AGENDA

Meeting Type:	Z
Date:	10/21/98

City of Charlotte, City Clerk's Office

CHARLOTTE

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

Wednesday, October 21, 1998

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

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

ITEM NO.

PUBLIC HEARINGS

1. (98-42) Hearing 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, and 30 days on September 23, 1998.

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

   Attachment No. 1

2. (98-59) Hearing on Petition No. 98-59 by R. Malloy McKeithen, 600 West 8th Street Partners for a change in zoning for approximately 4.51 acres located on the north side of Smith Street between West Seventh Street and West Ninth Street from UR-2 to UR-C(CD).

   This petition was deferred for three months on June 15, 1998.

   Attachment No. 2

3. (98-89) Hearing 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).

Attachment No. 3

4. (98-90) Hearing on Petition No. 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).

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

Attachment No. 4

5. (98-91) Hearing 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).

Attachment No. 5

6. (98-93) Hearing on Petition No. 98-93 by First Colony Group, Ltd. for a change in zoning for approximately 31.4 acres located south of Elder Avenue and east of Silabert Avenue from I-1 to R-8MF(CD).

Attachment No. 6

7. (98-95) Hearing 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).

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

Attachment No. 7

8. (98-96) Hearing on Petition No. 98-96 by G. Patrick Hunter, Jr., C. Brian Speas, and G. Patrick Hunter, III. for a change in zoning for approximately 0.88 acres located on the west side of Barclay Downs Road and the south side of Scofield Road from R-3 and O-1 to R-12MF(CD).

Attachment No. 8

9. (98-97) Hearing 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 UMUD(CD).

Attachment No. 9

10. (98-98) Hearing on Petition No. 98-98 by Grubb Properties, Inc. for a change in zoning for approximately 7.12 acres located on the northeast corner of Randolph Road and Wendover Road from R-3 to R-12MF(CD).

Attachment No. 10

11. (98-99) Hearing on Petition No. 98-99 by New Horizon Hospitality, LLC for a change in zoning for approximately 10.7 acres located on the north side of Interstate 85 and west of Sloan Drive from B-2(CD) to O-1(CD).

Attachment No. 11

12. (98-101) Hearing on Petition No. 98-101 by City of Charlotte 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 R-22MF, B-1 and I-1(CD).

Attachment No. 12

13. (98-103) Hearing on Petition No. 98-103 by Kelly M. Alexander, Jr. and Alfred L. Alexander for a change in zoning for approximately 2.5 acres located on the east side of Statesville Avenue south of Oaklawn Avenue from I-2 to B-2.

Attachment No. 13

14. (98-114) Hearing on Petition No. 98-114 by Zenie Real Estate/Pierre Zenie (The Knitting Factory) for a change in zoning for approximately 6.9 acres located on the west side of Center Park Drive west of Beam Road from BD(CD) to I-1(CD).

Attachment No. 14

DECISIONS

15. (98-54) Decision on Petition No. 98-54 to consider a text amendment to the City of Charlotte Zoning Ordinance to create the Airport Noise Disclosure Overlay District.

This petition was deferred for 60 days on July 20, 1998 and 30 days on September 23, 1998.

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

Attachment No. 15

16. (98-55) Decision on Petition No. 98-55 SUB to consider a text amendment to the City of Charlotte Subdivision Ordinance to implement the notification requirements of the Airport Noise Disclosure Overlay District.

This petition was deferred for 60 days on July 20, 1998 and 30 days on September 23, 1998.

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

Attachment No. 16

17. (98-56) Decision on Petition No. 98-56 by T. J. Orr, Aviation Director, for a change in zoning for approximately 7,925 acres surrounding Charlotte/Douglas Airport to establish the boundaries of the Airport Noise Disclosure Overlay District.

A protest petition has been filed but is not sufficient to invoke the 3/4 rule.

This petition was deferred for 60 days on July 20, 1998 and 30 days on September 23, 1998.

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

Attachment No. 17

18. (98-60) Decision on Petition No. 98-60 by The Everett Company LLC for a change in zoning for approximately 3.0 acres located on the southeast corner of Woodlawn Road and Fairbluff Place from R-4 to R-12MF(CD)

This petition was deferred for 60 days on July 20, 1998 and 30 days on September 23, 1998.

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

Attachment No. 18

19. (98-72) Decision on Petition No. 98-72 by Charter Properties for a change in zoning for approximately 2.5 acres located on the north side of Billy Graham Parkway west of Interstate 77 from R-17MF and I-1(CD) and I-1(CD) S.P.A.

