

**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

**Monday September 18, 2000**

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

- Discuss establishing policy concerning due date for conditional district rezoning community meeting reports and on petition withdrawal refund policy (Attachment No. 1)

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

### DECISIONS

2. **Petition No. 2000-72 (decision)** by Dan Moser Co., Inc. for a change in zoning for approximately 51 acres located between Stoneyridge Drive and Gum Branch Road, south of Colony Hill Drive from R-3 to R-4.

*The Zoning Committee's 3-3 tie vote resulted in no action being taken on this petition. This petition will be reconsidered by the Zoning Committee at their September work session..*

Attachment No. 2

3. **Petition No. 2000-96 (decision)** by Crosland Land Company for a change in zoning for approximately 13.9 acres located on the south side of Alexa road, west of Providence Road and north of Ballantyne Commons Parkway from R-3 to R-8MF.

*The petitioner has converted to a conditional zoning request and a public hearing is scheduled for October 18, 2000.*

Attachment No. 3

4. **Petition No. 2000-97 (decision)** by Presslee, LLC for a change in zoning for approximately 0.69 acres located on the east side of N. Brevard Street between E. 20<sup>th</sup> Street and Parkwood Avenue from R-22MF to I-1.

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

Attachment No. 4

5. **Petition No. 2000-98 (decision)** by Wilmore Neighborhood Association for a change in zoning for approximately 2.238 acres located on the north and south sides of West Worthington Avenue between Cliffwood Place and S. Tryon Street from R-8 and R-43MF to UR-2.

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

Attachment No. 5

6. **Petition No. 2000-99 (decision)** by Peter Tatge, Engineering and Building Standards Department to consider a text amendment to Chapter 13 of the City of Charlotte Zoning Ordinance to clarify the intent of the Zoning Ordinance regarding flags and to specifically permit the display of flags to adorn the entrance to business or office parks.

*The Zoning Committee voted to recommend a two-month deferral of this petition.*

Attachment No. 6

7. **Petition No. 2000-100 (decision)** by Charlotte-Mecklenburg Planning Commission to consider a text amendment to Chapter 12 of the City of Charlotte Zoning Ordinance to establish requirements for buffering and screening to provide a visual screen between residential uses and Class I streets with full control of access.

*The Zoning Committee voted to recommend Approval of this petition, with the*

*following modification:*

- When a berm is employed, the required shrubs must be planted but the required trees may be eliminated.

Attachment No. 7

8. **Petition No. 2000-101 (decision)** by City Attorney's Office to consider a text amendment to Chapter 13 of the City of Charlotte Zoning Ordinance to permit projecting signs on individual tenant stores in shopping centers and permit projecting signs and canopy signs in the required setback in the UMUD District.

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

- A detailed explanation of the requirement for a right-of-way encroachment permit (similar to that provided in the MUDD district) will be added to the ordinance language.

Attachment No. 8

9. **Petition No. 2000-103 (decision)** by Realty Network of Charlotte, Inc. for a change in zoning for approximately 11.34 acres located between Reames Road and Interstate 77, south of Hickory Lane from R-3 to R-4.

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

*The petition has been converted to a conditional zoning request and is scheduled for an October 18, 2000 public hearing.*

Attachment No. 9

10. **Petition No. 2000-104 (decision)** by Koger Equity, Inc. and Koger-Vanguard Partners L.P. for a change in zoning for approximately 23.26 acres located on the east side of Interstate 77, north of Seventy-Seven Center Drive and west of Springbrook Road from I-2 to I-1.

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

Attachment No. 10

11. **Petition No. 2000-105 (decision)** by Pappas Properties Development, LLC. for a change for approximately 6.06 acres located on the southwest corner of Bland Street and South Boulevard from B-1 to MUDD.

*The Zoning Committee voted recommend approval of this petition.*

Attachment No. 11

12. **Petition No. 2000-106 (decision)** by Charlotte-Mecklenburg Planning Commission to consider a text amendment to Chapter 9 of the City of Charlotte Zoning Ordinance to add a new subsection which specifies that all development and uses in the Urban Residential districts, except renovated and/or rehabilitated buildings, must reserve and keep free of development the necessary transportation corridor rights-of-way that abuts the property.

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

Attachment No. 12

## PUBLIC HEARINGS

13. **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)

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

Attachment No. 13

14. **Petition No. 2000-15 (hearing)** by Corey Transmission Services, Inc. for a change in zoning for approximately 5.58 acres located on the south side of Tremount Avenue, west of South Tryon Street from R-22MF and I-1 to I-2(CD).

