AGENDA

Meeting Type:	ZONING
Date:	01/20/1998

City of Charlotte, City Clerk's Office

Mayor Patrick McCrory *Mayor Pro Tem Lynn Wheeler*

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

Council Agenda

Tuesday, January 20, 1998

5 00 p m - Council-Manager Dinner
Meeting Chamber Conference Room
- Text Amendment for Quarries, Landfills ETC

6 00 p m ZONING HEARINGS
Meeting Chamber

Invocation by

ITEM NO.

PUBLIC HEARINGS

1 (97-97) Hearing on Petition No 97-97 by Thomas Flohr for a change in zoning for approximately 0 443 acres located on the east side of Monroe Road south of Lumarka Drive from R-3 to R-8

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 hearing was continued at the December 15, 1997 Zoning Meeting

Attachment No 1

2 (98-01) Hearing on Petition No 98-01 by Camden Square Associates, LLC for a change in zoning for approximately 0 23 acres located on the south side of West Boulevard between Camden Road and Hawkins Street from B-1 to UMUD

Attachment No 2

3 (98-02) Hearing on Petition No 98-02 by LandCraft Properties, Inc for a change in zoning for approximately 14 664 acres located on the north side of McKee Road, east of the intersection with East Providence Drive from R-3 to R-4

Attachment No 3

4 (98-04) Hearing on Petition No 98-04 by Stan and Chris Middleton for a change in zoning for approximately 2 022 acres located on the south side of Wilkinson Boulevard between Alleghany Street and Old Dowd Road from I-2 to I-1

Attachment No 4

5 (98-05) Hearing on Petition No 98-05 by The Herman Group, LLC for a change in zoning for approximately 17 5 acres located on Hollyfield Drive and Wilora Lake Road, approximately 1000 feet north of Albemarle Road from R-3 to R-17MF(CD)

Attachment No 5

6 (98-06) Hearing on Petition No 98-06 by Jupiter Hospitality, Inc for a change in zoning for approximately 2 0 acres located on the north side of Griffith Road at Kenley Lane from I-2 to I-1(CD)

Attachment No 6

7 (98-07) Hearing on Petition No 98-07 by Studio Plus Properties, Inc for a change in zoning for approximately 3 40 acres located on the south side of Matthews-Pineville Road (NC 51), just west of McMullen Creek Parkway from O-6(CD) to O-1(CD)

Attachment No 7

8 (98-08) Hearing on Petition No 98-08 by Summit Properties Partnership for a change in zoning for approximately 38 58 acres located on the east side of Providence Road West, just south of the Elm Lane West intersection from R-3 to R-17MF(CD)

Attachment No 8

9 (98-09) Hearing on Petition No 98-09 by LandCraft Properties, Inc for a change in zoning for approximately 16 51 acres located on the west side of Mallard Creek Road between Garrison Drive and Mallard Park Drive from R-3SF to R-8MF

A protest petition has been filed

Attachment No 9

10 (98-10) Hearing on Petition No 98-10 by David Bagley for a change in zoning for approximately 5 0 acres located on the northern corner of North Tryon Street (Highway 29) and Northchase Drive from B-2 (CD) to B-2(CD) S P A

Attachment No 10

11 (98 11) Hearing on Petition No 98-11 by Kmart Corporation for a change in zoning for approximately 7 0 acres located in the Crown Point development north of Sardis Road North and west of Independence Boulevard from B-1 S C D to CC

Attachment No 11

12 (98-12) Hearing on Petition No 98-12 for a Text amendment to change existing standards and/or create additional standards and conditions related to off-site land clearing and inert debris landfills, quarries, sanitary landfills, medical waste disposal facilities and solid waste transfer stations, and to provide for a public notification process for these uses

Attachment No 12

DECISIONS

13 (97-04) Decision on Petition No 97-04 by The Bissell Companies, Inc for a change in zoning for approximately 2 007 acres located on the east side of Sharon Road across from Hazelton Drive and north of Sharon Road's intersection with Sharon View 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

The Zoning Committee voted to recommend approval of this petition

Attachment No 13

14 (97-73) Decision on Petition No 97-73 by Sharon Towers, Inc for a change in zoning for approximately 23 6 acres located on the west side of Sharon Road, south of the Sharon View Road intersection from R-3 S U P to INST(CD)

Councilmember Baker is excused on this item

This hearing was deferred 60 days on October 22, 1997

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

- The addition will not exceed 55,00 square feet, broken down as 50,000 square feet for 25 additional dwelling units and a 5,000 square foot lap pool/fitness center building

Attachment No 14

15 (97-78) Decision 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

The petitioner requested 60 days deferral on November 17, 1997

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

- Building elevations submitted by the petitioner indicating a predominantly brick building will be incorporated as a part of the site plan

Attachment No 15

16 (97-79) Decision 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)

