

Mayor Patrick L. McCrory  
Nancy G. Carter  
Harold Cogdell, Jr.  
Malcolm Graham  
Don Lochman  
James E. Mitchell, Jr.

Mayor Pro Tem Patrick De'Angelo Cannon  
Patrick Mumford  
Sara S. Spencer  
John Tabor  
Lynn Wheeler  
Joe White

## **CITY COUNCIL ZONING AGENDA**

**Tuesday, January 22, 2002**

5:00 p.m. - **Council-Manager Dinner**  
Meeting Chamber Conference Room  
6:00 p.m. - **ZONING DECISIONS**  
Meeting Chamber

### **DECISIONS**

1. Consideration of an ordinance designating the property known as the **Mecklenburg County Courthouse** located at 700 East Trade Street in Charlotte, North Carolina as a historic landmark.

Attachment No. 1

2. **Petition No. 2001-109 (decision) by Nations Ford Community Church** for a change in zoning for approximately 20 acres located between Nations Ford Road and Interstate 77, north of West Tyvola Road from R-17MF to INST(CD).

***The Zoning Committee voted to recommend APPROVAL of this petition.***

Attachment No. 2

3. **Petition No. 2001-116 (decision) by Karen A. C. Shaw** for a change in zoning for approximately 4.4 acres located on the northeast corner of I-485 Highway and Packard Street, west of South Boulevard and south of Myrtle Avenue from R-4 to R-8MF(CD).

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

***The Zoning Committee voted to recommend DENIAL of this petition.***

Attachment No. 3

4. **Petition No. 2001-123 (decision) by Theater Charlotte** for a change in zoning for approximately 0.85 acres located on the east side of Queens Road, north of Dartmouth Place and south of Colonial Avenue from O-6(CD) to O-2(CD).

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

***The Zoning Committee voted to recommend APPROVAL of this petition.***

Attachment No. 4

5. **Petition No. 2001-135 (decision) by Verna & Associates** for a change in zoning for approximately 0.51 acres located on the northwest corner of East Third Street and South Caldwell Street from UMUD to UMUD-O.

***The Zoning Committee voted to recommend APPROVAL of this petition.***

Attachment No. 5

6. **Petition No. 2001-137 (decision) by Naomi S. Griffin Estate** for a change in zoning for approximately 3 acres located on the south side of Enoch Drive, east of W. Sugar Creek Road from R-3 to R-5.

***The Zoning Committee voted to recommend APPROVAL of this petition.***

Attachment No. 6

7. **Petition No. 2001-143 (decision) by Alma Suttle Nemrava** for a change in zoning for approximately 0.35 acres located on the west side of Interstate 485, north of Wilkinson Boulevard from R-MH to B-2.

***The Zoning Committee voted to recommend APPROVAL of this petition.***

Attachment No. 7

8. **Petition No. 2001-145 (decision) by Charter Properties, Inc.,** for a change in zoning for approximately 23 acres located on the east side of W. T. Harris Boulevard, north of Cliff Cameron Drive from R-3 and RE-1 to R-12MF(CD).

***The Zoning Committee voted to recommend APPROVAL of this petition with the following modification:***

- ***The developer will use a 90 degree cut off lighting fixture with all lights having a maximum height of 20-feet.***

Attachment No. 8

9. **Petition No. 2001-147 (decision) by John McClave** for a change in zoning for approximately 2.15 acres located on the north side of Carmel Road, west of Waterford Drive from R-3 to R-8(CD).

***The Zoning Committee voted to recommend APPROVAL of this petition.***

Attachment No. 9

10. **Petition No. 2001-148 (decision) by City Attorney's Office** to consider a text amendment to Sections 2.201 and 6.206(2) of the City of Charlotte Zoning Ordinance to clarify that a change in the uses and the location of structures on an approved site plan shall only be permitted pursuant to Section 6.207.

***The Zoning Committee voted to recommend a ONE-MONTH DEFERRAL of this petition.***

Attachment No. 10

11. **Petition No. 2001-149 (decision) by Russell Ranson, III, Crosland Land Company** to consider a text amendment to the City of Charlotte Zoning Ordinance by adding a new item under the use "outdoor recreation" to permit on-street parking spaces to be counted toward the minimum number of spaces required under certain circumstances.

***The Zoning Committee voted to recommend APPROVAL of this petition.***

Attachment No. 11

12. **Petition No. 2001-150 (decision) by Charles Daniel Watts** to consider a text amendment to the City of Charlotte Zoning Ordinance to add a new use, commercial rooming house, to particular non-residential zoning districts.

***The Zoning Committee voted to recommend APPROVAL of this petition.***

Attachment No. 12

## **PUBLIC HEARINGS**

13. **Petition No. 2001-102 (hearing) by Donald P. Renaldo** for a change in zoning for approximately 2.7 acres located on the northeast corner of Tarlton Drive and Independence Boulevard from R-12MF(CD) and B-1(CD) to B-2(CD).