Attachment No. 14

15. **Petition No. 2000-17 (hearing)** by Unique Southern Estates for a change in zoning for approximately 4 acres located on the southeast corner of the intersection of The Plaza and Belvedere Avenue from B-2(CD) to B-2(CD) S.P.A.  
**The petitioner requests that a decision on the petition be made the same night as the public hearing.**

Attachment No. 15

16. **Petition No. 2000-25 (hearing)** by Springs Village, LLC. for a change in zoning for approximately 11.4 acres located on the west side of Providence Road, (NC 16) north of Pineville-Matthews Road (NC 51) and south of Springs Farm Lane from R-8MF(CD) to R-8MF(CD) S.P.A.

Attachment No. 16

17. **Petition No. 2000-36 (hearing)** by Gaines E. Brown, Jr. for a change in zoning for approximately 1.8 acres located on the north side of W. Park Drive between S. Tryon Street and Camden Road from B-1 and I-2 to MUDD-O.

Attachment No. 17

18. **Petition No. 2000-39 (hearing)** by Michael O'Brien for a change in zoning for approximately 2.4 acres located on the west side of Calvert Street, north of west Morehead Street and east of Summit Avenue from I-1 to MUDD(CD).

Attachment No. 18

19. **Petition No. 2000-43 (hearing)** by Centex Homes for a change in zoning for approximately 10 acres located between Landen Ford Drive and Wade Ardrey Road, east of Marvin Road from MX-2 to MX-2 S.P.A.

Attachment No. 19

20. **Petition No. 2000-45 (hearing)** by David Trull for a change in zoning for approximately 0.23 acres located on the southeast corner of East Boulevard and Springdale Avenue from O-2 to MUDD-O.

Attachment No. 20

21. **Petition No. 2000-46 (hearing)** by Lincoln-Harris/Pappas Properties for a change in zoning for approximately 2 acres located on the southeast corner of Fairview Road and Savings Place, east of Sharon Road from R-15MF(CD), O-1(CD) and CC to MUDD-O

Attachment No. 21

22. **Petition No. 2000-51 (hearing)** by Hines for a change in zoning for approximately 11.6 acres located on the northwest corner of Fairview Road and Assembly Street from O-1 to MUDD-O.

Attachment No. 22

23. **Petition No. 2000-52 (hearing)** by SouthPark Mall Limited Partnership c/o RNA Advisors for a change in zoning for approximately 95.6 acres located on the west side of Sharon Road between Morrison Boulevard and Fairview Road from O-1, O-2 and B-1S.C.D. to CC.

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

Attachment No. 23

24. **Petition No. 2000-56 (hearing)** by Coconut Company LLC and Two Moon Dog for a change in zoning for approximately 0.772 acres located at the southwest corner of North Davidson Street and East 36<sup>th</sup> Street and the southwest corner of North Davidson Street and East 35<sup>th</sup> Street from B-1 to MUDD-O.

Attachment No. 24

25. **Petition No. 2000-61 (hearing)** by Carolinas Healthcare System for a change in zoning for approximately 4 acres located on the northeast corner of S. McDowell Street and Baxter Street, south of I-277 from U-I to MUDD-O.

Attachment No. 25

26. **Petition No. 2000-68 (hearing)** by Friendship Missionary Baptist Church for a change in zoning for approximately 101.99 acres located on the south side of Cindy Lane and on the east side of Beatties Ford Road from R-4, O-1(CD) and O-2 to INST(CD), NS, MX-2, O-1(CD).

Attachment No. 26

27. **Petition No. 2000-80 (hearing)** by Lisa A. Modzelewski for a change in zoning for approximately 3.2 acres located at the corner of Browne Road and DeArmon Road, east of Allen Brown Road from B-1(CD) to R-6.

Attachment No. 27

28. **Petition No. 2000-110 (hearing)** by Crosland Land Company for a change in zoning for approximately 29.4 acres located on the north and south sides of Wallace Avenue, west of East W. T. Harris Boulevard from R-3 and R-20MF to R-5.

Attachment No. 28

29. **Petition No. 2000-111 (hearing)** by Steven G. Harris for a change in zoning for approximately 0.65 acres located on the northwest corner of South Boulevard and E. Kingston Avenue from NS to MUDD.

Attachment No. 29

30. **Petition No. 2000-112 (hearing)** by Bill Batts for a change in zoning for approximately 0.134 acres located on the southeast corner of Commonwealth Avenue and Morningside Drive, north of Independence Boulevard from O-2 to B-1.