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 two months on November 17, 1997

The Zoning Committee voted to recommend a 30 day deferral of this petition

Attachment No 16

17 (97-85) Decision 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, mot excused from voting, in order to rezone the property

This hearing was deferred for 30 days on November 17, 1997 and December 15, 1997

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

- A note will be added to the plan committing the petitioner to the use of deed restrictions to limit occupancy of the proposed units to individuals 55 years of age or older

Attachment No 17

18 (97-86) Decision on Petition No 97-86 by Majid and Janine Gharibi, David Kaveh, and Nicholas Karres for approximately 1 306 acres located on the easterly corner of Independence Boulevard and Elizabeth Avenue from B-2 and O-2 to NS

This hearing was deferred 60 days on October 22, 1997

The Zoning Committee voted to recommend approval of this petition

Attachment No 18

19 (97-89) Decision on Petition No 97-89 by Pizzagalli Investment Company for a change in zoning for approximately 8 142 acres located at 7017 Nations Ford Road from R-4 and O-2 to O-1(CD)

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

- The sidewalk will be constructed at the edge of the Nations Ford Road right -of-way in order to provide a significant planting strip

Attachment No 19

20 (97-90) Decision on Petition No 97-90 by James M Howell for a change in zoning for approximately 11 38 acres located on the west side of China Grove Church Road between Sterling Lane and Ervin Lane from R-4 to R-8(CD)

The Zoning Committee voted to recommend approval of this petition

Attachment No 20

21 (97-91) Decision on Petition No 97-91 by Gandy Development Corp for a change in zoning for approximately 12 84 acres located on the east side of Westerwood Drive approximately 0 4 miles north of Tuckaseegee Road from R-3 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

The Zoning Committee voted to recommend denial of this petition

Attachment No 21

22 (97-95) Decision on Petition No 97-95 by Mark III Properties for a change in zoning for approximately 0 43 acres located on the northeast corner of Baxter Street and Cecil Street from B-1 to O-2(CD)

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

- Leases will be provided demonstrating satisfaction of the necessary off-site parking requirement
- The remaining wall will be painted on the neighborhood side so that the wall blends with the existing building

Attachment No 22

23 (97-96) Decision on Petition No 97-96 by Gaynell Properties, Inc for a change in zoning for approximately 1 477 acres bounded by the John Belk Freeway to the east, South Boulevard to the south, and Morehead Street to the west from B-2 to UMUD

The Zoning Committee voted to recommend approval of this petition

Attachment No 23

24 (97-98) Decision on Petition No 97-98 by Freightliner of Charlotte for a change in zoning for approximately 2 773 acres located on the south side of Cannon Avenue, east of Graham Street R-4 to B-2(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 voted to recommend approval of this petition, with the following modifications

- The existing screening fence on the abutting B-2(CD) site will be replaced with the 8-foot fence with brick columns used elsewhere on the site
- A note will be added to the plan indicating that drainage calculations will be performed to ensure that the existing detention facility can handle the increased flow from this expansion

Attachment No 24

25 (97-100) Decision on Petition No 97-100 by First Citizens Bank and McDonald's Corp for a change in zoning for approximately 1 562 acres located on the southwest corner of East W T Harris Boulevard and Milton Road from B-1SCD to B-1(CD)

The Zoning Committee voted to recommend approval of this petition

Attachment No 25

26 (97-101) Decision on Petition No 97-101 by Coca-Cola Bottling Company Consolidated for a change in zoning for approximately 11 3 acres located on the southeast corner of Auten Road and Chesapeake Drive from R-4, O-1, and I-2 to I-2(CD)

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

- The required buffer radius will be correctly shown on the southwest portion of the site

Attachment No 26

27 (97-104) Decision on Petition No 97-104 by Daniel Levine for a change in zoning for approximately 0 2 acres located on the north side of East Eighth Street, between North Brevard Street and North College Street from UMUD to UMUD-O

The Zoning Committee voted to recommend approval of this petition

Attachment No 27

28 (97-105) Decision on Petition No 97-105 by 1230 West Morehead, L L C for a change in zoning for approximately 1 56 acres located on the northeast corner of West Morehead Street and Calvert Street from I-1 to UR-C

The Zoning Committee voted to recommend approval of this petition

Attachment No 28

29 (97-106) Decision on Petition No 97-106 by Volunteers of America of the Carolinas for a change in zoning for approximately 3 2 acres bounded by LaSalle Street, Augusta Street, Cummings Street, and Custer Street from R-12MF to R-22MF(CD)

The Zoning Committee voted to recommend approval of this petition

Attachment No 29

30 Resolution calling for public hearings on Monday, February 16, 1998 at 6 00 p m in the Meeting Chamber of the Charlotte-Mecklenburg Government Center for Petition Nos 98-03 and 98-13 through 98-21