**The petitioner has requested an additional deferral of this petition to April to allow further progress on the Major Investment Study for the Independence Boulevard rapid transit corridor.**

Attachment No. 13

**14. Petition No. 2001-106 (hearing) by Emma G. Vernon** for a change in zoning for approximately 27 acres located on the east and west sides of Oakdale Road, north and east of Woodland Circle from R-3 to R-4(CD).

**The petitioner has requested a decision the same night as the public hearing.**

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

Attachment No. 14

**15. Petition No. 2001-141 (hearing) by Elite Home Builders of Charlotte, Inc.,** for a change in zoning for approximately 0.80 acres located on the northwest corner of Roswell Avenue and Bucknell Avenue from R-3 to R-8(CD).

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

Attachment No. 15

**16. Petition No. 2001-144 (hearing) by Piedmont Companies, Inc.,** for a change in zoning for approximately 1.8 acres located on the south side of Plantation Center Drive, west of Weddington Road from B-1S.C.D. to B-1(CD).

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

Attachment No. 16

**17. Petition No. 2002-01 (hearing) by Charlotte-Mecklenburg Housing Partnership, Inc.,** for a change in zoning for approximately 7.46 acres located between Pence Road and Norfolk and Southern Railway, north of Viola Drive from R-12MF(CD) to R-12MF(CD) Site Plan Amendment.

**The petitioner has requested a one-month deferral of this petition to continue to work on the associated site plan and hold a community meeting.**

Attachment No. 17

**18. Petition No. 2002-02 (hearing) by Neighborhood Development, Stanley Watkins,** for a change in zoning for approximately 5 acres located on the northeast corner of Remount Road and West Boulevard, south of Kimberly Road from B-1 to NS.

Attachment No. 18

**19. Petition No. 2002-04 (hearing) by Gene Collins** for a change in zoning for approximately 5 acres located on the south side of Sunset Road, west of Beatties Ford Road from R-4 to BD(CD).

Attachment No. 19

**20. Petition No. 2002-05 (hearing) by Atapco, Inc.,** for a change in zoning for approximately 49 acres located on the south side of Shopton Road between Steele Creek Road and Gable Road from R-3 and B-1 to I-1(CD).

Attachment No. 20

**21. Petition No. 2002-06 (hearing) by Continental Communities/Charlotte, LLC,** for a change in zoning for approximately 78.8 acres located on the northwest corner of Johnston Road and Interstate 485 (I-485) from CC to CC Site Plan Amendment.

Attachment No. 21

**22. Petition No. 2002-07 (hearing) by Moody Lake Office Park** for a change in zoning for approximately 27 acres located between Whitehall Park Drive and Interstate 485 (I-485), south of Brown-Grier Road from O-2(CD) and I-1(CD) to O-2.

**Staff is requesting a deferral of this petition to allow it to be converted to a conditional district request.**

Attachment No. 22

**23. Petition No. 2002-08 (hearing) by Waymon & Carol Bullard and Robert Neal Doster** for a change in zoning for approximately 2.15 acres located on the east and west sides of Whiting Avenue, north of Holt Street and Matheson Avenue, and south of Wesley Avenue from R-5 to UR-2(CD).

Attachment No. 23

**24. Petition No. 2002-09 (hearing) by Frank Thornhill** for a change in zoning for approximately 2.5 acres located on the east side of Beatties Ford Road, north of Sunset Road from R-3 and R-8MF(CD) to R-8MF(CD) and R-8MF(CD)Site Plan Amendment.

Attachment No. 24

**25. Petition No. 2002-10 (hearing) by Walter J. Estes** for a change in zoning for approximately 0.58 acres located on the southeast corner of Shamrock Drive and East Ford Drive, north of Country Club Drive from R-3, R-4 and R-5 to R-5.

Attachment No. 25

**26. Petition No. 2002-11 (hearing) by BJ's Wholesale Club, Inc.,** for a change in zoning for approximately 11 acres located between Conference Drive and Independence Boulevard, north of Wallace Lane from B-2 to CC.

Attachment No. 26

**27. Petition No.2002-12 (hearing) by Liberty Oak, Inc.,** for a change in zoning for approximately 10.7 acres located on the south side of Freedom Drive, west of Toddville Road from R-3 to R-4.

Attachment No. 27

**28. Petition No. 2002-13 (hearing) by Robert L. Brandon, Zoning Administrator,** to consider a text amendment to the City of Charlotte Zoning Ordinance to address permissible height, total square footage, and architectural features of accessory structures.

**Planning staff is requesting a one-month deferral of this petition to continue to work with the zoning administrator on revised language.**

Attachment No. 28