*The petition has been converted to a conditional district request and acreage has been added which requires a new public hearing. This petition has been re-scheduled for an October public hearing.*

Attachment No. 30

31. **Petition No. 2000-113 (hearing)** by Carolinas Auto Supply House, Inc. for a change in zoning for approximately 1.16 acres located on the northwest corner of Cedar Street and W. Hill Street, north of Morehead Street from I-2 to MUDD.

Attachment No. 31

32. **Petition No. 2000-115 (hearing)** by Crosland Commercial for a change in zoning for approximately 29.7 acres located on the east side of Old Concord Road, north of Rocky River Church Road and west of East W. T. Harris Boulevard from R-3, B-1 and BP(CD) to O-1.

Attachment No. 32

33. **Petition No. 2000-116 (hearing)** by City of Charlotte for a change in zoning for approximately 0.238 acres located on the southeast corner of Beaumont Avenue and Independence Boulevard, north of E. Seventh Street from B-1 to R-5.

Attachment No. 33

34. **Petition No. 2000-117 (hearing)** by U-Haul Co. of Charlotte for a change in zoning for approximately 2 acres located on the west side of South Boulevard, north of Tyvola Road from B-2 to BD.

Attachment No. 34

35. **Petition No. 2000-120 (hearing)** by Terry Birch and David Young for a change in zoning for approximately 0.56 acres located on the east side of Cranbrook Lane, north of Randolph Road from O-6(CD) to R-22MF.

*The petition has been converted to a conditional district request and acreage has been added which requires a new public hearing. This petition has been re-scheduled for an October public hearing.*

Attachment No. 35

36. **Petition No. 2000-121 (hearing)** by A-Tech Automotive for a change in zoning for approximately 1 acre located on the southwest corner of Crompton Street and nations Ford Road, north of Westinghouse Boulevard from I-2 to I-1.

Attachment No. 36

37. **Petition No. 2000-122 (hearing)** by Charlotte-Mecklenburg Planning Commission and City of Charlotte Housing Authority for a change in zoning for approximately 9.5 acres located on the east and west sides of N. McDowell Street, between E. Seventh Street and E. Trade Street Change from O-2, UR-2, UR-C, B-1, B-2 to MUDD.

Attachment No. 37

38. **Petition No. 2000-123 (hearing)** by Lynnwood Foundation to consider a text amendment to Chapter 9 of the City of Charlotte Zoning Ordinance to allow conference centers in institutional districts to utilize their overnight guest accommodations on a limited basis for non-conference type guests.

Attachment No. 38

39. **Petition No. 2000-124 (hearing)** by Steve Washington for a change in zoning for approximately 3.6 acres located on the south side of LaSalle Street, east and west of Custer Street and the north side of LaSalle Street between Augusta Street and Madrid Street from R-5 and R-12MF to UR-2.

Attachment No. 39

40. Resolution calling for a joint public hearing to be held by the City Council and the Charlotte-Mecklenburg Historic Landmarks Commission on Wednesday October 18, 2000 at 6:00P.M. in the Meeting Chamber of the Charlotte-Mecklenburg Government Center regarding the question of designating the property known as the “Nebel Knitting Mill Annex” as an historic landmark and regarding the question of designating the property known as the “Textile Mill Supply Company” as an historic landmark.

Attachment No. 40

Petition 2000-24. Change Petitioner: Steve Washington.

The City Council may change the existing zoning classification of the entire area covered by each petition, or any part or parts of such area, to the classification requested, or to a higher classification or classifications without the necessity of withdrawal or modification of the petition.

Parties in interest and citizens shall have an opportunity to be heard and may obtain further information on the proposed changes from the Charlotte-Mecklenburg Planning Commission Office, Charlotte-Mecklenburg Government Center, 600 East Fourth Street.

Anyone desiring to file a written petition of protest intended to invoke the 3/4 majority vote rule as specified in G.S. 160A-385 must file such petition in the Office of the City Clerk no later than the close of business on Wednesday, September 13, 2000

9. **Petition No. 2000-80 (hearing)** by Lisa A. Modzelewski for a change in zoning for approximately 3.2 acres located at the corner of Browne Road and DeArmon Road, east of Allen Brown Road from B-1(CD) to R-6.

Attachment No. 9

10. Attachment No. 10

Attachment No. 19

20. **Receive public comment on the City Council's process for working toward a memorandum of understanding for a new uptown arena by December 31, 2000.**