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

- In lieu of preserving trees in the required 30 foot setback along Billy Graham Parkway, a specific tree replacement program has been worked out with the Tree Commission and will be implemented on the site.
- A 30 foot setback will be observed for Parcel III, but petitioner reserves the right to seek a variance at some future date.
- Notes on the site plan will be modified to clarify that Parcel V is not part of this petition.

Attachment No. 19

20. (98-77) Decision on Petition No. 98-77 by John L. Duncan, Sr. for a change in zoning for approximately .516 acres located on the northeast corner of Cleveland Avenue and East Worthington Avenue from B-1 to NS.

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

- A note will be added to the site plan which commits to providing a minimum of 11 off-site parking spaces to supplement the on-site parking.
- The site will be amended to show the street trees required by the NS district.

Attachment No. 20

21. (98-78) Decision on Petition No. 98-78 by Timothy W. Brumm for a change in zoning for approximately .28 acres located on the northeast corner of East Boulevard and Scott Avenue from B-1 to NS.

The Zoning Committee voted to recommend approval of this petition.

Attachment No. 21

22. (98-79) Decision on Petition No. 98-79 by Jerold T. Hipp for a change in zoning for approximately 3.0 acres located on the north side of Old Plank Road east of Plumcrest Drive from R-3 to R-4.

The Zoning Committee voted to recommend approval of this petition.

Attachment No. 22

23. (98-80) Decision on Petition No. 98-80 by East West Partners for a change in zoning for approximately 80 acres located on the south side of Valleydale Road between Cottonwood park Drive and Morningside Road from R-3 and R-4 to R-5(CD).

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

- A note will be added to the site plan that petitioner will construct a stub street to the property to the west if, at the time of subdivision, the Subdivision Administrator determines that such a street is required.

- A note will be added to the site plan which commits the developer to complete a Phase II environmental assessment of the site prior to subdivision approval.

Attachment No. 23

24. (98-81) Decision on Petition No. 98-81 by Hugh and Jane Thompson for a change in zoning for approximately 43 acres located on the south side of Nevin Road west of Lake Drive from R-3 to R-4.

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

- A note will be added to the site plan which commits the developer to provide a dam breach analysis for the upstream dam and a flood study.

- A note will be added to the site plan which prohibits filling in the floodplain fringe.

- The 100-year floodplain on the southwest portion of the site will be dedicated to the Mecklenburg County Parks and Recreation Department and a greenway connection will be provided through the site to Lake Drive by a greenway easement and streetside sidewalks.

- A note will be added to the site plan preserving a 15 foot "no clearing" buffer from

the centerline on both sides of any stream expected to carry 50 cfs or more in a 100 year storm event.

- A note will be added to the site plan that Entrance #2 is subject to CDOT approval and may need to be deleted.

Attachment No. 24

25. (98-82) Decision on Petition No. 98-82 by Acme Properties Limited Partnership for a change in zoning for approximately 2.25 acres located on the east side of Little Rock Road south of Interstate 85 and west of Service Road from I-2 to I-1.

The Zoning Committee voted to recommend approval of this petition.

Attachment 25

26. (98-83) Decision on Petition No. 98-83 by Rozumny Development, LLC for a change in zoning for approximately 23.6 acres located along Coppola Drive south of Brookshire Boulevard (NC Highway 16) from R-3 to R-4.

The Zoning Committee voted to recommend approval of this petition.

Attachment 26

27. (98-84) Decision on Petition No. 98-84 by Crosland Land Company for a text amendment to allow residential mixed use development to take place in a MX-2 district on tracts which are 10 acres or larger.

The Zoning Committee voted to recommend approval of this text amendment.

Attachment 27

28. (98-85) Decision on Petition No. 98-85 by Llewellyn and Linda Scott for a change in zoning for approximately .79 acres located on the north side of Little Rock Road between Manderly Lane and Tuckaseegee Road from R-3 to R-12MF(CD).

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

Attachment 28

29. (98-87) Decision on Petition No. 98-87 by Tuscan Development II., LLC for a change in zoning for approximately .62 acres located on the northwest corner of Independence Boulevard and Hawthorne Lane from B-1 to UR-2.

Zoning Committee voted to recommend approval of this petition.

Attachment 29

30. (98-88) Decision on Petition No. 98-88 by International Airport Centers/City of Charlotte for a change in zoning for approximately 29.7 acres located on the south side of Byrum Drive between Belle Oaks Drive and Yorkmont Road from R-3 and I-1(CD) to I-2(CD).

Zoning Committee voted to recommend approval of this petition.

Attachment 30

31. Resolution calling for public hearings on Monday, November 16, 1998 at 6:00 p.m. in the Meeting Chamber of the Charlotte-Mecklenburg Government Center for Petitions Nos. 98-100, 98-102, 98-105, 98-106, 98-107, 98-109, 98-110, 98-111 and 98-112.