

Attachment No. 18

19. **Petition No. 99-128** (hearing) by Pulte Home Corporation for a change in zoning for approximately 11 acres located on the northwest corner of Hensey's Way and Beverly Crest Boulevard, north of Highway 51 from B-1(CD) to MX-2.

A protest petition has been filed and is sufficient to invoke the $\frac{3}{4}$ voting rule.

Attachment No. 19

20. **Petition No. 99-133** (hearing) by Esther Elder/Wilson Heights Community Development, Inc. for a change in zoning for approximately 0.305 acres located on the southeast corner of "B" Avenue and Wilson Road, east of Beatties Ford Road from R-4 to R-8MF(CD). ***Planning Commission staff requests a 60 day deferral to allow the petitioner to submit a revised site plan***

Attachment No. 20

21. **Petition No. 2000-02** (hearing) by Marjorie Perlman to consider a text amendment of the City of Charlotte Zoning Ordinance to allow the establishment of a new use category, "Neighborhood Food and Beverage Service" as a permitted use in all business districts.

Attachment No. 21

22. **Petition No. 2000-03** (hearing) by Centex Homes for a change in zoning for approximately 14.2 acres located on the north side of David Cox Road, west of Davis Lake Parkway and east of Old Statesville Road from I-1 to R-8(CD).

Petitioner request a deferral to February 21, 2000.

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Attachment No. 22

23. **Petition No. 2000-04** (hearing) by Fairfield Residential for a change in zoning for approximately 1.7 acres located on the northeast corner of South Church Street and west Summit Avenue from I-2 to MUDD(CD).

Attachment No. 23

24. **Petition No. 2000-06** (hearing) by LandCraft Properties for a change in zoning for approximately 15.29 acres located west of Davis Drive at the end of Allenwood Road from R-3 to R-4.

The petitioner requests a deferral to February 21, 2000.

Attachment No. 24

25. **Petition No. 2000-08** (hearing) by High Associates, Ltd. for a change in zoning for approximately 9.5 acres located on the east side of Prosperity Point Lane from R-3 to O-1(CD).

Attachment No. 25

26. **Petition No. 2000-09** (hearing) by Liberty Healthcare Services for a change in zoning for approximately 8.6 acres located on the west side of Statesville Road, east of Milhaven Drive and south of Sunset Road from R-4 to INST.

Attachment No. 26

27. **Petition No. 2000-10** (hearing) by Genesis Group, Inc. for a change in zoning for approximately 1.5 acres located on the north side of Sharon Amity Road, east of Randolph Road and south of Windemere Lane from R-3 to R-4(CD).

A protest petition has been filed and is not sufficient to invoke the $\frac{3}{4}$ voting rule.

Attachment No. 27

28. **Petition No. 2000-11** (hearing) by City of Charlotte for a change in zoning for approximately 4.8 acres bounded by Brookshire Freeway and I-277 to the east, North McDowell Street to the west, and East Seventh Street to the south from B-2 to MUDD.

Attachment No. 28

29. **Petition No. 2000-12** (hearing) by Nina G. Roberts for a change in zoning for approximately 13.8 acres located on the south side of Gibbon Road, east of Perkins Road from R-3 to R-4.

Attachment No. 29

30. **Petition No. 2000-13** (hearing) by The Charlotte-Mecklenburg Board of Education for a change in zoning for approximately 17.3 acres located on the north side of North Tryon Street between Hilo Drive and West Craighead Road from I-1(CD) to INST(CD).

(The petitioner requests that a decision on the petition be made the same night as the public hearing)

Attachment No. 30

31. **Petition No. 2000-14** (hearing) by Silver Mount Baptist Church for a change in zoning for approximately 14.4 acres located on the south side of West Arrowood Road, west of West Hebron Street and east of Windsong Drive from R-4 and R-17MF to INST.

Attachment No. 31

32. **Petition No. 2000-31** (hearing) by Queens Properties, Inc. for approximately 21.7 acres located on the northwest corner of Mallard Creek Church Road and I-85, north of Legranger Road and south of Galloway Road to establish City zoning jurisdiction, RE-3(CD) zoning, in a recently established City Extraterritorial Jurisdiction (ETJ) area.

Attachment No. 32.

33. **Petition No. 2000-32** (hearing) by Charlotte-Mecklenburg Planning Commission for approximately 15.9 acres located on the southwest corner of John Adams Road and Galloway Road to establish City zoning jurisdiction, RE-3(CD) zoning, in a recently established City Extraterritorial Jurisdiction area.

Attachment No. 33

34. **Petition No. 2000-33** (hearing) by Charlotte-Mecklenburg Planning Commission for approximately 2.12 acres located on the east side of Old Concord Road, north of Rocky River Road to establish City zoning jurisdiction, O-15(CD) zoning, in a recently established City Extraterritorial Jurisdiction area.

Attachment No. 34

35. **Petition No. 2000-34** (hearing) by Charlotte-Mecklenburg Planning Commission for a change in zoning for approximately 25 acres located on the east side of Old Concord Road, north of Rocky River Road to from RU(CD) to B-1(CD) establish City zoning jurisdiction.

Attachment No. 35.

Resolution calling for public hearings on Tuesday, February 8, 2000 at 6:00 p.m. in the Meeting Chamber of the Charlotte-Mecklenburg Government Center for Petitions Nos. 99-124, 99-129, 99-131, 2000-01, 2000-15, 2000-16, 2000-18 through 2000-23, 2000-25 through 2000-30.