

Mayor Patrick 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 ***Monday, November 17, 2003***

**5:00PM – City Attorney's
Performance Evaluation**

**6:00PM – Zoning Decisions
Meeting Chamber**

DECISIONS

1. Approve a resolution setting a public hearing for December 15, 2003 at 6:00PM on the question of historic designation of the "***Robert & Elizabeth Lassiter House***" and land as an Historic Landmark.

Attachment No. 1

2. ***Petition No. 2003-76 (decision)*** by ***Speedway Motorsports, Inc.*** for a change in zoning for approximately 348.8 acres located between Odell School Road and Interstate 85, north of Mallard Creek Road from CC to CC S.P.A.

The Zoning Committee voted to **DEFER** this petition to their next meeting. **(The Zoning Committee has scheduled a special meeting for this petition on November 18th. At the Council's decision meeting on November 17th, the petitioner will request a one-week deferral of the decision to the City Council's November 24th meeting.)**

Attachment No. 2

3. ***Petition No. 2003-81B (decision)*** by ***Charlotte-Mecklenburg Planning Commission*** for a change in zoning for approximately 17.88 acres located on the eastern and western sides of Eastway Drive, south of Kilborne Drive and north of Arnold Drive from R-22MF to R-8.

The Zoning Committee recommended **APPROVAL** of the proposal excluding two parcels proposed for a daycare.

A protest petition has been filed and is sufficient to invoke the ¾ majority-voting rule within Area 2 – to the north surrounding Eastway Drive with Bently Place to the south.

Attachment No. 3

4. ***Petition No. 2003-85 (decision)*** by ***Edna H. Vann*** for a change in zoning for approximately 1.75 acres located on the south side of Pleasant Grove Road, west of Brookshire Boulevard from R-3 to INST(CD).

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

- The petitioner will provide a public street from Pleasant Grove to the proposed zoning line with a 50-foot right-of-way local residential street cross-section. Such street will be constructed to the property line.

Attachment No. 4

5. ***Petition No. 2003-86 (decision)*** by ***Hendrick Automotive Group*** for a change in zoning for approximately 51.216 acres located at the southwest intersection of Old Statesville Road and Alexanderana Road from R-4 and BP to I-1(CD).

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

Attachment No. 5

6. ***Petition No. 2003-88 (decision)*** by ***Crosland, Inc.*** for a change in zoning for approximately 91.2 acres located on the north side of Mount Holly Road, west of the proposed I-485 interchange from R-3 and R-17MF to NS and MX-2.

The Zoning Committee voted to recommend **APPROVAL** of this petition, **contingent upon CDOT being satisfied with traffic impact/phasing provisions prior to the decision meeting.**

Attachment No. 6

7. ***Petition No. 2003-91 (decision)*** by ***Crown Builders*** for a change in zoning for approximately 1.3 acres located on the northwest corner of Independence Boulevard and Briar Creek Road from R-4 to MUDD-O.

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

Attachment No. 7

8. ***Petition No. 2003- 93 (decision)*** by ***Maxwell Development Company and Murphy Development Company*** for a change in zoning for approximately 0.3 acres located east of Valleydale Road, south of Summerville Road from R-4 to R-17MF.

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

Attachment No. 8

9. ***Petition No. 2003-95 (decision)*** by ***Monte Ritchey*** for a change in zoning for approximately 0.3 acres located on the east side of Fulton Avenue, east of Firth Court and north of Central Avenue from O-2 to MUDD(CD).

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

Attachment No. 9

10. ***Petition No. 2003-96 (decision)*** by ***Sandra Robinson-Adams*** for a change in zoning for approximately 0.80 acres located on the north side of Sunset Road, west of Southminster Lane from R-3 to INST(CD).

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

Attachment No. 10

11. ***Petition No. 2003-101 (decision)*** by ***City Attorney's Office*** for consideration of a text amendment to the City of Charlotte Zoning Ordinance to delete any references to the adoption of a resolution by the City Council and to clarify when and how a rezoning petition may be withdrawn.

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

Attachment No. 11

12. ***Petition No. 2003-103 (decision)*** by ***Mary Beth Kuzmanovich*** for a change in zoning for approximately 5 acres located on the north side of Sardis Road, across from Timber Lane from R-12MF(CD) to R-12MF(CD) S.P.A.

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

Attachment No. 12

13. ***Petition No. 2003-104 (decision)*** by ***Robert L. Brandon, Zoning Administrator*** for consideration of a text amendment to the City of Charlotte Zoning Ordinance to clarify that the provisions of Section 12.516 do not apply to public parks nor to other outdoor recreational uses as defined under Section 2.201.

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

Attachment No. 13

14. ***Petition No. 2003-105 (decision)*** by ***Charlotte-Mecklenburg Planning Commission*** for consideration of a text amendment to the City of Charlotte Zoning Ordinance to increase the maximum square footage of “showrooms” from 25,000 square feet to 70,000 square feet in the B-2, I-1 and I-2 districts and to increase the maximum size and flexibility of retail establishments and restaurants in office buildings within the Pedestrian Overlay District (PED).

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

Attachment No. 14

15. ***Petition No. 2003-106 (decision)*** by ***Mecklenburg County Water Quality Program*** for consideration of a text amendment to the City of Charlotte Zoning Ordinance to amend the applicability section of the SWIM Stream Buffer Ordinance.

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

Attachment No. 15